



# The power of violence in an intractable conflict: power and violence in the Israeli-Palestinian water conflict through discursive processes

Krystel Wanneau

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**The power of violence in an intractable conflict:  
Power and Violence in the Israeli-Palestinian Water Conflict through  
Discursive Processes**



**Krystel Wanneau**

**Grenoble**

**October 8<sup>th</sup> 2010**

Travail soumis pour l'obtention du Master Spécialisé « Organisation Internationale, OIG,  
ONG »

Institut d'Etudes Politiques de Grenoble – B.P 48 – 38040 Grenoble cedex 9



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**Ce travail a été effectué durant le stage au : Palestinian Hydrology Group (PHG) sous la direction du tuteur professionnel : *Abdelrahman Tamimi*, Directeur du PHG, et de : *Stéphane La Branche*, directeur de mémoire, Enseignant Chercheur PACTE, à l'IEPG**

**The analysis has been undertaken during the internship at: Palestinian Hydrology Group under the direction of the internship supervisor: *Abdelrahman Tamimi*, PHG's Director, and *Stéphane La Branche*, thesis supervisor, Professor Researcher PACTE, IEPG**

**Cette analyse ne représente que l'opinion personnelle de son auteur et ne peut en aucun cas être attribuée au PHG où le stage a eu lieu.**

**The analysis expresses the personnel opinion of its author and cannot be attributed to the organisation PHG where the internship took place.**

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*Finally, I would like to share my last line with Pauline without whom Filistine would not have tasted the same.*

Credit for cover picture: Krystel Wanneau, Separation Wall – *USAID tag* –

Bethlehem, 16<sup>th</sup> of July, 2010



# Quotations

*Domination does not exist, there is only discipline.*

**Michel Foucault, *Surveiller et punir*, 1975**

*“Palestinian water demand, like Palestinian consumption and production rates, has little to no impact on Israeli water policy. Palestinian flows in fact are small to the point that they fit within the margins of error of Israeli record-keeping, and the water sold to Palestinians does not visually alter the Israeli water production curves.”*

**Mark Zeitoun, *Power and Water in the Middle East*, 2008**

*“No border will again go through Western Eretz Israel. The Green Line exists in the imagination of some people. It no longer exists in reality. It disappeared. It is gone, » stated the Prime Minister Mr. Menahem Begin at the meeting of the Herut Party Centre which was convened yesterday for a discussion on the settlements... The Minister of Agriculture, Ariel Sharon, said that the government offers the Arabs all rights in Eretz Israel, but no right on Eretz Israel, which is reserved only for Israel.*

**Haaretz, April 30, 1979**

*The truth is always something that is told, not something that is known. If there were no speaking or writing there would be no truth about anything. There would only be what is.*

**Susan Sontag, *The Benefactor*, 1963**

*The discourse of his Palestinian counterparts “must always satisfy their internal pressures, and they thus claim that we are stealing all the water, etc. We know this – and they know we know this. We know they don’t really mean it, and so we move on”*

**Shaul Arlosoroff, from Mark Zeitoun personal communication, 2004**

*« Ce n’est que lorsqu’on aura cessé de ramener la conduite des affaires publiques à une simple question de domination que les caractères originaux des problèmes de l’homme pourront apparaître, ou plutôt réapparaître, dans toute leur authentique diversité. »*

**Hannah Arendt, *Du Mensonge à la Violence*, 1969**

# List of acronyms

- AFD: French Development Agency
- CAP: Consolidated Appeal for Palestine
- CMWU: Coastal Municipal Water Utility
- ECHO: European Community Humanitarian Aid Department
- ECTAO: European Commission Technical Assistance Office
- EWASH: Emergency Water, Sanitation and Hygiene Group
- FoEME: Friends of the Earth Middle East
- ICA: Israeli Civil Administration
- IDF: Israeli Defence Force
- IWA: Israeli Water Authority
- INGO: International Non-Governmental Organization
- JWC: Joint Water Committee
- JWU: Jerusalem Water Undertaking
- MCM: Millions of Cubic Meters
- MO: Military Order
- MoA: Ministry of Agriculture
- MoP: Ministry of Planning
- NGO: Non-Governmental Organization
- NIS: New Israeli Shekel
- NSU: Negotiations Support Unit
- NWA: National Water Council
- OCHA: Office for the Coordination of Humanitarian Affairs
- PA: Palestinian Authority
- PHG: Palestinian Hydrology Group
- PWA: Palestinian Water Authority
- UN: United Nations
- UNICEF: The United Nations Children's Fund
- USAID: United States Agency for International Development
- WaSH MP: Water, Sanitation and Hygiene Monitoring Program
- WBG: West Bank and Gaza
- WSWG: Water Sector Working Group

## Executive summary

The Israeli-Palestinian conflict is intractable in many ways, and water is not exempted from this. Water occupies a core place in the history of Israel who has securitized its access in four periods: Zionist aspirations from the pre-1948 period, Zionism alive from 1948-1967, then Israeli domination era from 1967-1995 and since 1995, the Israeli hegemony era. This pre-Oslo period has been qualified as an activated hegemonic power because the existing 'order of things' is taken as the natural order of things, providing Palestine near-formal equality with its former occupier in spite of an asymmetry of power or control over transboundary flows. It reflects upon the prospects of peace and development of a reliable Palestinian water sector. The dissertation discusses the concepts of violence and power reviewing the meaning of peace, cooperation and conflict in a constructivist approach. It revisits Foucault and Arendt's literature on power and violence using Galtung's positive definition of peace. It gathers historical evidence and field observations of the Palestinian water sector to translate their meaning into acts. It reveals the 'hidden politics' of the Israeli discursive domination over International Organizations (IOs) and the Palestinian Authority trying to impose another view of water security. Evidence from IOs' humanitarian interventions demonstrates the hegemonic constraints for the Emergency Water, Sanitation and Hygiene (EWASH) United Nations cluster to assess the needs and provide the appropriate response to water scarcity and quality issues. The relative success of their strategy also proves that the discursive speech act of securitization is embedded in practices, in this case: tools, thresholds setting and coordination among the members of the EWASH cluster.

**Key words:** water conflict, humanitarian, WASH cluster, constructivist, discursive practices, Israel-Palestine

# Introduction

Discourses witness the struggle between actors, doing so within any specific social field to establish their perspective. It therefore hallows a dominant discourse, also referred to as the legitimate discourse. During my internship<sup>1</sup> within the Palestinian Hydrology Group, I have testimony a tensed struggle between actors – although sometimes working together or even toward the same outcome – to impose their discourse in the water sector and consequently shaping the water issue. This situation reflects social and historical processes where those actors have progressively taken a role in the Palestinian water sector. Still, it would be wrong to consider those actors independently because they cooperate among them to achieve some results in this asymmetric power situation. Is it because water is essential to life? Because the dominant discourse will not allow any humanitarian disaster under his domination? Or because it does not matter whether there is or is not domination?

“Water is a very nasty sector”<sup>2</sup> and any development in the sector can affect the prospect for peace, fostering one or another outcome. Hidden politics in that sector are the rule and not the exception which justifies my interest to study discursive processes of this conflict and try to understand where the organizational blindness<sup>3</sup> lies in such highly politicized sector. In conflicting areas, cooperation over transboundary resources is a constant negotiating process and a learning process for conflict resolution. In a similar way than the

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<sup>1</sup> Annex #1: *Internship report* and Annex #2: *OCHA political map of the West Bank*

<sup>2</sup> Interview with one high responsible of the PWA

<sup>3</sup> The idea of an organizational blindness comes from a sociology study of how actors within a structure do not understand rules in the same way because they hold different positions in the structure, creating misunderstandings that impede efficient co-operation toward a final result that everyone would like to achieve. “The ignorance of the level of reality in which the other act, and in which each one is trapped, produces a misunderstanding and a failure” in the co-operation, translated from French “L’ignorance du niveau de réalité dans lequel l’autre agit, et dans laquelle chacun est enfermé produit un malentendu et un échec” p. 9. For more

Mekong River Commission acts as a conflict resolution school in the management of the Mekong River, the Joint Water Committee acts as a testing place between the Israeli Civil Administration, the Palestinian Water Authority, and the international community for their discourses' legitimacy to emerge as the dominant one.

Finally, I would like to stress one last point prior to delving deeper into the thesis itself. During my stay – and the many meetings with actors from the water sector – I have noticed the lack of advocacy from the Palestinian side and how Israel was able, year after year, to control the issue and maintain a status quo in the water management in spite of internal shifts in the Israeli side.<sup>4</sup> At first glance, it therefore reveals a water conflict with little international or internal resonance and therefore impacts on the overall development of the Palestinian water sector. Most Israelis have stopped perceiving water as a scarce resource; feeling secured by the Golan<sup>5</sup> and Galilee water castles. Perceptions result in ignorance of what is going on in the occupied Palestinian territory upon which security prevent from showing much more concern of the ground. On the other side, the current situation in which the Palestinian Authority is can be described as a pigeonhole in which there are several levels of conflict – internally and externally –<sup>6</sup> between actors involved in the water sector's development. On top of this, the broader conflict continuously shapes, distorts, enables or disables the water conflict and its discourses, as stressed by Zeitoun.

a) Water in the Israeli-Palestinian conflict

The Israeli-Palestinian conflict is to be considered as one of the most intractable conflict of our days in which any issue is politicized to the tipping point of being severely polarized

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detail, read BOUSSARD V., MERCIER D. & TRIPIER P., *L'aveuglement organisationnel*, Paris, CNRS, cnrs sociologie, 2004

<sup>4</sup> FEITELSON E., "Implications of shifts in the Israeli water discourse for Israeli-Palestinian water negotiations", *Political Geography*, Vol. 21, Issue 3, March 2002, pp. 293-318

<sup>5</sup> Annex #3: The Israeli perception and control of water flows in the Golan.

<sup>6</sup> MEIER D., "De la conflictualité au Moyen-Orient", *Antipodes, A contrario*, CAIRN, Vol. 5, 2007, pp. 3-5

by both conflicting parties. The enduring rivalries<sup>7</sup> and intractability have become inherent to this ethno-religious conflict<sup>8</sup>. The most intractable cause underlying such conflict appears when competing groups feel that the very presence of the other, of the enemy, so sullies the environment that normal life is not possible with them in the same society. In this case, the usual strategies to control violence and bring changes in the agendas of each actor's involved seem to continuously fail, revealing the hidden politics<sup>9</sup> of those same actors. The continuous negotiations in that matter are one of the most tensed in international relations, where indirect talks are being the rule and direct talks the exception.

The conflict can be divided into or approach by several issues<sup>10</sup>, sometimes interrelated, sometimes independent, water being one of the core issues of the conflict despite the fact that it is often relegated to the bottom of the issues discussed in the negotiations compared to settlements and Jerusalem issues. This contradiction is due to the fact that water determines the viability of both nations even more than all the other issues. One of the best informed Israeli journalist from Haaretz, Yehuda Litani, wrote in 1978 about the ownership of water resources in the West Bank pointing out that "the members of the Committee (appointed to determine Israel's position on the subject of land autonomy) concluded [...] that the State of Israel must continue to control the water resources in the territories, both because of the danger to water reserves inside the Green Line and because it is impossible to establish new Israeli settlements in these territories without control and supervision of the water

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<sup>7</sup> DIEHL P. F. & GOERTZ G., "The Initiation and Termination of Enduring Rivalries: The Impact of Political Shocks", *American Journal of Political Science*, Vol. 39, 1995, pp. 30-52

<sup>8</sup> BERCOVITCH J. & KADAYIFCI-ORELLANA S. A., "Conflict Management and Israeli-Palestinian Conflict: The Importance of Capturing the 'Right Moment'", *Asia-Pacific Review*, Vol. 9, No. 2, 2002, pp. 113-129

<sup>9</sup> The idea of *hidden politics* has been developed and analyzed by Mark Zeitoun in his book *Power and Water in the Middle East: The Hidden Politics of the Palestinian-Israeli Water Conflict*, I. B. Tauris, London, New York, 2008

<sup>10</sup> OLP/NSU, Département des Affaires de Négociations de l'Organisation de Libération de la Palestine, « Mémento des Négociations », Bailasan Co., 2009

resources.”<sup>11</sup> Back then, it was already crystal clear that the control of the resource shall fully belong to Israel. With the Interim Agreement of Oslo, the logic remains similar, and water presents a real opportunity to study power and violence of the hidden politics of the sector.

Many scholars’ works have been conducted over the role of power in water conflicts and water wars, and whether there will be, or there is a water war in Middle East,<sup>12</sup> but less over violence.

b) Thesis and question

The outcome of the literature review of the Israeli-Palestinian water conflict was a significant work from scholars to analyze the asymmetry of power between both part and the impact over the development of the Palestinian water sector or even more globally, on water management. In the past decade, two authors have narrowed down their analysis to the role of discourses, still using the concept of power along with water-related conflict theories to provide the classification. What I would like to do is to extend the scope of the framework studied to go beyond the usual analysis of power relations and integrate the concept of violence.

The intention behind the exploration of the place of violence is to pay more attention to the social construction of resources uses and their connections with the broader conflict and political context. Conflict resolution studies and peace studies open the doors toward more constructivists’ analysis that take into account the identity of actors and indeed the impact of their discourses over the conflict.<sup>13</sup> The thesis depends therefore upon discursive processes and upon how power and violence are differentiated. It appears to be a way to approach highly politicized sectors and issue, where other analyses fail to explore relationships and the

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<sup>11</sup> LITANI Y., “Before the Auction,” Haaretz, November 1978

<sup>12</sup> HABIB A., *L’eau au Proche-Orient, La guerre n’aura pas lieu*. Paris: Karthala, 1998

<sup>13</sup> JACKSON R., ‘Constructivism and Conflict Resolution’, in BERCOVITCH J., KREMENYUK V., & ZARTMAN I. W., *The SAGE Handbook of Conflict Resolution*, SAGE Publications, London, 2009

role of discursive. Using power and violence to explore these is a challenge that can spread the light on the politics of the actors.

A major difficulty of this thesis lies in a lack of precision in the definition of the concepts of power and violence in the realm of political science as Hannah Arendt stresses: “It is, I think, a rather sad reflection on the present state of political science that our language does not distinguish between such key terms as power, strength, force, might, authority, and, finally, violence .... To use them as synonyms ... has resulted in a kind of blindness with respect to the realities they correspond to.”<sup>14</sup> The distinction is thus blurred by the complexity of those concepts that exist under various forms and are ruled by various mechanisms and dimensions, as Gallie noted for power – but that can apply to violence – under the appellation of “essentially contested concept.”<sup>15</sup>

At this point, I would like to remind that domination qualifies relationships between Humans. As stressed by Arendt, it often blurs the study of politics by hiding stakes or put less directly politicized issues to the first plane. Domination in the relationship of Israel with Palestinian implies a balance of power. I will therefore insist on the exercise of power rather than its possession, which will push us away from the traditional definition of power by Robert Dahl as the capacity of A to make B do what B would otherwise not do.<sup>16</sup> On the other hand, domination is also about violence which, in spite of its tremendous role in human behaviour, is neglected and even considered as normal. As a matter of fact, violence is intimately related to power as it is “nothing else that the most evident manifestation of power.”<sup>17</sup> Violence for long was not considered as illegitimate, and its connexions with

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<sup>14</sup> ARENDT H., “Sur la violence” in ARENDT H., *Du mensonge à la violence*, Paris: Agora-Calmann-Lévy, 1969, p. 143

<sup>15</sup> GALLIE W. B., “Essentially Contested Concepts,” *Proceedings of the Aristotelian Society*, N°56, 1956, pp.167-198

<sup>16</sup> DAHL R., “The Concept of Power,” *Behavioural Science*, Vol. 2, 1957, pp. 201-215

<sup>17</sup> ARENDT H., “Sur la violence” ..., *op. cit.*, p. 135



political power act as a break to its study. The eventuality that violence might shed the light on a certain practice of power is precisely why I would like to study power and violence in discursive processes. Under a certain type exercise of power, violence plays a role to maintain the cooperation in the Palestinian water sector into one type of power relationship.

As I said, everything depends on how power and violence are defined and differentiated. These previous interrogations are combined into one central question. How deeply the water conflict can be explained by violence and power? The power relations and the asymmetry of the Israeli-Palestinian water conflict are the result of a discursive violence and not the consequence of a hegemonic power. This will be the hypothesis I will support in this thesis.

The link with discourses and the place of power and violence in the relationships between the agents of the water sector is of the greatest importance. The influence of those concepts lies in discursive processes since they materialize each actor's stance and perception of reality. Through the competition between discourses, each actor defines its space of governance in the water sector co-operation. The line distinguishing cooperation from conflict is almost invisible in such politicized context. By politicized, I mean that actors borrow part of their argumentation from different type of discourse in order to fulfil their own agenda and satisfy their own perspective. This thesis thus focuses on the combination of three elements being the digging into the conflict's source, then power and violence in discursive processes, and finally on the role of those discourses on the cooperation and eventually conflict's resolution.<sup>18</sup> The idea often carried out by cooperation is that it might lead the path toward the conflict's resolution. By the end, we should also be able to determine the intensity of violence and power in the Israeli-Palestinian water conflict.

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<sup>18</sup> See scheme p. 58

Each discourse shall reveal the integration of violence and of power with a more or less pro-active way to interact in the conflict transformation. In turn, this will bring a perspective to understanding the conflicting water cooperation in Palestine.

# Chapter I. Theoretical Framework

In this first chapter, I will focus on the three elements that constitute my theoretical framework. The entry point of this thesis is the analysis of conflict that determines the dynamics of a conflict. With such intractable conflict as the Israeli-Palestinian one, it is thus essential to start with this. I will also cover the link between the hypothesis and water. Narrowing down the conflict analysis to a particular issue will show how the porosity of issues regarding one same conflict. Thus, power and violence penetrate this water conflict carrying in intrinsically the broader politicization of this conflict. The rest of the thesis will depend upon the definitions of those issues and its linkages with the conflict. Finally, discursive processes behind the last element to explore the place of violence and power in the water conflict, I will focus on the different classifications that exist and the actors that continuously shape the water issue. This will allow us to conclude the chapter with a framework for the case study.

## **Section I :       How to analyze conflicts?**

The objective of this section is to start from a broad understanding of conflicts analysis to discuss afterwards the role of discursive processes and water in the conflict. Two main analysis of conflict provide the theoretical support before getting to the concepts of power and violence. A first step will be to get into conflict analysis through the lens of constructivism, and justify why. Then will be able to concentrate on the role of natural resources in conflict so as to make it clear for our purpose when water is a source or an issue of a conflict.

### **I)           Common grounds on understanding conflicts**

#### **A) Constructed conflicts within IR theory**

##### **a) Presenting constructivist insights of conflict analysis**

The unique approach of constructivism offers the possibility of a common ground between rationalist and idealist approaches, a more holistic, multi-dimensional understanding of conflict's inside and outside processes, visible and invisible dynamics, political changes and hidden politics. However, and it is necessary to be clear on this, constructivism offers insights to understanding the conflict by providing a complementary and confirmative approach rather than a novel or rival approach to the broad field of conflict research. A broad definition of constructivism could be the following taken from the SAGE Handbook of Conflict Resolution: "constructivists are concerned with the way agents and structures co-constitute each other, the socially – and historically – constructed nature of actors and their identities and interests, and the importance of ideational, normative and discursive factors in the shaping of international political reality."<sup>19</sup>

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<sup>19</sup> JACKSON R., "Constructivism and Conflict Resolution", ..., *op. cit.*

In spite of its diversity of analysis, constructivists share four main insights on which we can find strong theoretical support for this thesis. First, reality is a social and cultural construction that relies upon perceptions, identities and interests. Structures as a matter of fact only exist as long as human agreement exists.<sup>20</sup> So as to include rational theory, when taken as an objective fact, a structure becomes a conditioning structure that constrains behaviour. Those two latter remarks combined provide lens to understand political changes, both static and change political contexts. Second, they believe in an inter-dependent and co-constitutive agency-structure view which main advantage is to bring human agency back into the political analysis without getting the structure lost into the agents' beliefs, identities and interests and without structure eating entirely agents' autonomy to transform the structure. "Agents produce structures through their beliefs, actions and interactions [...] and structures produce agents by helping to shape their identities and interests."<sup>21</sup> Third, and this will be further discussed in the following paragraph, discursive processes construct powerful normative structures. And fourth, constructivists emphasize the importance of normative structures in the way that rules and norms provide boundaries for action. Regulatory policies define standards of appropriate behaviour with enough flexibility to allow the possibility of critical self-reflection and of structural transformation.<sup>22</sup>

#### b) Choosing constructivism to analyze conflicts

Constructivist ideas have progressively worked their way into international politics often as an additional social theory – through the development of theoretical lens and a set of conceptual tools – rather than a substantive theory of international politics. Based on the core

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<sup>20</sup> BARNETT M., "Social Constructivism", in BAYLIS J. & SMITH S., *The Globalization of World Politics: An Introduction to International Relations*, Oxford: Oxford University Press, pp.251-270

<sup>21</sup> JACKSON R., "Constructivism and ...", *op. cit.*, p. 175

<sup>22</sup> CHECKEL J., "The Constructivist Turn in International Relations Theory", *World Politics*, Vol. 50, 1998, pp. 324-348

idea that reality is socially constructed<sup>23</sup>, which I will discuss later, constructivist is the third way, following *Neo-realism* – which remains the most influential – and *neo-liberalism* – also called neo-liberal institutionalism for focusing on interstate cooperation, institutions, regimes and political economy. Whereas Neo-realism is trapped in a constant security dilemma<sup>24</sup> that leads toward power mediation or peace enforcement, neo-liberalism encourages multilateral cooperation and the creation of security communities that answer to the security dilemma with a democratic peace idea. Elman argues about defensive structural realism in that same direction, explaining that conflict arises in the first place either because of domestic-level factors or “that extreme security dilemma dynamics make states behave as if they were revisionists.”<sup>25</sup> Next to those, constructivism emerged as a widely accepted alternative approach when the two other were shaken by the end of the Cold War and partially failed by the emergence of post-colonialist and identity-based conflicts.

A critic of constructivism from a realist perspective is that it has generally “eschewed a focus on the power politics of security and focused instead on the development of benign norms for managing interstate competition and institutionalizing broader forms of political community.”<sup>26</sup> Constructivists would oppose this critic by saying that their approach actually enables a more sophisticated and complete understanding of dynamics traditionally associated to realism, from the nature of power to the use of violence. “Constructivists approaches are able to come to terms with periods of structural change enabled by strategic actors in world politics; most prominently in the end of the Cold War”<sup>27</sup> which definitely suits better our

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<sup>23</sup> BARNETT M., “Social Constructivism”, ..., *op. cit*

<sup>24</sup> For a definition of the security dilemma, see Box 10.1 “The Security Dilemma Defined” by Booth and Wheeler in BOOTH K. & WHEELER N. J., “Uncertainty”, pp. 133-150 in WILLIAMS P. D., *Security Studies: an introduction*, New York, Routledge, 2008, p. 135

<sup>25</sup> ELMAN C., “Realism”, pp. 15-28, in WILLIAMS P. D., *Security Studies: an introduction*, New York, Routledge, 2008, p. 21

<sup>26</sup> MEARSHEIMER in MCDONALD M., “Constructivism,” pp. 59-72, in WILLIAMS P. D., *Security Studies: an introduction*, New York, Routledge, 2008, p. 60

<sup>27</sup> *Ibid.*, p. 60

thesis. Battistella also argues in that way affirming that “we have to content ourselves with a sociological approach of international relations, capable to understand the circumstances that have an influence over conflicts and stakes between states, even if it means to develop few fundamental concepts, relating to international systems and to the end and the means to diplomatico-strategic conduct.”<sup>28</sup> But the argument can be taken one step further.

Constructivists are closer to postpositivism than to positivism, Foucault having played a central role in the basic constructivists postulates and their interpretation of reality. In fact, whereas neo-realists opt for an objective reality independent from the subject who perceives it and can describe it, postpositivists – and constructivists to a certain extent – believe that theorisation builds a reality that it is supposed to explain.<sup>29</sup> The question here is whether for a analysis of discursive processes neo-realism can bring sufficient insights or not, and the answer is to prefer constructivism because it is half way between believing that there is a reality, although socially constructed, and no reality as some post-modernists affirm. Furthermore, as already mentioned, constructivism is not in an epistemological opposition with neo-realists. Rather, it enables us to avoid the fundamental critic of Neo-realism theory formulated by Ashley in *The Poverty of Neo-realism* back in 1984: Reality and social sciences theorisation do not have to follow “objectivity, neutrality, detachment, ‘state-as-actor,’ a ‘technology for peace’”<sup>30</sup> slogans of this period. In short, it is foolish to believe that

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<sup>28</sup> From French : « il faut donc se contenter d’une approche sociologique des relations internationales, susceptible de permettre de saisir les circonstances qui influent sur les conflits et enjeux entre Etats, quitte à élaborer pour ce faire quelques concepts fondamentaux, relatifs aux systèmes internationaux et aux fins et moyens de la conduite diplomatico-stratégique. » BATTISTELLA D., « Le paradigme réaliste, » pp. 113-154, in BATTISTELLA D., *Théories des relations internationales*, 2<sup>ème</sup> éd. Revue et augmentée – Paris, Presses de Sciences Po, 2006, p. 125

<sup>29</sup> LABRANCHE S., “L’apport de Foucault aux théories des relations internationales : une critique du post-modernisme anglo-saxon”, in MEYET S. & RIBEMEONT T. (dirs.), *Travailler avec Foucault. Quelques utilisations pour analyser le politique*, Paris : L’Harmattan, 2005

<sup>30</sup> ASHLEY R., “The poverty of Neo-realism”, Cambridge University Press, International Organization Foundation, International Organization, Vol. 38, No. 2, Spring 1984, p. 263

theorisation has no impact on reality: Neo-realism did not analyze objectively the Cold War; it participated in upholding it well established.

## **B) Political violence as a driving force behind constructivism conflict analysis**

Constructivist conflict analysis – which is the framework for this thesis – is made out of three components that open the space for alternative questioning of the role of power and violence in the construction of a conflict: 1) the construction and manipulation of identity; 2) the co-constitution of structures and agents; and 3) the construction of society-wide conflict discourses.

### a) Construction and manipulation of identity

First, identity plays a role because a conflict requires a clear identifiable enemy. Because it is a context-dependent and highly malleable process, identity is re-made through a vast array of discursive and social practices. Jackson stresses here the role of elites and the importance of history, culture, symbols, ideology, religion, political practice and nationalism. In our case, ideology plays a crucial role with the Zionist ideology, but on the counterpart, other ideologies are conveyed in the Palestinian society, for instance as done by the internet magazine *Al Fateh*, for children supported by Hamas<sup>31</sup>. Nationalism is even more relevant because the state survival or constitution is one main outcome of the Israeli-Palestinian conflict. Political practice in our case is, again, mostly relevant with the disparity of political practices from the Israeli and the Palestinian political panels, just to mention one, the violent

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<sup>31</sup> MANOR Y., « Portée des orientations éducatives et pédagogiques du Hamas : Haine de l'Occident, d'Israël et des Juifs », *Les Cahiers de l'Orient*, No.96, Oct. 2009, pp. 59-72. Yohanan Manor is the President of the Institute IMPACT-SE (The Institute for Monitoring Peace and Cultural Tolerance in School Education) which examines the conventionality of school programs and textbooks. See *Arabs and Palestinians in Israeli School Textbooks*, Korinman & Laughland, Israel on Israel, Valentine, London, 2008



rivalry between Fatah and Hamas that took an important turn with the Congress of Fatah in August 2009<sup>32</sup>.

b) Co-constitution of agents and structures

Secondly, constructivists explain why similar structural conditions produce different conflict outcomes because structures and agents are inter-dependent and co-dependent. They insist on the role of conflict agents by making a clear distinction between individuals and the political power of elites, the second being more in a position to materially and discursively organize the conditions for individuals to engage violence against the 'other'. The role of elites in conflict has been the focus of conflict studies in determining their impact on the polarization of the society and whether they should be involved or not in the peace process. "Although the hope is that this (democratic legitimacy gained through parliamentary elections) will lead to a change in Hamas' politics, democratic institutions do not always produce peaceful democrats."<sup>33</sup> Violence as such is the monopoly of conflict agents whether they are individual or elites – described as 'conflict entrepreneurs'<sup>34</sup>. This point is of the utmost importance, because when defining violence and power later on, we have to bear in mind that those concepts are brought to life by these 'conflict entrepreneurs' who materialize them in their discourses even more than in the acts.<sup>35</sup>

c) Construction of society-wide conflict discourses

Finally, constructivism can make a genuine contribution to conflict analysis, particularly in terms of ideational and discursive basis of political violence. Discursive factors

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<sup>32</sup> DANINO O., *Le Hamas et l'édification de l'Etat palestinien*, Les terrains du siècle, éd. Karthala, Paris, 2009

<sup>33</sup> For a in-depth development of those type of dilemmas happening in peacebuilding, see JARSTAD A. K. & SISK T. D., *From War to Democracy: Dilemmas of peacebuilding*, Cambridge University Press, 2008

<sup>34</sup> LEMARCHAND R., *Burundi: Ethnocide as Discourse and Practice*, Washington, DC: Woodrow Wilson Centre Press, 1994

<sup>35</sup> From the author, we will see later on that the ability to act, depends upon the power in the hand of the agent, as stressed by Arendt, power is the ability to act, and to act jointly through a consented power. Discursive on the

include myths, narratives, histories, symbols, beliefs, ideologies, and discourses. What emerges is a society-wide conflict discourse which renders going to war conceivable, legitimate and reasonable. The initiation of conflict requires the construction by agents of a vast and powerful cultural complex defined by Jackson as a society-wide conflict discourse. This complex conflict discourse “draw upon a mix of existing discursive and normative structures, such as national myths, political symbols, cultural norms, popular narratives, historical memory and newly introduced discursive elements derived from recent events and processes, such as immigration or terrorist attacks.”<sup>36</sup> It is a core support to our thesis because constructivists stress the idea that discourse has a ‘causal’ effect on social action.

Discourses function in that matter to define issues and problems, to confer normative and political authority on certain responses, to create actors authorized to speak, and to exclude alternative forms of action by constructing and endorsing a widely accepted common sense of the issue.<sup>37</sup> As a consequence, it explains why some solutions are made possible or even thinkable while others are made impossible either by exclusion or disqualification.<sup>38</sup> Each society provides discursive opportunity structures built on historically contingent, and eventually entailing substantial reinvention of tradition and history or on the mobilization of other cultural material such as symbols, ideas. Constructivists stress the instrumental character of discourses, deployed by elites as a ‘symbolic technology’<sup>39</sup> to achieve a political project. The ultimate goal is to create a dominant ‘regime of truth’ for a large numbers of people in which even the opposition has to rely on and use to build its own discourse. If the

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other hand, reflects a position of the agent, whether it is an individual or a structure, and whether they can transform their discourses into acts.

<sup>36</sup> JACKSON R., “Constructivism and ...”, *op. cit.*, p. 180-181

<sup>37</sup> MILLIKEN J., “The Study of Discourse in International Relations: A Critique of Research and Methods”, *European Journal of International Relations*, Vol. 5, 1999, pp. 225-254

<sup>38</sup> YEE A., “The Causal Effects of Ideas on Politics”, *International Organization*, No. 50, 1996, pp. 69-108

<sup>39</sup> LAFHEY M. & WELDES J., “Beyond Belief: Ideas and Symbolic Technologies in the Study of International Relations”, *European Journal of International Relations*, 1997, Vol. 3, No. 2, pp. 197-237

Israeli dominant discourse is not challenged by any other discourse, the obvious consequence is a full control of the issue internally and worldwide.

Reality and discourses create a competing ground between agents where emerge as many perceptions of reality as there are discourses carried by agents. Indeed, discourses do not exist independently of a society, but rather within a moving structure actualized through regular use by people. “Conflict discourses are embedded in the normative and discursive structures of society and everyday reality and both draw upon and reflect the cultural and historical context in which they operate.”<sup>40</sup> It suggests that the conflict is rooted in the structures, daily practices and behaviours of individuals, and conditions of social existence.<sup>41</sup> At this stage of the thesis, I will not go into power and violence since I have not defined them in-depth, but what I will highlight though is the structural ground that discourses create for Galtung’s structural violence, taking us back to the importance of agents and structures co-constituency and the role of elites in power to consolidate the structure. This remark leads to note that if power is the ability to act, then the role of elites in shaping a conflict is central. Then again, elites are dependant upon their own identity and social construction of the conflict resulting from the existing structure. Co-constituency of agent and structure gives even more importance to discourses by suggesting that challenging discourses’ truth might be the key element of conflict transformation. Furthermore, is not challenging a discourse’s truth challenging the legitimacy to act, and therefore power? If a discourse carries violence, then a peace discourse fostering Galtung’s positive peace is the best challenge to political violence. This unfortunately depends upon a larger political context, as Arendt explicitly underlines with the following example. “If the strategy of non-violent resistance, based on masses power, which was used with success by Gandhi, had found in front of it, instead of England, Saline’s

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<sup>40</sup> JACKSON R., “Constructivism and ...”, *op. cit.*, p. 181

Russia, Hitler's Germany, or even before-war's Japan, it would not have been end up by decolonization, but by massacres and submission."<sup>42</sup>

Discourses not only help to explain contextual differences in political practices, but it allows us to trace down the historical political actions that have created such context and the daily practices associated to such context. Furthermore, there is no such thing as a fake or false discourse that would not embody reality because what matters are the effects wanted by the actor and the effects of the discourse on reality. How society affects the behaviour of the different actors is through discursive practices that act as communicating vases each of them affecting each other.<sup>43</sup> "While the water conflict is at times very violent and destructive, it is also fought through discursive processes, particularly since 1967."<sup>44</sup> In short, the discourses of conflict shape a breeding ground for – more – political violence.

In the next part, water will be the focus of the conflict analysis because in conflict analysis, the type of issue also carries effects over the conflict resolution and discourses.

## **II ) Role of water-related in conflicts**

Theoretically, this Master's thesis also lies at the junction of two issues that have recently met on the agenda of IR under the scope of security and conflict studies: environment and power between states. The first one has worked its way into the political agenda although coming originally from the panel of soft issues whereas the second one has always been

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<sup>41</sup> DUFFIELD M, "Post-Modern Conflict: Warlords, Post-Adjustment States and Private Protection", *Civil Wars*, Vol. 1, 1998, pp. 65-102

<sup>42</sup> ARENDT H., "Sur la violence" ..., *op. cit.*, from French « Si la stratégie de la résistance non violente, fondée sur le pouvoir des masses, qui a été utilisée avec succès par Gandhi, avait trouvé en face d'elle, au lieu de l'Angleterre, la Russie de Staline, l'Allemagne de Hitler, ou même le Japon d'avant-guerre, elle ne se serait pas terminée par la décolonisation, mais bien par les massacres et la soumission. », p. 154

<sup>43</sup> The work of the researcher Cédric Parizot on the emotional involvement in anthropologist fieldwork provides insights to understand how concretely discourses in conflict areas affect the individual, creating symbolic violence that shall become internalized, consciously. "Emotions mediate and influence our perceptions of reality." PARIZOT C., "Moving Fieldwork: Ethnographic Experiences in the Israeli-Palestinian space. Affect to Affect", Centre de Recherche Français de Jérusalem, CNRS, 2009

considered as a hard issue at the core of strategic studies in international relations. Furthermore, water scarcity has become an increasingly important issue for economic and agricultural development. As a 'critical' resource, water evolves in some regions into an issue of "high politics" with potential consequences of water-related violence revolving over the 'pursuit or possession of critical material'<sup>45</sup>.

Environmental changes affect both conflict and security understood in its broad definition – the Welsh School definition –, but we will rather focus on how they contribute to conflict which eventually carries a substantial probability of violence. Firstly, we will approach different perspectives to consider resources as a source or/and an issue of conflict and how they view resources. Then we will proceed to the examination of water-related conflict through a classification of Gleick.

### **A) Role of environmental resources in conflict**

The role played by environmental resources in conflicts can either be defined as one of a structural cause – a source – of the conflict or as a consequence – an issue – of the conflict where the resource is being used by the conflicting parties to gain or to comfort its power. Conflicts can arise over, or be exacerbated by water issues which, in fact, is not a recent phenomenon as Gleick notes in regions like the Middle East, "the history of water-related conflicts already extend back 5000 years."<sup>46</sup> Indeed, conflicts over resources are often played in a 'repeated game' as part of an identity construction – and re-construction – or as unequal and polarized distribution of the 'critical resource'.

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<sup>44</sup> ZEITOUN M., "Highly Politicised Hydropolitics", pp. 63-85, in ZEITOUN M., *Power and Water...*, *op. cit.*, p. 64

<sup>45</sup> KLARE M. T., *Resource Wars: The Changing Landscape of Global Conflict*, New York: Henri Holt, 2001

<sup>46</sup> GLEICK P. H., "Water and Conflict: Fresh Water Resources in International Security", *International Security*, Vol. 18, 1993

To the question of how do environmental changes lead to a conflict, Homer-Dixon<sup>47</sup> briefly mentions two solutions. He suggests that environmental changes may shift the balance of power between states or that disparities increased by environmental changes between two populations – or between the North and the South on a global scale – produces grievances. Power and grievances appear as key elements to understanding resource-related conflicts. With power being the capacity act, if you have no power, then how can one make his grievances heard? The only way is then terrorism which would be the powerless's violence strategy. A natural resource can thus become a source of political violence for both conflict agents, terrorism being an extreme case and agreed treaties being the rule, but we will come back on cooperation and conflict later in this part.

Knowing 'resource wars' have geopolitical, political economy and political ecology perspectives, environmental resources can be qualified as strategic resources, as the literature of conflict resolution nowadays does<sup>48</sup>. It comes therefore without surprise that actors develop different discourses over natural resources and invest different spaces of governance<sup>49</sup> in order to achieve their strategy to increase their power assets – or to survive an asymmetric conflict. Before discussing different perspectives on 'resource wars', it is worth mentioning, as Le Billon does, that such perspectives do not aim at reducing conflicts to a single factor. A quick review of the three perspectives – geopolitics, political economy and political ecology – will set a first background before getting into the Israeli-Palestinian water conflict.

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<sup>47</sup> HOMER-DIXON T., "On the Threshold: Environmental Changes as Cause of Acute Conflict", *International Security*, Vol. 16, 1991, pp. 76-116

<sup>48</sup> Le BILLON P., 'Economic and Resource Causes of Conflicts' and SJÖSTEDT G., "Resolving Ecological Conflicts: Typical and Special Circumstances", in BERCOVITCH J., KREMENYUK V., & ZARTMAN I. W., *The SAGE Handbook of Conflict Resolution*, SAGE Publications, London, 2009

<sup>49</sup> FEITELSON E. & FISCHHENDLER I., "Spaces of Water Governance: The Case of Israel and Its Neighbours", *Annals of the Association of American Geographers*, Taylor & Francis, 2009, pp.728-745

Geopolitics help getting the big picture, exploring the asymmetry of power in a strategic perspective of resource control over the supply of water.<sup>50</sup> The idea behind this analysis is that local or regional instability, arising from a combination of environmental, resource, and political factors, generates tensions on the international level with the risk of turning violent. ‘Resource’ and ‘environmental’ security have therefore brought geopolitical perspectives alive. Although being criticized for drawing a picture on simplistic representations of ‘resource geography’, this first layer is a caricature that facilitate going deeper into issues of scale and the multiplicity of distinct spaces and places. “As each particular region becomes caricatured through its dominant resource sector, other aspects of conflict get brushed aside.”<sup>51</sup> Geographical considerations dictate how urgent the need for cooperation between riparian may be. For instance, as described by Dinar, “military and economically weak river basin states may thus control the source or major portions of a common waterway.”<sup>52</sup> Mainstream geopolitical perspectives are being criticized for building a scheme on a seductive supply and demand analysis articulated by an oversimplified geographic understanding of power relations and representations of potential ‘flash points’. A key idea worst to mention though is that with such security analysis, the focus is *when* and *where* resource-related conflict are most likely to arise, and not *whether* environmental concerns can contribute to instability and conflict as noted by Gleick.

Political economy is based on the assumption that resources wars are largely rooted in question of resource scarcity, abundance or dependence which follows the widening of the scope of security issues. According to this approach, resources have an *institutional*

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<sup>50</sup> See for example a recent geopolitical article from specialized French press Moyen-Orient. BLANC P., “Liban, Israël, les dessous hydropolitiques d’une tension”, pp. 51-55, in MOYEN-ORIENT (Géopolitique, géoéconomie, géostratégie et sociétés du monde arabo-musulman), dossier *Israël Palestine : la paix pour quand ?*, Areion Group, No. 05, bimestriel, April-May 2010

<sup>51</sup> Le BILLON P., ..., *op. cit.*, p. 215

*weakening effect* increasing vulnerability to conflict; a *motivational effect* increasing the risk of armed conflict and an *opportunity effect* associated with resources financing belligerents – which does not apply in our case. Political economy has yielded major insights into the significance of resource dependence for conflict risks, and patterns of conflicts relating to particular types of resources and mode of exploitation and regulation.

Political ecology finally brings a key contribution to the debate by recognizing a broader range of violence than geopolitical and political perspectives, and broader connections. Peluso and Watts<sup>53</sup>, as Le Billon explains, “call not only for understanding conflicts as ‘globally’ contextualized by history, power relations and material transformation taking place at a diversity of scales, but also for multiple forms of violence to be acknowledged in relation to resources.”<sup>54</sup> Here we see a theoretical framework’ use, and we see that it will depend, again, on the definition of violence. Indeed, a broader approach to violence<sup>55</sup> allows us to go beyond the coercive use of physical force to control or access resource, and therefore adopt a broader characterization of resources, their mode of production, circulation and consumption. The resource management, the type of agents involved in the process, their relationships, all of these factors are conveyors of the conflict, and the resource is not only an issue of another conflict, it becomes a genuine source of conflict in its management. The approach pays attention to power relations and forms of violence, historical context and identities, which is most likely suitable for our cases studied.

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<sup>52</sup> DINAR S., “Water, Security, Conflict, and Cooperation”, The John Hopkins University Press, SAIS Review, Vol. 22, No. 2, Summer-Fall 2002, p. 238

<sup>53</sup> PELUSO N. L. & WATTS M., *Violent Environments*, Ithaca, NY : Cornell University Press, 2001

<sup>54</sup> Le BILLON P., ..., *op. cit.*, p. 218

<sup>55</sup> If power is a major element of the theoretical background of this thesis, violence is the other one, and will allow us to go beyond power analysis that does not seek any explanation in the effect of the power over the actors. For violence’s theory, Galtung and McIlwaine will provide the theoretical background.



## **B) Classification of water-related conflicts:**

Choosing to expose a classification of water conflict seems useful to distinguish between the confusing that bind conflict and water – source or issue. Such rigid classifications will be useful to locate power and violence in the conflict and therefore link the agenda of an agent, his discourse, and his role to replace this in a broader conflict context – the structure. The particularity of water is the greed it arouses, which led Homer-Dixon<sup>56</sup> to propose a motive-based classification that deals with frustration-aggression theories:

- **Simple-scarcity** is the will from a state to seize another's renewable resources (oil, minerals), easily understood from realist or balance-of-power theories. Besides, four renewable resources also appear to likely sparks simple-scarcity conflict namely agriculturally productive land, river water, forests, and fish. Examples of water-related: Lesotho-Apartheid South Africa, and Turkey-Syria through PKK insurgencies in Western Anatolia, Syria using separatists guerrillas to gain leverage in bargaining over Euphrates water ;
- **Group-identity** deals with any increasing social segmentation and deepened “we-they” cleavages due to scarcities, for example urban scarcities in South Africa. He supports that “group-identity conflicts arise from the large-scale movements of populations that can be caused, in part, by environmental scarcity.”<sup>57</sup> Under a stressful configuration, intergroup hostilities have a strong tie with identity dynamic;
- **Insurgencies, coup d'états, banditry and gang violence** are a function of the level of grievance that motivates the challenged group and the opportunities available to this group to act or respond violently to those. According to relative-deprivation theory, grievance can be related to the gap between the actual level of economic

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<sup>56</sup> HOMER-DIXON T., *Environment, Scarcity, and Violence*, Princeton, NJ, USA: Princeton University Press, 1999

achievement and the level a group feel it deserves. Any change in the gap may increase frustration and thus grievance. Finally, grievance is also influenced by ideational which leads to this remark. The one who might feel more affected by environmental scarcity are not necessarily the one who suffer most directly from it;

The conclusion drawn here is not that resource will provoke civil war, but instead that resources are violence drivers. Indeed, states do not or cannot always easily convert resources into increased state power. Dinar<sup>58</sup> also proposes a classification of hydropolitics according to a security framework in order to understand how nations engage in conflict and cooperation over water. Through securitization processes – the transformation of an issue politicized to a higher capital security issue – hydropolitics gives insights to the analysis of discursive practices. In the Israeli discourse, different time periods can be defined according to the intensity of the securitization of the resource.

While the Transboundary Freshwater Dispute Database developed by Wolf<sup>59</sup> shows some examples of conflicts, examples of cooperation are far more evident, which in turn should draw our attention away from water-related conflict as cooperation is the outcome of a long engagement process. Does it mean that a water-related conflict has no significance without the broader conflicting context? Not necessarily. Cooperation also emerges from conflict. Although the outcome of a water-related conflict seems to be cooperation, it is hard to say whether a latent or low-intensity conflict was prior to cooperation or if cooperation takes deeper roots prior to a conflict. It clearly depends on the political structure and the agents – the constructivist co-constituency acts as the mechanism of this conflict-cooperation dilemma. Dinar links the intensity of the conflict to the need for cooperation to bring a first answer to this question. As seen previously, according to the structure of its management,

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<sup>57</sup> *Ibid.*, p. 141

water is a genuine source of potential – latent – conflict in need for cooperation. A key idea here is that this conflict-cooperation dilemma finds answer in the discursive processes that deal with the issue, enabling the transformation of the issue into a violent polarization.

<p style="text-align: center;"><b>Intensity of the conflict</b> / <b>Need for cooperation</b></p> <ul style="list-style-type: none"> <li>• The degree of scarcity, mismanagement, or misallocation of water in several regions</li> <li>• The interdependence of states regarding common water resources – usually transboundary</li> <li>• The geographic and historic criteria of water ownership vis-à-vis states</li> <li>• Whether a pro-acted conflict underlies the water dispute</li> <li>• The existence of alternative sources of water or options for a negotiated agreement and the desperation of the parties to need an agreement</li> <li>• The relative power of the parties</li> </ul>
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**Box** from Dinar’s factors to examine the *links between water-conflict and water-cooperation*.

Gleick<sup>60</sup> however takes the classification further which to consider the role that water plays in the conflict. The following table presents six bases to classify water-related conflict.

Base of Conflict	Example
<i>Control of Water Resources</i> where water supplies or access to water is at the root of the tensions.	Egypt-Sudan 1958; Israel-Syria 1958; Brazil-Paraguay 1979.
<i>Water as a Political Tool</i> where water resources or water systems are used by a nation, State or non-State actor for a political goal.	Iraq-Syria 1974; Turkey-Syria-Iraq 1990; Malaysia-Singapore 1997.
<i>Water as a Tool for Terrorism</i> where water resources or water systems are used by a non-State actor as tools of violence or coercion.	East Timore 1999; Kosovo 1999; Israel, Palestine 2001; Nepal 2002; US-Iraq 2003.

<sup>58</sup> DINAR S., “Water, Security, Conflict, and Cooperation”, ..., *op. cit.*

<sup>59</sup> WOLF A., *Freshwater Transboundary Dispute Database*, Corvallis, Oregon State University, 2004

<sup>60</sup> GLEICK P., “Water Conflict Chronology”, Pacific Institute, Aug. 2003

<i>Water as a Military Tool</i> where water resources, or water systems themselves, are used by a nation or State as a weapon during a military action.	Ethiopia-Somalia 1948; Israel-Lebanon 1982; Bosnia 1992; Kosovo 1999; US-Iraq 2003.
<i>Water as a Military Target</i> where water resource systems are targets of military actions by nations or States.	Israel-Syria 1967; Israel-Jordan 1969; South Africa-Angola 1988; US-Afghanistan 2001.
<i>Development Disputes</i> where water resources or water systems are a major source of contention and dispute in the context of economic and social development.	Ethiopia-Somalia 1963; Bangladesh 1999; Pakistan 2001; Turkey-Syria-Iraq 1990.

**Box** from Gleick, *classification of the role of the resource in water-related conflict*

While Gleick offers a classification of the role played by water, it seems that an undergoing conflict could be mentioned here. In fact, the political project of colonization inside the occupied territory is an obvious case of water used as a political tool and as the case studies shall demonstrate, more proofs of a political use of water in the Israeli-Palestinian conflict exist. Not only there is violence between settlers and Palestinians, but the recurrent presence of the ICA conflicting with humanitarian organization to implement filling points ends up being tension points.<sup>61</sup>

Whether it was for the first or second part, the omnipresence of power and violence as conflict-drivers are signs of a need to clarify their role. The next section will provide the sufficient insights to pursue the construction of our theoretical framework. Note that this section is central to our analysis.

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<sup>61</sup> Annex #4: Water-related tension points in the West Bank

## **Section II :      How to understand and differentiate *Power* from *Violence*?**

The case of asymmetry of capabilities between Israelis and Palestinians is an obvious aspect that leads me to this remark: an overall analysis of the water conflict can be done through the lens of a realist approach of this asymmetry which would force us to conclude that the conflict is no more than a strategic resource-based conflict. However, this would forget what has been discussed in the former section and it would put aside the broader context, as stressed in Zeitoun's analysis, of a highly politicized environment.

As a consequence, in defining power and violence in this section, the aim is to enable us to define the place of violence and power in relationships. It is worth noting how central this section is to our thesis as not only they compete on the same ground in political science, but power and violence lead to the question of how legitimate their use can be, and the circumstances surrounding this legitimate use. First we will focus on how to understand and differentiate power from violence. Later in the thesis, we will narrow down to the agents the Palestinian water sector focusing on their discursive to try to perceive the place of power and violence in their relationships.

### **I )              Power: domination or discipline?**

As Neo-realism remains the most influential approach in IR, it goes without surprise that its core assumptions and beliefs it is founded upon lead to a realpolitik approach. The structural condition of anarchy of the international system is the main determinant of both national interests and state behaviour, from which a state such as Israel orients itself toward survival and maximizing power. Basically, Israel will use the water issue to maximize its power and survival. While this affirmation is true, it gives no clue on how to understand

power and therefore does not build into our thesis efficiently. The question of how to study power is as a matter of fact not new and continues to be a fundamental question for scholars, but what is definitely interesting for our thesis is how power is constructed and de-constructed and when it is legitimate or not? Eventually, it will step by step lead us to violence, our second concept.

Power can be an asset, a mere synonym of domination, a mean to subject the other, and could hide and cover many more appearances. The idea is that power is a fascinating concept that enables an individual or a group to act, and to act in the name of with legitimacy. Power can also be simply understood as a relationship between actors and a dynamic concept. I will present some findings and typology of power in the following parts, not in an exhaustive way, but in a way to explore domination in order to progressively open the reflexion to violence.

#### **A) A first step Barach and Baratz with the methods of compliance**

Power carries on a close relationship with compliance so as that “power is to act positively with all components of power”<sup>62</sup> It therefore refers to different guises such as publicity, prestige, knowledge – developed by Foucault – or even ‘power-that-be’ thought as a complex apparatus of levers and pulleys that shape human experience in society. The common conceptualization of power ranges from strength to charisma, fame, authority, intellect and weaponry as noted by Zeitoun. Then comes the debate introduced at the beginning of this paragraph. Power also works between human, institutions, and the environment or any combination of these. Our thesis lies indeed in the core of power relationships and the associated behaviours of the many stakeholders of an issue.

Barach and Baratz identify five features of power related to the method through which compliance is gained:

- *Coercion*, an exertion of power where A secures B's compliance through the use of threat;
- *Influence* when A causes B to change their course of action without threat;
- *Authority* when B complies because they recognise that A's command is reasonable and legitimate;
- *Force*, its use helps A to achieve their objectives by stripping B of the choice of compliance or non-compliance; and
- *Manipulation*, an aspect of 'force,' occurs when B complies without full realisation of the nature of A's command.

(ZEITOUN, 2008)

At this stage, we will remember that efficient methods to ensure compliance do not seem necessarily to be the expression of violence, but that ensuring power through compliance however leads to the domination of B by A.

### **B) A second attempt derived from Lukes "three dimensional power"**

The work of Lukes<sup>63</sup> has significantly influences IR theory, and laid the foundations to Zeitoun's own analysis of power in the Israeli-Palestinian water conflict. This second classification starts to take power's relation one step further into IR theory by focusing on states. Joseph Nye<sup>64</sup> had similarly captured power's extensive influence in IR by contrasting 'hard' power with 'soft' power, that in the end are used in a pluralistic way by the agent. According to Lukes, power is about alternatives, which assumes that within the process of exercising power lies "the possibility to act differently."<sup>65</sup> Power in that sense cannot be separated from decision-making processes and control of the political agenda. Furthermore,

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<sup>62</sup> Gamal Abdel Nasser, quoted from ZEITOUN M., "Power and Water," pp.19-44, in ZEITOUN M., *Power and Water...*, *op. cit.*, p.24. Arendt has a similar approach to power being the ability to act in the name of other.

<sup>63</sup> LUKES S., *Power. A Radical View*, 2<sup>nd</sup> edition. Houndmills, Basingstoke: Palgrave MacMillan, 2005

he suggests that power is rooted in conflict either observable or latent, depending on which power is in use. Finally, the interests of A and B can either be revealed by political participation, but as power's end is eventually to impede political participation, the interests can also result from grievances and policy preferences rather than concrete visible action. This last tipping point is an example of the essence of power, which is what B consent to do as much as what B can do based on its relationship with A. Power is about how much 'hard' power A has to invest in order to subordinate B into a 'soft' power relationship.

a) A classification of power into three dimensions

Let us now discuss the three dimensions of power identified by Lukes and characterized by Zeitoun as hard, bargaining and ideational.

1. *First dimension: 'Hard' power* refers to the material capacity of one party to gain the compliance of the other such as, for a state, military, economic or other measures of hard power. It focuses on behavioural change, decision making, key issues, observable conflict, and subjective interests seen as policy preferences revealed by political participation. Also referred as *puissance*, it is an attribute that can be all-determining in an asymmetric conflict. It has indeed consequences over the course of negotiations and on the capacity to enjoy the qualities of riparian position or to value strategically the land, in the case of water-related conflicts.

This face of power highlighted by Lukes may be compared with Gramsci's notion of hegemony. Machiavelli considered power as a centaur, half man, half beast, to stress the combination of coercion and consent lying behind power.<sup>66</sup> Antonio Gramsci developed a view of hegemony rather close to this image supporting that it can be difficult to make clear

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<sup>64</sup> NYE J., *Soft Power*, New York, NY, USA : Public Affairs, a member of the Perseus Book Group, 2004

<sup>65</sup> LORENZI M., "Power : A Radical View by Steven Lukes", *Crossroads*, Vol. 6, No. 2, 2006, p. 93

<sup>66</sup> MACHIAVELLI N., *The Prince*. Cambridge: Cambridge University Press, 1988



whether a consensus is imposed or genuine. Bearing this in mind, it becomes tricky to draw the line between influence and this form of power. [...] The question then is how one can determine what the true interests of the subordinates are and when the power relationship slips toward manipulation rather than interest.

Antonio Gramsci's concept of hegemony, close to compliance, is also beyond coercion which depends also on the spreading of the hegemon's values. The concept of hegemony is a mix of force and consent, echoing the neo-liberal institutionalist approach that sees hegemony as an inclusive and positive dynamic rather than the realist dominative and subjective view – as noted by Zeitoun. To conclude with an example, the development of large-scale development plans on either side of the Jordan River under the Israeli hegemony may be considered a form of low-intensity conflict characteristic of this hegemony half consent, half force – a variation of what Gramsci calls a 'war of position' (ZEITOUN, 2008, p. 68). This is also the case of all the large-scale projects concerning the Dead Sea such as Med-Dead and Red-Dead on-going discussions.<sup>67</sup>

2. *Second dimension: 'Bargaining' Power* (part of soft power) is similar to what Bachrach and Baratz named the "second face of power" where authority and legitimacy take over concrete material power. It focuses on decision-making and control over the political agenda, not necessarily through decisions, rather influence and the search for legitimacy. Power in that dimension is conceptualized as a 'relation power' because, as noted by Daoudy<sup>68</sup> for upstream/downstream negotiations, the traditional elements of power do not constitute the only, or the

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<sup>67</sup> Those two projects were discussed during the internship and shall be discussed in the case study. For now, what could be said is that Israel was easily able to impede any projects that would increase the amount of water allocated to Palestinians.

<sup>68</sup> DAOUDY M., "Asymmetric Power: Negotiating Water in the Euphrates and Tigris," *International Negotiation*, Vol. 14, 2009, p. 360. Derived from her book *The Water Divide between Syria, Turkey and Iraq, Negotiation, Security and Power Asymmetry*, CNRS Editions, 2005

decisive source of power. It comes therefore without surprise that one central aspect of bargaining power is its capacity to enable parties to overcome situations of deadlock that generally arise from total asymmetry or “structural dilemma”.

Time plays a decisive role in the final outcome through the use of bargaining power. It happens, explains Daoudy, when downstream or more vulnerable riparians are able to invert situations of power asymmetry by acting on the basin-dominant riparian’s interests worsening its alternatives and thus reducing its degree of freedom. Manipulation of legitimacy and authority by B can distort the asymmetry to their discretion by pushing A in his seek for legitimacy to adopt a less attractive position.

Negotiations strategies play here an important role, especially in defining the assets of authority and legitimacy using official recognition through international treaty, community, and establishment of the moral high ground, discursive engagement and manipulation of time during negotiations. This ‘power of the weak’ can serve to compensate a relative imbalance in hard power, through what Daoudy calls the ‘issue-linkage’. The success of the operation depends upon the capacity to link the issues into “bigger baskets” from which a different range of potential benefits can be generated, fostering cooperation by mutual concession. Water and its multiple uses, applies perfectly to an effective bargaining power. Once again, the on-going discussions over Med-Dead and Red-Dead projects are examples of a bargaining power use.<sup>69</sup>

In this dimension, the role of discursive is already more significant because manipulation of the construction of the issue can decrease the effect of asymmetry between the agents.

### 3. *Third dimension: ‘Ideational’ Power* (also part of soft power)

The “third dimension of power” identified by Stephen Lukes stresses the importance of discourses and allows linkages to be made with violence. In this last dimension, the powerful seeks to secure the compliance of those he dominates. Arguably effective and way more abstract than the two latter, ideational power is about the ability to shape perceptions and ideas in order to build legitimacy by securing the willing of the compliance of the weaker.<sup>70</sup> Acting on the will is far more difficult, but the result is a decrease of grievances which impact over the conflict resolution is astonishing. This dimension as quoted already by Zeitoun refers to the “power to prevent people, to whatever degree, from having grievances by shaping their perceptions, cognitions and preferences in such a way that they accept their role in the existing order of things.”<sup>71</sup> This dimension focuses therefore on observable as well as on latent conflict investigating in a better way power relations according to Lukes. Zeitoun also believes in the potential of this ideational content of power as it is central in understanding the “hidden ways in which Palestinian compliance in the Palestinian-Israeli water conflict is assured.”<sup>72</sup>

To conclude, a fight over legitimacy happens in the soft power area where B is more likely to use the bigger basket strategy to de-legitimize the hard power used by A. To fight back, A uses ideational power to persuade B of its legitimacy to act. Of course A and B can both use any of the three dimensions, but according to the literature review, it is more likely to happen this way. This discursive battle happening mostly because of the need of power to be legitimate is closely linked to the importance to maintain the conflict on a low-intensity, in the

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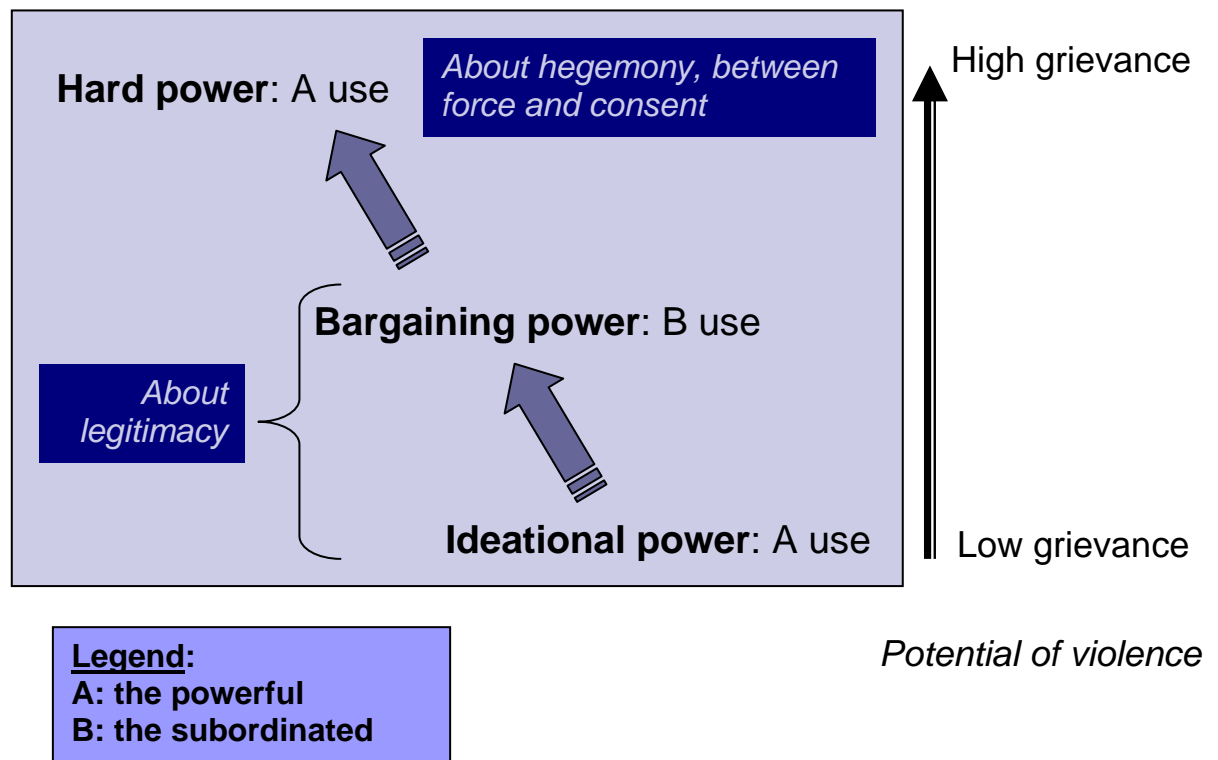
<sup>69</sup> The Palestinian stance shall in this case associate the legitimacy of the project with the protection of the Dead Sea ecosystem, pushing Israel and Jordan to avoid certain solutions although more favourable for them.

<sup>70</sup> About this type of power, see MIZRAHI J. L. & THE ISRAELI PROJECT, “The Israeli Project’s 2009 Global Language Dictionary”, 2009. Public opinion will be introduced later in this chapter when discussing discourses and the framework.

<sup>71</sup> LUKES S., *Power. A Radical View*, ..., *op. cit.*, p. 28

<sup>72</sup> ZEITOUN M., “Understanding Power and Water, ..., *op. cit.*, p. 28

negotiation sphere. It is also a game of high importance for A in order to keep the grievances on a low level in order to avoid direct violence to be involved (see scheme below).



**Box:** Level of grievance and power uses using Lukes' framework, *Krystel Wanneau*

b) A pluralistic view or 'mix' use of the three dimensions

With the three-dimensional view, the possibilities to consider the ways in which potential issues are 'kept out' of politics – or hidden – “whether through individuals’ decisions or through the operation of social forces and institutional practices” offer a pluralistic view of power. Hidden politics refers to what was introduced by the third dimension in the idea of latent conflict when the interests of B are unexpressed or unaware of existing. Lukes in his attempt to identify different form of power, tries to locate the sense of freedom and autonomy in relationship according to the existing patterns of power. There are indeed common traits between the forms of power, notably the *ability* as a capability to mobilise resources and initiate action. Next to this ability stands the act to *combine* the forms

of power. A mix use may be the most important feature of power which makes it so hard to analyze, but that discursive processes bring to the light of the researcher.

This reveals one central problem when it comes to study power relations. If power is about the mechanisms of its exercise, then what interpretation should we have about inaction or non observable action? This has partly been addressed by the idea of time manipulation, but it may also be the result of an effective power restrictions. Exercising power is then to be able to take a decision that serves one's own interests while there is a conflict of interests. It becomes hegemony when this exercising power fits reality and makes one – in our scheme, when the bargaining power fails to express itself and hard power being the dominant discourse. As Zeitoun notes, “it is when the existing ‘order of things’ is taken as the natural order of things that we know hegemony is active.”<sup>73</sup>

### **C) A third analysis from Foucault's reflexion of the Panopticon**

This last analysis takes us toward another level of power relation analysis that suits better to our thesis by introducing violence more directly into the debate. After digging into Foucault's view of power, we will translate his thinking using the framework of the disciplinary power developed by La Branche.

#### **a) Foucault's radical view of power**

Foucault develops a complex theory of power. For him, power is relational. It produces knowledge linked with social practices. Power is thus “not something one possesses or loses, nor is it domination: power is a relationship between actors that produces knowledges and truths that lead to *individual and social practices*.”<sup>74</sup>

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<sup>73</sup> ZEITOUN M., “Understanding Power and Water, ..., *op. cit.*, p. 30

<sup>74</sup> LA BRANCHE S., “Abuse and Westernization: Reflections on Strategies of Power”. *Journal of Peace Research*, Vol. 42, No. 2, 2005, p.221

Foucault has been criticized for its radical view developed in *The Archeology of Knowledge*, that there can be no freedom since we are all constituted of power. Dominant and dominated alike are subject and object to the same power of structural relations, and therefore subject to the same moral opprobrium, which embraces the constructivist's view of co-constituency of agents-structures. Power promotes a specific form of knowledge over other forms, which are then disqualified or "subjugated." He concentrates on a new type of power relation that "consists in taking the form of resistances to different types of power as a starting point (...). The matter is to analyze power relations through the confrontation of strategies."<sup>75</sup> The starting point is thus the knowledge and practices of the subjugated. Power, its strategies and configurations lie in spaces of subjective reality as described by postmodernists in IR. Everything is then discourses. Foucault particularity lies in an extensive use of the term "discourse", giving it a range of meanings. Firstly, since inter-subjectivity takes place within the discourse, its "rules contribute to giving legitimacy to actors and knowledges, or taking it away from them."<sup>76</sup> Then the discourse also "provides rules by which strategies can be elaborated and actions taken."<sup>77</sup> A political stance for or against a group is not constrained by the asymmetry of power because it does not rely on power distribution, but rather on the ethic or moral to resist.

This understanding of power and discursive have led Foucault to say that there is no domination, but rather discipline, which is illustrated by the idea of the architectural figure of Bentham, the *Panopticon*. Discipline is about the effect of power over the subjugated – whether dominant or dominated. The major effect of the *Panopticon* is to induce to the prisoner a permanent and conscious state of visibility that insures an automatic power and

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<sup>75</sup> LABRANCHE S., "L'apport de Foucault aux théories ..., *op. cit.*, from French « consiste à prendre les formes de résistances aux différents types de pouvoir comme points de départ (...). Il s'agit d'analyser les relations de pouvoir à travers l'affrontement des stratégies » (dans Dreyfus et Rabinow, 1984, p.300-301)

<sup>76</sup> LA BRANCHE S., "Abuse and Westernization ..., *op. cit.*, p.221

“sustain a power independent from the one who exercises it; in short that the prisoners shall be trapped into a power situation from which they are their own bearer.”<sup>78</sup> The disciplinary power implies therefore an internalization of the relation of power by the powerful and the powerless of which Bourdieu speaks of a “dominant discourse”. This internalization of the norms is not forced, rather the result of knowledge, then truth.

With such discipline based on knowledge, it is the place of application of power that changes. The soul is hit and the body remains untouched and power is not about coercion anymore, rather about the internalization through agent-structure logic. Discipline is the invisible power that acts through surveillance, sanction and examine. It borrows from military its logic of being manoeuvre, exercise and strategic. It is thus possible to talk about a surveillance regime under which everybody is. Foucault considered that discipline was a central feature of discourses on schools, factories, hospitals. People internalise rules to the point where coercion might not be needed any more, which leads us to the four elements of disciplinary power.

b) Toward four elements of disciplinary power

Power, truth and knowledge relationship are key elements that lead to disciplinary rather than liberating force of power. Truth is “understood as a system of ordered procedures... “Truth” is linked in a circular relation with systems of power which produce and sustain’ it.”<sup>79</sup> Discourse regime is based on knowledge, but this latter is not necessarily the truth. When it is not, then resistance appears. Power is more than relations, it also encourages and produces specific ways to think, behave and construct one’s identity and

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<sup>77</sup> *Ibid.*

<sup>78</sup> FOUCAULT M., *Surveiller et punir : Naissance de la prison*, Paris, Gallimard, 1975, p. 235. From French : « soutenir un rapport de pouvoir indépendant de celui qui l’exerce ; bref que les détenus soient pris dans une situation de pouvoir dont ils sont eux-mêmes les porteurs »

<sup>79</sup> LA BRANCHE S., “Abuse and Westernization ...”, *op. cit.*, p.

social reality.”<sup>80</sup> La Branche has drawn upon Foucault’s theory to suggest different steps of power, revealing its diverse dimensions contained into four main features of disciplinary power.

1. **Control** is the first element. Domination and violence become co-dependency because violence breaks the resistance of the victim, and thus create a situation of control that structures the power relation. It opens the doors to the process of internalization making it possible to penetrate the victim.
2. **Fear**, according to La Branche, is the second and most important element. This is not so surprising since it is at this stage that is exercised violence – legitimate violence in the case of an asymmetric power. Fear is what maintains a constant discipline, like surveillance in the *Panopticon*, resulting in subjugation of the victim’s discourse.
3. **Discursive homogenisation** happens by the effect of terror when the subjugation reaches one shared discourse. It is characterised by the emergence of the abuser’s as the regime of discourse. The result is that “only one legitimate and operational regime remains.”<sup>81</sup> La Branche defines a regime of discourse as “those relatively well-coordinated truths that ‘determine’ what is true, untrue, valid, invalid and so on.”<sup>82</sup>
4. **Sting** is the engine of power that works with the three other elements because it is an emotional mark as La Branche stresses left by one’s failure to resist violence. The internalisation of the abuser’s discourse leaves a sting in the victim, which is the “impetus that drives one’s need to disseminate fear,

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<sup>80</sup> *Ibid.*, p. 222

<sup>81</sup> *Ibid.*, p.226.

<sup>82</sup> *Ibid.*, p.222.



discourses and internalised violent power relations.”<sup>83</sup> The process results in the internalization of power relations and violence which becomes the dominant discourse, and leads to more violence.

When power turns violence into force, it changes the nature of the violence from illegitimate to legitimate and legal use of violence. An asymmetric conflict becomes intractable when violence turns in force and the perpetrator believes its action cannot be qualified as violent because it fulfils a legitimate political end. These four elements of the disciplinary power will therefore be useful because power is not anymore a question of domination but rather a question of discipline. And also in discipline, discourses are penetrated by violence. Both Lukes and La Branche’s approaches integrate violence at a certain stage of the power relations, contributed to our hypothesis that discourses in the Palestinian water sector feed power whether it is domination or discipline. We will now proceed to the definition of violence itself.

## **II ) Violence: a social constructivist approach**

Violence can be viewed from many IR perspectives. If “the essence of violence is that physical power is deliberately employed with the ultimate sanction of physical pain and little choice but surrender or physical resistance” as supported by Gerald Priestland<sup>84</sup>, then we would limit ourselves to the physical aspect of violence and loose the core essence of violence. In constructivism, violence is part of the construction of the conflict on many levels, emphasizing the key role of discursive processes, agent-structure interactions and of elites in setting a viable ground for violence. They demonstrate how violence itself acts as a discursive

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<sup>83</sup> *Ibid.*, p.225.

<sup>84</sup> PRIESTLAND G., *The Future of Violence*, Hamish Hamilton, 1974

structure which constructs identity in a particular kind of way.<sup>85</sup> Jackson points out very clearly the role of the elites and how they deliberately construct violence as a material or political struggle that obscures the origins of violence. This instrumentalization by elites of exclusionary identity makes political violence possible. Furthermore, without the presence of elites committed to organizing the discursive material and a specific identity based on hatred, fear, victimhood and dehumanization of the other, there is no identity-based conflict.<sup>86</sup>

The conceptualization of conflict monopolizes several dimension of violence, whether they refer to its uses, legitimacy or staging as argued by Meier.<sup>87</sup> Violence is the driving force of social change<sup>88</sup>, but also characterizes legitimate seeking of power and institutional building, such as independence fights or State building, or in an extreme way in the Israeli-Palestinian conflict.

The role of violence is as complicated to conceptualize as the role of power in relationships because they are both driving forces. One main difficulty is their capacity to be used legitimately or illegitimately. Some argue, as Arblaster, that violence is the counterpart of force which is the legal violence used by a State.<sup>89</sup> Regarding the Israeli-Palestinian conflict, Meron Benvenisti stresses that “both communities deny each other’s standing as a legitimate collective entity. Hence, the Arabs define Zionism as racism – ergo illegitimate. The Israelis, in their turn, define Palestinian nationalism as PLO terrorism – ergo illegitimate. Thus there is a discursive dimension to violence. The de-legitimization is vital for both sides,

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<sup>85</sup> The identity related to the water perception will be analyzed in the case study in-depth. Note that violence is a material instrumentalized at all level of governance, whether inside a society or between the Israelis and Palestinians.

<sup>86</sup> Note that ethno-religious conflicts participate in shaping such identity-based conflict. This will appear very clearly when discussing the history of the conflict in the second chapter.

<sup>87</sup> MEIER D., “De la conflictualité au Moyen-Orient”, ..., *op. cit.*

<sup>88</sup> KHALDOUN I., *Discours sur l'histoire universelle*, Paris, Sindbad, 1978

<sup>89</sup> Annex #5: The Force-Violence Dichotomy

for it enables them to believe in the exclusivity of their claim and in the absolute justice of their position.”<sup>90</sup>

In transition from war to democracy, social change can be even more violent<sup>91</sup>. Add to such power shifts emanating from weak democracy the sharing of such strategic resource as water in the Middle-East, and chances of having some kind of violence are even greater. The idea here is that resource management in conflict can provoke violence as much as democracy transition, especially when there is a modernization of the management and role of the resource in the society – particularly true in the Palestinian society. Modern development of the water management achieved by Mekorot through a full control of the water resources is an attempt to increase conflict driven mechanisms to manage it, and violence is thus generated.

Violence is not defined arbitrarily; rather it is established according to power repartition within a society. Cameron emphasizes this by saying that “no society or class is likely to be equally opposed to all forms of violence, or concerned primarily to eliminate violence as such. There is a consequent tendency to define violence not in any strict way, but according to the established selective interests and priorities of a society and class.”<sup>92</sup> Those interests depend on who is the perpetrator – dominant – and who is the victim – subordinate community. In a society deeply divided between a dominant and a subordinate community, it makes a difference which community the perpetrator comes from and which the victim comes from because it will stimulate different perpetrator/victim relationships.

In fact, there are four different combinations of perpetrator/victim leading to four different outcomes:<sup>93</sup>

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<sup>90</sup> From course on Deeply Divided Societies with Roberto Belloni, Beverley Milton-Edwards, Neophytos Loizides and Adrian Guelke, Queen’s University of Belfast, 2008, quotation of Meron Benvenisti

<sup>91</sup> JARSTAD A. K. & SISK T. D., *From War to Democracy...*, *op. cit.*

<sup>92</sup> From course on Deeply Divided Societies, Queen’s University of Belfast, 2008, quotation of J. M. Cameron

<sup>93</sup> Annex #6: Violence management in deeply divided societies

1. ***Due process***: when they come from the same dominant community, the rule of law model is applied and justice is therefore fairly balanced. Violence is controlled.
2. ***Indifferent***: if the perpetrator and victim come from the subordinate community, then there will be no response from the dominant community, indifferent process, no justice mechanism exists to restore social peace and punish violence.
3. ***Lenient***: if the perpetrator comes from the dominant community, but not the victim, then justice will come up with a lenient response to the violence rather be unjust.
4. ***Severe***: a violence committed by an individual from the subordinate community, then the response from the justice mechanism is rather unbalanced and unfair. Severe response is typical of such asymmetry between communities, and takes an extreme trend when the crime is associated to terrorism acts.

In the Israeli-Palestinian water conflict, such justice mechanisms are embodied by the JWC. The JWC acts as the decisive balance within water projects' allocation, for example in favoring settlers over Palestinian in water disputes. Having such mechanism that silently maintain a constant violence in the Israeli-Palestinian relationship is a way to concretely put in discipline through the fear of having a project refused, but we will come back on this in the case study.

Now that the constructivist approach of violence has been introduced, the following parts will define it more specifically. First with Arendt, we will understand the place of violence regarding power, but with violence in politics as the starting point. The analysis of Arblaster provides a radical view of violence, criticizing the hypocrite assumption that violence has disappeared from our societies, even democracies.<sup>94</sup> In the end, Galtung's

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<sup>94</sup> Note that there was a forum 'Democracy: the new challenges' during my stay in Tel Aviv about democracy and some of the significations of such political regime. Programme available on internet: <http://www.forum-democracy2010.com/>

structural violence will stress that above all, what strikes in defining violence is how penetrating it can be in a society.

### **A) Hannah Arendt: introduction of violence to political science**

The work of Hannah Arendt builds bridges between power and violence in a clever contextualization of the place of those concepts in political science. It makes therefore a rather central transition in our thesis in order to mesh one with the other. Power is viewed as the ability of men to act, and to act in a joint manner. Power is not an individual asset or property as it always derived from someone which justifies the say “somebody acts in the name of”<sup>95</sup> to describe power. This view agrees with Foucault’s own understanding of power not being possessed, but a relation. Violence in turn is not defined for its content but for what it is: a tool. The instrumental character of violence goes with the idea that what matters is the use of violence, and the more one uses violence, the more powerful one becomes until it reaches a point of development of no return where violence simply replaces all the other concepts of power and puissance. If the structure of power is weak, then chances of having a shift of power are high and thus the government need to re-enforce its position. The instrumental nature of violence means that it will always need to be directed and justified by some ends, whereas power is essential to any government. Violence is the last stage, the last mean to be used to govern, and thus reflect severe unsolved conflicts where violence is the only way to establish authority.

Replacing violence into political science is not an easy task, partly because it requires a definition of violence that replaces it into the context of political action more than a definition of what is violence – at least this is not the focus of Arendt. As a matter of fact, in both international relations and domestic affairs, violence appears in the last instance, only in the

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<sup>95</sup> ARENDT H., “Sur la violence” ..., *op. cit.*, p. 144

aim to maintain the integrity of the structure of power against the one who contest it. “Violence constitutes the essential condition to power, and that this one is only façade, a velvet glove hiding the iron hand.”<sup>96</sup> Without its sword of Damocles, power is an empty concept. However, when violence replaces power, it is the sign of a failure of subordination by the other means and power thus becomes an organization of violence.

Taking power independently is meaningless because without a process of subordination, there is no access to power. Using violence to establish power or to maintain it represents a risk to establish violence in discursive processes as a way to govern, which is exactly what occupation is, especially the direction that the Israeli occupation took after the failure of the Oslo process. This leads to the question of legitimacy of the power which is inherent to the idea that power is to act in the name of. Without legitimacy, power switch hands, even if its structure survives to political changes. The idea here is that power can always be wiped out by violence, but violence is not per se a source of power. As a matter of fact, violence raises public attention and awareness, and can be a good strategy to start negotiations by asking the impossible: “violence is incapable to support causes, conduct the path of history, promote revolution, defend progress or reaction; but by the dramatization of grievance, it vividly arouses public’s attention.”<sup>97</sup> However, if violence is profitable to strive toward short term goals, its sudden nature cannot lead toward structural changes as Arendt stresses: “strategies of shocks and violence cannot fix much more than short term objectives [...] whereas

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<sup>96</sup> *Ibid.*, p. 147. From French, « la violence constitue la condition indispensable du pouvoir, et que celui-ci ne soit qu’une façade, le gant de velours dissimulant la main de fer, sous peine de devenir « tigre de papier ».

<sup>97</sup> *Ibid.*, p. 179. From French: « La violence est incapable de soutenir des causes, de conduire la marche de l’histoire, de promouvoir la révolution, de défendre le progrès ou la réaction ; mais par la dramatisation des griefs, elle sollicite très vivement l’attention du public »

violence will proved to be inefficient in the case of the pursuit of longer term objectives or in a demand of structural modifications.”<sup>98</sup>

To conclude over this power-violence nexus, it is true that power can be shaken by violence – for instance terrorism – but power does not fall under those threats. Instead, fear is increased and thus the position of the government eventually hardens. However, it is true that any weaken of power leads the path to violence. While Arendt enlightens the role of violence in political affairs and in its relationship with power, it does not explore in-depth the nature of violence to understand what violence is.

### **B) Anthony Arblaster: a radical view of what is violence**

Violence is everywhere in our societies, even though the idea is not acknowledged so easily because we believe that political violence is controlled whereas “it is hardly possible to have a serious political discussion without stumbling over the word and perhaps the concept.”<sup>99</sup> Violence is an extremely potent word, often perceived negatively which abuse and over-use lead to say that “political violence is now so unscrupulous and persistent.”<sup>100</sup> As a matter of fact, violence use as a political mean is hard to officially express, even as a political end, it is unusual for anyone to advocate or defend it publicly. Defining the concept raises an important stake in which definition should be taken and if the dominant one should be challenged. For these reasons, Arblaster offers a rather radical view of violence in which he extents the definition of the concept.

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<sup>98</sup> *Ibid.*, p. 180. Full translation from French: « Du fait même que les tactiques de choc et de violence ne peuvent guère se fixer que des objectifs à court terme, les pouvoirs établis céderont plus facilement à des demandes déraisonnables, et nocives à l'évidence [...] pourvu qu'il soit relativement aisé de procéder à ces « réformes » [...] alors que la violence s'avéra inefficace dans le cas de la poursuite d'objectifs à plus long terme ou dans celui d'une demande de modification des structures. »

<sup>99</sup> Quotation of Raymond Williams from ARBLASTER A., “What is violence?”, *The Social Register*, 1975, p. 226

<sup>100</sup> HARRISON B., reviewing a book on the Suffragettes, *Sunday Times*, January 1975, from ARBLASTER A., “What ..., *op. cit.*, p. 226

Among the different meanings that the notion may cover, only one presents violence specifically as a direct act doing harm, injury or damage on other Human beings. The physical violence is only one aspect of violence that should be combined with impersonal action, or as Arendt calls it: modern violence.<sup>101</sup> Taking the trial of Eichmann in Jerusalem in 1961, she describes a remote violence with no direct violence from the perpetrator. Large-scale violence in this case, becomes possible with the remoteness of those most responsible for the killings and thus questions the responsibilities of violence's perpetration. "If Eichmann was, to say the least, involved in violence by virtue of his role in the Final Solution, why should we not say the same of the man who pays starvation wages or perpetuates disease by obstructing a water supply?"<sup>102</sup> As mentioned earlier, the term violent itself is used in a much wider meaning to describe all kind of events, natural or human. The wider meaning brings us to debate on the legitimacy of violence. Since it is not politically correct to justify the use of violence for a political end, then the idea is to draw a line between legitimate and illegitimate violence, or in other words, legitimate and legal force opposed to illegal violence. Torture is then labelled as legitimate and legal. In spite of the legitimating use by the rule of law, violence remains violence and it would be a non sense to believe that we do not live in violent societies. Indeed, there is no reason for "thinking that violence becomes something other than violence when it is used legally or by state authorities." The problem and also partly answer to our thesis is that the distinction between legal labelled violence and illegal has a political value for action, but in nature, it remains violence.

If the distinction is a way to mask violence in society, it therefore acknowledge its presence, allowing us to explore how violence creep in society. Let me say first that violence depends upon the established interests and priorities of a society – such as security or an

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<sup>101</sup> ARENDT H., *Eichmann in Jerusalem*, Faber, 1963, p. 19



ideology – which could be similar to Galtung’s structural violence. Two competing processes co-exist in society to describe violence. Violence on the one hand is about non-conventional images of violence, or the one that are not classified as violence because there are not supposed to cause harm. This inaction is a type of hypocrite violence in society. Any slogans such as “poverty is violence” or “water kills” drastically extend the concept of violence. The second process results in the institutionalization of violence through the continuous re-definition of violence from the authority. It has the power to exclude legalized violence and include other non-legal form which are patently non-violent and this at every level.

A radical attempt to define violence is to see it from the victim’s point of view rather than what Arblaster calls “the view of the oppressors or of those who try, or profess, to sit neutrally on the sidelines.”<sup>103</sup> Furthermore, he criticizes conservative views of violence using Simone Weill’s justification toward a radical definition: “ Violence... is that X that turns anybody who is subjected to it into a *thing*. [...] But you don’t have to wound or kill a man to turn him into a thing. All you have to do is ignore him, neglect him, to refrain from sharing with him the things that make life possible, and which make life worth living, and you have made of him another human species, a compromise between a man and a corpse”<sup>104</sup>. What radicals are trying to stress is the degree to which poverty or exploitation, violence, are the consequences of human action and inaction. Is it the killing that is violent or the order to kill? Is it the direct cause of death or the structural conditions that lead to this death? A radical view emphasizes the linkages between elites, decision making, power, order, violence and therefore responsibilities. It becomes possible to differentiate violence from coercion or oppression as long as those linkages are studied in-depth. The responsibility of such burden goes without huge surprises to the elites and their ability to give the structure for violence to

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<sup>102</sup> ARBLASTER A., “What ..., *op. cit.*, p. 229

sustain. Even peaceful societies who are repelled by violence only refuse to see it because it has been taken away from under their window. The result of the barrier and the tough movement restrictions is a blindness of the on-going violence.

### **C) Galtung: structural violence in peace studies<sup>105</sup>**

Galtung also advocates for an extension of the definition of violence, but his area of focus is a logic of extension<sup>106</sup> of violence rather than producing a list of undesirables. Violence is the difference between the actual and the potential. The logic is quite simple, when the potential is higher than the actual, then there is violence. Furthermore, violence is to be understood in terms of influence as an interpersonal capacity to influence and be influenced in the scheme involving a subject, an object, and an action. There are at least six important dimensions of violence.

1. ***Physical and psychological*** characterize violence itself. Each one is specific mode of influence from which violence is expressed.
2. ***Negative and positive ways to influence*** exist respectively by punishing or rewarding what the punisher considers wrong or right. To limit movement he says, one can increase the constraints on his movement or instead, constraints can be decreased and somatic capabilities extended instead of reduced.
3. ***The intention and the object***: whether there is or is not an object that is hurt. If there is no physical or biological object hurt, can we talk about violence? As long as the threat of physical violence exists, to some extent, it is psychological violence. For

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<sup>103</sup> ARBLASTER A., "What ..., *op. cit.*, p.

<sup>104</sup> COLIN W., *Violence: its nature, causes and remedies*, Penguin Education, 1970, p. 46

<sup>105</sup> LAWLER P., « Peace Studies », pp. 73-88, in WILLIAMS P. D., *Security Studies: an introduction*, Routledge, 2008

<sup>106</sup> GALTUNG J., "Violence, Peace, and Peace Research", *Journal of Peace Research*, Vol. 6, No. 3, 1969

instance, the power of the intention should not be reduced for a lie can be violence. Intention displays violence as much as concrete destruction.

4. ***Structural violence and the subject***: whether or not it is a subject who acts. Can we talk about violence when nobody is committing direct violence? Galtung talks about truncated violence. He opposes personal/direct with structural/undirect violence. This structural concept is a linchpin to our thesis. By acknowledging structural violence, a tough question about the responsibility for this violence in society is raised. Is everybody considered responsible? A key link is made with decision-making and who has the power to decide. When the link subject-action-object is clear, then violence is visible and tracking down responsible is thus possible. But there are also invisible processes that eventually lead to hidden politics. How to explain why a structural violence sustain without being able to analyze at which moment an agent's decision re-enforced the violence? When the link is blurred, it can be associated to lie or hidden goals that influence the decision-making. Processes of decision-making are the cement linking discursive processes by explaining the evolution of positions. The agents do not share all their information in discourses, they communicate key elements and keep some hidden. What they decide to communicate depends on the information they already have. These processes participate to shaping structural violence. In the case study, we will see that this has an impact on the development of the Palestinian water sector. Violence is built into structure.
5. ***Unintended and intended violence*** is an important distinction when guilt is to be decided. Guilt is thus more tied to the intention than to the consequence of the violence.

6. *Manifest and latent violence* are the two levels of violence. Manifest violence is simply observable whereas latent is not there, but might easily come about.

With these six dichotomies<sup>107</sup>, violence has been deconstructed up to the point where each of them individually taken is not even that close to reality, but part of a violent process.

A concluding remark is that structural violence is much more stable than personal violence, a way to say that violence is more sustainable when included into a subordination process, such as the disciplinary power process. Ways to look at the mean of violence is by determining how violence is carried out firstly by what – the tools – by which form of organization – individuals, mobs, guerrillas – and by looking at the target itself and the effects on individuals. Denial of air, food, movement or water produces what Galtung calls personal somatic violence.

The general formula behind structural violence is inequality and above all, it lies in the distribution of power, which depends on the organization of the society. This refers us to the previous sections on violence. A clear assumption can be drawn between the interests and priorities of a society and the distribution of power between different identity groups. Power can help to understand the link between the social structure and the persisting inequality. This social structure depends on five dimensions – the actor, system, structure, rank and level.

To sustain violence within a society, it has to be structural, manifesting in the bond between the victim and the perpetrator, and therefore it does not involve the same feeling with the victim than with the perpetrator. Fear and grievance are two major violence drivers that, once structurally articulated in a society-wide discourse, create the necessary frustration for public opinion and individual to buy into a securitizing political project.

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<sup>107</sup> Annex #7 : *Defining Violence*

What we will see in the next chapter is that in the analysis of discursive processes, both power and violence are present, as stressed by Arendt: “Nothing is more frequent than the combination of power and violence; it is extremely rare to find them split apart one from the other and under their purest form, and thus most extreme one.”<sup>108</sup> It becomes thus a very difficult task to try to classify discourses because of the many combination of elements composing it without follow the same logic. In the end, it is always the decision-making processes that formally give the discourse its final shape. Understand fully a decision-making process would require knowing all the influences and discursive processes on the decision-maker<sup>109</sup>, but as this is not the heart of our thesis, the case study will not be exhaustive in this sense. It Indeed, Arendt notes that: “It is only when we will stop to boil the conduct of public affairs down to a simple question of domination that the genuine characters of human problems will be able to appear, or rather to appear again, in all their genuine diversity.”<sup>110</sup>

Discourses do not deal only with the water issue, in order to provide a solution for water issues. This may seem to be a bit contradictive, but on the contrary, it only reflects what happens in subjective reality. It also justify taking the time to set properly the framework for such highly politicized topic, trying to avoid dealing with water politics, and to dig into the space and impact of power and violence in the relationships between the actors of the Palestinian water sector in their discursive processes. Now that we have a precise definition of power and violence, and that we are also able to identify the thin boundaries between those

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<sup>108</sup> ARENDT H., *Du Mensonge à la Violence*, Essais de politique contemporaine, Paris, Agora les classiques, Ed. Calmann-Lévy, 1969, translated by the author from French version « Rien n’est plus fréquent que l’association du pouvoir et de la violence ; il est extrêmement rare de les trouver séparés l’un de l’autre et sous leur forme pure et donc extrême. » p. 147

<sup>109</sup> Two references will be suggested to dig deeper into decision-making. First a classic, but innovative, the analysis of ALLISON G. & ZELIKOW P., *Essence of Decision: Explaining the Cuban Missile Crisis*, New York, Longman 2e ed., 1999. To dig further, see the critics of their work with FRIEDBERG E., “Comment lire les décisions?”, *Cultures et conflits*, 36, Winter 1999 – Spring 2000, pp. 151-164

<sup>110</sup> *Ibid.*, translated by the author from French version « Ce n’est que lorsqu’on aura cessé de ramener la conduite des affaires publiques à une simple question de domination que les caractères originaux des problèmes de l’homme pourront apparaître, ou plutôt réapparaître, dans toute leur authentique diversité. » p. 144

two along with their interrelations, we should now focus on the discourses, the actors, and the Israeli-Palestinian water conflict itself.

### **Section III : Power and Violence in water-related conflicts: a framework to analyze discursive processes**

The goal of this section is to provide a consistent well-build framework so as to make the linkages between power, violence, discursive practices and water conflict clear in accordance with everything that has been discussed so far. I will shortly propose an inclusive and systemic framework to support our thesis.

#### **I ) Ethnic management and discursive processes**

According to the constructivist analysis of conflict, within a subjective reality, words and discourses have an impact upon reality. Linkages between power, violence and discursive should be made. The following box shows that from a reality, discourses create a second reality, just because the stance of the agent exists. The issue is to know which stance is the dominant one, and imposes in fact a new reality 1 from which agents can react. There is a construction of reality where discourses convey domination and strengthen or intensify the type of relation between the agents in which violence stands. A discourse either reinforces the agent's position or criticizes the other position. If the discourse is accepted, then there is no violence, but rather domination. If there is a resistance, whether it is an active or passive one, then there is a conflict.

At this stage, one could ask what happens for the dominants' position if there is no resistance to its position. Foucault does not bring any clear answer for it, but I argue that the resistance is needed for dominants in order to maintain the relation of power. The opposition is thus invented through a securitization process of the issue and of the 'other' to gain public support, and it does not matter whether the threat exists or not, because in the constructed

reality of the dominant, it does. As a matter of fact, in constructivism, there is no fake or false position because what matters are the effects of the stance over the other agents.

A last element of this equation is indeed public opinion.<sup>111</sup> In a domestic focus approach of the role of discourses, there is, I would argue, a battle to impose the discourse in which arises from the relationship between political elites, public audiences and security policy.<sup>112</sup> Security for constructivists is a context-specific social construction, which suits perfectly such highly politicized issue of water in the Israeli-Palestinian conflict. “Instead of developing abstract definitions of security, constructivists work from the premise that we would do better to focus on how security is given meaning within these contexts and analyse the implications this has for political practice.”<sup>113</sup> Political practice then assimilates to the strategy of the agent to control violence since the maintenance of order in deeply divided societies can never be taken for granted as it is outside of emergencies in politically stable societies. The reason is simply the proneness of deeply divided societies to violence.<sup>114</sup> Here it is good to stop upon those strategies of control.

There is for instance a first typology of ethnic management strategies developed by Coakley:<sup>115</sup> His classification is build upon a combination of four sources of tensions: *physical* – the most direct conflict between a state and its minority for physical survival, *territorial* – which frontier shall be allocated to the minority, *cultural* – conflict between the symbols and institution of the one of the state and the minority, and *political* – related to

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<sup>111</sup> SHAMIR J. & SHIKAKI K., “Public Opinion in the Israeli-Palestinian Two-Level Game”, *Journal of Peace Research*, Vol. 42, No. 3, May 2005, pp. 311-328

<sup>112</sup> See Box 5.2 “Barnett and Rabin’s approach to the Oslo Peace Accords” in MCDONALD M., « Constructivism », ..., *op. cit.*, p. 65

<sup>113</sup> *Ibid.*, p. 64

<sup>114</sup> Course on Deeply Divide Societies with Roberto Belloni, Beverley Milton-Edwards, Neophytos Loizides and Adrian Guelke, Queen’s University of Belfast, United Kingdom and Northern Ireland, 2008

<sup>115</sup> COAKLEY J., “The Resolution of Ethnic Conflict: Toward a Typology”, SAGE Publications, *International Political Science Review / Revue Internationale de science politique*, Vol. 13, No. 4, *Resolving Ethnic Conflict – La solution des conflits ethniques*, Oct. 1992, pp. 343-358



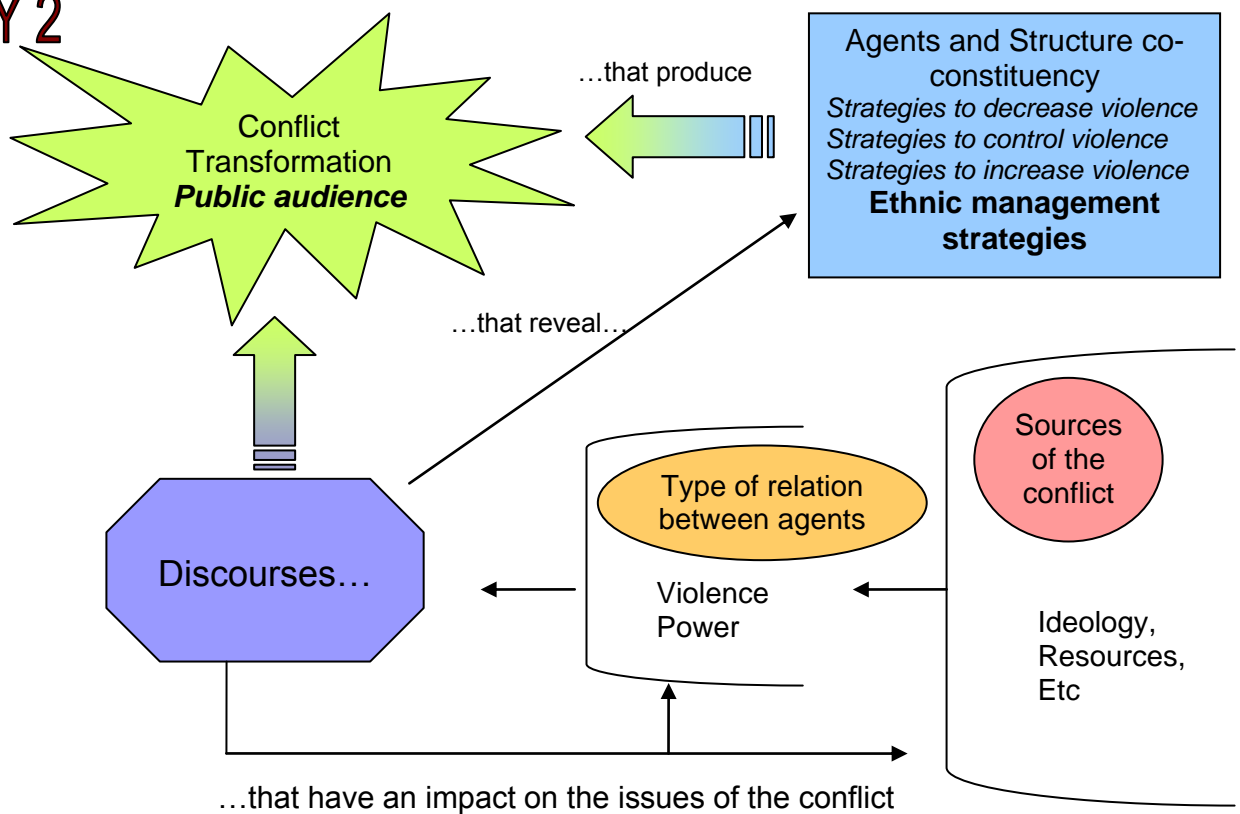
power distribution. Power and violence appear as driving attribute to ethnic management and therefore suits our thesis in order to understand this aspect of the conflict.

- **Indigenization:** it refers to unsolicited state policies of cultivation of ethnic minorities in general;
- **Accommodation:** the centre may respond to demands from the ethnic minority by changing its own structure to provide formal recognition of the cultural or ethnic diversity of the state. The issue is thus to decide upon the degree of devolution;
- **Assimilation:** the most common way, best-known and most widely practised of all ethnic management: “one state, one nation, one language”, found many willing supporters in Europe;
- **Acculturation:** it refers to a process of steady disappearance of cultural distinctiveness as a consequence of unforced assimilation, usually being the result of an integration seeking from the subordinated (example with immigrant minorities in Western societies);
- **Population transfer:** it is a shorter and sharper way to ensure conformity between the boundaries of ethnic communities and states, generally happening when waiting for assimilation is too slow. Either the state boundary or ethnic frontier are redrawn leading to expulsion, population exchange, settlement policy or repatriation;
- **Boundary alteration:** cases when an ethnic minority may be sufficiently strong or with strong external allies to secure the redrawing of state frontiers to provide either the birth of a new state or for the transfer of the dissident ethnic minority to an adjacent state, case when the state deliberately accept to loose territory;

- **Genocide:** the most brutal of all ethnic management devices, examples with the extermination of millions of Jews during the Second World War;
- **Ethnic suicide:** fundamentally irrational, only retained to make a logic consistence of the table, closest example mentioned is the hunger strike by IRA in 1981.

At this point, it is necessary to finalize the role of discourses in conflict.

## REALITY 2



**Box:** The role of discourses in conflict, *Krystel Wanneau*

## REALITY 1

### II ) The framework and the hypothesis

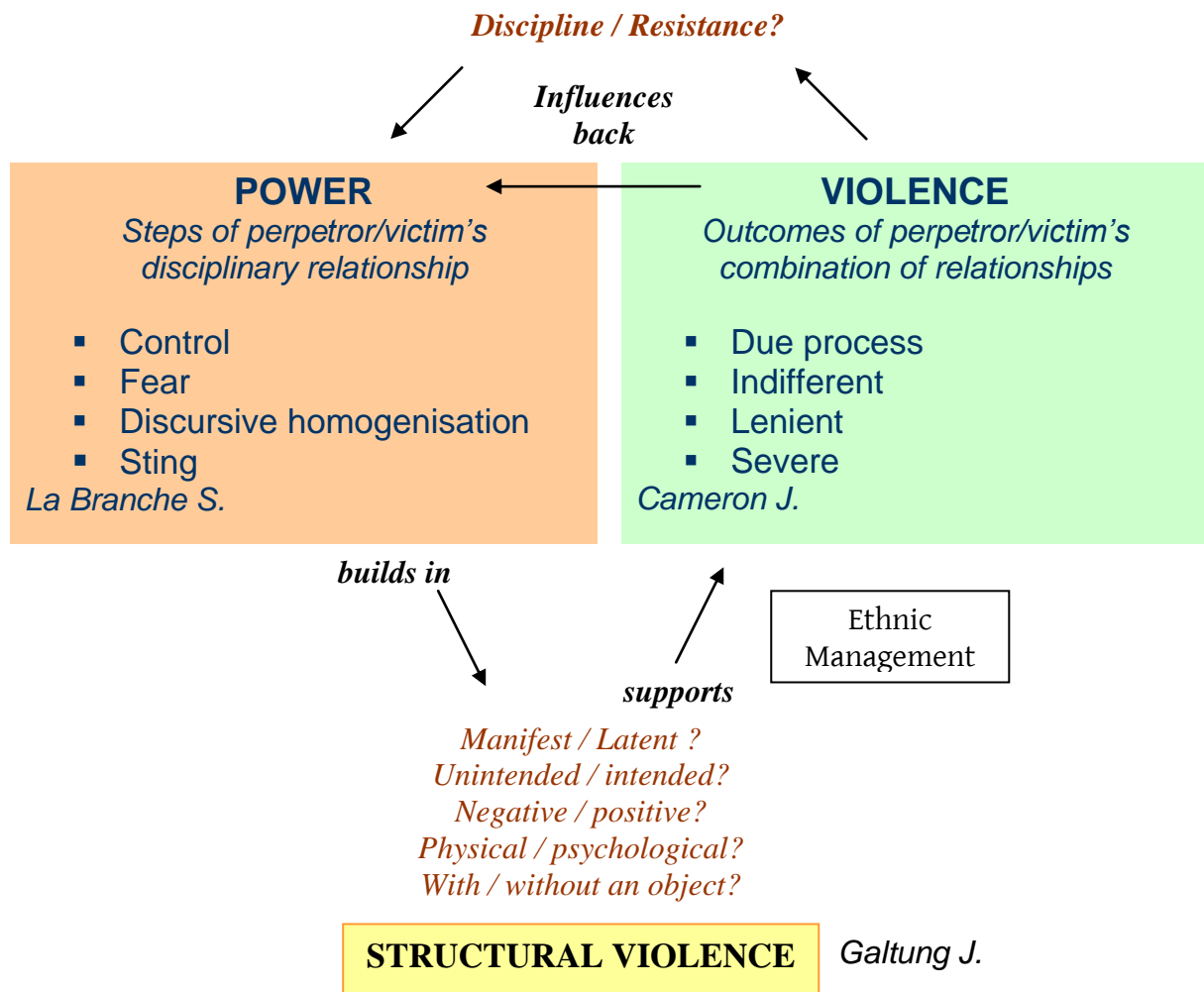
Three elements that have been overlooked in this literature review support the hypotheses.

1. The **conflict source**, in our case, is water-related although included into a broader highly politicized context. Motives of the agents and the structures in which they

evolve are water-related and so should be characterized this conflict (see Box. Classification of water-related conflicts).

2. The *role of power and violence in discursive processes*, as discussed in this last section, is the core of our thesis. The expression of violence and power in discursive processes leads to the reconstruction of a reality, a redefinition of relationships between actors and of their respective stances so as to provoke conflict transformation.
3. The *role of discourses in the conflict*, as emphasized, are highly related to the actor's position. The discourse reflects and builds stances: '*perpetrator stance*', '*arbitrary stance*', '*cooperation stance*' and '*victim stance*'.

The actors who are entrapped into power and violence relationship are referred as the '*perpetrator*' and the '*victim*'. Violence as seen will be found in the outcomes of disputes and other confrontations of such relationship whereas power will lead to the construction of a disciplinary power – a hierarchical relationship – that links both perpetrator with its victim. It goes without surprise that each of our concepts has an impact upon the other, more violence increases the discipline or on the contrary creates resistance and each step of the perpetrator materialize through a use of violence.



**Box:** Power and Violence in agents' relationships, *Krystel Wanneau*

By now, we are able to jump from our thesis question – *how far can we go into explaining the water conflict with the concepts of violence and power?* – to our hypothesis – *the power relations and the asymmetry of the Israeli-Palestinian water conflict are the result of a discursive violence and not the consequence of a hegemonic power* – and case study.

The next chapter will try to provide a broad, but not exhaustive, review of the water conflict both historically and then from a constructivist point of view. The objective will be to have a fully contextualized water conflict by relating the actors within the highly politicized environment of hydropolitics and the Israeli-Palestinian conflict.

## Chapter II. Discursive processes in the Israeli-Palestinian water conflict

Through out this chapter, we will review the hydropolitics of the Israeli-Palestinian water conflict using discourses classification, a history and constructivist analysis of the conflict itself. The idea is to provide enough background information over the water conflict to identify the constituting elements of the structural violence participating in the disciplinary power process. It is of the utmost importance to characterize as much as possible the structural violence going on in the water conflict. One section will dig into water discourses and insert power and violence into the debate. The other section will provide detail over the construction of the water conflict, major historic events, identity stakes hidden behind water possession and strategic development power of the water resources. Whereas this chapter shall provide an overview of the different aspects of the water conflict, the last chapter will be dedicated to the cases studied during my internship.

## **Section I : Discourses and hydropolitics**

In this section, we will now proceed to the examination of different classifications of discourses in water-related conflict focusing on the Israeli-Palestinian conflict. It comes without surprise how reflecting of the conflict's tensions discourses are and in turn, how hydropolitics depends on discursive practices and agents-structures interactions. Each discourse is a mirror of a reality, a political project, a stance for cooperation, or more correctly, a stance for negotiations. Discursive processes lead to negotiations between conflicting actors on which solutions can be agreed, a phenomenon that happens at every layers of society.<sup>116</sup> Selby and Zeitoun offer two different analyses of discourses from which can be drawn some conclusion about how to analyze discourses, which will lead us to offer a classification to analyze power and violence for the case study.

Indeed, in studying discourses, authors have either focused on the water issue, trying to identify which water-related discourses can be leverage for the actors – this would be Selby's approach. Next to this classification, lies an approach more focused on the agents' themselves, highlighting their identity and their social construction of the water conflict, and above all power relations – this would be Zeitoun's approach. The combination of both is necessary to setting the ground for our thesis. What they have in common though is that they both rely on power to analyze and understand the water conflict. In order to dig deeper into those power relations, discursive analysis would benefits from adding violence to the equation. As a matter of fact, as Arendt stresses, power and violence are usually present as much one as the other is. This is an idea also firmly-rooted in La Branche disciplinary power

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<sup>116</sup> The link between negotiation and discourses exist, but since negotiation could be a whole thesis on its own, we will not go into the debate further than this. Nonetheless, we will acknowledge here the reader that negotiations have an impact on discursive processes, which grow parallel to the degree of politicization of an

because violence is present in all stage of the construction of the discipline. Denying violence leads to integrate discourses and accept too easily any stance legitimized. The strength of this thesis lies in this particular point.

If power can explain why actors legitimately choose to adopt one discourse, how come the presence of violence in the domination does not help de-legitimizing such stance? It necessarily implies that there is a legitimate use of violence on which state and nationalism building rely on, and that no-one shall disturb, not even the dominated, who would rather have a state than put into question such legitimate use. A right based approach appears as the only one putting legitimate use of violence under trial. We will not go further into those discussions, but rather come back to it in the last part and through the case study.

## **I ) Selby: a water-related classification**

Jan Selby<sup>117</sup> explains the water crisis through the lens of three discourses namely ecological, technical discourses and political in emphasis. They bring a coherent framework to answer the questions of critical water problems. Through discourses, Selby attempt to explain how these disparate problems of water and sanitation facilities, water-diseases related, or even food shortages related emerge and sustain. Despite the risk of over-simplifying the uniqueness of the particular causes and casts of characters of the conflict, it is possible to identify the general causes of water crisis. Each one presents a particular take on the nature and causes of water problems and can be related to a specific governance pattern<sup>118</sup>. Before going into each of them, I would like to stress that these discourses are not ‘regimes of truth’

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issue. We will take the time to make a clear point on this when presenting the discourse classification for the thesis by the end of this section.

<sup>117</sup> SELBY J., *Water, Power and Politics in the Middle East: The Other Israeli-Palestinian Conflict*, Tauris, London, 2003

<sup>118</sup> FEITELSON E. & FISCHHENDLER I., “Spaces of Water Governance ...”, *op. cit.*

but rather ‘artificial analytical constructs’. As a consequence, no agent is confined within ideal-typical trenches.

a) Ecological discourse

From an ecological perspective, “water crises arise above all from the fact that, while already-high populations are inexorably rising, natural supplies are limited”<sup>119</sup> and not necessarily constant. Natural supplies are dwindling in part due to over consumption and climate change. The crisis ensues from a population growth which can be found in ‘chronic water scarcity’ like in the West Bank and even more in Gaza. This discourse offers a very pessimistic view of water crisis with little alternative solutions.

b) Technical discourse

From a technical point of view, water shortages and water quality problems can be addressed, ameliorated and overcome. This discourse is well known to be the World Bank and Israel – even though the last report from the World Bank severely denounced the occupation as the main cause of the water crisis in the occupied territory<sup>120</sup>. “Water crises are above all ones of technological, economic and policy mismanagement and inefficiency.”<sup>121</sup> The solutions lie into the development of appropriate technologies such as dams, pipelines, new networks, desalination plants, wastewater treatment plants, drip irrigation systems, etc. Technologies aim at offering new coping mechanisms available for population. As a consequence, a way to explain water crisis is the lack of adaptive capacity, inefficiency, mismanagement or under-development of the social, political, economic and technological resources – a view shared by the former head of the World Bank Robert Mac MacNamara who claimed that “management is the fate through which social, political, economic, technical

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<sup>119</sup> SELBY J., *Water, Power and Politics ...*, *op. cit.*, p. 22

<sup>120</sup> WORLD BANK, “West Benk and Gaza: Assessment of Restrictions on Palestinian Water Sector Development”, Middle East and North Africa Region, Sector Note, April 2009



change...is rationally spread through society.”<sup>122</sup> Shortages are thus explained by institutional inefficiencies such as shortages of professional and technical skills, but the root problems lie in technological issues such as the outdate of existing supply networks. Modernization and development appear to be the key element to concretely resolve the Palestinian water sector inefficiencies.

c) Political discourse

Finally, from a political discourse’s logic, “water crises are essentially the product of inequalities, differences and conflicts.”<sup>123</sup> The uneven distribution of resource lies in structural inequalities which explain the world’s various water crises. Ecological inequalities<sup>124</sup> can be found between urban and rural areas, individual communities, classes, genders, households, depending upon the development of the water distribution. Distributed issues concern the physical attributes of the contested resources.<sup>125</sup> Donors in that matter also pay close attention to the type of development and lifestyle before considering the writing of a project.<sup>126</sup> In the Palestinian context, the political discourse echoes the Palestinian water rights discourse. A redistribution of the Israeli-Palestinian resources of water according to a Palestinian water rights and needs calculation should be conceived to resolve the political issues. Water distribution is a matter of control, and therefore a matter of power.

d) Dressing up domination as co-operation

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<sup>121</sup> SELBY J., *Water, Power and Politics ...*, *op. cit.*, p. 26

<sup>122</sup> Quotation of McNamara from SELBY J., *Water, Power and Politics ...*, *op. cit.*, p. 29

<sup>123</sup> SELBY J., *Water, Power and Politics ...*, *op. cit.*, p. 29

<sup>124</sup> CHAUMEL M. & LABRANCHE S., « Inégalités écologiques : vers quelle définition ? », *Espaces, populations et sociétés*, No. 1, 2008

<sup>125</sup> We will take a closer look to distribution issues later in this chapter.

<sup>126</sup> The European Commission, the French Development Agency (AFD) or the USAID before taking further steps have done pre-feasibility studies that mainly rely on a technical discourse. Those studies take into account both ecological and political discourses, but the aim is to provide technical solutions for a future co-operation to strengthen the Palestinian water sector.

Analyzing the Oslo period, Selby describes the context as a domination dressed up as co-operation between both parts and how the occupation was repackaged. This led to a fake autonomy of the Palestinian water sector development and to a certain extent, it delegitimize the technological discourse taken on its own, without the political one. What Selby suggests is a techno-political discourse in order to cope with the dynamic water situation in the Middle-East. As pointed out by David, Marks and Richardson, even in 1978, “future economic development in Israel therefore critically depends on either the tapping of new water sources or the development of new techniques”<sup>127</sup> because additional water is needed for both agricultural development and an expected increase in domestic consumption. It comes without surprise that the most legitimate discourse to adapt was a mix between the technical and political with Israel’s full control of the occupied land. The role of technologies in water management also becomes clearer. It is “to collect and entrap it (wells, rooftop harvesting systems), to confine it in space (pipelines, water tanks), to purify it (settling tanks, desalination plants), and to control it across time (valves, taps).”<sup>128</sup> Galland<sup>129</sup> notes that the objective for Israel is to secure its supply, develop new technologies and promote this knowledge abroad and as a consequence, this type of discourse can be qualified as a strategic approach to the water resource.

The water conflict itself reflects the spectre of Water Wars – which is deconstructed by Zeitoun who prefers the idea of Water Conflict rather than Water Wars, which suits better our analysis and emphasizes the many forms of water violence apart from war.

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<sup>127</sup> DAVIS U., MAKES A. E. L. & RICHARDSON J., “Israel’s Water Policies”, *Journal of Palestine Studies*, Vol. 9, No. 2, Winter 1980, p. 5

<sup>128</sup> SELBY J., *Water, Power and Politics ...*, *op. cit.*, p. 36

<sup>129</sup> GALLAND F., « Israël: la quête permanente de la sécurité hydraulique », pp. 29-48, in *L’eau : Géopolitique, enjeux, stratégies*, CNRS éd., 2008

## II )        **Zeitoun: a classification of the hidden politics**

The work of Zeitoun focuses also on discursive processes and their impact on the water conflict. It highlights the inclusive aspect of the water conflict into the broader political context, focusing on the post-Oslo context, although bridging the gaps between former analyses through out the twentieth century. According to him, the ‘Oslo II’ Interim Agreement ended up only being a clarification of the five issues upon which Palestinians and Israeli officials disagreed. Including the right of return of Palestinian refugees; the status of Jerusalem; territorial borders; the future of Jewish settlements in the West Bank; and water. Each side’s interests have today highly politicized those issues. On the Israeli side, this interest is defined by national security, Zionism, demographics, and religion – as we shall see in the following section. On the Palestinian side, their interest is defined by nationalism, redress of injustices, material compensation, national security and viability, and religion as well – as driving forces.

Events in the Israeli-Palestinian conflict often reveals, as Zeitoun supports, this influence of discourses on the construction of the conflict over the resource. If the most legitimate actor is able to build truth through his discourse, then he has at his disposal the power to establish a sanctioned discourse in which “truth [...] is subordinate to perception.”<sup>130</sup> If the head of a community decides that this spring has safe water, and that his legitimacy is not put into question, chances are great that no one will oppose the decision. He identifies five main discourses that are exposed afterwards. There are several distinct narratives from both Israeli and Palestinian sides sometime clashing right away, sometime crossing paths or pushing forward joint solution, bridging gaps toward middle ground coalitions, excluding the more extreme or independent one, and so on.

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<sup>130</sup> ZEITOUN M., *Power and Water ...*, op. cit., p.5

## **A) Israelis discourses**

### **a) The Israeli hydrostrategic discourse**

This discourse is based upon hydrostrategic arguments associated to the proponents of the Israeli expansion regardless to negotiations with or any concessions to Palestinians. A definition offered by Wolf of hydrostrategy is about the influence of the location of water resources on strategic planning. The nature of the linkage between water and Israeli control is state security<sup>131</sup>. Hydrostrategy is therefore viewed as a “reasonable survival instinct” (Minister Rafael Eitan in 1990) or “water intifada” (Eitan talking about the PA’s position) which Zeitoun points out to justify the most anti-negotiations stances.

### **b) The Israeli needs, not rights discourse**

The gap between this discourse with the former one lies in the advocacy for cooperation with Palestinians rather than advocacy for Israel’s security. It was prominent in the Oslo period and reflects on the final outcome. There are two main features that compose this common ground between extremes: first an acceptance that there are legitimate Palestinian domestic needs and secondly a refusal to countenance Palestinian water rights. It remains so far the clearest Israeli consensus toward a comprehensive peace that brought all member of the Knesset to organize themselves into a coalition on water issues.<sup>132</sup> The Israeli needs discourse provides a consensus built on a cautious optimism and a practical utility argument connoted by the Israeli aversion to the term ‘water right’. The recognition of those rights in Oslo II is only the result of a mix-up in strategies between different Israeli negotiators active on the multi- and bi-lateral tracks as support by Fischhendler.<sup>133</sup> Palestinian water rights is qualified as a dream or a joke, but it looks more like a way to close the Pandora box opened

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<sup>131</sup> Annex #8: Map of ‘hydrostrategy’ territory for Israel in the West Bank

<sup>132</sup> FEITELSON E., “Political Economy of Groundwater Exploitation: The Israeli Case”, Water Resources Development, Vol. 21, 2005

with Oslo II. As far as Oslo II was implemented, situation on the ground of those rights is unchanged, and took the form of an advocacy stance without true resonance in the international spheres.

## **B) Palestinian discourses**

### **a) The Palestinian cooperation discourse**

The main attribute of the Palestinian cooperation discourse is that it is not one but “parallel sanctioned discourses” addressed to a large different panel audience. Trottier<sup>134</sup> identified two receiving audience targeted by the PWA: the international donor community focused on nation-building development projects and the local community buying into the emphasising of the unfairness of the occupation policies and the exploitation of political capital close to the concept of “water nationalism” developed by Allouche. Considering its problem of legitimacy, the PWA developed informal discourses directed to third parties and the Palestinian society and one official discourse to keep the door open for negotiations. “Evidence of resentment of Israeli policy towards Palestinians in the water sector is readily found in unofficial PWA declarations and interviews with PWA staff”<sup>135</sup> PWA tacitly avoid to go public with any of the coercive behaviour active at JWC meetings is also a sign of a continuous cooperation wanted, but difficult to fully assume internally. Such schizophrenia from the PWA excludes a huge part of the Palestinian civil society from decision-making. This counter effect affects negatively the PWA’s legitimacy to represent the Palestinian dominant discourse. In spite of all of this, the PWA chooses this parallel strategy which is

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<sup>133</sup> FISCHHENDLER I., “Institutional conditions for IWRM: the Israeli Case”, Accepted to Ground Water, in ZEITOUN M., *Power and Water...*, *op. cit.*

<sup>134</sup> TROTTIER J., “Water Wars: The Rise of a Hegemonic Concept – Exploring the Making of the Water War and Water Peace Belief within the Israeli-Palestinian Conflict”, paper prepared for the Green Cross International project *From Potential Conflict to Co-operation Potential*, Geneva, Switzerland, 2003

either a sign of tacit agreement to respect the ‘existing order of things’ imposed by power as suggested by Zeitoun, or it can be a sign of structural violence and disciplinary power. Both are in accordance with reality, but the problem of respecting the order of thing is that it does not explain resistance type discourses such as the Palestinian rights first discourse.

b) The Palestinian rights first discourse

This narrative is essential to the Palestinian cause, but replaced in a realist perspective, it fell away after 1967 war. Actors from the Palestinian side carry it for different reasons. The civil society echoes international Human Rights protection of civilians. Various bureaux of the PA believe promote such narrative in a long term perspective. Massive development plan for instance from the Palestinian Council for Reconstruction and Development are ready to be launched as noted by Zeitoun. Finally, the NSU echoes the civil society by presenting rights first as the international stance to be.

**C) Introduction of a Third Party in the game**

a) The donors’ cooperation, not rights discourse

There are reasons that indicate that the Palestinian cooperation narrative is driven by the international community itself. The influence of high politics is therefore not a surprise, so is the influence of the mediation status of the US. In addition, donors believe in a cooperative attribute of the water sector for peace-making, in particular the WB. Finally and even more obvious, donors use their development funds to advance their own political goals. Donor driven agendas is a well documented phenomenon, especially in this conflict. For instance, a combination of those three influences was manifested during Camp David negotiations. As explained by Zeitoun, the US expressly asked Nabil el Sharif, former head of the PWA, to back up on the attainment of water rights perceived as a non-cooperative stance. “The

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<sup>135</sup> ZEITOUN M., *Power and Water...*, op. cit. p. 79

implication was clear to all: negotiating on principle is not pragmatic, as there is not enough water for everyone. The conflict can be resolved because water can be manufactured (through desalination), and the US will pay for this”<sup>136</sup>

What about other donors? “The influence of the Needs, not Rights extends beyond America, aligning other international donors into its coalition of support through a process of pragmatic attrition.”<sup>137</sup> The main issue with donors’ narrative is the effect of occupation that manifests itself through ‘donor fatigue’ and the abandon of their principled stances genuinely supporting Rights first discourse for prioritising feasible projects.

After reviewing one classification focused on the water issue and a second one on power relations between the different agents of the water sector, the idea is to introduce a third classification that would take into account violence as the main driving strength of the discourse.

### **III )      Disciplinary stances driven by fear and grievance**

The role of discourses in the conflict, as emphasized, are highly related to the actor’s stance. It comes without surprises that disciplinary stances can bring insights for our thesis. Regarding our definition of power and violence, it is important to orientate the classification toward the degree of fear and grievance, which are both engine of violence and act within a particular power relation. Our typology of discourses to suit our thesis will therefore be built upon this logic although it should be seen as a complementary approach to typologies previously discussed. The discourse produces four stances according to violence and power:

- A ‘*perpetrator stance*’ or dominant position, in such asymmetric conflict, this concerns the Israeli. It can happen at any stage of the conflict and any level of

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<sup>136</sup> *Ibid.*, p. 82

<sup>137</sup> *Ibid.*, p. 82

violence because its goal is to legitimize its already dominant position. Finally, it also implies that the main assets of power lie into the end of this actor. Regarding fear and grievance, the more fear and/or grievance the dominant will feel, and the more chances he might take a role of perpetrator driven by violence. It might also get close to an hegemonic power context because the dominant would want to comfort the outcome of the conflict history playing to their advantage.

- An '*arbitrary stance*', which corresponds to a third party position in order to enable the international community to remain independent of both conflicting parties in the conflict resolution when it cannot remain fully neutral. Different type of third parties fit into this category ranging from States with high motivation and involvement into the conflict to the UN system and INGOs that regard the conflict from a totally different perspective, especially humanitarian organizations.
- A '*cooperation stance*', which is close to any other stance since it can apply to any actor who is willing to buy into a common project. Cooperation is indeed the dominant way of interaction and testimonies a low-intensity conflict – latent. This stance is sort of a grey area of peacebuilding initiatives that characterized deeply divided societies and post-conflict areas. It only can happen when the polarization of the conflict and level of violence have decreased to a low-intensity level half way between fear and grievance. In order to work, cooperation requires that both parties accept the power relationship, or in other word, the disciplinary relationship is stabilized at a level of tolerance from both sides.

Another reason for actors to embrace cooperation is when the other conflicting alternatives are too costly for their respective societies, especially the use of direct violence. If cooperation emerges, it is the result of a need to sustain the societies and



situation of conflict before either going back to higher-intensity of polarization, or buying into a peace project. In short, it builds the specific conditions of the next ‘rip’ time – term borrowed to Zartman.

Cooperation should be understood as a ‘let’s give a try’ stance to learn more about the ‘other’ and to build a type of peace that is close to Galtung’s positive peace, but that any important political events may brake. Third parties, in such corridor, act as judging parties of the process, from time to time taking actions to foster one side or the other in order to improve the power distribution in the cooperation. The qualification of such stance varies from one side to the other and greatly depends upon the capacity of the agent who supports the stand to build a dominant legitimate discourse in his society. By capacity should be understood the political leverage, or type of power and legitimacy lying into the hands of the elites. From the dominant side, cooperation stands between a weak stance to a comprehensive stance of the forces of the ‘other’ side. For the oppressed side, cooperation stands between a reject of an illegitimate stance such as terrorism to simply abandoning resistance – positively connoted – to show resilience.

Cooperation discourses apply to a vast array of stance because of its flexibility. It can reflect many different contexts with different level of grievance and fear. To conclude upon cooperation, I would add that it is only through the human capacity to cooperate that the conditions of positive peace – defined by Galtung as ‘the integration of human society’<sup>138</sup> – can flourish and be achieved.

- A ‘*victim stance*’ or defensive position, which is assimilated to the oppressed side. The level of grievance has taken the lead over fear pushing the victim to resist. It

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<sup>138</sup> He first defined peace in 1964 in The Journal of Peace Research as negative and positive.

would happen for instance if cooperation fails, but more generally, when polarization is high with power asymmetry or high-intensity level of violence. If the conflict stage is at his highest-intensity of violence, such defensive stance will be considered as resistance, or from the other side, as terrorism or an illegitimate stance. The Palestinian rights discourse comes within such framework because the grievance becomes a driving force for the Palestinian response. With the adequate institutions and leadership, the elites can offer a proper political project in order to decrease the grievance and violence by the same time. The burden clearly lies on the elites, as mentioned earlier. Once again, the third party, and even more international law, could act as a regulating or judging actor, but there are also scholars who support the idea of letting the conflicting parties fight for the problem is structural, not individual<sup>139</sup> – the exact same remark can be done for the ‘dominant stance.’

This typology of discourse focuses on the degree of structural violence, but the question now is to understand why some discourses are dominant and other, in spite of the need to resolve the conflict by decreasing the intensity of violence. A first answer to define a sanctioned discourse is “the prevailing dominant opinion and views which have been legitimised by the discursive elite.”<sup>140</sup> The role of the elites is key in the process. A second step is that the coalition of discourses that combine the stances of those discursive elites is assimilated to a zero-sum game, each side not considering making any concessions for the other side. The question now is to know who sanctions the discourse?

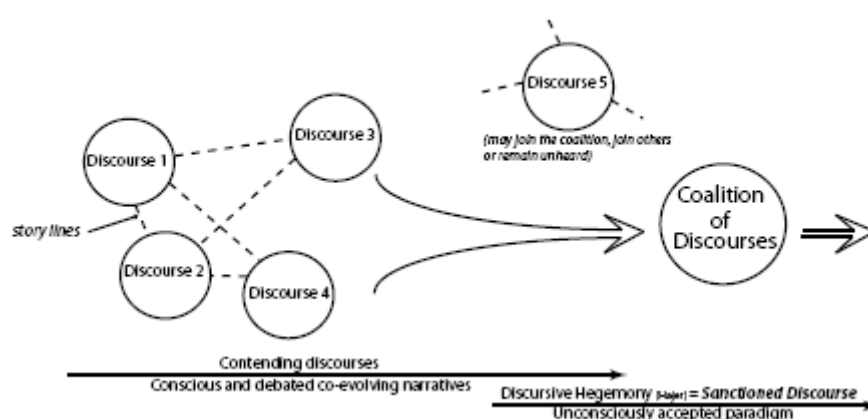
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<sup>139</sup> Similarly, state failure is considered as part of the process that put into question the stance of third parties as well as the impact of their stance over the conflicting parties. For more information over this, read Jeffrey Herbst “Let Them Fail: State Failure in Theory and Practice: implications for policy” and Mohammed Ayoob “State Making, State Breaking and State Failures”. Their analyses focus on state failure, but the power relations play a similar role than in our case.

<sup>140</sup> JÄGERSKOG A., “The Sanctioned Discourse – A Crucial Factor for Understanding Water Policy in the Jordan Basin”, London, SOAS Water Issues Study Group, School of Oriental and African Studies / King’s College, Occasional Paper 41, 2002

The answer brought by Zeitoun is that the dominant coalition of discourse drives policy-making on the issue in question. The roots of such coalition lie in agent-structure co-constituency and lead to a dominant coalition. In short, the explanation of this dominant coalition is that it is the most powerful one. In reality, even a weaker party can come up with a discourse that has a decisive impact on the issue-making. It depends upon the degree of polarization and violence along with the receiving audiences. Discourses directly reflect the structural and personal violence of a conflict, but the emergence of a sanction discourse and a coalition reflects power relationships. In the meantime, during negotiations, even if one side This justifies all the fuss about discourses analysis and agent-structure relationships.

**Figure 2.1** The evolution from interaction to coalition of discourses.



**Box:** The evolution from interaction to coalition of discourses, Mark Zeitoun, 2008

To conclude over this typology, I would stress that the discourse constructed for a specific audience seeks to gain legitimacy. Such ground support is addressed by a securitization process as water is a conflict issue contained into a broader security context. Securitization in this case only means that the water issue is not only politicized, it belongs to higher political spheres of political because of a conflict over the possession of the resource. For instance, Barnett<sup>141</sup> interprets the stance of Israel's Prime Minister Yitzhak Rabin during Oslo Peace Accord process as the relationship between political elites, public audiences and

security policy. The withdrawal from the territories appeared as the legitimate option. This legitimization policy option was made desirable by locating it within particular narratives of Israeli identity and historical representations seated in the structural violence of the conflict. Then he also marginalized alternative stories of national identity and history to give its policy option the resonance within domestic constituents. A similar reasoning can be made with water.

The possession of water is a matter of competition for survival driven by a polarization of society instead of being driven by a problematic of social justice distribution. The structural violence is therefore the one providing the keys to analyze the discourse's receiving audience. Power is then the mechanism regulating the story lines between discourses. The final outcome is a coalition of discourses that reflect the 'order of things'. Such process is quite openly accepted during negotiations, which explain frustrations of such conflict resolution process. "Israeli water insider Shaul Arlosoroff, for example, acknowledges that the discourse of his Palestinian counterparts 'must always satisfy their internal pressures, and they thus claim that we are stealing all the water, etc. We know this – and they know we know this. We know they don't really mean it, and so we move on' (ARLOSOROFF 2004, pers. comm. with ZEITOUN)"<sup>142</sup>

What is needed now for our thesis is to de-construct the water conflict from a historical, identity and distribution patterns point of views before jumping to the most recent case study.

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<sup>141</sup> MCDONALD M., « Constructivism », ..., *op. cit.*, p. 65

<sup>142</sup> ZEITOUN M., *Power and Water...*, *op. cit.* p. 44

## Section II : Meshing the water conflict with the political context

The construction of the Israeli-Palestinian water conflict has been shaped by different political climate since the emergence of Zionism with Theodor Herzl. The importance of water is held in a famous quotation of Yitzhak Rabin, “*without any agreement over water, there will be no agreement... because for Israel, water is more important than peace*”<sup>143</sup> and stresses straightaway the linkages between the conflict and water. Understanding the role of water in the conflict enables first to set the political context and mechanisms that have led to the use of water as a strategic tool for Israel and then to differentiate water discourses.

This sub-section intends to demonstrate that the Israeli-Palestinian water conflict, also referred as “*the other Israeli-Palestinian Conflict*” by Jan Selby, emerged through identity claims and an asymmetric distribution of the resource. Indeed, the understanding of the hydropolitics depends upon an appreciation of the historic roots of the wider conflict, as the water conflict cannot be separated from this broader political context.

### I ) History of the water conflict: 1904-2010

A brief summary of the history of the water conflict has already been the purpose of many studies, the latest one being done by Mark Zeitoun.<sup>144</sup> He considers four phases that I will shortly present on which the Israeli relation to water was built and then I will provide evidences underneath that confirm the constructivist approach.

- The *pre-1948* period assimilates to the ***Zionist aspirations*** put forward by numerous declarations and plans – the Mavrommatis Plan (1978), Lowdermilk Plan (1943-44),

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<sup>143</sup> Original quotation in French « *sans accord sur l'eau, il n'y aura pas d'accord... car pour Israël l'eau est plus importante que la paix* » from a poster from Hydraulic Without Boundaries taken from BRETON M., “L'eau dans le conflit israélo-palestinien”, Master's research dissertation, 2005

<sup>144</sup> ZEITOUN M., “Highly Politicised Hydropolitics”, ..., *op. cit.*

and Hays Plan (1948) – that characterize this pre-state period-time. Obviously, as noted by Trottier, “the real founders of the new-old country were the hydraulic engineers.”<sup>145</sup>

- From 1948 to 1967, Israel brought *Zionism alive* – or should I say into play – by following a very ideological plan of action to build a modern water management system when, in the meantime, the Palestinian side had got hold of the wrong end of the stick with minimal development and cheap pumps. This period time was marked by many hydropolitical tensions between Israel and Arab nations – as reflected by the mediation efforts of US envoy Eric Johnston.<sup>146</sup> Israel was carried away by the sweet music of what the academic literature calls the ‘hydraulic mission’<sup>147</sup> driven by and “ideology dictated water development.”<sup>148</sup> Results were a tripling of groundwater production “from roughly 300 MCM/y in 1948 to nearly 1,000 MCM/y by 1966.”<sup>149</sup> Arab nations were also caught up by ideological driving forces under proud proclamations of Arab nationalism with some successes such as the establishment of the West Bank Water Department in 1965.
- During 1967 and 1995, Israel took advantage of its dominant position following the 1967 war. Radical changes have characterized this ‘*Israeli Domination Era*’. Following the 1967 war, the importance of power relations grow strongly as noted by Feitelson<sup>150</sup> up to the point to be a sustainable hydrostrategic relationship in favour of

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<sup>145</sup> TROTTIER J., *Hydropolitics in the West Bank and Gaza Strip*, Jerusalem: PASSIA – Palestinian Academic Society for the Study of International Affairs, 1999

<sup>146</sup> WISHART D. M., “The Breakdown of the Johnston Negotiations over the Jordan Waters”, *Middle East Studies*, Vol. 26, No. 4, 1990, pp. 536-546

<sup>147</sup> Expression referring to the official policy that seeks to mobilise water and improve the security of supply as a foundation for social and economic development. Idea developed by TURTON, quoted from ZEITOUN M., “Highly Politicised Hydropolitics”, ..., *op. cit.*

<sup>148</sup> GALNOOR I., “Water Policymaking in Israel,” *Policy Analysis*, Vol. 4, 1978, p. 345

<sup>149</sup> ZEITOUN M., “Highly Politicised Hydropolitics”, ..., *op. cit.*, p. 67

<sup>150</sup> FEITELSON E., “The Ebb and Flow of Arab-Israeli water conflicts: are past confrontations likely to resurface?”, *Water Policy*, 2000, pp. 343-363

Israel, accentuated by its military superiority. Following 1967, three major military orders were issued transforming profoundly the water regime in the West Bank and Gaza Strip.<sup>151</sup> The military order 92 (15 August 1967) transferred all authority over water resources to an Israeli official appointed by the Area Military Commander. The military order 158 (19 November 1967) amended the Jordanian Water Law permit system to forbid unlicensed construction of any water installations by investing the Israeli official of the power to deny or revoke any permit at his own discretion. Finally, the military order 291 (19 December 1968) concerned settlements dispute over land and water, declaring all prior settlements disputes invalid and denying any regulation in the law, even when ratified by civil courts.

This period is marked by few important facts:

- 1) An evaporation of the Israeli public interest in water issue considered as secured by the control over the contested water sources when in the meantime, a little, if not total, absence of awareness of the discrepancies with Palestinian water consumption.
- 2) The beginning of the widening discrepancy between Israeli agricultural water consumption and its contribution to its economy, representing about 1.5 per cent of total Israeli GNP by 2005.
- 3) An obligation to develop hydraulic infrastructures in the occupied territory to fulfil its responsibility to provide water toward the inhabitants, while driven by its political-military interests.
- 4) It is also during this period that the practice of Israeli military orders became a successful legal tool to avoid formal annexing of Palestinian land and therefore to

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<sup>151</sup> COHRE, “Policies of denial: Lack of access to water in the West Bank”, Geneva, The Centre Of Housing

control the Palestinian water production. Additionally to this practice, the Civil Administration of the Israel Defence Forces also took over operation of the Jordanian founded and Palestinian-staffed WBWD, a way to completely take over the development of the Palestinian water sector, avoid any modernization of the water management, and serve the purposes of settlers more than the inhabitants of the Palestinian West Bank, as mentioned by Selby.

- 5) The ‘hydraulic mission’ mentioned above was completed also through an effective increasing of the Jewish immigration, peace with key Arab states such as Egypt in 1979, and a concrete abandonment of the Palestinian cause by Arab States, opening the door to Western powers for more involvement in the aftermath of the First Intifada. As a matter of fact, the impact of the Israeli dominance on Palestinian development led the path to the humanitarian situation of the agricultural sector in the West Bank and the ‘de-development’<sup>152</sup> of Gaza.
- 6) Finally, and this is the last important fact that probably led to the key recognition of “Palestinian water rights” by the Article 40 of the 1995 Oslo Agreement, the issue of water has increasingly linked to, if not part of, a sense of national identity vis-à-vis Israel. As el Musa describes: “Israel’s stringent curbs on Palestinian access to water [...] made the denial of water, like land confiscation, seem like an integral part of its endeavour to dispossess them [...] Symbolically, water has become for the Palestinians another sphere of Israeli injustice toward them”<sup>153</sup> and as the Palestinian stance in Dead Sea projects’ negotiations still show today.

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Rights and Evictions, Right to Water Programme, Dec. 2008

<sup>152</sup> ROY S., *The Gaza Strip: The Political Economy of De-Development*, Washington, DC, USA: Institute for Palestine Studies, 1995

<sup>153</sup> EL MUSA, quoted from ZEITOUN M., “Highly Politicised Hydropolitics”, ..., *op. cit.*, p. 70



The turning point of Oslo signs the effective shift from ‘domination’ to ‘hegemony’ as supported by Zeitoun.

- Between 1995 and 2005, a slightly different scheme was brought into play characterized by Zeitoun as the ‘*Israeli Hegemony Era*’. Discourses compete to become hegemonic, under the “unusual coalition forming between the Palestinian and Israeli water officials around the dominant ‘cooperation’ discourse, and sanctioned by the international donor community.”<sup>154</sup> Limited progresses were achieved on the Palestinian side even though the PWA emerged as an attempt to embrace a Palestinian ‘hydraulic mission’ through the principles of Integrated Water Resources Management fostered by donors. The highly fragmented water sector PWA was confronted to without knowing what to do with such a constellation of local hydropolitics<sup>155</sup> was the inheritance of what Zeitoun describes as a ‘triple burden’ of 1) to meet the water needs of over three million Palestinian citizens, 2) an under-developed water sector, and 3) an inequitable distribution of the resource with its Israeli counterparts. Even worst, by showing an exemplary cooperation through the JWC and by playing Western donors’ game under donor-funded joint water initiatives, the PWA ‘s prestige suffered the poor redress of the asymmetrical distribution of the shared resource. In the meantime, the Israeli water discourse begins to suffer from a new phenomenon due to internal tensions and public disinterest of the issue besides some rational achievement in wastewater re-use and desalination. Feitelson<sup>156</sup> characterize this Israeli water sector as “fragmented” and “muddle.” Put together, those two evolutions of the Palestinian and the Israeli discourses emphasize how the comfortable hegemony of Israel has led

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<sup>154</sup> *Ibid.*, p. 63

<sup>155</sup> This constellation refers to a fragmentation of control mechanisms and the absence of any national water planning. TROTTIER J., “Water and the Challenge of Palestinian Institution Building”, Institute for Palestinian Studies, Journal of Palestine Studies, Vol. 29, No. 2, Winter 2000, pp. 35-50

to an unresolved conflict characterized by low-intensity violence in a highly politicised environment as Zeitoun describes the hydropolitics tensions.

- From 2006 to present day<sup>157</sup>, the disciplinary water management – under the ‘Israeli Hegemony Era’ – has put the Palestinian Water Authority into a ‘**Palestinian pigeonhole**’ from which only un-disciplinary behaviour or a focused strategic positioning between the occupying Israel and the historical Arab states sensitive friend can open new spaces of governance. The relationship has reached the last step of the disciplinary power, as the partial autonomous Oslo status given to the Palestinian water sector shows. Consequently from the last period of full hegemony, it seems that the control of the water issue has become a slippery task for the yet dominant Israeli side. It also seems that ‘high’ politics play a decisive role regarding the Palestinian capacity to overcome the double tensions arising from internal and external political climate. The question today is to know which leadership on the Palestinian side will arise from this pigeonhole bearing in mind the Israeli isolation on the international scene and its tougher stance taken regarding the colonization.

There seems to be an increasing attention drawn toward the Palestinian rights discourse from the international community as the two reports from the World Bank<sup>158</sup> and Amnesty International<sup>159</sup> support, but it does not mean that those will materialize into water projects. This focus thus cannot be dissociated from two major events that have contributed to the worsening – and weakening – of the Israeli stance on the

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<sup>156</sup> FEITELSON E., “Implications of shifts in the Israeli..., *op. cit.*

<sup>157</sup> The analysis of Mark Zeitoun is build until 2006, which is considered to be the end of the Second Intifada, as well as it corresponds to the democratic elections of Hamas in Gaza Strip.

<sup>158</sup> WORLD BANK, “Assessment of Restrictions on Palestinian Water Sector..., *op. cit.*

<sup>159</sup> AMNESTY INTERNATIONAL, “Troubled Waters – Palestinians Denied Fair Access to Water”, Amnesty International, 2009

international level, first the Gaza war in January 2009 and the Flotilla affair in June 2010.

On the Israeli side, the denial of Palestinian needs has not changed, as the demand of Israeli toward donors to focus on wastewater and water re-use rather than on new water drilling projects. This current situation can be seen as a way to control the international community, while, in the meantime, pursuing into the construction of a Hegemonic position for Israel in the region, also serving its interests to strengthen its disciplinary power. This latter either reflects a way to grasp the two states solution to improve its international and internal image and cool down the accusations, or it reflects the underhand pursuing of the colonization through the JWC procedures control against which the PWA has taken actions internally to improve its reactivity and follow up.<sup>160</sup> In fact, the two parties are wrestling within the JWC, which debates, in spite of the efforts to maintain those negotiations discrete, explode openly on the public place as a clear display of Israeli's environmental unilateralism<sup>161</sup>. The publication of the Palestinian approved and pending projects by the World Bank in the annex 12 of its last report provoked reactions on the Israeli side that have brought the water issue back into debates both in the public opinion, but even more importantly in the highest rank of Israeli decision-makers.<sup>162</sup>

A last element that has influenced this period is the construction of a humanitarian emergency through drought and deterioration of the situation in Gaza for the entire population and in the West Bank for herding and Bedouins communities. Discourses

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<sup>160</sup> PWA, "Overview of the JWC Unit", prepared for Water Sector Working Group, Palestinian Water Authority, 2010

<sup>161</sup> DINAR S. & FISCHHENDLER I., "The Politics of Unilateral Environmentalism: Cooperation and Conflict over Water Quality along the Israeli-Palestinian Border", 2009

to address these issues have gain some attention along with the progresses of the linkages made with Israeli's water policies and practices violations of International Law<sup>163</sup> and success stories of humanitarian projects. The humanitarian approach faces though difficulties to sustain in the long term as any emergency needs to be associated to a restricted period time, which is an important dilemma for the Palestinian advocacy over their water rights. The admissibility of such stance is trapped into a temporal dilemma that plays in favour of the occupying power if it is able to normalize the situation.

In short, the outcome of the pigeonhole position depends on the public treatment of the water issue and the ability of the PWA, NGOs and the international community to sustain the debate by addressing clear messages to the Israeli, Palestinian and the international public opinions. The water conflict is more than ever a discursive battle conducted by both sides.

## **II ) An identity based conflict**

A constructivist analysis of a conflict begins with an analysis of the nature and purpose of the construction of identity which lies for Israel in the Zionist project and in a trans-national Arab identity marked by anger and humiliation. I will develop the Israeli side extensively to focus afterwards on the Palestinian and international discourses. This way, I shall rely on this background to present my empirical findings.

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<sup>162</sup> The Israeli reaction to the first draft of the World Bank report has had the effect of a bomb because the position of the World Bank clearly stated a pro-Palestinian stance, asking the Israelis for explanations and to put some order in the JWC procedure. Confidential information from interviews with Palestinian officials

<sup>163</sup> COHRE, "Policies of denial: Lack of access to water in the West Bank"... *op. cit.*

## A) The Israeli national relation to water

The conflict is thus rooted in the Zionist conquest of the land, and of its subsequent acquisition of further land and in the Palestinian reactions to such conquests, as stressed by Zeitoun, which leads us to this opening remark. As long as Israel maintains such strong connections with the “agricultural pioneering” rooted in the Zionist ideology<sup>164</sup> – and the agricultural lobby remains active on this issue<sup>165</sup> – there will be enough actors to manipulate an identity which fosters violence and actions to increase the asymmetry of power. Water and hydropolitics belong to those identity processes both as an issue and a causal role in the conflict. The Israeli-Palestinian turned out to be one of the most structuring conflict in the Middle-East<sup>166</sup>, but the main issue that links every other issues of the conflict together is the nationalist project. Water nationalism<sup>167</sup> explains through an innovative analysis the water conflict, considering the effect of ‘high’ politics, as done in the past by Lowi<sup>168</sup>.

The construction of such identity based on hatred, history, ideology, religion, etc. lays the foundations for an asymmetric use of natural resource. Furthermore, without agriculture, the national Jewish home had no chance to thrive. Back at the time of the Declaration of Balfour, two years after, Chaïm Weizmann – first President of Israel – wrote to David Lloyd George – back then Prime Minister of UK – that “*the borders (of the national Jewish home) could not be traced exclusively on (biblical) historical boundaries. [...] Our claims toward the North are essentially imposed by the necessities of modern economic life. [...] The entire*

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<sup>164</sup> BENSOUSSAN G., *Une histoire intellectuelle et politique du sionisme (1860-1940)*, Fayard, Paris, 2002  
Annex #9 : The Agricultural Development and Zionist Ideology

<sup>165</sup> BLANC P., “Liban, Israël, les dessous hydropolitiques d’une tension”, pp. 51-55, in MOYEN-ORIENT (Géopolitique, géoéconomie, géostratégie et sociétés du monde arabo-musulman), dossier *Israël Palestine : la paix pour quand ?*, Areion Group, No. 05, bimestriel, Avril-Mai 2010

<sup>166</sup> HITTI N., « La question palestinienne : une question résoluble mais un conflit structurant », Les Cahiers de l’Orient, dossier *L’initiative de paix arabe et ses enjeux*, No. 96, Oct. 2009, pp. 37-47

<sup>167</sup> ALLOUCHE J., *Water Nationalism: an explanation of the past and present conflicts in Central Asia, the Middle East and the Indian subcontinent?*, PhD Université de Genève, Institut Universitaire de Hautes Etudes Internationales, Thèse No. 669, Geneva, 2005

<sup>168</sup> LOWI M., *Water and Power – The Politics of a Scarce Resource in the Jordan River Basin*, Cambridge, USA/ Cambridge University Press, 1993

*future depends upon its water supplying for irrigation and electricity production... And the running (supply in) water must come from the downhill of Mount Hermon, springs of the Jordan and Litani rivers [...]. We consider that it is essential that the Northern border of Palestine includes the Litani valley over a distance of about 25 miles, as well as the Western and Southern sides of Mount Hermon.*”<sup>169</sup>

As mentioned earlier, the Israeli-Palestinian conflict is part of ethno-religious conflict.<sup>170</sup> Water as a matter of fact is a religious symbol – a Biblical symbol – linked to the Promised Land. It is worth recalling – as done by Mélodie Breton – the promise made by Yahve to Abraham, mentioned in the Knesset: “To your descendants, I have given the land from the river of Egypt to the great river, the Euphrates river” (Genesis, XV, 18). Furthermore, the two stripes of the Israeli flag are supposedly representing those two rivers, stressing symbolically the will to build a Great Israel from one river to the other. As characterized by Sharif el Musa, the views of the land, agriculture and water is “essentially romantic, if not mystical.”<sup>171</sup>

Before the idea of a Jewish State, the social ideology in shaping innovating form of communities and solidarities played a key role. Today, those collective farms called kibbutzim and mochavim are well-known, still fostering the pioneering mystic relation to the land in the Israeli society. Agricultural colonization also answer to a second objective of

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<sup>169</sup> Translated from French: “*les frontières (du foyer national juif) ne sauraient être tracées exclusivement sur des limites historiques (bibliques). [...] Nos prétentions vers le Nord sont impérativement dictées par les nécessités de la vie économique moderne. [...] Tout l'avenir de la Palestine dépend de son approvisionnement en eau pour l'irrigation et pour la production d'électricité... Et l'alimentation en eau doit provenir des pentes du Mont Hermon, des sources du Jourdain et du fleuve Litani [...]. Nous considérons qu'il est essentiel que la frontière nord de la Palestine englobe la vallée du Litani sur un distance de près de 25 miles, ainsi que les flancs ouest et sud du mont Hermon.*” from MUTIN G., *L'eau dans le monde arabe*, Ellipses, Carrefours de géographie, Paris, 2000, p. 87

<sup>170</sup> KADAYIFCI-ORELLANA S. A., “Ethno-Religious Conflicts: Exploring the Role of Religion in Conflict Resolution”, pp. 264-284 in BERCOVITCH J., KREMENYUK V., & ZARTMAN I. W., *The SAGE Handbook of Conflict Resolution*, SAGE Publications, London, 2009

<sup>171</sup> EI MUSA S., *Water Conflict – Economics, Politics, Law and Palestinian-Israeli Water Resources*, Washington DC, USA: Institute for Palestine Studies, 1997

Zionism, which is to prove to Jewish people that this land has the capacity to welcome as much as they are with good conditions. This also answered a will to Judaize, as Michel Warschawski<sup>172</sup> describes, of Palestine through:

- 1) The “*Redemption of the land*” which consists in buying as much land as possible to Arab owners, through the KKL – ‘Keren Kayemet Le Israel’ – a Jewish National Fund created in 1901 to manage land purchasing, in order to dispose of inalienable Jewish properties. This ideology assimilates to the Labour Zionism which was characterized as one of redemption by el Musa and of territoriality by Schnell<sup>173</sup>.
- 2) The “*Jewish work*” which consists in favouring Jewish labour at the expense of Arab labour, despite the fact that the Arab labour was cheaper and more efficient who were originally used by capitalists Jews such as the Baron of Rothschild. This led, as Selby notes through the idea of Michael Shalev, to “a practical allian between a settlement movement without settlers and a workers’ movement without work”<sup>174</sup>, a type of alliance that we could still see happening in different conditions today to describe the persisting settlement movement (argument often used by settlers to justify their moving: life is better, more comfortable in settlements than in some Israeli cities, and water is available!).
- 3) The idea to “*Buy products from the country*” which underlies the idea that the National Jewish home is, or will be a country, aims to conquer the economic market, and still runs today, with its counterpart strategy the Palestinian BDS<sup>175</sup> – Boycott, Disinvestment and Sanction Campaign.

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<sup>172</sup> WARSCHAWSKI M., *Israël-Palestine, le défi binational*, Textuel, Paris, 2001

<sup>173</sup> SCHNELL I., “Changing Territorial Concepts in Israel: From besieged nation-building to globalisation (Introduction)”, *GeoJournal*, Vol. 53, 2001, pp. 213-217

<sup>174</sup> SHALEC M., quoted in SELBY J., *Water, Power and Politics ...*, *op. cit.*

<sup>175</sup> For more information on this non-violent and civic response, available websites in French <http://www.bdsfrance.org/> and English <http://bdsmovement.net/>

The institutionalization of the Israeli water sector significantly support this strategy of Judaize. First interesting fact worth to mention is that both companies Israel Electric Company (1921) and Mekoroth (1936)<sup>176</sup> were created before the formal investiture of the Israeli State. Furthermore, Israeli peasants started to exploit the Western Aquifer in early 1920s, which – as a historical right – is often reminded during negotiations. This Zionist relation to water has been supported by the national interest of water developed by the Israeli State, and elites. By considering water resources as a public good of state property, the water law of 1959 underlines in that matter how precious and necessary water resources are to the development of the country. Noteworthy, work on the Israeli National Water Carrier (NWC) began almost immediately after the conclusion of the armistice agreements between Israel and its neighbouring Arab states in 1949,<sup>177</sup> but fully completed by 1964 – taking the credits of the first proposal for the “Palestine Water Carrier” made by the Hays Plan back in 1948 –, as to significantly support concretely the newly formed Israeli state.

Originally controlled by the Ministry of Agriculture, the national hydraulic politic is today co-controlled by the Ministry of Infrastructure (1996 - Netanyahu), the Water Commission which decides of the amount of water volume shall be exploited each year (1960), a Water Council, and finally the two national water companies namely Tahal and Mekorot – the first one in charge of planning and pre-feasibility studies, and the second more operational manages the water network. Today, this entire system is largely put into the care of the Ministry of Infrastructure, but Mekorot being a state monopoly and the fact that most of those companies’ rulers come from military circles, security services or with a strong

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<sup>176</sup> BENANTAR A., « La question de l’eau dans les négociations arabo-israéliennes », *Revue d’Etudes Palestiniennes*, No. 47, Spring 1993, p.83, from BRETON M., « L’eau dans ... », *op. cit.*

<sup>177</sup> DAVIS U., MAKES A. E. L. & RICHARDSON J., “Israel’s Water Policies”, ..., *op. cit.*



international culture shows that water is a strategic issue.<sup>178</sup> Despite the declining role of the Ministry of Agriculture, the Israeli agricultural lobby remains today the other major driving force into the Israeli discourse.<sup>179</sup>

In short, the decision making process depends on those players referred as “pressure groups” by Arnon Soffer are: Mekoroth, Tahal, the moshavim and kibbutzim, Arab agricultural organizations, environmental organizations, the Israeli Defence Forces, universities, etc. The main conclusion drawn about the internal tensions of the Israeli side generating its “healthy reflexive discourse” as noted by Zeitoun is that in this competition to politicize their own objectives, a sustainable resource regulation of water remains a distant goal.

## **B) The Palestinian social relation to water**

The Palestinian conception of water is different in many aspects, the major one is that water is a communal good that was until very recently managed on a private base without being put into the care of a State institution. “Controlling water has therefore constituted one of the bases of the structure of local power for centuries. It is only recently that the control and power over resources has been transferred to the national level.”<sup>180</sup> The Palestinian water sector remains even today a fragmented sector unable to change the asymmetric distribution of the water resource with its Israeli counterpart, which has often de-legitimized the Palestinian Water Authority. From this point of view, chances of having power shifts and violence generated in the transitional processes of state building are great. This justifies such

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<sup>178</sup> PIROT A., “La gestion de l’eau entre Israël et les Territoires palestiniens”, IRIS, Actualités du Moyen-Orient et du Maghreb, No. 11, Jul. 2009, available on internet on mondialisation.ca, October 8th 2009

<sup>179</sup> ZEITOUN M., “Highly Politicised Hydropolitics”, ..., *op. cit.*, p.72

<sup>180</sup> ALLOUCHE J., *Water Nationalism* ..., *op. cit.*, pp. 260-261

study of the Palestinian water sector, by focusing on discursive processes, as testimonies of those conflicting processes.

Similarly to the Israeli side, religion also plays a role in defining the signification and place of water in society: “God, it is Him who makes water come down the sky from which he makes fruits grow for your subsistence.”<sup>181</sup> Watering hole and stand-pipe’s rules were flexible in order to allow free access to nomad tribes. Under the Ottoman Empire and people’s adaptation of sedentary lifestyles, the societal organization around water was protected, as a significant aspect of Muslim identity. It is more the extension of cities that led to several modifications of customary law to build more sophisticated national codes.

Water is considered as a scarce resource and as such has always been central in the organization of the Muslim society in the Middle-East. Several laws or customary rules have been developed according to the specificity of the role of water in those societies. The “shari’a” was firstly referring to the water law by many lexicographers, Ibn Manzur stressing as well that “the shari’a is the place surrounding the water hole.”<sup>182</sup> Water is thus not an individual but rather a communal belonging that cannot be untitled to property rights. The right to drink – “shafa” – concerns at the same time Humans and Animals, whoever needs it. Local reactions to water pricing, river border or any individual sharing of the water are not always well understood because of a cultural gap. However, this rule differs when talking about land working. The work of the land has shaped some kind of individual property. The one who conducts water works or land irrigation can claim a right over the water used which is present in the Ottoman Civil Code – the “Majalla” and in the “laws over the land” of 1858. Finally, Mélodie Breton refers to a last type of right called “property liberty” – or “mubah” –

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<sup>181</sup> *Coran*, sourate XIV (Abraham), verset 32. Translated from French “*Dieux, c’est Lui qui fait descendre du ciel une eau par laquelle il fait pousser des fruits pour votre subsistance*”

which a similar public domain in that regulates water over which no property title can be established. Whether water is a communal or private managed at the local level, the key element to stress is that it belongs to whoever is thirsty, as it is a gift from God.

Under the Britannic and French mandates after the falling of the Ottoman Empire, territories under the French are unified under one “Water Code” whereas Palestine under the Britannic do not impose such legal unification. Water thus remains a communal good in Palestine, generally managed by villages. Similarly, after 1948, Jordan holds sway over Palestine and create the West Bank Water Department to manage water resources. A licence system was set up to deliver permits for any water works, but overall, it was only an administrative formality that did not put into question customary rules. Gaza however was controlled by the Egyptian where water customary rule was respected. We have already immersed ourselves into the effects of the Israeli domination over water resource control, but the customary rules still influence the Palestinian water management.

Even today, although the nationalism state building in the West Bank has taken over local water management, control, and use, ‘local hydropolitics’, the “Palestinian statelike control over the water offers an excellent example of the strong society, weak state model developed by Joe Migdal”<sup>183</sup> as stressed Julie Trottier. Misunderstood by Israelis researchers, and to a certain extent by Westerners, the local hydropolitics constellations constitute also “an intricate web of power relations woven over the years by local actors around the control of irrigation wells and spring in the West Bank”<sup>184</sup> upon which should and could be built a unique national water management.<sup>185</sup> She studies the customary rules of the spring and wells

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<sup>182</sup> From French “la shari’a est le lieu qui environne le point d’eau; de plus, la shari’a, dans l’esprit des populations arabes, est la loi de l’eau (shur’ at al-ma) qui régleme la possession des sources et autorise leur accès à toute personne qui a soif” quoted from BORDET G., Dossier Eau et paix from the website Irénées

<sup>183</sup> TROTTIER J., “Water and the Challenge of Palestinian ...”, *op. cit.*, p.36

<sup>184</sup> *Ibid.*

<sup>185</sup> Under Oslo II, this is true for the remaining 18 per cent earmarked for the Palestinian Authority.

management of two villages between 1997 and 1999, including in the second case the examination of the impacts of the interactions between local actors – the irrigating farmers, well owners, Palestinian NGOs – and international actors – the French bilateral Agency for Development. Both of them were operating from the beginning in ‘splendid isolation’ from any outside control. In Marmayya, the first case, the village has perpetuated the customary management of the spring through a social organization depending on an age-old system aiming at sharing the spring among the eight clans of the village. In Falamiah however, following the drilling of five wells between 1958 and 1962, a new social structure determined by water access developed between those who sold water; those who bought to irrigate their land; and the noncultivators who did buy it.

The situation prevailed until 1994 when an engineer from PHG came with a project donor-funded. The outcome on the local hydropolitical constellation is the achievement of local centralization of decision making, allowing for a more participatory control of access to the village water, water users now having a say over water pricing. Also the ‘splendid isolation’ was breached by the inclusion of a representative of PARC – yet no state representative – in the decision making. Finally, there was a positive impact strengthening the capacity of Falamiah as a whole to mobilize of land and water resources. Behind those two stories lies another dynamic carried by the PWA. The PA positioned itself in a state-building process to assume control over natural resources at the expense of local actors. Thus Julie Trottier describes two internal opposing dynamics that have contributed to build Palestinian discourses: the ‘centrifugal’ dynamic and the ‘centripetal’ dynamic.

Whether it is for customary, religious or ideology reasons, the structure managing water responds to objectives of water control linked to power. It appears clear that elites construct

conditions that meet their political power's objectives<sup>186</sup> to hold or increase this political power internally or against the 'other'. Elites also put in place new norms of 'other'-directed violence which in turn enforce group unity around the nationalist project – Zionist ideology –, censor and de-legitimize alternative non-violent discourses, or militarize society – Tsahal has become the right hand of Israel's control of the West Bank and Gaza, supporting the fragmentation of the West Bank according to Israel's planning and zoning strategies.

### **III )      Role of distribution patterns**

Distributive issues concerns questions of who gets the water, when, where and how as simply defined by Zeitoun. At first glance, distribution patterns make us think about technical, economic and ecological issues of resource management such as production and consumption or supply and demand. This first remark is true up to a certain point, mainly because taking such stand could not explain why the Israeli-Palestinian water conflict is characterized by such asymmetric distribution of water. Distribution patterns reveals that where the daily water consumption of an Israeli is of 400 litres, of a settler 800 litres, the daily consumption of a Palestinian stands between 70 and 90 litres.<sup>187</sup> Water is today a security issue for Israel therefore generating even more power asymmetry. The question is to understand the roots of the asymmetry whether it is because of the resource itself being scarce, or because of political issues. The use of water distribution patterns highlights the possibilities of instrumentalizing the resource to support a political project. "Water and water-supply systems have been the roots and instruments of war."<sup>188</sup> There is no Palestinian sovereignty over water resource. The

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<sup>186</sup> FEARON J. & LAITIN D., "Violence and the Social Construction of Ethnic Identity", International Organization, 2000, No. 54, pp. 845-877

<sup>187</sup> PIROT A., "La gestion de l'eau entre Israël et les Territoires palestiniens", ..., *op. cit.*

Annex #10 : Comparison of Israeli and Palestinian Water Consumption, 1948-2003

<sup>188</sup> GLEICK P. H., "Water and Conflict ..., *op. cit.*", p. 83

asymmetry of power echoes this sovereignty gap through, as an example, the use by settler of water accounting for seven times Palestinian use.<sup>189</sup>

Even if scarcity has been recognized as a problem, for instance in the Israeli-Jordanian Peace Treaty of 26 October in Article 6, paragraph 3 where it is said that both parties “acknowledges the water scarcity and the need to find additional resources, including through regional and international cooperation projects”, the asymmetric distribution is not due to scarcity, but to political processes. Despite the fact that the problem of scarcity has become more acute, especially in the beginning of the 20<sup>th</sup> century with larger intake for industrial and domestic use, the nature of water conflicts is the ownership or control of the resource which “causes lie in a certain perception of the territory and its water resources”<sup>190</sup> as Allouche develops in his concept of ‘water nationalism’.

#### **A) A brief overview of the transboundary water flows and its control**

What are the available resources? Where? and When? First remark, “the physical attributes of the contested resources shows that the bulk of them are directly or indirectly under Israeli control.”<sup>191</sup> While Allan supports that “the area ran out of water a long time ago,”<sup>192</sup> it would be false to consider the area as dry and desertic since cities of the Northern part receive about 600mm of rain annually, more than Paris as mentioned by Zeitoun. The overall scarcity should be combined with the effect of a growing population which is driven by an encouraging immigration on the Israeli side, and by high birth rates on the Palestinian one. Along this, the surpassing agricultural consumption also exacerbates the stress on natural resources.

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<sup>189</sup> Interview of Safwat Ibraghith for *Les Cahiers de l’Orient*, “La Palestine entre le marteau de l’occupation et l’enclume des divisions”, *Les Cahiers de l’Orient*, No. 96, Oct. 2009, pp. 27-35

<sup>190</sup> ALLOUCHE J., *Water Nationalism ...*, *op. cit.*, p. 260

<sup>191</sup> ZEITOUN M, « An Asymmetrically Distributed Resource », ... *op. cit.*, p. 45

<sup>192</sup> ALLAN T., *The Middle East Water Question: Hydropolitics and the Global Economy*, London, UK: I.B. Tauris, 2001

There are two types of water resources:

1) *Transboundary surface water*: by far more consequent than the other transboundary surface water system is that of the Jordan River which is composed of several elements: the Hasbani, Dan, and Banias rivers from the Golan Heights, the Upper Jordan River, the Lake of Tiberias, the Lower Jordan River, the Yarmouk River, various wadis, and the Dead Sea.<sup>193</sup>

2) *Transboundary Groundwater*: in quantity, much more important than surface water and regulated by the 1995 Oslo Agreement. It is composed by the Western Aquifer Basin –the largest with 362 MCM/y, 340 going to Israel, the rest to Palestine; the North Eastern Aquifer Basin –145 MCM/y, 103 to Israel, the rest to Palestine; the Eastern Aquifer Basin – the smallest 40 MCM/y to Israel, 54 to Palestine and 78 remaining for development by Palestine with serious doubt over its extractable feasibility; and the Coastal Aquifer Basin –not defined by Oslo II, 429 MCM/y estimated to Israel and 135 to Palestine, but considered to be over pumped.

To the question of who gets water. Israel has fulfilled its ‘hydraulic mission’ since long, except for the Palestinian Bedouin living in ‘unrecognized villages’. Israeli water professionals are proud of their water systems accounted as one among the highest performances in the world. The National Water Carrier is the most vulnerable and yet most important supply since it supplies nearly one third of freshwater. Unlike the robust and complete water network coverage in Israel, the Palestinian distribution system can be characterized as flexible and relatively robust at the national level. At the local level however, the fragile and ageing infrastructures see their vulnerability further increased due to military activity. While the network coverage is about 95% in Gaza and a little less in the West Bank with 70%, already about 90% of the Gaza aquifer has been rendered un-potable and the permit regime applied by

the ICA to area C – which accounts for 60% of the West Bank – has a ‘significant’<sup>194</sup> impact on the ability to pursue the development of the network. It is fair to say that the robustness of the Palestinian distribution system is not as safe as it may look.

The last issue to clarify the water distribution is the one about who controls which flows. In his analysis, Zeitoun copes with the dearth of analysis of this highly political question of the decision-making behind the control. The idea is to review the physical characteristics particular to each source of water of Palestinian, Israeli and beyond state control over the WBG resources.

The Palestinian control is divided into *PWA wells*, *agricultural wells* and *municipal wells*. Agricultural wells were traditionally privately owned and regulated, but since the 2002 Water Law, they have fallen under the jurisdiction of the PWA. As noted by Trottier and Zeitoun, there is a resistance to the change from traditional family based management structures to the central management efforts of the PWA. A similar story happened to municipal wells which also fall under the jurisdiction of the PWA according to the 2002 Water Law. Noteworthy, municipalities who had been detached from any central planning policies during the Israeli occupation period have developed a more substantial service-delivery than that of the PWA. Zeitoun mentions the cases of Nablus, Hebron and Ramallah under the Jerusalem Water Undertaking’s jurisdiction.

The Israeli control is similar than that of the management structures reviewed above. This structure concerns the West Bank Water Department wells, Israelis wells inside the WB, water purchased by the PWA from Israel and water purchased by Palestinians in the WB from Israeli settlers. Few remarks again need to be made to characterize the Israeli control. The WBWD was created in 1967, and run until 1995 by the ICA of the Israel Defence Forces, and

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<sup>193</sup> Annex #11: Transboundary surface water and groundwater resources of Palestine and Israel: Jordan River System and four aquifers



remained financed by Israel until recently although it institutionally had fallen under the legal jurisdiction of the PWA. Operations of the WBWD wells remained under the decision-making of the ICA. Israeli wells inside the WB are owned and managed by the Israeli water-provider Mekorot and mainly provide water to Israeli settlements, agriculture in the Jordan Valley and Israeli military bases. Not only this control shows a structural violence<sup>195</sup>, but it also carries risks of shaping discourses of each actors.

## **B) Risks behind the asymmetric hydraulic distribution**

To the question of how is the water distributed, I will use the hydraulic power four dimensions provided by the analysis of water production and consumption as shown on the figure on the next page.

What is shown is how independent or compartmentalized the Israeli water policy is with the Palestinian water demand. Zeitoun combined both elements to describe four risks arouse from such power-based control of the resource:

- 1) The *greater assurance of supply*: a relative guarantee of supply since the conquest of land has demonstrated its side effects, but affords Israeli water policy-maker a capacity to play with the level of securitization and de-securitization of the resource to achieve political goals.
- 2) The second risk analyzed by Zeitoun is the ideological orientation of the *control over the allocation of strategic reserve flows* rather than the international obligations. The Palestinian water needs are viewed under economic arrangements which means as a sector willing to pay for the resource. Without any representation at the decision-making level on the Israeli, the Palestinian side is “subject to the pressures of the broader political

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<sup>194</sup> Source from the WASH oPt CAP 2010.

context” with little chance to bring about any pressure at all. As a consequence, the control rather hegemonic continues silently and efficiently through economic arrangements between the PWA and Mekorot driven by a supply management practice.

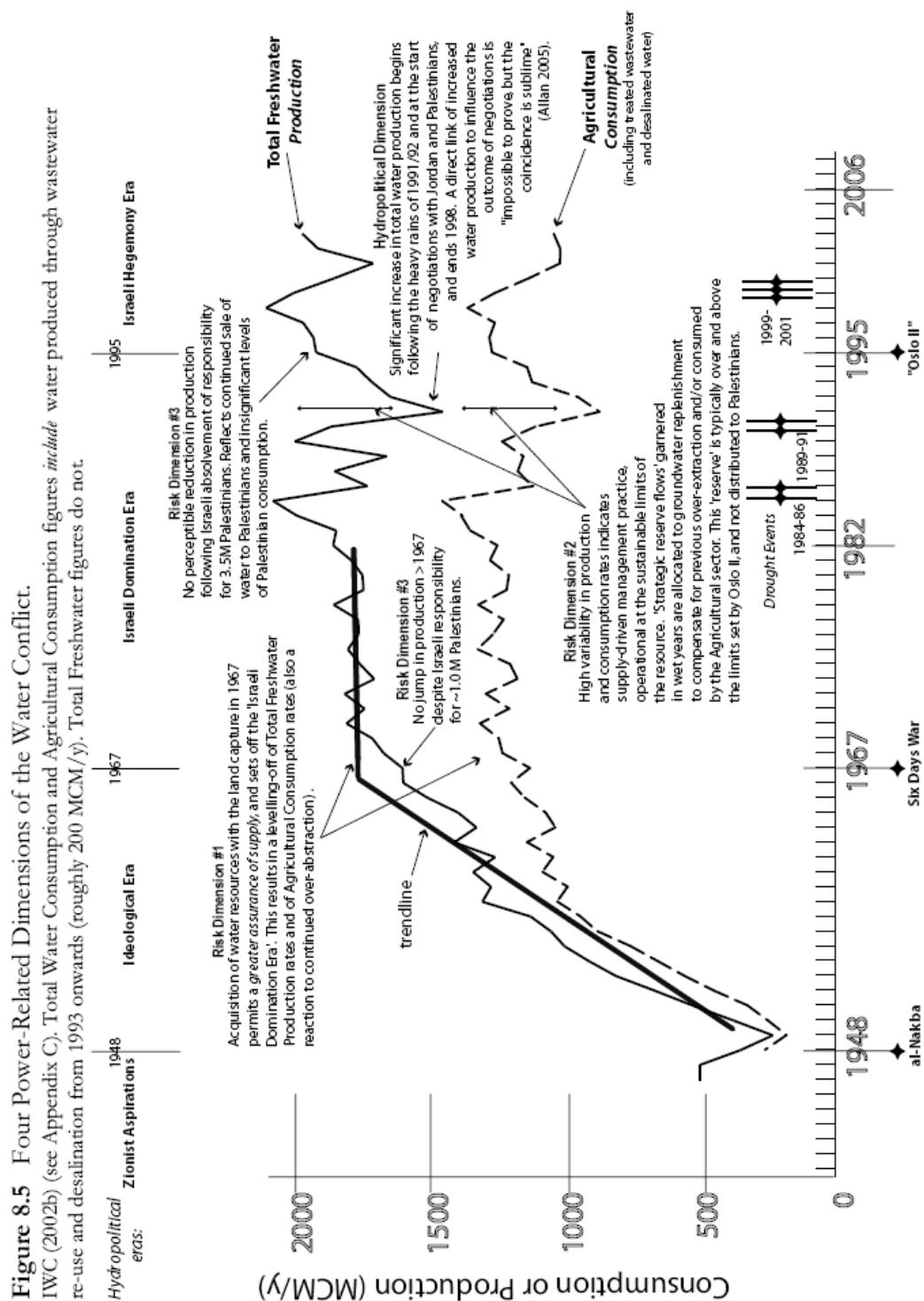
- 3) The last risk *maintaining insignificant levels of Palestinian consumption* highlights even more dramatically the inefficiency of the Palestinian position. “Palestinian flows in fact are small to the point that they fit within the margins of error of Israeli record-keeping, and the water sold to Palestinians does not visually alter the Israeli water production curves.”<sup>196</sup> The Israeli levels of consumptions did not change either when they had in charge or were discharged of the responsibility to provide water to one million Palestinians in 1967 and 1995. Furthermore, the Joint Water Committee simply replaced in effects the water-related Military Orders keeping Palestinian levels of consumption as low as it could be while pumping records testify Israel’s careful policy towards Palestinian consumption and controlling physical scarcity of the flows.
- 4) A last element – *effect on negotiations* – stressed by Zeitoun is an argument initially developed by Allan concerns the effect of the paradoxically increase in Agricultural consumption following years of effort directed to reducing overall consumption as seen on the figure. Allan admits that such coincidence is impossible to prove, but neither economic nor scientific argument give proper explanation. Without judging intentions, Allan identified only one fair

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<sup>195</sup> Annex #4: Water-related tension points in the West Bank

<sup>196</sup> ZEITOUN M., *Power and Water ...*, *op. cit.*, p. 141

argument whether it was intentional or not, that Israeli water production increased to improve its negotiating position.



**Box:** *Four Power-Related Dimensions of the Water Conflict*, p. 140, Mark Zeitoun

The scarcity aspect is often dealt by a specific type of discourse that belongs to engineers and that stresses practical and technical issues of the water.<sup>197</sup> The development of such strategies by the Israeli water company Mekorot emphasizes the asymmetry of power because they manage the resource on one territory considering one population. Developing water management strategies through the scope of economic interests almost appears as a negation of the water conflict, a way to avoid addressing the basic drivers of the conflict – its structural violence – and is therefore worth recalling for the purpose of this thesis. The main components of the national water resources management strategy are then a supply strategy and a demand strategy that deny the ‘other’ side.<sup>198</sup> Not only it highlights a stage of integration of the asymmetry of power in water policing from the Israeli side, but it reminds us of the importance of governance spaces. The socially constructed scale of governance is in this case answering to an operational strand espoused by engineers, environmentalists and economists that focus on the most appropriate scale for governing water.

This last section emphasizes both power and violence aspects of the water conflict. It set the necessary background to focus on the cases studied. In the following section, the goal is to understand the position of some agents studied during my internship, and verify the hypothesis. The outcome of the study will be an actualized view of the actors’ position in accordance with the water conflict perception and evolution previously exposed.

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<sup>197</sup> FEITELSON E. & FISCHHENDLER I., “Spaces of Water Governance ...”, *op. cit.*

<sup>198</sup> ARLOSOROFF S., “Water Demand Management – a strategy to deal with water scarcity”, The national water corporation of Israel, 2002

### **Section III : Case study: three influential boxes of the Palestinian water sector**

The methodology is fully presented in the annexes.<sup>199</sup> In short, the cases studied mainly consist in a presentation of the agents and the structures of each structure of influence and their argumentation. The analysis of discursive processes as seen previously depends on which structure influences the most the development of the Palestinian water sector. The phenomenon of parallel narratives as described by Trottier is rather a necessary one for any agent who seeks to build a consensus or to gain more legitimacy. Understanding the current development and hydropolitics of the water sector leads us to ask which structure of the Palestinian society, international funding or occupation influences the most the development of the water sector. In the end, it might be that no one independently influence this development, rather chances are that it is the continuous confrontation of narratives and vision that do.

What is an efficient development of the Palestinian water sector? According to Daibes<sup>200</sup>, the water crisis is not only a matter of scarcity, but part of a broader panel composed of legal aspects, economical development, management institutions and resources, ecological environment, and final status issues (settlements, borders, etc.). An efficient development is therefore one that increases resources and supply, strengthens institution building, bears in mind health as water use cannot be thought without sanitation, and builds its vision upon a positive peace based on water rights.

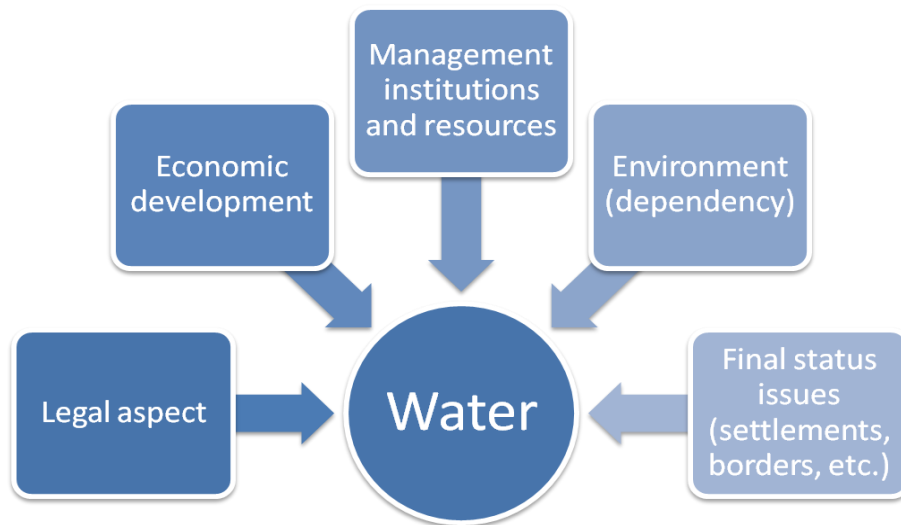
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<sup>199</sup> Annex #12: Presentation of the methodology

<sup>200</sup> DAIBES F., *Water in Palestine: problems, politics, prospects*, PASSIA Palestinian Academic Society for the Study of International Affairs, Jerusalem, 2003

# The water issue

Scheme presenting issues of the development of the Palestinian water sector



**Box:** *The water issue*, adapted from Daibes, Krystel Wanneau

If there are power shifts or asymmetry, then the following scheme shall be a mirror of the relationships between the agents, and the structures in which they evolve. Three groups can be identified: Palestinian stakeholders, third parties, and JWC and negotiation mechanisms. In each group, several parallel narratives co-exist.

Several parallel narratives cross this international community structure in a similar way of that happens in the Palestinian society. It reflects a clash between the ‘wanted situation to be’ with the ‘order of things’ developed by Zeitoun. There are as many narratives at least as much as there are different players involved in the political game. Before introducing the occupation influence, I feel like taking few lines to discuss the effect of discourses in re-writing reality mostly because it will strengthen this nexus between multiple narratives and active coherent cooperation in spite of the conflict more than to come back on theoretical points.

Why can we find more than one narrative for each agent? While it is obvious why we have more than one narrative for multiple agents according to its identity, ideology, or more

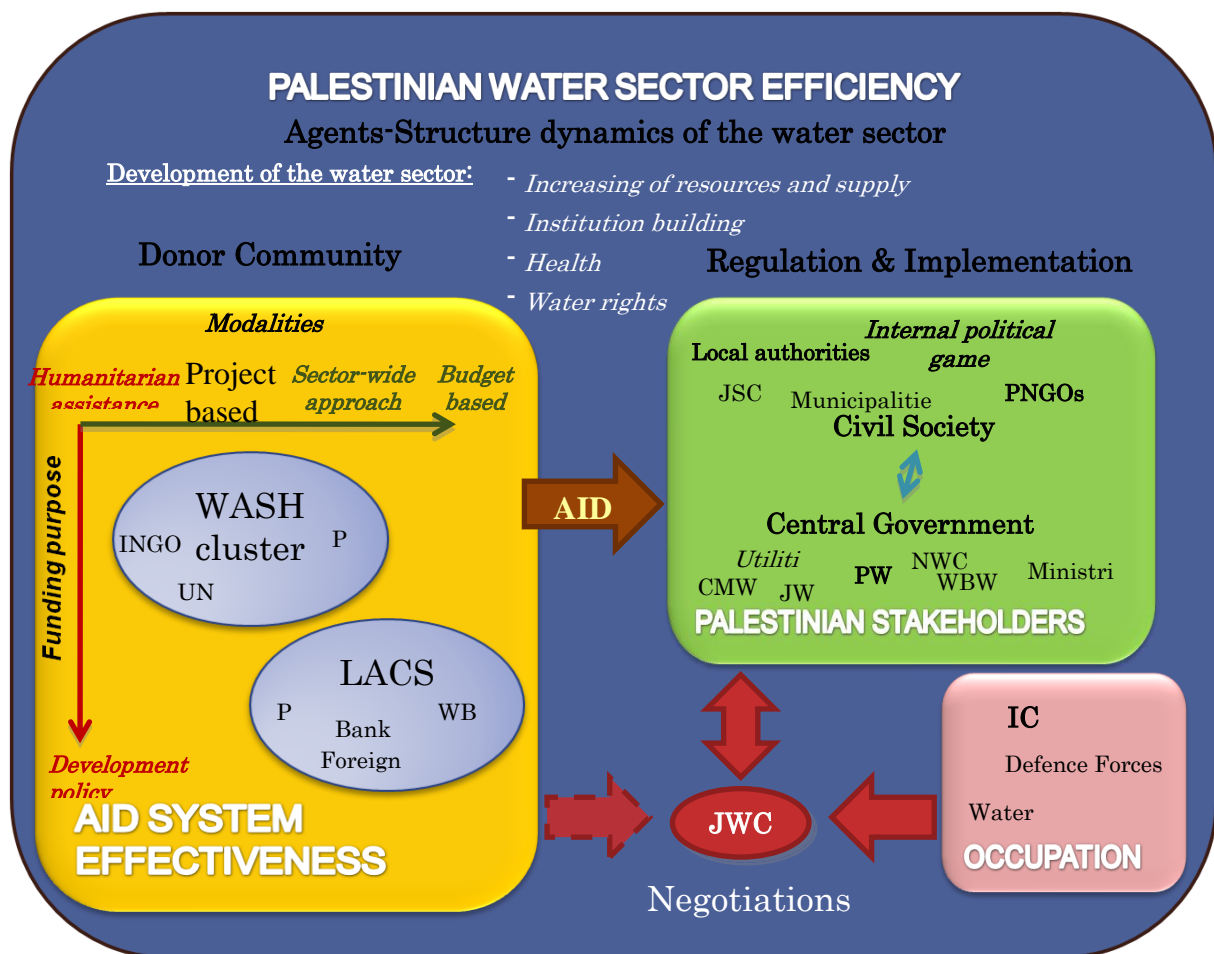
broadly said, its social construction, it is less obvious why one agent develops more than one narrative. The explanation takes its roots in the other side of the discourse: the receiving audience. The discourse is associated to a knowledge handling of what the agent will consider to be the truth.<sup>201</sup> The water conflict is the influence of discourses of knowledge which are created, disseminated and absorbed, three elements through which the discourse is each time distorted as all socio-political processes are. So the remaining question is why do we have that much different discourse even with one agent? The answer is quite simple. In order to legitimize political action, agent needs their truth to gain support, only then the audience will react to both discourse and political action. Does it mean that the audience is the one who sanction the discourses?

At this point, it becomes relevant to mention our hypothesis. If power is the main driver of the water conflict, then within such hegemonic power era, the Israelis are the one sanctioning the discourse, and it thus justifies why the official discourses of the PWA and donors fall into the line of Israel's truth. Truth has been recognize to be a liberating psychological element leading to resistance or as Franz Fanon notes to the break-up of the colonialist regime; it is also worth mentioning it has been recognized as the first casualty of war as stressed by Zeitoun. Truth is a subjective element which is therefore contested in that it can be manufactured. Knowledge is constructed through narratives with power and violence being their garners as William Cronon noted quite smartly: "It is a commonplace of modern literacy theory that the very authority with which narrative presents its vision of reality is achieved by obscuring large portion of that reality. Narrative succeeds to the extent that it hides the discontinuities, ellipses and contradictory experiences that would undermine the intended meaning of the story. Whatever its overt purpose, it cannot avoid a covert exercise of

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<sup>201</sup> For further information, Zeitoun digs into the nature and contested views of truth and the production of a

power; it inevitably sanctions some voices while silencing others.”<sup>202</sup> Power along with violence drive sanction narrative in the way that the ability to define truth is a product of power and violence. In other words, those two notions shape a reality narrative that sanctions the other voices. If this narrative captures an audience, then the discourse contributes to enable structural violence.



Source: *Palestinian Water Sector Efficiency* by Krystel Wanneau: Scheme representing of the cooperation between the actors involved in the Palestinian water sector under the disciplinary power of the Israeli occupation<sup>203</sup>

sanction discourse, pp. 38-44

<sup>202</sup> CRONON W., “A Place for Stories: Nature, History and Narrative”, *The Journal of American History*, Vol. 78, No. 4, 1992, quoted from ZEITOUN M., *Power and Water...*, *op. cit.*, p.39-40

<sup>203</sup> *Ibid.*



As a conclusion, I will quote Zeitoun's definition of discourse. "Discourse is created from the hundreds and thousands of meetings, media reports, policies, conferences and political events that work against and with each other to present or re-present an issue. As the ideas collide and align themselves along common story-lines, according to discourse theory, they combine and co-evolve until a consensus is reached, thereby developing from simple interaction into what Hajer terms a 'coalition of discourses'."<sup>204</sup>

We will now proceed to the analysis of some elements of discourses encountered during the internship. The period analyzed is the one following the most recent analysis of the discourses (ZEITOUN, 2008) already settled in the post-Oslo period. Two major political changes have occurred after 2006 – considered as the ending period of the Second Intifada – first the election of Hamas in Gaza following a changing strategy from marginalization toward democratic participation<sup>205</sup>, sometimes analyzed as the Palestinian Civil War, and secondly, the new leadership of the PWA under Shaddad Attili and Palestinian Authority under Salam Fayyed.

## **I )            Palestinian society influences**

First, Palestinian stakeholders include both civil society and the central government. The internal political game should not be underestimated as there are traditional mechanisms in managing water strongly linked to identity and social processes. Any change in the water management modifies social peace and therefore can create structural violence. Relationships inside this box stretch out from the PA to PNGOs and traditional local authorities.

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<sup>204</sup> ZEITOUN M., "Understanding Power and Water", ..., *op. cit.*, p. 41

<sup>205</sup> DANINO O., *Le Hamas et l'édification de l'Etat palestinien*, ..., *op. cit.*

Palestinian stakeholders are strongly influenced by the aid system and the occupation, the first one creating tensions between local, traditional networks and post-colonialist modern state building networks<sup>206</sup> and the second one being the expression of the conflict itself.

As suggested by Julie Trottier, a mistake in analyzing discourses would be to exclude the intra-Palestinian water competition from the broader considerations of power and violence relations. In the Palestinian society, two main structures co-exist: civil society and the PA. In the post-Oslo period, their role has been defined and adapted more than once, breeding the ground for shifts of power in the water sector. Actors are competing for legitimate attributions of the role from policy making to regulating and service delivery. In spite of the water law of 2002, the political climate in the water sector is unstable. The PWA still fights for more coordination and cooperation within the highly fragmented Palestinian water sector. Bearing in mind the diversity of political allegiance and traditional social role of water in this society, the lack of legitimacy of the PWA in spite of its efforts is not a surprise for the observer.

### **A) Civil society: mirrors of violence**

Violence and power processes come from the absence of being able to act and initiate action. Act and start acting are two different things, but there are close linkages among them.<sup>207</sup> Without this ability, violence is more likely to be stimulated by elites' discursive processes. This phenomenon is increased by a weak or inactive civil society because it represents the first layer of political organization outside political parties. High intensity violence outbreak is a sign of a suffocating civil society.

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<sup>206</sup> For a complete analysis of such complicated historical processes, refer to HANAFI S. & TABAR L., *Donors, International Organizations and Local NGOs: the emergence of a Palestinian globalized elite*, Jerusalem, The Institute of Palestinian Studies and Muwatin, The Palestinian Institute for the Study of Democracy, Ottawa, International Development Research Center, 2005

<sup>207</sup> ARENDT H., "Sur la violence"..., *op. cit.*

Despite what one can assume about civil society, it is far from being a homogeneous body. It is an organization formally constituted; organizationally separate from the state, non-profit seeking, self-governing and voluntary. Using Benoit Challand's work on civil society in the Arab world<sup>208</sup> – and more specifically in the Palestinian society – provides a better understanding of the roles of civil society organizations. His analysis presents one major advantage for our thesis because he avoids the assumption that civil society organizations are necessarily playing a positive role in the conflict resolution and violence decreasing through democratization.<sup>209</sup> Without the ability to act, the result is a radicalization of civil society regarding the polarization of a society.<sup>210</sup> A good dynamic civil society is a combination of bonding and bridging social capital fostering positive democratic training. Beside improving social skills and teaching tolerance, good civil society prevents conflict, improves legitimacy and advocates, usually using right-based approach. Uncivil civil society is a reflection of the division of a society. Since civil society is as divide as society is large, uncivil civil society is the part of civil society that is based on exclusion and conflict with other. The differentiation between good and bad civil society is a direct result of power and violence both in discourse and action.

This simplistic assumption that civil society is necessarily weak and good can be the result of different belief from donors – and the rest of the international community – to central government structure. How seducing this idea that civil society does not play the game of power and does not integrate the violence of the conflict in its discourse might seem to influence and capture civil society, it is a false idea. Civil society builds strong social

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<sup>208</sup> CHALLAND B., 'Civil Society, Autonomy and Donors: International Aid to Palestinian NGOs', EUE Working Paper RSCAS No 2006/20, 2006

<sup>209</sup> This idea of positive democratic civil society is linked to Tocqueville's view of Democracy with a Democratic ethos, the propensity for association.

<sup>210</sup> BELLONI R., "Civil society in war-to-democracy transitions", pp. 182-210, in JARSTAD A. K. & SISK T. D., *From War to Democracy...*, *op. cit.*

networks difficult to understand and orientate even for central government. The analysis of two civil society organizations working in the water sector will try to give insights for our thesis.

a) The concept of civil society in the Palestinian context

Unlike some might perceive them to be, civil society organizations are not only the nice grass-rooted neutral, non-violent and not powerful organizations. As a matter of fact, in a highly politicized context such as the Palestinian one, “one should conceive that the analysis of NGOs should be a way to access, among other but as much as other, to social change, local power, national or international governance, to development policies, to social and cultural interfaces, to innovations, to transformations of representations, perceptions and practices.”<sup>211</sup> The complex political dimensions of civil society are one major reason for explaining the lack of clear framework because there are more than one possible scheme. A second lead concerns its relationship with power and violence. Civil society either crosses structural violence or builds its discourse over it by integrating it into its logic. Power is a selective asset unequally distributed within civil society, one particularity being that each organization highly depends on its network, and those networks are continuously constructed by the organization itself, meaning that it depends upon its leader. In the end, grass-root organization is even more politicized than any other type of organization because of its participative nature. It implies that according to the political climate, such light organization has the ability to adapt easily and rapidly to any global shift of power or any changes within society.

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<sup>211</sup> SARDAN J-P. quoted in BENEFISSA S. & HANAFI S., *Power and association in the Arab world* (from French *Pouvoir et association dans le monde arabe*), Paris, ed. CNRS, 2003. From French « on doit concevoir que l’analyse des ONG soit un mode d’accès, parmi d’autres mais autant que d’autres, au changement social, aux pouvoirs locaux, à la ‘gouvernance’ nationale ou internationale, aux faits de développement, aux interfaces culturelles ou sociales, aux innovations, aux transformations des représentations et des pratiques »

As a matter of fact, Palestinian NGOs have developed their own scheme of development to fully be part of the post-Oslo and post-second Intifada period.<sup>212</sup> Cooperation for PNGOs is a matter of trust between the NGO and its counterpart on the donor side as well as toward the people.<sup>213</sup> The PNGO considers itself highly responsible toward the population and therefore shapes its discourse regarding such moral standards. In such politicized environment, chances of having a victim stance are high for PNGOs. Not being bound by any obligation toward occupation, PNGOs' discourses act as tension relief among the population. It manifests a recent emphasize on the NGO role in service provision and capacity to represent the interests of marginalized groups of their society. Either the NGO thus decreases levels of violence, or can breed the ground for it to express and transform eventually into political action.

Building civil society must be done regardless the conflict and political climates as stressed by the work of Paffenholz.<sup>214</sup> The idea that civil society can be built is thus subject to question and for several reasons. The identification of civil from uncivil society is not only difficult but it also is a dangerous game. In doing so, identification risks to ignore some sections of society and to outlaw through discriminatory outsider ethics. Fighting uncivil society cannot be done through exclusion; on the contrary, it fosters polarization of the society. Another reason that put into question the idea of building civil society lies in the financial dependency. It downplays local resources, coping strategies and decreases local accountability, which explains why local NGOs insist on the bonding trust with populations. Whereas in other context, local NGOs might have little or no autonomy, this assessment would not be necessarily true in Palestine since the core environmental and agricultural PNGOs were created in the 80s – PARC and PHG being the first. However, the assessment

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<sup>212</sup> el FARRA M., NIJEM K., & SONGCO D. A., 'Proposed Strategy for the Development of the Palestinian NGO Sector', The NGO Development Center, Jerusalem, Nov. 2006

<sup>213</sup> Personal communication with PHG chief of project, Multistakeholders

would be true regarding all the newly created PNGOs which, unlike PHG or PARC, have little or no structural capacity within the whole Palestinian society. At best, they have a structural capacity locally concentrated over one geographical area restricted to the projects carried out, a derived criticism of ‘projectism’. Many NGOs are implementing projects only in one technical area or one geographical area. By doing so, they miss the bigger picture and may even be counterproductive in their projects, either by duplicating other initiative in the best case, or by preventing other coordinated initiatives or technical solutions provided by the PA or other major donors from providing a better system. Another dilemma with constructed civil society is that it might focus on middle class and bigger cities rather than being a reflection of the society itself. This was partly true for PHG which is considered as a rather local conservative PNGO in spite of being located in the major cities of the West Bank. A last dilemma deals with the time frame of development. Rather than supporting long term civil organization, any external will risks to offer a short-term framework which will necessarily focus on NGOs, blame locals, and suffer ‘projectism’ or the idea that those civil society organizations are project-based.

This last element was mostly true and affecting discourses of PNGOs. The underlying idea of those dilemmas is that it may create additional structural violence in an already deeply divided society. This effect is discussed to some extent by Hanafi and Tabar<sup>215</sup> for instance in the donors – INGO – NGO relationship. With regard to agenda setting and networking issues, this relationship is often viewed as a structural inequality in which a power relationship determines the dynamic of their interaction. Aid channels are in fact structured by historically constituted sets of relations which define responsibilities of each agent. What they argue though is that NGos have invested in the space for negotiations over project methodology as a

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<sup>214</sup> PAFFENHOLZ T., “Civil Society and Peacebuilding”, The Center on Conflict, Development and Peacebuilding Working Paper, Geneva, autumn 2004

sign of reaction to agenda setting multi-dimensional process. Two examples will be further discussed, first the PHG development approach and the peacebuilding approach of WEDO. It will answer to the question of how those NGO through their discourse secure their space of negotiation and weight in agenda setting.

b) PHG: the Palestinian development broker

With more than twenty years of experience gathered by the NGO, the PHG is considered almost as a school for water engineers.<sup>216</sup> Those hydrologists are very traditional in their view of water management and spend their time improving the existing water system by getting the most innovating hydraulic alternative solutions to cope with the Israeli occupation and permit system. The PHG, as many other local NGOs, depends upon the international community for its funding. To cope with such negative effect, PHG has come up with a development broker approach that allows it to carry a local discourse and put itself forward to avoid being put aside the development of the Palestinian water sector. It is not only a question of ownership of the process, but also a question of vision of water. As emphasized by PHG director of Nablus' office, PHG includes two dimensions in the logic of the project, the first being the financial issue, but the second being the capacity building of PHG. Today, PHG has the capacity to initiate all-scale projects by maintaining a continuous presence on the field through its network of engineers consulting for PHG. The organization is thus considered as a development broker in the way it is nearly impossible to start a project without PHG being aware of it. PHG grew along with the water sector, and therefore learned from every political situation, coping with the different disciplinary occupation by offering alternatives. The diversity of its activities, ranging from training to cluster projects or left out areas' focus, increases its position of being a broker for the Palestinian water sector.

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<sup>215</sup> HANAFI S. & TABAR L., *Donors, International Organizations and Local NGOs...*, *op. cit.*

For instance, after the second Intifada, many Palestinian were left out of work in the West Bank, due to movement restrictions. They turned to the agricultural sector in which they were work possibilities in spite of the suffocating Palestinian economy. Two effects were identified by PHG. First there was an increasing water demand need. Secondly, those farmers had little experience. Situation on the ground worsened as far as illegal harvesting and pumping developed for very little results. Noticing this, PHG was able to come up to donors with new logic for the projects. Such step forward is essential because it challenges the Israeli discourse. As a matter of fact, Palestinian and Israeli fight over the definition of the logic of donors' project. The reason is quite obvious. The emerging discourse will have a lasting impact on the development of the Palestinian water sector and transform the water conflict. The local Palestinian approach of PHG is as a consequence a resistance stance toward occupation by conflicting over the logic of projects. Third party however acts as arbitrary in such discursive confrontation.

A major piece of work produced by the PHG in collaboration with INGO and funded by UNICEF and ECHO is the WASH MP<sup>217</sup>. Started in 2002 in order to promote emergency intervention, the information provided by this monitoring program is used by WASH agencies to respond via practical means, but also apply towards lobbying, advocacy and communication efforts. In short, the project increases awareness and develop a well-funded joint narrative around WASH situation in the oPt. The active mobilization around those issues is a constant debate between the concerned agents, especially through monthly EWASH meetings and recurrent workshops revolving around the topic. PHG is invited to those manifestations, bringing the local voice and even more the Palestinian identity voice.

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<sup>216</sup> Annex #13: *Water supply infrastructure and humanitarian intervention*

<sup>217</sup> So far, three WASH MP were produced in 2002, 2007 and the current one for 2010. A review of those material give significant arguments toward our thesis.



To conclude over the role of PHG, I would stress that PHG participate in shaping the water issue under a rather positive label of good civil society (name one INGO who would not like to conduct a project with PHG?). It provides the local civil society networks required to foster state building process. PHG through projects development actively shapes the traditional Palestinian hydropolitical constellation described by Trottier. At the local level, the centralization of decision-making contributes in parallel to state-building as if the centralization was carried out by national authorities. The relevance to our thesis here is that by bridging and bonding the Palestinian local society together, despite local and political rivalries, PHG's discourse decreases violence and leads to positive peace political action within the Palestinian society. Regarding the occupation, its stance is as simple as a victim/resistance rights based position. It gives the temperature of the Palestinian perception and identity of the water issue which is why PHG is also sometime referred to as a 'shadow government' to the expense of the PWA.

We will show that eventually, WEDO's focus is not to decrease tensions within the Palestinian society, but its discourse rather addresses the Israeli-Palestinian conflict itself which raises critics from the Palestinian side as WEDO's stance aligns with the perpetrator's view.

c) WEDO: the Palestinian transboundary broker

Peacebuilding combines several mechanisms that go beyond challenges and create opportunities to lay the ground for positive peace. It follows principles such as making transparent the interference between political and security issues thus preventing frustration and negative impacts on confidence-building. Peacebuilding addresses the asymmetry of the conflict and therefore identifies shared interest and win-win opportunities. It promotes individual change and relationship-building at an operational level as supported by WEDO

itself. Choosing a bottom up strategy at the community level is more sustainable because it works with the people on the ground where the change is carried on by the individual themselves. The empowerment of the communities creates visible changes whereas top down approach is more political and complicated. The strength of civil society is to work with local communities, not with politicians.

Using peacebuilding, WEDO is determined to address the issue transboundary water-related conflict on the local scale. In a different manner than the PHG, and sometime almost opposed, WEDO aims at decreasing structural violence and eventually personal violence between Palestinian communities and settlers. The Good Water Neighbours Project<sup>218</sup> has two dimensions, one at the community level and one regional. The idea of peacebuilding has many supporters because such discourse echoes global initiatives and trends very popular among the international community. FoEME<sup>219</sup> projects stand next to other peacebuilding initiatives, as showed below; it includes capacity building, advocacy and awareness targeting and involves dialogue and conferences.

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<sup>218</sup> FoEME, “Environmental Peacebuilding: Theory and Practice”, EcoPeace / Friends of the Earth Middle East, Jan. 2008

<sup>219</sup> KRAMER A., “Regional water cooperation and peacebuilding in the Middle East”, Adelphi Research, Initiative For Peacebuilding, The European Union, 2008

**TABLE 1: SELECTED INITIATIVES RELATED TO REGIONAL WATER COOPERATION (CONTINUED)**

<b>Main Areas of Work Initiative</b>	<b>Research carried out by</b>	<b>Capacity- Building for</b>	<b>Advocacy/ Awareness targeting</b>	<b>Dialogue/ Conferences involving</b>	<b>Peacebuilding as explicit goal</b>
Track II Palestinian-Israeli Water Rights Negotiations (Geneva Initiative)				Experts, Government advisors	✓
Red Sea – Dead Sea Water Conveyance Study Program	International consultants, National authorities				✓
Regional Water Data Banks Project (RWDBP)	Water agencies, Experts	Water agencies, Experts			✓
Good Water Neighbors Project/ FoEME		Youth, Farmers	Youth, Communities, Mayors, National authorities	Youth, Mayors	✓

**Box:** *Annika Kramer*, in “Regional Water Cooperation and Peacebuilding in the Middle East”, 2008

As a civil society organization, WEDO’s discourse promotes a different peace process level understanding that the elites’ level is not necessarily representing what undergoes at the local level. It thus believes in a responsibility of society itself as a driving force of conflict resolution. As emphasized during the interview, there was clearly a gap following Oslo between different scales of each society, making the divide and structural violence even more structural and loosing the local potential to the benefit of polarized violent discourses.

The main opposing difference with PHG is that WEDO is totally in keeping with donors’ policy and agenda of peacebuilding whereas PHG was initially created to achieve a more grass-root service delivery objective focused on the needs and rights of the Palestinian population. There is no right or wrong approach. Instead, the position of those two PNGOs reflects the internal positioning struggle faced by the PWA. Ignoring the Israeli discourse as PHG might be more inclined to do can lead to re-enforce the structural violence. Buying into the Israeli cooperation discourse as WEDO does by working with cross borders communities may contribute to the emergence of a dangerous dominant discourse that acknowledges an

‘order of things’ and softens the occupation in a way that also justifies it. The large panel of discourses of civil society cannot be summarized and determined by such short analyses, but it reflects the intra-Palestinian water conflict.

d) Civil society discourses

For the past two decades, the Palestinian behaviour toward the asymmetry of the water conflict gave birth to a Palestinian water elite. This elite was born in civil society in which universities have played a major role, but extended itself to invest state institutions as they emerged. This may be the biggest characteristic to qualify the vast array of discourses produced inside the Palestinian society. In the absence of state institutions, only a civil society was active, coping with the evolving political situation of the broader conflict. For instance, donors’ budget is set to work on a year base (annual budget). But many projects are delayed in the approval phase by the JWC, about 6 months. As a consequence, project cannot be implemented or postponed. It puts pressure on NGOs and they often decide to start the project anyway without approval because their structure is lighter and mostly because their discourse takes its value into such behaviour. Those PNGOs such as PHG took advantage of this position to participate to the emergence of a national Palestinian water sector and the constitution of networks at different scales. They continue be active besides some major criticisms about their capacity-building. Civil society organizations share the particularity of investing all fields in society and creating counterproductive competition if not channelled properly. For instance, research-funded project of conferences should be organized by universities instead of being captured by NGOs no matter how powerful it is. The mandate of NGOs is different from any other institution –private, public, university – and would not necessarily gain to be narrowed down.

As a matter of fact, the way PNGOs invest all fields is an extremely productive engine for discourses. Initiating action, defining objectives and conducting resistance programs are perceived as a 'national act' as described by Trottier. It gave birth to a diversified resistance discourse based for instance on simple actions like the idea that well rehabilitation or rainwater cistern was encouraging Palestinian to fully use their quotas.

Such patriotic act in a pre-state structure was partially transferred to Palestinian state institutions in the aftermath of Oslo opening a Pandora box in terms of widening discourses. In fact, the variety of discourses is also due to the shifts of power in the post-Oslo period. Having a partial shift of power from civil society to the PWA strategically led to discourses redefinitions. Following this, agents from the civil society either radicalize their stance or offer a consensual stance as a sign of adaptation to a new political environment. Such highly politicized key moments – such as the Intifada, direct talks, etc. – explain why the landscape of discourses was blurred for a while – and continues to be. Parallel discourses are the rule, and not the exception. In the next section, more findings about the PWA shall support this.

## **B) Central Government: a disciplined consensus**

Having drawn a picture of a strong Palestinian civil society, it becomes easy to understand the structural limits of the central government and most specifically, the PWA. A weak state develops an approach sucker capacity-building in the sense that it has to progressively impose its institutions by integrating all part of society. This phenomenon is particularly true and essential with discourses because those are so intimately related to power legitimacy and to structural violence's channelling. The PWA's emergence in the Palestinian political landscape has been a long tiring process in which it learned to adapt its discourse to the audience. The question is what happens when such central institution has to provide a message to multiple receiving audiences? One major difficulty faced by the PWA is not to

speak with one unified voice because the head of the PWA Shaddad Attili is not only well respected, but considered by the Palestinian society as a Ministry, not formally, but in the rank. The major difficulty is to provide an official consensus that allows each discourse to initiate action and fill the gaps of the Palestinian water sector. In other words, the PWA has to initiate governance space under its institutional leadership.

a) Leadership in the water sector

The landscape of the water sector is a random movement where missions of each actor are unclear as a sign of PWA's lack of institutionalization and leadership. Many Palestinian actors act more or less passively to the lack of leadership and direction of the water sector, which in turn increase or reduce the space for discourses. If PWA has been accused of not being able to give a vision of the water sector, nor to provide a direction to follow in spite of their legal mandate<sup>220</sup>, it reflects the weak robustness of the bulk water infrastructures and management. A general remark about the Palestinian water sector weakness is that it comes from and therefore reflects the structural violence of the broader water conflict under which PWA falls. Water is a very dirty sector where clarifying its position is at the root of any action. The 2010 water crisis in Hebron is a sign of a latent conflict involving violence – infringements and theft of transmissions lines, especially in area C pushed the Israelis to cut by half the quantity of water purchased by the Hebron governorate and in turn, PWA has been accused of not being able to fulfil its mandate and bring water.<sup>221</sup>

In this context, the PWA has taken actions to improve the accuracy of its stance doing so through three axes: 1) an audit report of its strategy, 2) a need assessment for the Palestinian water sector, and 3) an institutional national plan reform. Those documents and

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<sup>220</sup> Annex #12: *Presentation of the Methodology* to see the difference between the 2002 Water Law provisions and the reality.

initiatives reflect the pigeonhole from which the Palestinian stance is trapped in along with the structural violence of occupation. I will take two examples to illustrate the difficulty for the PWA to come up with one discourse which challenges the occupation while creating a consensus within the Palestinian society.

The need assessment has been criticized for being a shopping list of projects that donors can integrate within their own agenda. Such shopping list, if not included into a strategy can fall into the structural violence and disciplinary power of the conflict including donors agenda.

The institutional sector review combined with an organizational reform is a real challenge for the PWA because it could create the window of opportunity to create a dominant –sanction – discourse within the Palestinian society.

1. The first idea is that the PWA hires a team of experts coming, spending about six month, reviewing the water sector and analyzing the sector for its deficiencies and its strengths.
2. The second idea is to be very participatory and capacity-building process. It appears as one of the major challenge because PWA's legitimacy is not put into question by its Israeli counterpart nor donors, but by civil society and the population for the reasons mentioned earlier. To understand how politically challenging such step is, it is necessary that before 2009 – year of Amnesty International and World Bank reports –, there were little clear assessment of the effect of the occupation regime on the water sector. When the World Bank decided to build its report on a participatory logic, the reaction of the civil society was more or less to ask what legitimacy

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<sup>221</sup> PWA had to justify the crisis through the media. See the following articles available on internet at:

does the World Bank has to conduct such study when 'we' have been saying these things for years, and no one listened and what was the value added to do so now. This reluctance from civil society was not completely erased after the publication of the report even though it was widely recognized that the overall effects of this publication with international resonance were positive over the emergence of new discourses. In fact, it supports one pipe of tension between civil society and any other agent. Civil society develops new approaches directly from the field, from which they take both their expertise and legitimacy, so it is not surprising that they show reluctance to any participatory approach led by an external actor. No matter if it is the PWA or the World Bank, they act as information or legitimacy sucker from the civil society. The water sector is a nasty one because of such counterproductive competition. It is a sign of a lack of trust which is due to the conflict. As a result, the second idea behind the institutional review is to continue to build new foundations of trust within the sector.

3. The last step of the institutional review is to bring the result to the policy level. The team of experts would then recommend to a cabinet of ministers and the prime minister, the proposed alternatives, arrangements in the sector.

Such structural changes necessarily lead to the redefinition of discourses. The risk of failing trust building during the process is high considering the eventual shifts of power that could happen. Furthermore, a participatory and consensus building approach in a weak sector



with some powerful donors who have huge structure, initiatives and agendas, not only civil society might be reluctant, but even donors do not necessarily like to see such initiative that could end with a stronger discourse from the Palestinian side. Stronger discourses are harder to mediate because they resist more openly to disciplinary power. This leads to study one important speech of last year, delivered by the Head of the PWA at water day.

b) Parallel discourses, one institution

During the water day, both international and Palestinian communities are attending the event. Within a multiple audience context, the discourse can easily get too vague or too confusing in order to address both audiences. Having one unified voice represents a risk to send out a weak message to the wrong target. During the Water Day of 2010, it was found afterwards that the right media had not been necessarily targeted; there was a mix up between the target and the media. However, it appears that the statement reflects the complexity of the PWA's position. The idea is to analyze the messages sent in the opening statement<sup>222</sup> made by Shaddad Attili.

Among the messages, one addresses the complex issue of the dilemmas faced by the PWA in its intervention and leadership. It opens the Pandora box of PWA's challenges and opportunities in the present political context. It first emphasizes the 'Crisis management' tireless pigeonhole under which the PWA works. Rapidly, it considers the impact of the two reports published by the World Bank and Amnesty International making a sharp argument toward the whole audience that the PWA is aware of the current situation. Doing so is a strong narrative which sends the message that it is not willing to let the situation stay this way. Such statement brings the water issue under the spotlights and passes the buck to the Israeli side by challenging the 'order of things'. The situation is qualified as the following:

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<http://www.pwa.ps/desktopmodules/newsscrollEnglish/newsscrollView.aspx?ItemID=274&mID=11850>,

*“they had led us all to believe that the Interim Agreement was a final status agreement and that the Palestinians were the sole bearers of responsibility for the mismanagement of water and wastewater by altering data and creating new facts on the ground.”* In spite of this challenge, the PWA also believes in its ability to modify its relationship with the general public, to improve its coordination with all the institutions and finally to get closer to its Israeli counterpart on equal footing. The question that comes to one’s mind is how can the PWA produce a narrative mixing those objectives without blurring its position and thus loosing legitimacy within one of the three influences – Palestinian, Israeli, and international audiences? It requires defining its discourse in a similar way that a chess player would plan its move in ten times. While seducing the international community and its Israeli counterpart by admitting its own mistakes, it is also a way to affirm its progresses. In the meantime, it becomes possible to increase the pressure on its counterpart in JWC negotiation process. Setting up a special unit dedicated to JWC’s monitoring aims at increasing the obtaining of approval by enhancing serious efforts to improve communication and coordination with its counterpart.

A second aspect of the opening statement refers to the rights discourse described earlier by Zeitoun. There is more than one way to assess and describe the violence of the conflict from the occupation, blockages, to the deterioration of Palestinian groundwater, and the humanitarian conditions, the lack of access, etc. Not single one of those elements is not mentioned. They all converge to the delivery of one clear resistance message: “we will not accept the Israeli claims that the Palestinians have failed to manage their wastewater and have taken no efforts to treat it.” This aspect is essential for the Palestinian water identity. The more an identity is mentioned and the more it is alive. The narrative of the PWA is thus a

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<sup>222</sup> Annex #14: World Water Day Speech, Dr. Shaddad Attili, Head of PWA

demonstration of the lasting effect of the sting of the disciplinary power as well as the structural violence of the water distribution.

A last comment about can be made about the agents to which the Head of the PWA refers to in his speech. It puts emphasize over its central place in the water sector. The donor community is welcomed for the intense efforts put into development project to improve the water supply. Within the Palestinian society, the PWA is thankful to the PNA for the revival of the water issue at the policy level particularly for the leadership under its prime minister. Universities, civil society and the Palestinian people are not forgotten as demonstrated by the second aspect mentioned above.

However, the statement is also a sign of dependence and leadership seeking of the PWA that can be explored through a different angle. A highly politicized strategic sector is difficult to develop, mostly because it cannot be achieved without dealing and addressing the dilemmas of peacebuilding. To understand the dilemmas conveyed by an intractable conflict, the position of third parties is somehow revealing of those long term short term strategic decisions, good or bad implementation partners, and other peacebuilding dilemmas of deeply divided societies. The idea is now to analyze the narratives of third parties and assess the violence as well as the depth of the sting of the disciplinary power.

## **II ) International community influences**

Secondly, the introduction of third party is an obligatory step without which the risk is to consider the conflicting parties to be isolated in their own society and traditional socio-historic backgrounds such as the Arab world or the Jewish community. This would be untrue, and not reflecting the coordinating mechanisms that exist such as EWASH and LACS that cross-cut those two spheres. The influence of what is now mostly a Westernized third party activism driven by the UN system and Western foreign aid should be traced to the first

Intifada.<sup>223</sup> By then, the explosion of violence had caused agitation among Occidentals who for some discovered a new side of the Israeli-Palestinian conflict. This self-determination anti-decolonization side of the Palestinian cause has been well-documented and was echoed by the donor community, especially in the *good governance* renewed agenda of post-Washington consensus.<sup>224</sup> In the post-Oslo period, the second Intifada also renewed the relationship's nature in-depth, bringing up again questions about the political agenda of those donors and the conflict's dynamics.<sup>225</sup>

The problem of aid is that it impedes the Israeli state to assume its economical responsibilities toward the WBG. According to Keating, Le More and Lowe<sup>226</sup>, international aid plays a moral role, a more structuring role for violence than it wants to. To put it simply, it allows the disengagement of the occupying state. While it can be argued whether or not this instrumentalization is severe or progressive, there are little doubts that it comes within the framework of a latent low-intensity conflict. In the meantime, this presence maintains the occupying/occupied relationship while the Israeli withdrawal and de-responsibilization supports its discriminatory policy.

The disappointment behind third party intervention is that it rapidly rushes into a non-violent hypocrisy. Violence is everywhere in the conflict, but it is not easily acknowledged, indeed, without direct outbreak of violence, it is easy to believe that the political violence is controlled or worst, neglected. The international community may allow itself to be corrupted

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<sup>223</sup> Funds started to rise by 1987, as showed in this study from the MAS. DEVOIR J. & TARTIR A., "Tracking External Donor Funding to Palestinian Non-Governmental Organizations In the West Bank and Gaza 1999-2008", Palestine Economic Policy Institute (MAS), NGO Development Center, 2009

<sup>224</sup> HANAFI S., « Les ONG palestiniennes et les bailleurs de fonds. Quelques éléments sur la formation d'un agenda », Contribution for the collective book edited by BENEFISSA S. & HANAFI S., *Power and association in the Arab world* (from French *Pouvoir et association dans le monde arabe*), Paris, ed. CNRS, 2003

<sup>225</sup> HANAFI S. & TABAR L., "The Intifada and the Aid Industry: The Impact of the New Liberal Agenda on the Palestinian NHOs", Duke University Press, Project MUSE, Comparative Studies of South Asia, Africa and the Middle East, Vol. 23, No. 1, pp. 205-214

<sup>226</sup> KEATING M., Le MORE A., & LOWE R., *Aid, Diplomacy and Facts on the Ground*, London, Chatham House, The Royal Institute of International Affairs, 2005

into accepting the highly politicized violence of the conflict in spite of its efforts. To qualify the lack of inaction or the unintended perverse action, the idea is to understand the violence perpetrated by the Israeli occupation tolerated by the international community defined as the following: “to suggest that to ignore somebody, or to neglect him or her, is an act of violence, because any way of treating people as *thing*, or objects, is violence, is a challenge to our ordinary, common sense use of the term ‘violence’. And it is intended to be one. It is intended to draw our attention to the undeniable, embarrassing fact that an immense amount of physical suffering and death are not caused by anything so outrageous, so visible and dramatic, as direct physical violence. It can be, and often is, the result of inaction rather than action. It was not the action, but the refusal to act.”<sup>227</sup> The international community is not a homogenous group. A first distinction should be made between the donor community and the humanitarian community understood as the INGOs and UN agencies involved in emergency responses and advocacy on water and occupation.

#### **A) Donor community: the weight of political agendas in a structural violence context**

Within the donor community, it would be wrong to deny its large panel of donor’s identity. While they are confronted to the same structural violence and disciplinary power<sup>228</sup>, each narrative is different. Their discourse combines their political agenda, identity of the donor, positioning among the donor community; in short, it combines highly politicized elements driven by external power relationships and the structural violence shaped by the conflict. An attempt to understand donors’ agendas is possible if we try to understand to which fluctuating motivations their agenda obey. It can be explained by the current context

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<sup>227</sup> ARBLASTER A., “What ..., *op. cit.*, p. 239

<sup>228</sup> Video about water project delay: <http://palestinevideo.blogspot.com/2010/09/thirsty-for-water-israel-delays-us.html>

that creates a good opportunity or a political positioning of the projects although some authors argue that it is rarely the main priority since few donors have the political leverage to do so.

It is worth to mention that the donor community meets in a Water Sector Working Group – LACS – in which donors meet with the PWA. It aims at enhancing information sharing and gives the opportunity to the PWA to gather funding efforts around its own strategy. In short, any long term structural planning is made possible if not decided at this level of decision-making. The tone of the donor community differs from the humanitarian one in a way that it avoids the rights discourse to the benefit of what can technically be achieved within the political context. The technical narrative of donors is balanced by their political agenda and identity.

Three types of political agendas co-exist in WSWG meetings. One group follows a political agenda and does business as usual whether it favours the Israeli or Palestinian agenda. This group would include the United States and United Kingdom for instance. A second group is more concerned about the orientation of their project regarding the conflict's structural violence, but has little political leverage to have an impact on the negotiations with the ICA. Their approach corresponds to a developmentalist view of their support toward the Palestinian water sector. This would concern donors such as the French or Spanish. The last group remains apolitical and is closer to humanitarians. They do not intend to follow so much of a political agenda and focus on humanitarian needs. This last group would include Japan, Sweden and to some extent ECHO. The aim of this section is not to review all donors' discourse as it exists already an extensive literature on donors, but to use some narratives met during the internship for our thesis.

a) The developmental AFD narrative

The narrative of this donor is based on a developmental approach of its role working in a conflict-based emergency.<sup>229</sup> It relies on an effective Palestinian state institutions and therefore foster PWA's leadership to maximize the appropriation of the international aid in the water sector. In fact, little projects are managed outside PWA's overview. The AFD's policy confirms the central role of PWA. The level of transparency and information sharing with PWA is a sign of trust and cooperation from which can be drawn one conclusion. Such donor agenda facilitates and strengthen the Palestinian discourse, and even allows to some extent the pursuit of rights based discourses.

According to the field research, AFD bases its donor practice on aid harmonization in two ways that support a developmental narrative. The conditions of intervention are understood as the way PWA gets the donor's support. It materializes through cost burden sharing between the state and the donor. It is also understood as the institutional scheme of the water sector that gets supported. In other words, in the feasibility study step, the donor evaluates the existing institutions that could sustain the project afterwards. The first characteristic of AFD's narrative is the governmental policy support. The second characteristic is related to the coordination because having coordination is a sign of the construction of a discourse coalition around the project. The coordination is declined on several levels which all address to the structural violence of the occupation. First of all, the coordination happens between programs designed for a specific area by different actors whether it is the municipality, local management of water resources, ICA and so on. Secondly, the coordination also requires an alignment of discourses on the type of project, its size, technical aspects which coherence is guaranteed by the approach behind the project. For

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<sup>229</sup> AFD, "Entre urgence et développement", AFD, 2009  
Annex #15 : World Water Day Speech, French Consul Mr. Frédéric Desagneaux

instance, the approach should take into account cultural aspects of the management of the resource as much as the typology of the area whether we have urban or rural livelihoods.

By supporting harmonization discourse openly, the AFD promotes institutional development of the water sector. It requires a clear definition of the role of each participant of the project. Since the fragmented Palestinian water sector is not yet locked within a rigid legal system, this stance appears as the most efficient stance to affect change. On the other hand, and this remark will lead to the second type of donor more political, the developmental narrative finds its space of governance limited by the structural violence of occupation. Put it differently, Israel buys into the developmental discourse because it serves its dominant needs, not rights discourse.

b) The politicized technical USAID narrative

Many scholars have already worked on the USAID. It is quite fair to say that their narrative is highly politicized but also very technical. Considering the role of the United States in the conflict as a mediator, there is no doubt that the agenda of its donor is politicized.<sup>230</sup> The USAID pays the Palestinian water sector development in a way that obeys the ongoing negotiations. If the Palestinian rights discourse is too problematic, then the USAID will embrace the need discourse, get development projects and facts on the ground to make this need discourse alive. Nonetheless, it is not because this donor is highly involved with negotiation processes that it does not have a hard time within the JWC to achieve progresses. In fact, the USAID acknowledges quite frankly that the year 2009 and 2010 have been difficult years to get approval for projects. Not only pumping in the West Bank has been somehow reduced or highly conditioned by the inclusion of water treatment and re-use dimensions. But the dependence over other issues – settlement probably being the more influential one – of the



conflict has produced severe limitation of the JWC functioning. The ability to initiate and conduct a project therefore requires a higher ranked decision than the JWC level. On the same time, the USAID discourse is a very technical one which reflects into its pragmatic and large scale projects. With Israel's security agenda revival in the water sector, pressure has been put on water supply projects. In short, Israel is not wanting to see any increasing of Palestinian water supply has moved its conditions to wastewater type projects. The position of the USAID is therefore trapped into supporting wastewater project by providing the most effective technology. By now, we have a fair although not exhaustive picture of two types of donors and can approach a last donor.

c) The humanitarian ECHO narrative

The European Union probably is one of the most complex foreign aid because it is proactive on both humanitarian aid and development large scale transitional projects.<sup>231</sup> In terms of discourses, the consequences are a difficult discourse not because there are many parallel stances, but because there are many narratives. The EU is in fact a complex agent-structure power relationship system between agents that have different nature. The result is that narratives from one agent to another one can differ in many ways from the proximity with the water issue to the proximity with the conflict. Although such remark could be generalized to any agent, it creates in this case a multiple agent with co-dependent discourses sometimes not exactly on the same track. The difference is notable between each type of funding and approach such as ECTAO and ECHO's purposes. Embracing a technical discourse, ECTAO operates in a different sphere than ECHO which is involved in the humanitarian WASH cluster. As a matter of fact, ECHO-CAP ties are very strong. This relationship as well as the

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<sup>230</sup> LASENSKY S., "Paying for Peace: The Oslo Process and the Limits of American Foreign Aid", *Middle East Journal*, Vol. 58, No. 2, Spring 2004, pp. 210-234

CAP is worth taking a short focus to understand how they mutually construct and re-enforce their narratives.

The Consolidated Appeal Process is a planning tool, not a funding one. It is supposed to be a joint participative process composed by two elements. The planning process is to be understood as an analytic collection of the humanitarian needs. It thus includes a strategic component and context analysis that draw a critical picture of the situation. The financial component is less directly linked even though it does exist because the discursive objective of the CAP is to create a coalition discourse supported by the humanitarian community that cannot be put into question. The humanitarian narrative is an emergency one revolving around humanitarian needs and an apolitical stance. By apolitical is meant that it does not have a say regarding the conflicting issues, but by taking the civilian's perspective, it does try to put a humanitarian limit of what can be acceptable or not for Human beings. The CAP is about need assessment and analyses – which monopolizes INGOs and PNGOs' field knowledge about the populations – strategic priorities sector-specific responses plans and a strategic monitoring framework of the situation. ECHO in turn is a donor narrative that includes CAP in his cycle. The combination of a donor agenda with the humanitarian discursive represents an important bridge between PNGOs and donor. Such coalition of discourse materializes in humanitarian projects that, from the donor perspective satisfies the humanitarian need, and from the PNGOs side, is a voice for rights based discourse and development broker action.

ECHO's implication in the humanitarian discourses thus makes the switch from the donor community to the humanitarian community. It emphasizes porous boundaries between both discourses construction.

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<sup>231</sup> For a background study of the EU Foreign Policy, see Al-FATTAL R., *European Union Foreign Policy in the occupied Palestinian territory*, Jerusalem, PASSIA – Palestinian Academic Society for the Study of International Affairs, 2010

## **B) Humanitarian community: the international mirror of civil society**

The humanitarian community narrative is characterized by its proximity with the Palestinian and Israeli civil societies. What they share in common is a strong Human Rights based discourse. Within the water conflict, the humanitarian community is to a certain extent a reflection of civil society's assimilation and reaction to structural violence of the disciplinary power. It echoes local civil society on the international scene.

### **a) OCHA and WASH cluster political interventions**

During the WASH cluster training was raised the question of when to start and when to close a cluster? While some say that the current WASH cluster in the oPt is maintained only because of the situation of Gaza, some voices support that the cluster, and to a greater extent OCHA, plays a political role as much for the West Bank than for Gaza under the leadership of the UN Resident and Humanitarian Coordinator Maxwell Gaylard.<sup>232</sup> The cluster is political because it creates links with PWA and local authorities despite the fact that the political meaning of the cluster is little discussed as far as the conflict resolution does not appear in the humanitarian discourse as such. The humanitarian discourse is driven by the constant justification and legitimating of its space of intervention. As a matter of fact, restrictions of the humanitarian access, besides prolonging misery and suffering, underline the political impact of having a humanitarian narrative influencing other discourses. Although the communication of a humanitarian narrative is toughen by many restrictions in terms of what can and cannot officially stated, its impact over truth's building is tremendous. This narrow corridor does not allow many parallel discourses and position.

Humanitarian thus means crisis management, not political conflict resolution, which arises tensions within the cluster, considering the variety of its members, from local PNGOs

to INGOs. The humanitarian influence does not aim at providing a solution to the political conflict which fact is not always perceived correctly by Palestinian and Israeli politicized narratives, each one recurrently accusing the humanitarian action of being political. Besides, each member of the cluster remains independent of its own actions. It is a constant worry for WASH coordinator as it can be an additional difficulty to send out a clear message on the assessed situation on the ground.<sup>233</sup> Considering the value of information in such highly political context, it is however not a surprise that any uncoordinated statement from the cluster provokes the outcry of some of its members despite their will to participate in the cluster. The idea that the cluster serves the political of the UN, and more specifically the Humanitarian Resident Coordinator is not completely false. Considering the humanitarian nature and origin of the information provided by the cluster, OCHA provides a particular political humanitarian stance subject to critics from the dominant Israeli need discourse. In this sense, the humanitarian community is the only third party agent – apart from other Arab countries – that challenges the disciplinary power relation and structural violence. in a more radical way than other third party agent. In addition to that, the actions of the cluster also participate to address the violence of the conflict, therefore comforting its humanitarian narrative. For instance, the on-going discussions, email exchanges, coordinated projects, field visits, trainings carried by OCHA and the cluster approach continuously support the humanitarian truth discourse. The following example will show how the humanitarian discourse addresses the structural violence of the water conflict.

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<sup>232</sup> For instance, the reports published by OCHA present a view of the conflict from a humanitarian perspective that challenges the disciplinary power's discourse. See UNOCHA, "Impeding Assistance: Challenges to Meeting the Humanitarian Needs of Palestinians", Jerusalem, Special Focus, May 2010

<sup>233</sup> The WASH cluster coordinator is based in UNICEF which is the global cluster lead for WASH issues.

b) OCHA drought case<sup>234</sup>

Drought issue in the oPt is part of the structural violence of the water conflict. Whereas drought in general is supposed to be an environmental issue only, water scarcity in the oPt contains more dimensions, access and equity of water distribution being two dimensions that define it. In 2009, the drought happened during the war in Gaza which posed a dilemma for the humanitarian to choose to focus on one issue at a time. The risk in the oPt is to normalize the crisis which requires coherent lasting advocacy that would unfortunately take too long to be efficient. 80% of the drought response goes into transportation. Israeli pipeline for settlers are installed just in front of Palestinian communities. Donors are thus aware of the situation and deals with it by funding expensive water tankering to what some refer as a fake and silent emergency humanitarian crisis because its root is a highly political occupation context rather than a genuine environmental scarcity. PWA wishes that the humanitarian action would be based on needs rather than drought, so as to offer mid to long term response by sustaining coping mechanisms of the population and institutional development of the water sector. The answer from the humanitarian community is that drought is a very political issue. If they declare that the water scarcity is not drought, then the risk is that Israeli withdraw and leave, and doing so by impeding humanitarian assistance. The construction of the discourse is thus a very political one, and emphasizes parallel discourses process between the PWA and the humanitarian community for instance.

The story does not stop here. Donors usually implied in the drought response, through the HRF fund managed by OCHA<sup>235</sup>, have made clear that they were not willing to pay for this drought this year. In turn, the humanitarian community have acknowledged its donor counterpart and conflicting parties that it was ashamed to have to do water tankering again

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<sup>234</sup> Jericho training WASH cluster discussions in March 2010 and EWASH meetings discussions.

<sup>235</sup> Interview with OCHA oPt HRF manager in July 2010

this year. Such narrative from the humanitarian community reveals the limit of influential discursive power within a structural violence's background. It reveals one key element of the humanitarian's community narrative identity. Its action is supposedly apolitical regarding the issue in spite the fact that the solution to a conflict is always political. The political impact of such apolitical humanitarian stance is somehow reduced by the conflicting parties in order to both accept humanitarian aid without feeling threaten in their ability to conflict. Dead ends like this happen all the time during meetings, and are thus avoided as much as possible by humanitarian who rather like to act and offer relief projects. Any discourse too politicized over water issues was more or less rapidly cut off because it keeps ground actions and project off from being taken.

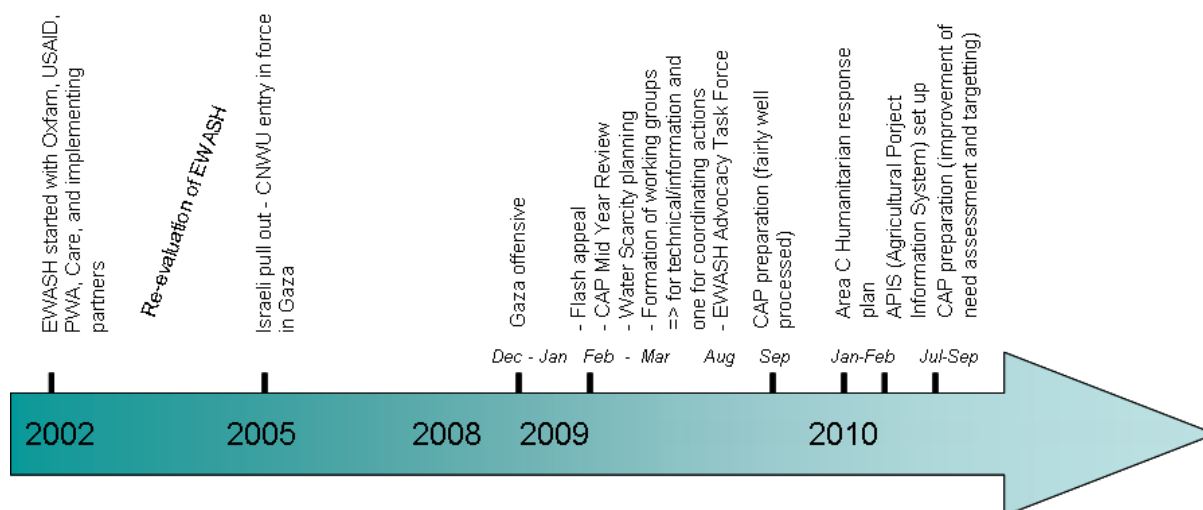
The link between donor's agenda and funding capacity and the construction of the issue appears crystal clear with such story. If drought does not bring donors, then the humanitarian community needs to advocate for a different political issue acceptable to the eyes of the donors, and to a greater extent, to the Israeli side. From access or equity, which issue can be best raised to justify acceptable humanitarian intervention for both sides? If the international community chooses access, then it falls under occupation and Israeli zoning arguments far too close to the 'victim' stance. Equity of distribution is less obvious because, as PWA usually stresses, the Israeli government cannot always be blamed. The inequity of distribution is also the result of bad water management, rather a technical issue.

Choosing the appropriate narrative is a tough question which is constantly raised through EWASH's coordination, and more specifically, the Advocacy Task Force's role.

c) EWASH advocacy task force case

EWASH has been strengthened in the past years as the timeline beneath shows. Developed as a coordinating cluster tool, EWASH falls into the line of the Humanitarian

Reform. Two elements of EWASH coordination will serve to identify the coalition of discourses: EWASH Information management and EWASH Advocacy Task Force.



**Box:** EWASH timeline: major evolutions, by *Krystel Wanneau*

The role of information management is to construct a coherent and effective discursive network in order to have an impact on decision-making. An exhaustive definition information management includes relationships (contacts), processes (email), objects (products, tools), events (advocacy, trainings), outputs (maps, reports, projects, facts) and impacts (decision-making, policy-making, changes in the situation). In short, information management is what constitutes discourses and produces common agreed data. Information sharing is thus essential to build trust between partners, but depending on the content of the information shared, a coalition of discourse happens.

The recent ATF structure put together those discourses into an advocacy strategy for water-related issues. The type of message delivered by the ATF is close to the humanitarian OCHA discourse. The main objective of the ATF is to raise the level of awareness of issues,

and also to identify the gaps in the communication. Gaps can be due for instance to a poor coherence in the messages, or a lack of nexus between different approaches of the conflict. By carrying campaigns independently one from each other, it affects negatively the level of awareness because an issue is well covered if all approaches are combined.

One core purpose of ATF is to combine legal, rights based and technical discourses in a strong mix discourse. The strength of such discourse lies in that it can be addressed to a multiple audience because responsibilities of each actor is cleared. The ATF organizes the answer from the EWASH community by being in a waking state for any controversial publications or statement. For example, when an article from the Jerusalem post was issued entitled 'Palestinians do not adequately treat their sewage'<sup>236</sup>, a response was collectively written and supported by EWASH members. This example introduces the next purpose of ATF. A second major input with the ATF concerns the close relationship developed with outside spheres of EWASH members, for example media, politicians, universities and scholars, in short decision-makers or influential agent of decision-making. In this domain, the ATF has been very active conveying the information in Israeli, Palestinian and international spheres. The ATF has put a lot of efforts into making a clearer distinction between advocacy and lobbying. Its most recent initiative is a lobbying trip to Brussels in the middle of October 2010.<sup>237</sup> A last element concerns the training capacity of the ATF. Hosted by OXFAM, the ATF works closely with UNICEF. Many advocacy events are child-orientated, but it also applies to the entire Palestinian society. ATF for instance organized media training in cooperation with Maan News, a Palestinian internet newspaper funded by European funding.

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<sup>236</sup> Article available on internet: <http://www.jpost.com/Home/Article.aspx?id=172542>

<sup>237</sup> Annex #16: *Letter addressed to the President of the European Commission from EWASH members*



To conclude with, ATF has developed an advocacy strategy<sup>238</sup> that is available in the annex. Without the ATF, EWASH loses its corner stone of its joint discourse.

Focusing on humanitarian approach presents however one limit, it sometimes undermines the influence of disciplinary power by focusing on the relief of structural violence. The last influence to be examined in the case study is therefore the occupation through the JWC mechanism.

### **III ) Occupation influences**

This last remark leads to discuss one third and last influence over the development of the Palestinian water sector: occupation. The disciplinary power of occupation finds support in the JWC per-say decision-making negotiation mechanism. It has disguised occupation behind a bureaucracy and opaque decision-making which prevent from knowing where exactly does the violence come from. If asked, the question of JWC approval or rejection process will vary from vague answers of the reasons explaining to sharp accusations of not non-cooperative behaviour from the other side. In fact, the JWC symbolizes the hidden structural violence of the water conflict. It does so by making the nexus between facts on the ground and negotiations alive. The disciplinary power has been impeding the JWC from fulfilling its role and to a greater extent; it locked up the Palestinian discourse and produced more violence on the ground.<sup>239</sup>

Without any ground situation evolution, the Palestinian discourse cannot change. As long as the JWC was controlled by Israeli – whether because the Palestinian side was under prepared, because of a severe disciplinary power violence or because of a lack of political

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<sup>238</sup> Annex # 17: *DRAFT of Advocacy Task Force strategy planning*

<sup>239</sup> See blog video on internet: <http://palestinevideo.blogspot.com/2010/07/israeli-authorities-destroy-cistern-and.html>

support from donors – chances of pursuing negotiations with a clear base of reference was impossible. The link between negotiations and facts on the ground can be explored a little further. As a matter of fact, “Israeli actions are changing the facts on the ground and are thus causing greater challenges to reaching a just solution to the pending final status negotiations”<sup>240</sup> Such power based relationship pushes donors to act on it, and therefore ties with JWC are strong although discrete. In one of the discussion with a donor, a clear objective for them was to propose a legal project to give the opportunity to the PWA to close up illegal wells. Such preoccupation of the donor to enforce the Palestinian negotiation capacity is not isolated, but in the asymmetric situation, it remains slow. Changes have to happen in the decision-making capacity of the PWA to have an impact on its relationship with Israel. In turn, the PWA needs to focus on the procedures to overpower them and avoid deadlocks in negotiations.

The underlining question is who controls the framework of the JWC? A first answer is brought by the Article 40 of the Palestinian-Israeli Interim Agreement. The obligations and responsibilities of the JWC include the coordinated management of the water resources and of water and sewage systems in the West Bank. In other words, without an appropriation of the JWC procedures, there is no chance that a resistance discourse might achieve any progress. Furthermore, the logic of the water management prevailing in the aftermath of Oslo is one of dissociation of the structures. With the JWC blocking any major initiatives, the PWA has not been able to build a parallel water network next to Mekorot and therefore could not increase its legitimacy toward the Palestinian society. In short, the JWC has continuously discredited the narrative of the PWA, creating the pigeonhole of disciplinary power.

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<sup>240</sup> ATTILI S., ‘Opening statement of the World Water Day’, March 22<sup>nd</sup> 2010

The overview of those influences in the Palestinian water sector's discourses has provided with enough element to close this chapter and jump to the conclusion of the thesis.

# Conclusion

If anything should come out of this thesis, it should be the obvious place of violence and power in discourses of the Israeli-Palestinian water conflict, explained by their driving role played in decision-making. In fact, violence and power foster legitimacy, the same legitimacy required for political action. Decision-making enters this equation by being the process by which legitimacy can be expressed and communicated. Information exchange constitutes discourses. The authors that have focused on power and violence have always noted the relevance of discursive, particularly for violence, and relations and interactions, particularly for power. Unsurprisingly, this thesis has emphasized as much agent-structure interactions as discursive processes.

Before rushing into any early conclusions, it is necessary to recall the multiplicity and complexity of discourses and stances influencing the development of the Palestinian water sector. The gap between the ideal desired stance that would comfort the identity of the agent and the actual discourse associated to political action can be impressive. For instance, we have seen how third parties or the PWA share this risk of not being able to take effective actions that would correspond to their discourse. It is a matter of choosing to whom an agent wants to legitimize their role. It reveals the disciplinary power relationship with Israel as Shaddad Attili stressed: “the relation between the Palestinian and Israelis on water should not remain as the Prime Minister described it, a relationship between the master and the slave!”

I hope that through the overview of the key three agent-structures evolving in the water conflict, I was able to provide enough elements to show the complex process of coalition discourse. The highly politicized environment combined with the multiplication of agents and structures constitute the main explanation of the relevance to study discursive processes.

Without a clear understanding and identification of discourses, it is nearly impossible to draw a picture of the Israeli-Palestinian water conflict.

Using the concepts of violence and power to study the Israeli-Palestinian water conflict presents one advantage. It forces to dig into the constitutive elements of the conflict. How is defined the identity? What is the ideology? How those two elements have penetrated the water issue? This last rhetoric question is raised because the thesis focused on an issue which is not political, but politicized. Resource management requires decision-makers to define a comprehensive policy that address challenges of different nature. Water is a scarce resource provided by Nature. Access to water is a Human Right for Human dignity and a technical issue for Human development. It is also a mean for an end, and a violent mean. Focusing on the water issue for the purpose of this thesis was a way to apply the concept of structural violence. This violence serves in return the disciplinary power of the broader Israeli-Palestinian conflict. It responds to other interests of a strategic importance. Water is therefore a security issue. Is the water conflict then only a question of power and violence?

During this thesis, we have approached the reasons that explain why and how the Israeli-Palestinian water conflict has become so highly politicized. Many levels of structural violence that co-exist, inside the Palestinian society, in regards with the occupation, under the financial thumb of third parties, as I said, many levels. The fact that there is structural makes no questions. There are water shortages and the population cannot rely only on one actor to get water. Worst, the Palestinian population cannot rely only upon its legitimate government because there are so many levels of politics. Cooperation in the Palestinian water sector is thus a way to approach discourses. In addition to that, some type of cooperation can also be viewed as a latent conflict. Secondly, the process of discourse itself, the content and orientation of the argumentation and the role of the agent politicize the water issue. Actors put

a lot of effort into positioning themselves because spaces of governance, under occupation, are restricted. Whether the actor chooses to develop technical, ecological or political argumentation, the importance is that this discourse remains under the control of one of the conflicting party, and most of the time, under the Oslo Interim Agreement limits. An actor is more likely to take a space in the water governance if his discourse is accepted by the rest of the water community.

In this thesis, the discursive processes under the spotlights are those directly active in the Palestinian water sector. It was proven that discursive processes produce coalition discourse, coalition which eventually becomes the sanctioning discourse of the water governance. Discursive processes thus produce ripness for action, ripness for negotiation, ripness for inaction. In this process, it has been showed that being the powerful was not necessarily meaning being the sanction discourse. It has pushed the thesis to look even more closely at violence because it is what remains in spite of any shift of power. In the Palestinian water sector, violence appeared in the asymmetric distribution of water flows, the identity losses and evolving role of water in the Palestinian society and derived issues of water management.

It is fair to say that today, many parallel discourses are competing not to be true, but to be the dominant discourse. Parallel not only means parallel actors: one agent can produce parallel discourses which stresses the necessity of cooperation to efficiently provide water. Water is mainly a source of violence in discursive only in its strategic dimension for survival. However, the violence driven in water discourses is due to the ideological Israeli-Palestinian conflict rather than conflicting views of water management technical or ecological perceptions. It does not mean that those latter discourses are not used to justify a stance, but it

signifies that it is because other issues of the broader conflict remain intractable that the water conflict has become so intractable.

This leads to the last concluding remark. The role of discourses is also to position an actor to gain public support. When elites decide to seize an issue, it develops a discourse to address a public audience. In the Israeli-Palestinian water conflict, water is an element of the occupation structural violence and ethnic management that put the burden over civil population. In turn, this population expects discourses from its elites – political leaders from civil society, central government, any structure of decision-making. In the elites-public audience nexus, discourses play a relieving role of tensions as the humanitarian discourse can be best characterized. However, if such expectations are temporized by discourses, it is because water discourses are a matter of power and violence management by leaders as supported by Arendt. The other roles carried by water in society take a secondary importance. If the water conflict is a matter of power and violence manipulated by rulers and political elites through discursive processes, then it is only a matter of time before those elites shall be confronted to growing tensions – violent or non-violent – and new form of water crisis, as it is because of the power-violence nexus that leaders always end up being put into question (see cover picture).

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