Israeli State Violence during the Second Intifada: Combining New Institutionalist and Rational Choice Approaches

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In attempting to explain Israel’s retaliatory policies toward Palestinian violence, new institutionalist and rational choice theories vie for dominance. This article argues that both approaches can contribute to understanding the severity of Israel’s response if they are viewed as nested explanations appropriate to different threat levels. The article makes its case using data from 74 interviews with senior Israeli counterterrorist experts (2006–07), counts of Israeli and Palestinian fatalities due to state and collective violence (1987–2007), and a database of collective violence events during the Second Intifada (2000–05). Institutional effects are evident at low threat levels, as new institutionalists predict, but these effects are overwhelmed at high threat levels, as rational choice theorists assert.

What explains Israel’s retaliatory policies toward Palestinian violence? Why does Israel sometimes respond with overwhelming force, even at the risk of provoking harsh international criticism, and at other times with measured police or military action? In reviewing the relevant literature, this article identifies two main approaches to these questions, one rooted in rational choice theory and the other in what has come to be known as the “new institutionalism.” To assess the validity of the two theories, the article analyzes monthly counts of Palestinian and Israeli fatalities due to state and collective violence from 1987 to 2007, the results of a survey of leading Israeli counterterrorist experts conducted in 2006–07, and data on state and collective violence from 2000 to 2005. The article finds that, although both theories have validity, they apparently apply to different levels of threat to Israeli society and the Israeli state.

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Interpretations of Israeli State Violence against the Palestinian Insurgency

On 3 April 2002, about 1,000 Israeli troops entered the Jenin refugee camp on the West Bank, home to some 14,000 Palestinians. Supported by Apache attack helicopters and Caterpillar D9 armored bulldozers, the troops razed a section of the camp that harbored militants who had recently organized a string of devastating suicide missions and other attacks against Israeli civilians. At least 52 Palestinians were killed in Jenin, 22 of them civilians, along with 23 Israeli soldiers. By the time the dust settled on 11 April, more than a quarter of the camp’s residents were homeless.

For students of state violence, two things are likely to stand out about the Battle of Jenin. Rational choice theorists would be inclined to view the Israeli incursion as part of a massive strategic reversal that was motivated by increased Palestinian threat. As Neil Mitchell (2004, 58–95) argues, state violence is always a self-interested, calculated response to threat. The greater the Palestinian threat to Israel, the higher the level of Israeli state violence against Palestinians. Presumably, high threat levels cause state elites to use the coercive levers of the state more often and more ruthlessly than less threatened ruling elites do because it is in their self-interest to protect national security (or at least their view of it) by any means available.

In contrast, new institutionalists would be inclined to see the Battle of Jenin as an illustration of how domestic and international norms can constrain state violence against dissenting minorities. According to James Ron (2000; 2003), states are not free to use as much violence as their leaders might like in response to threat. Instead, norms surrounding the use of state violence crystallize and become institutionalized due to the existence of domestic political traditions and because the international community imposes such norms on states. Public opinion polls show that a conciliatory tradition vis-à-vis the Palestinians remained firmly in place in Israel even in 2002. It encompassed about half of Israelis and was even more prevalent among the most influential categories of the population: university-educated, middle-aged, secular Israelis who had served in the army and whose families were of Western origin (Arian 2002, 13, 14, 41). In addition, a chorus of human rights groups, media outlets, the United Nations, and European governments soon criticized Israeli state violence, calling for constraint and reminding Israel that state violence against civilians violates international human rights norms that have become deeply entrenched since World War II. Although some of the civilian deaths during the Battle of Jenin were willful killings, these normative constraints helped to ensure that extrajudicial executions were not widespread (Human Rights Watch 2002).

In recent years, state violence against Palestinian insurgents has been interpreted either as a response to threat that operates largely independently of institutional norms (as in Mitchell’s rational choice approach) or a response to institutionalized norms that operate largely independently of perceived threat (as in Ron’s new institutionalist approach). In contrast, the purpose of this article is to demonstrate that construing new institutionalist and rational choice theories as rivals diminishes one’s ability to explain how states use violence to deal with dissenting minorities. Specifically, the article elaborates the association between norms and state violence by controlling for threat. The authors show that norms constraining state violence operate most effectively at relatively low threat levels. However, rising threat levels eventually overwhelm the constraining effect of norms. Relatively high threat levels govern the level of state violence largely on their own. The argument is developed by discussing events, structures, and processes dating as far back as 1987, but focuses on the Second Intifada, the armed uprising of Palestinians against the Israeli state and people that began in September 2000. Before sketching recent rational choice and new institutionalist
Data Sources

Data were obtained on Israeli and Palestinian deaths due to state and collective violence between 1987 and 2007 from B’Tselem, the Israeli Information Center for Human Rights in the Occupied Territories. The authors chose to use these data partly because they cover a wider time span than alternatives, partly because B’Tselem is widely respected by both Israelis and Palestinians, and its figures are therefore less susceptible to challenge than data from other potentially partisan sources, such as the Palestinian Central Bureau of Statistics and the Israeli Ministry of Foreign Affairs. The authors are grateful to Charles Kurzman of the Department of Sociology at the University of North Carolina for validating the B’Tselem data by systematically and independently analyzing Reuters news reports. For the period under study, Kurzman found a correlation of .85 between the B’Tselem and Reuters data sets on Israeli deaths due to Palestinian actions and a correlation of .80 on Palestinian deaths due to Israeli actions.

Data were also collected on all 210 state-directed assassinations and 138 suicide bombings that took place in Israel, the West Bank, and Gaza between 26 October 2000 (the date of the Second Intifada’s first suicide bombing) and 12 July 2005. Among other variables, this data set includes information on the date and location of each event and the geographical launch point of each suicide mission. Data were collected from the online database of the International Policy Institute for Counter-Terrorism (ICT) in Herzliya, Israel (2004); the website of Israel’s Ministry of Foreign Affairs (2004); the East Coast evening edition of the New York Times (2000–05); and two authoritative Arabic newspapers—al-Quds (2000–05), published in Jerusalem, and al-Quds al-‘Arabi (2000–05), published in London.

Coding was conducted by two research assistants (RAs) who are fluent in English and Arabic. After the first RA coded the data, a random sample was drawn of 5 percent of the days on which suicide bombings took place between 26 October 2000 and 12 July 2005, and the second RA independently coded the materials for those days. The first RA’s coding was then compared with that of the second RA. Only a few minor differences were found between the two codings, giving the authors confidence in the reliability of their measures.

The third main source of information is a series of semistructured interviews conducted in Hebrew with senior Israeli security decision makers and advisers from various state and academic organizations. About 100 such people were identified from a review of the Israeli newspaper, ha-Aretz, for the years 2000 to 2005, and two comprehensive monographs on the Second Intifada by respected Israeli journalists (Druker and Shelakh 2005; Harel and Isakharof 2004). Interviews were solicited from the individuals on the list, some of whom recommended additional potential respondents who had not made their way onto the initial list because their work was not highly publicized. After refusals, the authors were left with 74 usable interviews, yielding a 61 percent response rate. The interviews were about 90 minutes long on average. They were conducted in metropolitan Jerusalem and Tel Aviv between 2 July 2006 and 7 March 2007. Although there is no way of assessing precisely how well the sample represents the entire population of leading Israeli security advisers and decision makers, the authors are confident that the respondents include most of the important public figures and many of the less visible figures in the Israeli counterterrorist establishment (see Table 1 for sample characteristics). The only source of sample bias identified is that personnel who served in the Institute for Intelligence and
Table 1
Characteristics of respondents (in percent; \(n = 74\))

<table>
<thead>
<tr>
<th>Total</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Age</strong></td>
<td></td>
</tr>
<tr>
<td>37–49</td>
<td>11.8</td>
</tr>
<tr>
<td>50–59</td>
<td>58.8</td>
</tr>
<tr>
<td>60–73</td>
<td>29.4</td>
</tr>
<tr>
<td><strong>Sex</strong></td>
<td></td>
</tr>
<tr>
<td>Male</td>
<td>97.3</td>
</tr>
<tr>
<td>Female</td>
<td>2.7</td>
</tr>
<tr>
<td><strong>Main institutional affiliation during the Second Intifada</strong></td>
<td><strong>Total</strong></td>
</tr>
<tr>
<td>Government</td>
<td>25.7</td>
</tr>
<tr>
<td>Parliament</td>
<td>6.8</td>
</tr>
<tr>
<td>Israel Defense Forces (IDF)</td>
<td>31.1</td>
</tr>
<tr>
<td>General Security Services (GSS or Shabak)</td>
<td>9.5</td>
</tr>
<tr>
<td>University</td>
<td>8.1</td>
</tr>
<tr>
<td>National Security Council</td>
<td>9.5</td>
</tr>
<tr>
<td>Other</td>
<td>9.5</td>
</tr>
<tr>
<td><strong>Highest military rank achieved</strong></td>
<td><strong>Total</strong></td>
</tr>
<tr>
<td>Lieutenant General</td>
<td>2.9</td>
</tr>
<tr>
<td>Major General</td>
<td>21.7</td>
</tr>
<tr>
<td>Brigadier General</td>
<td>26.1</td>
</tr>
<tr>
<td>Major, Lieutenant Colonel, Colonel</td>
<td>24.6</td>
</tr>
<tr>
<td>Second Lieutenant, Lieutenant, Captain</td>
<td>11.6</td>
</tr>
<tr>
<td>Non-commissioned officer</td>
<td>10.1</td>
</tr>
<tr>
<td>Rank and file</td>
<td>2.9</td>
</tr>
<tr>
<td><strong>Educational attainment</strong></td>
<td><strong>Total</strong></td>
</tr>
<tr>
<td>High school diploma</td>
<td>1.4</td>
</tr>
<tr>
<td>Bachelor’s degree</td>
<td>31.1</td>
</tr>
<tr>
<td>Master’s degree</td>
<td>47.3</td>
</tr>
<tr>
<td>Doctoral degree</td>
<td>20.3</td>
</tr>
</tbody>
</table>

Some totals do not equal 100 because of rounding. The number of valid responses varies from 68 to 74, depending on the variable.

Special Operations (the Mossad) during the Second Intifada declined to participate in the study. Still, several of the respondents reviewed the names of the people interviewed and, like senior ha-Aretz correspondent Amos Harel, confirmed that the study had included most of the major counterterrorist players in Israel. Such observations also increased confidence that the interviewees are not just respondents but key informants—insiders with knowledge and opinions that shape Israeli counterterrorist policy at the highest levels.

**New Institutionalist versus Rational Choice Theories?**

Two theoretical approaches dominate the contemporary study of politics. They operate at different levels of analysis, emphasize different organizing principles underlying political life, and employ different conceptions of political institutions. In the view of rational choice
theorists, calculating, self-interested individuals or collectivities organize politics (Hechter and Kanazawa 1997; Kiser and Bauldry 2005). Political institutions are sets of equilibrium contracts among such individuals or collectivities. In contrast, new institutionalists define institutions as relatively autonomous collections of roles and culturally organized practices. They hold that institutions influence political outcomes to some degree independently of changes in individuals’ or collectivities’ goals and strategies (Ingram and Clay 2000; Koelble 1995; March and Olsen 2005). A case in point is the recent literature that purports to account for the level of violence that states exercise against dissenting populations that fall under their control (Cooley 2005; Davenport, Johnston, and Mueller 2005; Earl and Soule 2006; Kalyvas 2006; Maoz and McCauley 2008; Mitchell 2004; Ron 2000, 2003).

In this subfield, new institutionalists routinely contest explanations that focus on rational calculations whereas rational choice theorists tend to challenge explanations that center on the independent effects of institutions.

Neil Mitchell, for example, considers the Israeli–Palestinian conflict one of the clearest illustrations of “violence as rational choice” (Mitchell 2004, 26). In his view, the Israeli state always uses violence strategically when Palestinians threaten Israel’s national survival, and the Palestinians respond in kind. As a result, the pattern of mutual slaughter resembles “synchronized moves of tit-for-tat retaliation” (Mitchell 2004, 66). Of course, the “lethal exchange rate” varies over time; periods of high and low violence are observed. But Mitchell attributes such shifts exclusively to the disposition of ruling Israeli prime ministers, not to institutional effects. “Moderate” prime ministers have strong moral inhibitions and are relatively sensitive to the costs of repression. “Activist” prime ministers have few moral inhibitions and are relatively indifferent to such costs. When an activist replaces a moderate, the “continued and undeterred swapping of dead” rises to a higher level, and “simple tit for tat violence” becomes a “cycle of violence” (Mitchell 2004, 69).

Mitchell supports his argument with anecdotal historical information and a graph suggesting that the correlation between deaths inflicted by Palestinians and Israelis from 1992 to 2002 was “remarkably high” (Mitchell 2004, 66). Extending the span of Mitchell’s analysis to the entire period for which data are available (January 1987 to December 2007), his argument was corroborated by finding a correlation ($r$) of .629 between the monthly number of Palestinian and Israeli deaths due to state and collective violence (calculated from B’Tselem 2008).

However, disaggregated data tell a different story. Analysts typically divide the past 21 years of the Israeli–Palestinian conflict into three periods, each of approximately equal duration: the First Intifada (1987–93), the period of the Oslo Accords (1993–2000), and the Second Intifada (2000–07). The main form of Palestinian violence during the First Intifada involved demonstrating and throwing rocks and petrol bombs. The main Israeli response involved arrests, house demolitions, beating protesters, and shooting them with rubber bullets and live ammunition. Then, in September 1993, Palestinians and Israelis signed the Oslo Accords, promising a final resolution of the conflict within five years. Two militant Islamic groups, Hamas and Palestinian Islamic Jihad, launched suicide attacks to scuttle the plan. Still, the overall level of violence as measured by the number of deaths on both sides remained moderate in comparison with the later carnage of the Second Intifada, which erupted after peace talks collapsed.

During each period, the number of deaths due to collective violence varied, as did the relative level of violence visited on each side in the conflict (see Table 2). Mitchell’s theory leads one to expect a strong correlation between the number of Palestinian and Israeli deaths due to state and collective violence in each period. In fact, the number of Palestinian deaths formed a U-shaped pattern over time whereas the number of Israeli deaths increased in a
Table 2
Israeli and Palestinian deaths due to state and collective violence, 1987—2007

<table>
<thead>
<tr>
<th></th>
<th>Mean Palestinian deaths/month</th>
<th>Mean Israeli deaths/month</th>
<th>Total mean deaths/month</th>
<th>Ratio of Palestinian/Israeli mean deaths/month</th>
<th>$r$, Palestinian and Israeli deaths/month</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Intifada</td>
<td>14.3</td>
<td>1.6</td>
<td>15.9</td>
<td>9.0</td>
<td>.229</td>
</tr>
<tr>
<td>Oslo period</td>
<td>4.6</td>
<td>2.9</td>
<td>7.5</td>
<td>1.6</td>
<td>.451</td>
</tr>
<tr>
<td>Second Intifada</td>
<td>50.5</td>
<td>11.7</td>
<td>62.2</td>
<td>4.3</td>
<td>.575</td>
</tr>
<tr>
<td>(Sep. 2000–Dec. 2007)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source: Calculated from B’Tselem (2008).

linear fashion. Note also that the strength of the correlation between Palestinian and Israeli deaths varied by period—it was strong during the Second Intifada ($r = .575$), moderately strong in the Oslo period ($r = .451$), and weak during the First Intifada ($r = .229$). The correlation increased with the mean number of Israeli deaths per month (a measure of threat). The authors conclude that the data only partially support Mitchell’s rational choice theory. His theory is least applicable to the period in which the mean number of Israeli deaths per month was low: the late 1980s and early 1990s.

In another leading social scientific account of the Palestinian–Israeli conflict, James Ron (2000, 2003) disputes the claims of rational choice theory as strongly as Mitchell endorses them. Ron begins his account by noting that in 1996, Lebanon-based guerillas fired a few rockets into northern Israel. The rockets caused no casualties, yet Israel responded with Operation Grapes of Wrath, a 16-day military campaign involving more than 1,100 air raids and the firing of more than 25,000 artillery shells. The operation resulted in the death of 14 Hezbollah guerillas and more than 150 Palestinian-Lebanese civilians. Around the same time, Palestinian militants launched a series of suicide missions that killed dozens of Israelis in downtown Tel Aviv. Yet the Israeli government vetoed the idea of drastic retaliation, electing instead to intensify policing measures such as arrests and coercive interrogations (Ron 2003, 2–3). These and other cases show that low threat levels can result in massive, violent retaliation whereas high threat levels can lead to a muted response, contrary to the claims of rational choice theorists.

Ron devises an alternative, new institutionalist explanation for state violence against dissenting minorities. Generalizing to all semi-democracies—states such as Israel and Serbia that define their communities not just by citizenship but also by nationality, religion, or ethnicity—he first distinguishes “frontiers” from “ghettos.” Frontiers are geographical zones that are weakly integrated into adjacent core states. Weak institutional linkages allow high levels of indiscriminate violence, including in some cases ethnic cleansing, to pervade frontiers. In contrast, economic ties and bureaucratic state regulation incorporate ghettos into the dominant polity. Consequently, core state norms govern ghettos, and they are less commonly subjected to extreme and indiscriminate violence (Ron 2003, 16–18). Instead, ghettos are zones of segregation, repression, and tight policing. Ron thus holds that, among semi-democracies, variation in state violence depends on institutional setting. At a single point in time, state violence is likely to be higher in frontiers than in ghettos. Across
time, state violence is likely to grow if ghettos turn into frontiers. Thus, Israel’s retaliatory responses to the events of 1996 are contradictory only if viewed through the lens of rational choice theory. They make perfect sense if one recognizes that southern Lebanon was Israel’s frontier while the West Bank and Gaza were Israel’s ghettos. Low threat yielded a massively violent response in one case and high threat yielded a muted response in the other because their institutional contexts differed.

The strength of Ron’s analysis is also its weakness. He demonstrates the plausibility of his argument in a richly detailed comparison of Israel’s southern Lebanese frontier in the 1970s and early 1980s with its West Bank and Gaza ghettos in the late 1980s and early 1990s. However, by doing so, he focuses on a period of Israeli–Palestinian history when, in the aggregate, the level of Palestinian violence against Israelis was at its lowest point in the past 21 years (see Table 2). A more stringent test of the alleged implausibility of rational choice theory and the supposed advantages of new institutionalism would focus on the Second Intifada, when the level of Palestinian violence against Israelis was at its highest and when, as has been shown, the high correlation between Israeli and Palestinian deaths seems to offer strong support for rational choice theory.

The next section is devoted to such a test. The authors find the institutional effect that Ron discovered, but only where threat was relatively low. Where threat was high, so was Israeli state violence, regardless of institutional context. Specifically, it is shown that, beginning in 2000, Gaza became more of a frontier than did the West Bank. As a result, Israeli state violence was high in Gaza irrespective of variations in the threat level directly emanating from that region. In contrast, the West Bank was more of a ghetto than Gaza was. Consequently, Israeli state violence in the West Bank rose and fell with the threat level emanating from that region, as Mitchell would predict.

The West Bank and Gaza: Divergent Development

Ron recognizes that ghetto and frontier are poles on a continuum (Ron 2003, 197; cf. Kimmerling 1983, 3–8). That is, a region may be more or less frontier- or ghetto-like, and it may be pushed from one point on the continuum to another over time.

Ron is correct to say that the West Bank and Gaza in the late 1980s were situated close to the ghetto pole. Some 100,000 Palestinians commuted to Israel proper for work every day, and Israel imposed on the occupied territories an entire codex of regulations concerning taxation, land and water use, employment standards, and so on. These regulations segregated the Palestinians in their territorial ghetto. Simultaneously, they incorporated them into the Israeli polity, allowing them to be tightly controlled and policed but also to be protected from the kind of ethnic cleansing that Serbia prosecuted on its frontier after Bosnia gained independence from Serbia due to Western pressure in the early 1990s, and the extreme violence that was visited on southern Lebanon by Israel in the late 1970s and early 1980s.

However, the situation in the West Bank and Gaza began to change when the Palestine Liberation Organization (PLO) and Israel signed the Oslo Accords in 1993 (Jamal 2005, 120–166; Kimmerling and Migdal 2003, 315–397; Morris 2001, 611–675). Soon, Israel’s occupied territories—especially Gaza—started to become more frontier-like.

By signing the Accords, Israel recognized the PLO as the legitimate representative of the Palestinian people while the PLO recognized Israel’s right to exist. The PLO renounced terrorism, violence, and the desire to destroy Israel, which in turn agreed to withdraw in stages from the West Bank and Gaza. Both parties further agreed that a new Palestinian Authority would be developed to govern the areas from which Israel withdrew. Outstanding matters—the question of Jerusalem, the refugee problem, the fate of Israeli settlements
in Palestinian-controlled areas, security considerations, and the final borders of the two countries—were to be settled over the next five years.

In the interim, Israel retained control of Jewish settlements in the West Bank and Gaza, as well as roads, airspace, water, borders, and external security. Within about two years, however, the Israeli military and civil administration had withdrawn from Gaza—but only part of the West Bank. The West Bank was divided into three areas. Area A included 55 percent of the West Bank’s Palestinian population and 17 percent of its land, comprising all Palestinian towns plus rural regions situated far from Israeli population centers. In Area A, the Palestinian Authority exercised full civil control. Area B included 41 percent of the West Bank’s Palestinian population and 24 percent of its land. Together with Israel, the Palestinian Authority exercised joint control of Area B. Israel retained sole control of Area C, containing 4 percent of the Palestinian population and 59 percent of West Bank land.

Insofar as Israeli civil and military control was much more extensive in the West Bank than in Gaza, it seems reasonable to conclude that Gaza became more frontier-like than the West Bank following the signing of the Oslo Accords. One of the study respondents, a former official of the General Security Services (GSS or Shabak) in charge of Gaza, emphasized that “we controlled only the peripheries of Gaza.” An ordinary Israeli soldier (not a member of the sample) captured the frontier status of Gaza well when he recently explained how crossing the border into Gaza “removes the burden of the law from you. . . . [F]rom the moment you leave the place that is called Eretz Yisrael [the land of Israel] and go through the Erez checkpoint into the Gaza strip, you are the law. You are God” (quoted in Karpel 2007).

Other aspects of the new situation reinforce the conclusion that Gaza became less incorporated into the Israeli polity than the West Bank after 1993. For one thing, more than 400,000 Jews settled in the West Bank (including East Jerusalem), their number increasing rapidly throughout the 1990s. Jewish settlement blocs jutted eastward, entirely ringed Jerusalem and practically dividing the West Bank into two separate Palestinian zones. An elaborate network of Israeli-controlled roads provided another layer of integration and control. But in Gaza, a mere 7,000 Jews established just a few isolated settlements. Their population growth was relatively slow. Not just in terms of civil and military control, then, but also in terms of population settlement, the West Bank was incorporated into Israel in a way that Gaza was not.

A third distancing mechanism that affected Gaza more than the West Bank was the separation barrier that was constructed by Israel for security reasons. Construction of the Gaza portion of the separation barrier began in 1994 and was completed in 1996. It cut Gaza off from Israel (and Egypt) almost entirely. Construction of a similar barrier around the West Bank did not begin until 2003, and as of this writing it was only about 65 percent complete. Especially in the second half of the 1990s and during the first half of the Second Intifada, the boundary between the West Bank and Israel proper was thus considerably more permeable than that between Israel and the increasingly frontier-like Gaza Strip. Major General Doron Almog, who led the Israel Defense Forces’ (IDF’s) southern command from 2000 to 2003, said that the multilayered Gaza defense barrier, consisting of “electronic fences, high-technology sensors, special rules of engagement, security buffer zones, and various delaying obstacles that slow would-be terrorists from reaching their targets,” was the most important operational component for achieving success against suicide bombers from Gaza (Almog 2004–05, 13; 2004). In contrast, it was comparatively easy for Palestinian suicide bombers to traverse the West Bank–Israel border. One of the study respondents, a high-ranking IDF officer working in the government security establishment, put it this way: “The Judea and Samaria area [the biblical names for the West Bank] is highly dangerous due to
State Violence across Region and Time

Israeli state violence assumed numerous forms during the Second Intifada, including armed incursions aimed at rounding up militants, riot control, and state-directed assassinations. The following analysis focuses on two indicators of state violence—the monthly frequency of Palestinians killed due to conflict with Israel, and the monthly frequency of state-directed assassinations of Palestinian militants.4

The mix of discriminate and indiscriminate killing differs in the two measures. The vagaries of battle came into play during armed incursions and riot control. In such situations, Israeli forces often employed blunt instruments of violence. Shooting into a crowd often caused indiscriminate killing, and in the Battle of Jenin, the IDF used artillery and bombs to destroy residential buildings harboring militants, killing civilians in the process. In contrast, assassination targeted specific individuals. Moreover, Israeli forces made special efforts to limit civilian deaths during assassination attempts, partly because much of the international community considered assassinations illegal and outrageous, partly because of moral qualms on the part of some Israeli decision makers. A senior IDF officer whom we interviewed articulated these reservations well:

In [William Styron’s 1979 novel] Sophie’s Choice, a mother has to decide which child will live, and she chooses X, and could not forgive herself for the rest of her life. I think this is how we should consider this issue. . . . We had information regarding Salah Shehadeh [leader of the military wing of Hamas], that he was planning a terror attack using twelve vehicles in Haifa and Tel Aviv . . . [I asked myself] how will I look at myself in the mirror, how will I look at the mothers of the children [who may die if we don’t assassinate him]? . . . And I recommended eliminating him [on 23 July 2002]. We had no choice.

To be sure, despite such qualms, assassinations caused “collateral damage.” In the extreme case, when an Israeli F16 dropped the one-ton bomb on a crowded apartment block in Gaza City that killed Shehadeh, it took the lives of fifteen civilians, eleven of them children. But massive civilian casualties as a result of assassination were rare. On average, each assassination attempt during the Second Intifada killed 1.9 Palestinians (calculated from Brym and Araj, 2006a), allowing the present authors to conclude that assassination was a relatively discriminating form of state killing.

Consistent with Ron’s new institutionalist theory, the relatively indiscriminate killing of Palestinians by Israel was more widespread in frontier-like Gaza than in the ghetto-like West Bank during the Second Intifada. Israel killed nearly 13 percent more Palestinians in Gaza than in the West Bank even though Gaza’s Palestinian population was 1.5 million as against 2.5 million in the West Bank. The Palestinian death rate was nearly twice as high in Gaza—133 per 100,000 Palestinian residents compared to 69 per 100,000 Palestinian residents in the West Bank.

Note that although relatively indiscriminate state violence was more widespread in Gaza than in the West Bank, Israelis saw Gaza as less of a threat than the West Bank throughout the Second Intifada. That is because 109 suicide bombings originated in the West Bank compared to just 28 in Gaza (see Table 3). Israelis viewed suicide attacks in Israel proper (that is, within the borders that preceded the Six Day War of 1967) with even
Table 3

State violence and suicide missions during the Second Intifada by region

<table>
<thead>
<tr>
<th></th>
<th>West Bank</th>
<th>Gaza</th>
</tr>
</thead>
<tbody>
<tr>
<td>Palestinian deaths</td>
<td>1,750</td>
<td>1,975</td>
</tr>
<tr>
<td>Palestinian death rate (per 100,000 Palestinian residents)</td>
<td>69.0</td>
<td>133.0</td>
</tr>
<tr>
<td>Suicide missions originating in region</td>
<td>109</td>
<td>28</td>
</tr>
<tr>
<td>Suicide missions originating in each region targeted at Israel proper</td>
<td>86</td>
<td>2</td>
</tr>
<tr>
<td>( r ), monthly Palestinian deaths and suicide missions originating in region</td>
<td>0.431</td>
<td>0.121</td>
</tr>
<tr>
<td>( r ), monthly assassinations and suicide missions originating in region</td>
<td>0.225</td>
<td>-0.143</td>
</tr>
<tr>
<td>Assassinations</td>
<td>135</td>
<td>72</td>
</tr>
<tr>
<td>Assassination rate (per 100,000 Palestinian residents)</td>
<td>5.3</td>
<td>4.9</td>
</tr>
</tbody>
</table>

Assassination and suicide bombing data do not cover January to August 2000 and August to December 2005. However, no suicide bombings and few if any assassinations took place in the months for which data are missing.

Source: Calculated from Brym and Araj (2006a) and B’Tselem (2008).

more dread than those that took place in the occupied territories because they occurred in the heart of the society and were more often directed at civilians. Some 86 suicide missions originating in the West Bank were directed at Israel proper, compared to just 2 suicide missions originating in Gaza. One government official and high-ranking Israeli officer highlighted the comparative threat of the two regions:

If you consider terror from Gaza as tolerable, as sad as it may sound . . . you do not have to solve it. . . . The problem was suicide terrorism, which originated in the West Bank. . . . If you consider the last six years, how many terrorists left Gaza and initiated terror attacks inside Israel? The number is small. . . . If, God forbid, you will have suicide bombers coming out of Gaza and detonating themselves inside Israel twice a month, then we will have reason to be worried. In March 2002, we had 135 deaths due to 17 suicide attacks inside Israel [all originating in the West Bank]. The reality was intolerable. Intolerable.

In Gaza, after the separation barrier was completed and the Second Intifada had begun, most militants were in fact compelled to turn away from suicide bombing and toward guerilla attacks and the launching of Qassam rockets and mortar shells at Jewish settlements in the Gaza Strip and Israel proper. No such launches were recorded in 2000, but 516 took place in 2001. Their number rose steadily for the next three years to 1,475 in 2004 and then tapered off somewhat to just over 1,000 in 2005 (Intelligence and Information Center 2006, 24; Israel Ministry of Foreign Affairs 2007). Qassam rockets and mortar shells produced only a small fraction of the Israeli casualties attributable to suicide bombings: eight deaths in 2004 and five in 2005, compared to more than 600 deaths due to suicide bombings between 2000 and 2005 (Brym and Araj 2006b, 1970; Israel Defense Forces Spokesperson 2007). One of the study respondents, formerly a senior Shabak official, explained that “later, terrorist organizations deteriorated to a policy of shooting artillery. . . . Today it is disturbing, it is in the news, yet when you measure it in terms of casualties it is less disturbing.” Or in the words of a former high-ranking member of the IDF General Staff: “Horrific damage is
caused not by 10,000 Qassam rockets, but rather by one suicide bomber killing 35 people celebrating Passover Eve at the Park Hotel in Netanya [on 27 March 2002].”

Significantly, Israeli state violence hardly varied with the level of immediate threat emanating from Gaza. The correlation between the monthly frequency of Palestinian deaths in Gaza and the number of suicide missions originating in Gaza was just .121 (see Table 3). The correlation between the monthly frequency of state-directed assassinations in Gaza and the number of suicide missions originating in Gaza was slightly negative ($r = -.143$). Thus, in Gaza, indiscriminate state violence was high regardless of threat level. The region’s frontier status seems to have been responsible for the relatively high level of indiscriminate state violence and the lack of correlation between indiscriminate state violence and threat.

In the West Bank, the situation was different. The rate of killing of Palestinians by Israel was only about half as high as in Gaza. At the same time, the frequency of Palestinian deaths was more sensitive to the threat level than was the case in Gaza. The correlation between the monthly number of Palestinian deaths and the monthly number of suicide missions originating in the region was strong and in the direction that Marshall’s rational choice theory would lead one to expect ($r = .431$; see Table 3). The correlation between the monthly number of assassinations and the monthly number of suicide missions originating in the region was weaker but also in the expected direction ($r = .225$). Thus, when threat was high in the West Bank, the killing of Palestinians by the Israeli state rose. When threat was low, the killing of Palestinians dropped off. Although the West Bank was more of a ghetto than Gaza was, high threat levels overwhelmed any constraining effects exercised by the tighter incorporation of the region into the core society.

Interestingly, frontier-like Gaza was less subject to assassinations than was the West Bank. Nearly twice as many assassinations took place in the West Bank (135) as in Gaza (72; see Table 3). Even when one controls for population size by calculating rates, it is found that 5.3 assassinations took place per 100,000 Palestinians in the West Bank compared to 4.9 assassinations per 100,000 Palestinians in Gaza.

The assassination frequency and rate were higher in the ghetto-like West Bank than in the frontier-like Gaza for two reasons. First, recall that assassination involves relatively discriminating state violence. According to Ron, because of the lack of institutional controls, indiscriminate forms of state violence are more common in frontiers than in ghettos; but by the same token, because of stronger institutional controls, more discriminating forms of state violence are more common in ghettos than in frontiers. Second, Israel saw the West Bank as a bigger immediate threat than Gaza, precisely because it was more ghetto-like. Because of the West Bank’s relatively porous border with Israel, suicide bombers could enter Israel relatively easily from that region. A former senior Shabak official summed up the situation like this:

The consideration was—and I think it was quite sensible—to invest more energy where the danger is more immediate, more acute—either Gaza or the West Bank. Suicide terrorism dictated the level of risk from these two areas. It is obvious that suicide bombings from the West Bank produced the largest number of casualties. . . . In the Gaza Strip the situation was such that it could be isolated by a fence and since we had some support of intelligence . . . it produced less terror.

Still, the Israeli response to suicide attacks originating from Gaza was more violent than one might expect. The number of suicide attacks originating in the West Bank was nearly
four times higher than the number of suicide attacks originating in Gaza (109 compared to 28) but the number of assassinations in the West Bank was only about twice as high (135 compared to 72). Part of the explanation for this disproportion has to do with Israeli operational capabilities, part with the concentration of militant leaders in Gaza. A senior IDF officer outlined the first issue as follows:

If it is possible to arrest someone, we prefer this option since it is more effective. When you have someone and you interrogate him, you can initiate further counterterrorist operations. You are more effective in harming your enemy than when you kill one single person. . . . [I]n the West Bank we were able to arrest more people, while in Gaza it was generally impossible.

Why? During the Second Intifada, Gaza’s population was more restive and militant than the West Bank’s and therefore posed more of a potential danger to Israeli troops. Moreover, only the West Bank was thoroughly reoccupied after Operation Defensive Shield was launched in March 2002. Accordingly, using snipers and missiles to kill Gaza militants from a distance was less risky than sending in ground troops to make arrests. As a high-ranking officer from the Southern Command noted:

Targeted assassinations, using remotely piloted vehicles, using the Air Force to attack inside Gaza, artillery, other kinds of special measures . . . , when we start using these we basically lower the level of danger to our forces. It is a significant point in decision-makers’ perspective on the situation.

About 80 percent of the study respondents agreed that the main source of the West Bank/Gaza difference in assassination policy was the relative difficulty of making arrests in Gaza given the unwillingness of Israel to completely reoccupy it after March 2002.

A second reason why an unexpectedly large number of assassinations took place in Gaza was that the planners of suicide attacks and the people who inspired them were disproportionately concentrated there. This was especially true for the leaders of Hamas and Palestinian Islamic Jihad, two of the three organizations responsible for the great majority of suicide attacks during the Second Intifada (the third being the Al-Aqsa Martyrs Brigade, affiliated with Fatah). A former Shabak official told the authors that at a certain point, we started taking care of the terror infrastructure . . . and the money issue. When I say “take care of,” I mean to concentrate on them—interrogation, arrests, targeted assassinations. . . . It was a significant decision to focus on those who are responsible, on the dispatchers. . . . [Salah] Shehadeh and [Sheikh Ahmed] Yassin [head of Hamas, assassinated 22 March 2004] are good examples.

Or as one senior intelligence official said:

My criterion is their effect on terrorist activity. They do not have to be directly involved, in terms of executing a terrorist act. Nevertheless, if they give a moral justification, if he encourages people to execute terrorism, and as a result, people do, then I think that hurting him makes sense.
For these reasons, then, the number of assassinations in Gaza, although lower than the number in the West Bank, was higher than one would expect given the number of suicide missions originating in Gaza.

**Discussion**

In the competition between rational choice and new institutionalist paradigms for theoretical dominance in political science and political sociology, proponents of one side or the other are sometimes tempted to claim victory. For instance, a few years ago, two leading adherents of the new institutionalism wrote that “we are all institutionalists now” (Pierson and Skocpol 2002, 706; cf. Amenta 2005, 96). Such proclamations notwithstanding, much controversy remains over how much observed variation in political outcomes may be explained by endogenous, institutional forces versus rational calculations, and over the scope conditions under which each theory may apply.

Recently, two rational choice theorists admitted that “standard rational choice theory will probably be ineffective when ... the costs and benefits of actions are very low” (Kiser and Bauldry 2005, 185). This is not quite what the present authors have found. The data suggest that rational choice theory is ineffective in explaining variation in state violence in situations where threat is relatively low—probably because in such situations the cost of state violence is high and the benefit is low.

That is why Ron’s neo-institutional theory is important. Ron carefully portrays the way in which institutional mechanisms shaped state violence in Israel in the late 1980s and early 1990s. However, completing his work just as the Second Intifada was about to crest, he was not in a position to qualify his argument with the observation that institutional effects are evident only at relatively low threat levels. As Mitchell’s rational choice theory leads one to expect, if the threat issuing from a particular region is high, repression will be severe, even if that region happens to have ghetto-like features. In the press and in policy documents, Israelis have made it abundantly clear that they regard suicide missions, especially those that take place within the state’s pre-1967 borders, as indicative of nothing less than an “existential threat.” They have responded accordingly.

The authors conducted two main tests of the neo-institutional and rational choice theories. First, the West Bank was compared with Gaza during the Second Intifada. The authors found support for Ron’s theory that the region that was more tightly incorporated into the Israeli core polity (the West Bank) experienced relatively little indiscriminate state violence whereas the region that was less tightly incorporated into the Israeli core polity (Gaza) experienced relatively more indiscriminate violence. Second, levels of indiscriminate violence were analyzed within the West Bank. The authors found support for Mitchell’s theory that the level of state violence varies with threat level. Table 4 shows the scope conditions for institutional and rational-choice theories in the cases examined. At low threat levels, state

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<td><strong>Frontier</strong></td>
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violence decreases with institutional incorporation, as Ron argues. At high threat levels, institutional effects are overwhelmed and, as Mitchell claims, state violence is largely a function of threat.

The authors recognize that this analysis is little more than an illustration of how rational choice and new institutional theories might be combined to overcome the explanatory deficiencies of each approach considered alone. It is further recognized that only a single political outcome (state violence) and a single political setting were examined. Still, the authors regard this as a modest advance in a context where institutional and rational-choice theories are often seen as rivals.

Notes

1. One respondent was a senior Mossad official but refused to speak about his time in the Mossad. He focused exclusively on periods when he performed other government functions related to intelligence and counterterrorism.

2. The article does not report tests of statistical significance because the authors are dealing with population parameters, not sample estimates.

3. Although specific events and dates are associated with the beginning and end of periods 1 and 2, and the beginning period 3, no event and date mark the end of the Second Intifada. That is why some analysts say the Second Intifada continues to the present and why the authors are comfortable running the analysis to the end of 2007, which in any case marks the end of available data.

4. Palestinian deaths due to assassination attempts amounted to 10.9 percent of the total number of Palestinian deaths due to conflict with Israel during the Second Intifada (calculated from Brym and Araj 2006a).

5. Data on the geographical location of three assassinations were missing.

References


