

Developing an Israeli Grand Strategy toward a Peaceful Two-State Solution



Table of Contents

Introduction

Werner Puschra..... 2

Introductory Note

Yair Hirschfeld..... 3

Creating the Enabling Conditions for Reaching an Israel-Palestine Two-State Solution

Yair Hirschfeld..... 6

Factors that Help / Enable Progress towards a Two-State Solution – The Security Area

Ron Shatzberg..... 22

Economic Enabling Conditions towards Sustainable Palestinian State-Building

Anat Kaufmann and Baruch Spiegel..... 30

What can Israel’s Arab-Palestinian Citizens Contribute to the Middle East?

Kamal Ali-Hassan..... 40

Spoilers on the Way to a Two-State Solution

Yossi Hen..... 58

Heshbon Nefesh: Civil Society Seeking a Two-State Majority

Ned Lazarus..... 82

The National-Religious Public and the Prospects of Peace with the Palestinians – Between Scuttling and Leading

Roie Ravitzky..... 98

About the Authors..... 105

This publication was made possible through the generous support of the Friedrich-Ebert-Stiftung, Israel. We thank the FES for its continued cooperation, and would like to express our greatest appreciation to Ms. Judith Stelmach, the responsible project manager at FES Israel, for her involvement, her total commitment, and her assistance throughout the project. We thank the researchers for their efforts.

The opinions expressed in this publication do not necessarily reflect the opinions of the Friedrich-Ebert- Stiftung and/or of Netanya Academic College.

The commercial use of the publications of Friedrich-Ebert-Stiftung or of Netanya Academic College without written approval is strictly prohibited.

October, 2016

© All rights reserved

ISBN Number:

978-965-92408-5-2

Scientific Editing:

Dr. Yair Hirschfeld

Translation:

Ruchie Avital, Mor Ilan

Copy Editing:

Judith Stelmach, Esti Ofer

Photography:
Signelements, Istockphoto

Introduction

Werner Puschra

For quite a few years now, more and more skepticism is voiced about the prospects for a solution to the Israeli-Palestinian conflict. The parameters of the Oslo-Process are questioned and the public and political support for a two-state-solution is fading out. Lack of progress of the diplomatic process is one factor contributing to the widespread pessimism about a solution, as are changing political circumstances in Israel, the region and in Europe and the US.

Public support in Israel for a two-state solution is decreasing. According to a recent poll conducted by Smith Research in July 2016, less than 50% of the Jewish Israeli public still supports a two-state solution. Voters of Shas, Habayit Hayehudi, United Torah Judaism, Likud and Yisrael Beitenu overwhelmingly oppose the concept. Among men there is less support than among women, and the opposition to a two-state solution is especially strong among voters under 30 years of age.

Alarm over the possible demise of the two-state-solution has also been expressed by political leaders in the US and Europe on various occasions. A possible alternative, the one-state-solution meets with even more opposition and is regarded to be a non-starter.

Given this gloomy outlook the objective of this project and publication is to define the main elements which would need to be in place in order to move forward with the diplomatic process with a view towards a peaceful solution to the old conflict. The authors are convinced that a peaceful solution is still possible and that there is no reason to fall into despair. They are laying out their perspectives on the challenges ahead covering the following policy areas and describing the enabling factors leading towards a two-state-solution:

- What are the causes of the failures of the diplomatic process?

- How can the security needs of Israelis and Palestinians be met?

- Which economic conditions and policies need to be put in place to improve the welfare and living standards of the Palestinian people?

The contributors to the publication also focus on the actors decisive for progress in the different policy areas.

- What role can the Palestinian citizens of Israel play to promote a peaceful solution?

- How can civil society become an even more pro-active player to support a two-state-solution?

- What is the role of the religious communities on both sides to prepare the ground for a peaceful cooperation?

- In which way can the international community support the process and open up avenues for the reconciliation between Israelis and Palestinians?

The publication does not aim to provide a concrete prescription for getting the peace process back on track. It rather lays out a comprehensive strategic approach for those, who still believe in a peaceful solution, as well as for those, who need to be convinced of it.

I would very much like to thank the team of the Daniel S. Abraham Center for Strategic Dialogue under the leadership of Dr. Yair Hirschfeld for their excellent work on this project and the fruitful and productive dialogue between us.

Special thanks go to my colleague Judith Stelmach, who contributed to the project and the publication with her heart and soul. My gratitude also goes to Elie Friedman, Esti Ofer, and Gilad Segal who were her counterparts at the Center. Together they were a great team, without which the project and the publication would not have been possible.

Dr. Werner Puschra, Director FES Israel

Introductory Note

Yair Hirschfeld

Approximately, a year ago Dr. Werner Puschra and Judith Stelmach of the Friedrich-Ebert-Stiftung suggested preparing a volume which describes what Israel would need in order to move forward towards a peaceful Israel-Palestine two state- solution. Attempting to review all relevant aspects, seven different essays were commissioned covering the political, security, economic and religious challenges, as well as the perspective of Israel's Palestinian Arab minority, and the challenge for civil society work.

Yair Hirschfeld provides a short historical review of the development of the Israel-Palestine two-state concept. He analyzes the causes of past failures, describes achievements made and indicates suggested policies to move forward. He argues that no “ready-made” solution can replace a phased process of peace making and attributes the five times repeated failure to reach an “end of conflict” agreement to unrealistic political aspirations. Instead of asking the question “how can all outstanding core issues i.e. Jerusalem, refugees, borders, settlement and security be solved, he suggests to ask the question of “How can a successful, prosperous and contiguous State of Palestine, living in good neighborly relations besides Israel and its other neighbors, develop?” Instead of leading negotiations based on the principle “Nothing is agreed upon, until everything will be agreed upon”, he suggests to adopt the principle of “what has been agreed shall be implemented”. This approach has the potential to rebuild trust and legitimacy on both sides of the Israeli-Palestinian divide.

He calls for an Israeli commitment to reach a two-state solution along with a process of mutual recognition of the principle of two states for two peoples in consort with a phased negotiating process that will aim to reach an agreement on recognition, security, territory and the future of settlements, as well as Palestinian state-building. Negotiations should be finalized within one year.

An agreement between Israel and Palestine to move forward toward “end of conflict”, while achieving an understanding of how to agree to disagree” will be essential for the negotiating process to succeed. Only a continuing bottom up approach – creating the supportive realities on the ground, along with a top-down approach of reaching agreements and understandings – can prevent more failure and despair. In order to provide the necessary legitimacy, the Arab Quartet – Egypt, Jordan, Saudi Arabia and the United Arab Emirates – must play a pro-active supportive role, in full coordination with the US, EU, Russia, the UN and the international community at large.

Ron Schatzberg shows that security coordination between Israel and the PA is a vital tool for achieving stability that is the precondition to any progress towards the two-state solution.

Though the PA security forces still face many challenges, they did gain reasonable trust of the Palestinian public. The joint security interests shared by the PA and Israel thus allow the sides to maintain delicate relations in a very sensitive environment.

He argues that extension of the PA police force authority to villages in area B that don't have regular police services, can assist in restoring law and order and good governance, thus strengthening the PA and its state institutions. Schatzberg describes a plan on how to extend Palestinian Police services to a population of more than 700,000, who presently do not have access to effective policing. Implementation would offer essential advantages to all sides and be a step in the process of establishing the security and legal infrastructure of the emerging State of Palestine. Providing law and order to all citizens creates the necessary stable environment for economic development and social welfare. A related upgrade of the Israeli-Palestinian security cooperation would create the necessary trust and legitimacy for a continuing negotiating process.

Baruch Spiegel and Anat Kaufmann address the issue of economic enabling conditions towards sustainable Palestinian state-building. The authors map the necessary economic and institutional conditions required to make sure – and thereby help convince the Israeli public – that a future Palestinian state will not become a failed state, but rather a prosperous and economically viable neighbor. Referring to the 1994 “Protocol on Economic Relations” (Paris Protocol), they argue that although the political and security situation has changed significantly since, the economic frameworks that govern commercial relations between Israelis and Palestinians have not been revised accordingly. In particular, they show that on the most essential issues of basic infrastructure – such as roads, water and energy - the current situation has become a gridlock. It is led by the counter-productive principle that “nothing is agreed upon until everything is agreed upon”, which causes a mutual lose-lose effect. The authors then suggest a number of measures – in agriculture, on crossing points, on area C and other issues – which should be implemented, based on economic agreements and on-the-ground measures. They highlight the need for the upgrade of Palestinian capacity towards independently-managed infrastructure, linked to expansion of cross-border cooperation with Israel and broader regional cooperation.

Kamal Ali Hassan discusses the possible contribution of Israel's Palestinian Arabs to the unfolding peace process. He argues that Israel's Palestinian Arabs have the interest and the capability to play a bridging role between Israel, the Palestinians of the West Bank and Gaza, and the Arab world at large. While preserving their own culture, Israeli

Developing an Israeli Grand Strategy toward a Peaceful Two-State Solution

Palestinians have, over more than half a century gained intimate knowledge of Israel's Jewish society and experience on the working of Israel's democracy, with all its strengths and shortcomings.

Kamal Ali Hassan explains that the ongoing radicalization and the rise of extremist forces in the Middle East, resulting from the failure of the "Arab Spring" offers a potential opportunity for the Israeli Palestinian intellectual elite to play a bridging role. An essential condition for this to occur is the need to minimize social, political and economic discrimination of Israel's Palestinian community and create a reality of Jewish-Arab civilian equality. The presently ongoing process of intellectual, social, economic and even political empowerment of Israel's Palestinian community may provide supportive conditions for such a development.

Kamal Ali Hassan further argues that among Israel's Palestinian community, three different groups will continue to play an important role. The intellectual elite, the lower and middle classes, and last but not least, the group of the so-called "internal refugees": those Israeli Palestinians who were forced to leave their villages within Israel proper, and need either to return to their former homes, or receive compensation. Moving forward toward a peaceful Israel-Palestine two-state solution will make it essential to phase demands and action wisely. In doing so, a win-win effect may well be achieved.

Yossi Hen, discusses the "spoilers", impeding in the past and present upon headway towards a two state solution. Yossi Hen describes the multitude of emotional, psychological, political, religious and ideological spoilers; the dangerous gap of narratives, the counter-productive action of various international actors and more.

He analyzes Israeli policies and defines proposed policy action within the Israeli body politic; the need to understand the limits of military power and action; as well as acts needed for Israel to reach out to the Palestinians, the Arab world and the international community. He defines Palestinian and Arab action needed to tip the balance in favor of a two-state solution in Israel. Last but not least, he suggests ways and means for a supportive pro-active European and German policy by asking for a comprehensive strategic dialogue between Europe and Israel in order to be able to deal effectively with emerging threats and opportunities.

Ned Lazarus has written about the task of Civil Society. He argues that civil society work has to address in Israel three different target groups:

- *The peace camp*, aiming to create renewed hope among them; mobilizing activists to build bridges between Jews and Arabs inside the country and together promote Israeli-Palestinian cooperation.
- *The "undecided"*, probably a majority of Israelis, who conceptually still support a two-state solution, but have lost confidence in its achievability and fear negative repercussions. Describing proposed security measures by respected experts; discussing economic confidence

building measures and their potentially positive impact; evaluating the importance of and demonstrating wider regional Arab support, and expected ramifications upon Israel's relationship with the world will all be necessary.

- *The "Settler and the religious communities"*. If headway towards a two-state solution will be achieved this group will undoubtedly have to pay a high price, personally and ideologically. Lazarus argues that civil society work, particularly towards this target group, is the major, most essential challenge and hints that most important headway has already been made, whereas a well-planned outreach campaign is still necessary.

Roie Ravitzky writes about the importance to obtain Jewish and Islamic religious legitimacy for the peace-making process. In essence, Ravitzky stresses four major points:

1. During the entire past experience of Israeli-Palestinian peace negotiations, the religious leadership and communities have been excluded from the peace-making process. Worse, the peace-making effort has been identified on both sides of the Israeli-Palestinian divide with an effort in support of secularization, and thus has caused substantial opposition from within the religious communities.
2. In both societies, in Israel and Palestine, it is the religious leadership who can offer legitimacy to peace. Without their blessing, internal opposition will most probably be too powerful and will tend to undermine the implementation of agreements concluded.
3. The radicalized inhumane and largely criminalized activity of militant Islamic groups, and of Jewish religious fringe elements, has created an understanding among a majority of religious leaders of the need for dialogue and compromise. Moral considerations, but also the fear of further radicalization, provide an important basis for an all-inclusive Jewish-Islamic religious dialogue that has to be pursued, separately from narrow political considerations.
4. Much headway has been achieved during the last years. (Roie Ravitzky who works together with Rabbi Michael Melchior, is all too modest in this context) and the foundations for a peace-building dialogue have been laid. The tendency of the Islamic and Jewish religious leadership is to accept change on the ground, and the de facto emergence of a two-state reality, as a God given imperative, even if this is in contrast to ideological teachings. At the same time the creation of a moral and religious environment that is not confrontational within each society, and between the Israeli and Palestinian societies, is understood as *a sine qua non*, that has to accompany not only negotiations but the process of implementation.

The seven articles of this volume do not provide a blue-print for an envisaged Israel-Palestine Peace Agreement. Those articles rather describe political, security, economic, social, civil society and religious action supportive of reaching a two state solution. **Rather than offering a seemingly ready-made solution, a comprehensive strategic approach is being suggested.**

It was exactly this approach which has motivated Dr. Werner Puschra and Judith Stelmach of the Friedrich-Ebert-Stiftung to suggest undertaking this project. Specifically, Judith Stelmach, who has accompanied all authors, has offered important, and at times, decisive inputs. Our gratitude goes out to her and all the members of the Friedrich-Ebert-Stiftung.

Many thanks are also due to Elie Friedman and Esti Ofer who have done wonderful work, in reviewing the various articles, suggesting changes and helping in editing them.

Finally our thanks go to Dr. Ephraim Sneh, the chairman of board of directors of the Daniel S. Abraham Center for Strategic Dialogue, to David Altman, Senior Vice-President of the Netanya Academic College and Vice Chair of our Center, as well as to all authors for their contributions.

Creating the Enabling Conditions for Reaching an Israel-Palestine Two-State Solution

Yair Hirschfeld

I. Introductory Remark: Four Questions to be asked

On the first evening in Norway, January 20, 1993, when the Oslo negotiations began, I told Abu Ala and the other members of the PLO delegation, Maher el-Kurd and Hassan Azfour, the following joke:

God had summoned the three most important leaders of the world: President Bush (the father), Mr. Gorbachev, and Mr. Shamir and told them that he – God – had made a mistake; a meteor would in two weeks hit planet earth, and everybody would die. And God added: "You have the privilege of telling your people so that they can prepare and at least enjoy the last two weeks of their lives." Accordingly, Gorbachev went on air, in a speech to the Russian people and said: "I have two bad news items to tell you. The first news item is that there is a God; we hoped and believed that there was no God and we were wrong. But the second news item is far worse: we are all going to die in two weeks. Please, my dear Russian people, prepare for it and enjoy your last days."

Then President Bush went on air, and said: "My dear American people, I have one wonderful news item, and another bad one. There is a God, and we rejoice in God. However, in two weeks all of us will die. Please prepare."

Finally, Yizchak Shamir went on air, and said: "My dear Jewish people, I have two wonderful news items. There is a God, and we rejoice in God. The second news item is even better: I can assure you there will never be a Palestinian State."

Abu Ala, Maher el-Kurd and Hassan Azfour were pleased about the joke, as it clearly signaled that the intent of our discussions would be to reach, one way or the other, a peaceful Israel-Palestine two-state solution.

In this essay, I will refer to the following issues:

1. Why did I dare to indicate that the aim of the Israeli-Palestinian negotiations would be to reach a two-state solution? Or in other words: why is it a mutual Israeli and Palestinian interest to reach a two-state solution?
2. What progress on the way toward a two-state solution has been made since 1993?
3. Why did negotiations aiming to reach a Permanent Status Agreement fail repeatedly? And
4. What are the lessons learned and accordingly what are the enabling conditions that have to be pursued in order to proceed on the way to a peaceful Israel-Palestine two-state solution?

II. The Mutual Israeli-Palestinian Interest to Reach a Two-State Solution

The foundations for the negotiations in Norway were laid almost fifteen years before the negotiations in Norway started by the conclusion of the Camp David Accords, of September 17, 1978, which provided for a two phase process and three time periods: first, an open-ended period to negotiate the modalities for establishing an elected Palestinian self-governing authority in the West Bank and the Gaza Strip; second, a five-year transitional period to begin "when the self-governing authority (administrative council) in the West Bank and Gaza is established and inaugurated";¹ and third, negotiations that would take place "as soon as possible, but not later than the third year after the beginning of the transitional period, negotiations will take place to determine the final status of the West Bank and Gaza and its relationship with its neighbors ..."²

Listening to President Sadat's speech at the Knesset in November 1977, it was clear that the Egyptian leader aimed at promoting negotiations that would lead to a peaceful Israeli-Palestine two-state solution. By negotiating the Camp David Accords of 1978, Sadat laid the foundations for such an outcome. Four provisions of the treaty made it evident that the only possible outcome of negotiations would be a two-state solution. These provisions were:

1. Negotiations on the "final status of the West Bank and Gaza... shall be based on all the provisions and principles of UN Security Council Resolution 242," which provided for Israeli withdrawal from territories occupied in June 1967.
2. If this was not clear enough, it was made evident that withdrawal from territories "will resolve, among other matters, the location of the boundaries and the nature of security arrangements".
3. Israeli withdrawal and negotiations on borders will lead to a solution that will "recognize the legitimate rights of the Palestinian people and their just requirements", which in Sadat's mind clearly referred to the Palestinian right for self-determination; and
4. In order to ensure that the final outcome will be in line with the wishes of the Palestinian inhabitants of the West Bank and Gaza, the Camp David Accords (1978) obliged the parties that "the agreement will have to be submitted to

¹ See Camp David Accords, September 17, 1978;..

² Ibid.

a vote by the elected representatives of the inhabitants of the West Bank and Gaza."³

Anyone who read and understood the text of the Camp David Accords could guess that the only outcome by a process of negotiations would be either an agreement between Israel and a Jordan-Palestine Confederation, to which King Hussein and Chairman Arafat had committed in an agreement of February 1985,⁴ or if this would not be the case, would lead to an Israel-Palestine two-state solution.⁵ Therefore, most former Heruth party Members of Knesset, who ideologically opposed a renewed partition of Eretz Yisrael (the Land of Israel), or the territory of the former British Mandate of Palestine, and in particular the leading members Yitzchak Shamir and Moshe Arens, either abstained or voted against the Camp David Accords.

However, after thirteen years of failed negotiation efforts, it was Prime Minister Shamir who agreed to the conditions of the Madrid Conference; it was under his leadership that peace negotiations between Israel and at first a joint Jordanian-Palestinian delegation started, and it was again under his guidance that the Jordanian-Palestinian delegation split, and Israel was negotiating with a purely Palestinian negotiating team, dominated by the PLO, on how to implement the provisions of the Camp David Accords of September 1978.

It was not merely the text of the Camp David Accords that made it clear that the best outcome of negotiations would be the establishment of an Israel-Palestine two-state solution. More important, it appeared to be evident that both Israel, its Jewish majority and its Arab minority, as well as the entire Palestinian people, had a vested existential interest in reaching a peaceful two-state solution.

In order for Israel to maintain its Jewish-democratic identity, it remains essential to separate from the West Bank and Gaza. The desire to maintain the Jewish-democratic identity of Israel had influenced Ben Gurion to accept the UN Partition Plan of November 1947, and motivated him to oppose any Israeli attempt to conquer the West Bank during the War of Independence of 1947-1949. Israel's other national strategic interest was to finally demarcate Israel's borders with all its neighbors in order to achieve both regional and international legitimacy.

Parallel hereto, it was evident that the Palestinian people wanted to implement their right to self-determination, establish a state of their own, and end the Israeli occupation of the West Bank and Gaza. The Israeli Arab minority has repeatedly expressed its interest to maintain Israeli citizenship, while remaining a minority in a state that was led and shaped by

its Jewish majority. For many years, the major political slogan of the Israeli Arab communist party was: "two states for two peoples". The establishment of good neighborly relations between Israel and Palestine would make it possible, so it was hoped, to enable the Israeli Arab citizens to play a bridging role.

On the practical level, it was also obvious that the success of Israel, as well as of Palestine depended on good neighborly relations. The Palestinian and Israeli physical infrastructure – water, energy, the road and railway network – are largely if not completely dependent one on the other. Essential economic interests also dovetail. If Israel wanted a successful Palestinian state to emerge beside it, the Palestinian people needed to rely on Israel. Israel was the most natural market for Palestinian goods. If Israel wanted to connect to Jordan and Egypt, the effective way was to cooperate with the Palestinians in doing so. As a recipe for conflict resolution, it was essential for the Jewish and Palestinian people to get to know each other and to cooperate.

In order to lay the foundation for good neighborly relations and close cooperation between Israel and the Palestinian Authority, I wrote what became (without any change) Annex III and IV of the Israel-PLO Declaration of Principles signed on September 13, 1993. It provided for Israeli-Palestinian cooperation in the fields of water, electricity, energy, finance, transport and communications, trade, industry, labor relations, the promotion of a Human Resources Development plan, environmental protection, and coordination and cooperation in the field of communication and media; it also provided for a regionally supported Economic Development Program for the West Bank and the Gaza Strip, which was to include social rehabilitation, small and medium business development, infrastructure development, and more.⁶

Whatever the conclusion may be from past developments, the conceptual approach is today no less relevant, as it was in 1993. Political and national separation between Israel and the emerging state of Palestine has to be combined with a comprehensive program of economic, social, cultural and other cooperation that both sides need in order to establish two prosperous and successful states. Seen in this context, good neighborly relations are an essential common interest, as is the need to pursue a process of social reconciliation in order to overcome – gradually and slowly – the wounds of the past.

III. What Progress Has Been Made on the Way to a Two-State Solution?

1. Moving from Opposition of all Parties Towards Nominal Support of the Two-State Solution

a. The Historic Background for the Rejection of the Two-State Concept

The British Peel-Commission was the first to introduce the concept of a two-state solution already in the summer of 1937. In November 1947, it was the United

6 See: The Israel-PLO Declaration of Principles, September 13, 1993.

3 Ibid.

4 See Avi Shlaim, *Lion of Jordan – The Life of King Hussein in War and Peace*; Allen Lane, Penguin, London 2007; chapter twenty "Peace Partnership with the PLO", pp.422-439.

5 Compare with Henry Kissinger's remark: "A Palestinian state was inherent in Prime Minister Menachem Begin's offer of Palestinian autonomy at the first Camp David summit in 1978." In: Henry Kissinger's *Does America Need a Foreign Policy? Toward a Diplomacy for the 21st Century*; Simon and Schuster, New York 2002; p. 183.

Developing an Israeli Grand Strategy toward a Peaceful Two-State Solution

Nations that renewed the concept and voted in favor of partitioning British Mandatory Palestine into a Jewish and an Arab State. Although thirty-three nations voted in favor, international support for the concept very quickly evaporated. The Arab and Islamic states opposed the creation of a Jewish state. After the proclamation of the State of Israel, most Arab nations, Egypt, Jordan, Syria and Iraq, in complete disregard of the UN GA Resolution 181, invaded Israel's territory with the aim to wipe Israel off the map. Nevertheless, in the atmosphere of the unfolding Cold War, the great powers were fast to court for the support of the Arab states.

In December 1948, UN GA Resolution 194, nominated the United States (and its dependent allies Turkey and France) to lead the peace-finding process. Mr. Lovett, acting Secretary of State, gave the guidelines for the US peace-finding policy to the US chief negotiator Mark F. Ethridge, on January 19, 1949. Under Point 8 it read: "8. Disposition of Arab Palestine – US favors incorporation of greater part of Arab Palestine in Transjordan. The remainder might be divided among other Arab states as seems desirable."⁷ It was most evident, the United States wanted to prevent the establishment of an Arab State in former British Mandatory Palestine, in clear contradiction to the UN GA resolution 181, of November 1947. It was feared that the Palestinian leader Haj Amin el-Husseini, who had sided with Hitler Germany, would become the unrivalled leader of an emerging Palestinian state.

Under these conditions Israeli policy had to deal with the emerging dilemma: to please the United States and go along with the policy proposed in Washington, or to sustain the concept of the partition of British Mandatory Palestine into a Jewish and Arab state. In May 1949, the US Peace Envoy, Mark Ethridge reported about Israel's position as follows: "Eytan remarked re boundaries that partition was based on independent states in Palestine,.... Israeli delegation will insist on withdrawal of all Arab states. Principle of self-determination should be observed for Arab Palestine. Future of Arab Palestine should be left to its inhabitants."⁸

Ambassador Eytan's demand to observe the principle of self-determination for Arab Palestine and permitting the inhabitants of Arab Palestine to determine their own future was important enough to provoke already on the next day an answer of the Secretary of State personally. The Israeli demand to respect the "principle of self-determination for Arab Palestine" was most conveniently ignored.⁹ Thus, the concept of seeking a peaceful Israeli-Palestinian two-

state solution, originally proposed by the United Nations, was put on ice, and forgotten for over three decades.

During the 1950s, the Palestinians themselves did not ask for a Palestinian state¹⁰ and when the PLO emerged, its National Covenant demanded the establishment of a Palestinian State over the entire indivisible territory of British Mandatory Palestine, indicating (under paragraph 6) that only Jews who had lived in Palestine "before the Zionist invasion" would be tolerated.¹¹

In response to Palestinian and Arab enmity, the Israeli, Zionist, response was along a similar line. The opposition within Israel toward the creation of a Palestinian state was overwhelming.

On the Israeli extreme right, opposition to any understanding with the Palestinians derived from the national-religious camp, which viewed the 1967 Six-Day War and the "liberation of Judea (the southern part of the West Bank) and Samaria (the northern part of the West Bank), and Gaza, as a God ordained development. It was believed that "the main purpose of the Jewish people is to attain physical and spiritual redemption by living in and building up an integral 'Eretz Yisrael' (i.e the Land of Israel including Judea and Samaria). The territory of Eretz Yisrael is assigned a sanctity that obligates its retention once liberated from foreign rule, as well as its settlement, even in defiance of (Israeli) government authority."¹² This belief has largely guided the politics of Israel's National Religious Party, as well as the Gush Emunim movement, who have consistently advocated and driven Israel's settlement policy in the occupied territories with the intent to prevent a two-state solution.¹³ The *raison d'être* for this approach was based on the belief that God has promised the Land of Israel to the Jewish people, and not to the Palestinians. Moreover, many religious directives given in the Bible to the Jewish people are related to Eretz Yisrael, particularly to Jerusalem, Hebron, and the other holy places situated in the occupied West Bank. Following this belief it would be a fatal mistake to grant sovereignty over these areas to the Palestinian people, who then would have the power to prevent the Jewish people from exercising their religious duties.

7 Acting Secretary of State to Mr. Mark F. Ethridge, Washington, January 19, 1949; in *Foreign Relations of the United States, 1949*; Government Printing Office, Washington, 1977; vol. vi; p. 682.

8 Mr. Mark Ethridge to the Secretary of State, Lausanne, May 17, 1949, -noon; FRUS vol. vi. Op.cit. pp. 1018-1019.

9 See: The Secretary of State to the Israeli Ambassador (Elath), Washington, May 18, 1949; *ibid.* pp. 1021-1022.

10 Rashid Khalidi calls the period between the "First Israel-Arab War" of 1948 and the appearance of the PLO, "the lost years", as well as the "the disappearance (and Reemergence) of Palestinian Identity"; see Rashid Khalidi *Palestinian Identity – The Construction of Modern National Consciousness*; Columbia University Press, New York, 1997; pp. 177-178.

11 The PLO National Charter, 1964 and 1968; see: Avalon.law.yale.edu/20th_century/PLOCOV.asp

12 Quoted from Martin Gilbert, *Israel – A History*; London Black Swan, 1998; p. 469; for a more in-depth account of religious national thinking see: two essays of Eliezer Berkovits: "On the Return to Jewish National Life"; and "On Jewish Sovereignty" both in: David Hazony (ed.) *Eliezer Berkovits Essential | Essays on Judaism*; Shalem Press, Jerusalem 2002; pp.155-175; and pp. 177-190.

13 See Idith Zertal and Akiva Eldar, *Lords of the Land: The War Over Israel's Settlements in the Occupied Territories, 1967-2007*; New York, Nation Books, 2009.

Prime Minister Begin and his Likud party similarly opposed the creation of a Palestinian state. In signing the Camp David Accords, Begin insisted, and received President Carter's agreement, to refer to the West Bank as "Judea and Samaria", hereby clearly maintaining the claim for Jewish sovereignty over these areas. But not only the Likud, also the Israeli Labor Party initially opposed the idea of creating the State of Palestine. Shimon Peres, in his memoirs *Battling for Peace*, wrote:

"In our view, a Palestinian state, though demilitarized at first, would over time inevitably strive to build up a military strength of its own, and the international community, depending upon massive Second and Third World support at the United Nations, would do nothing to stop it. That army, eventually, would be deployed at the very gates of Jerusalem and down the entire, narrow length of Israel. It would pose a constant threat to our security and to the peace and stability of the region."¹⁴

Many senior members of Israel's security establishment shared Peres's views. Among them was Israeli army commander Ariel Sharon. In his view, during the 1970s and 1980s, Jordan should become the state of the Palestinian people.

Yitzhak Rabin was ideologically closest to supporting a "territorial solution". In the early 1970s he once remarked that he would be willing to travel to Gush Etzion - an area in the West Bank south of Bethlehem - with his passport and by obtaining a visa. Nevertheless, Rabin was still hesitant to openly declare his support for a two-state solution. In a speech to the Knesset in October 1995, he pointed out his objections to the formation of the State of Palestine. He envisaged the creation of a Jordanian-Palestinian confederation rather than a fully independent State of Palestine. He insisted that the Jordan River should remain Israel's security border and the settlements within settlement blocs should be annexed to Israel, while others could stay where they were situated. Accordingly he also rejected a return to the June 4, 1967, cease-fire lines. Last but not least, he insisted on maintaining the unity of the city of Jerusalem.¹⁵

The position of the Hashemite kingdom of Jordan was similarly hostile to the PLO and to the creation of the State of Palestine, as it was understood at the time (until July 1988) that a Palestinian State would question and undermine the existence of the Kingdom of Jordan. King Hussein also feared that the Jordanian army "would fracture along Palestinian-Jordanian lines".¹⁶ Henry Kissinger describes the Jordanian position as follows:

"Jordan's position was perhaps the most complex. Each Arab state proclaimed its devotion to the Palestinian cause, partly out of conviction, partly to carry favor with the radical trend in the area. ...Every Arab leader was in a position to play this game except our friend King Hussein. A Palestinian state could be formed only at the expense of Jordan's previous position in Palestine...and indeed its genesis (of a Palestinian state) would mark the opening of a struggle over the very existence of the Hashemite state east of the Jordan River. Leaders of the PLO had avowed frequently enough that the blood feud with Hussein was even deeper than that with Israel."¹⁷

The logical conclusion of this state of affairs for the American leadership, for the Hashemite kingdom, and for the leadership of the Israeli Labor Party, was to seek – along the lines of the Camp David Accords – an Israeli-Jordanian agreement. This was actually achieved in April 1987, by signing the "London Agreement" between Shimon Peres, Yitzhak Rabin and King Hussein.¹⁸ However, Israel's Prime Minister Yitzhak Shamir rejected the agreement.¹⁹ Several months later, in December of 1987, the intifada, a Palestinian rebellion, started, eventually empowering the PLO and weakening Jordan's influence in the West Bank and Gaza.²⁰

b. The Unfolding of Change in Support of the Two-State Concept

Change towards the acceptance of the PLO, and herewith of the concept of establishing a Palestinian State occurred at first during 1988, mainly by two consecutive and inter-related events: At the end of July 1988, King Hussein disengaged Jordan from the West Bank and Gaza and left a void that could only be filled by the PLO.²¹ Following this Jordanian move, US Secretary of State, George Shultz, initiated with the assistance of Swedish foreign minister Sten Andersson an indirect dialogue with the PLO. The US demand of the PLO to accept UN Security Council Resolution 242, providing for the principle of territory for peace had now become acceptable to the Palestinians. It meant that if a Palestinian delegation were to negotiate with Israel, sooner or later Israel would have to withdraw from the West Bank and Gaza, in return for peace. This would make the establishment of a Palestinian state feasible. Arafat also – at least nominally – accepted the other two demands of the US: to recognize the right of existence of the State of Israel and to renounce terror. The next day, December 14, 1988, the United States

14 Shimon Peres, *Battling for Peace – A Memoir*, ed. David Landau (London, Weidenfeld and Nicolson, 1995; pp. 352-353).

15 Yitzhak Rabin, speech to the Knesset, October 5, 1995; <http://www.mfa.gov.il/mfa/mfa-archives/1995/pages/pm%20rabin%20in%20knesset%20ratification%20of%20interim%20agree.aspx>

16 Hussein has been quoted of saying this; see Avi Shlaim, *Lion of Jordan – The Life of King Hussein in War and Peace*; Penguin Books, London 2007; p.312.

17 Henry Kissinger, *Years of Upheaval*; Little Brown, Boston, Toronto 1982; p.748. the italics are quoted from Kissinger.

18 See Shlaim op.cit. pp. 440-447.

19 Ibid.

20 See Yair Hirschfeld, *Track Two Diplomacy toward an Israeli-Palestinian Solution, 1978-2014*; Woodrow Wilson Center Press, and John Hopkins University Press, Baltimore; 2014; pp. 57-62.

21 See Shlaim op.cit. pp. 453-477.

announced that a dialogue with the PLO would begin, led by the American ambassador to Tunis, Robert Pelletreau.²²

King Hussein's decision to disengage from the West Bank and Gaza, and replace Jordan's initial opposition to an Israel-Palestine two-state solution, by favoring such an outcome, was a seminal development. The logic guiding the Jordanian action was altogether simple. It meant that the Jordanian national interest was to solidify the Jordanian identity, and in return give up territory. The establishment of a Palestinian state West of Jordan would permit the Palestinian people to exercise their right to self-determination, and ease the Jordanian-Palestinian relationship on the East Bank of the Jordan River. More so, the Palestinian elite in Jordan, which largely controls the Jordanian economy, continue to have a vested interest in the stability of the Hashemite kingdom of Jordan. A Palestinian state, if it aimed at becoming successful and prosperous, needed to develop good neighborly relations with both Israel and Jordan, coordinate security affairs and develop its economy by promoting close relations with both neighbors.

It took the leadership of the Israeli Labor Party several years to think in similar terms. Israel's identity as a Jewish and democratic state tended to overrule the need for territorial control of the West Bank and Gaza, under the condition that security arrangements could be made to prevent Palestine from becoming an irredentist state that would harbor aggressive military and/or terrorist activities against Israel. When, following the conclusion of the Oslo Declaration of Principles, in September 1993, the way for signing an Israel-Jordan Peace Agreement was opened, and peace was actually signed, accepting a Palestinian State had become acceptable. In May 1997 the Israeli Labor Party platform advocated the establishment of a Palestinian state, besides Israel. The Palestinian right to self-determination was recognized, and the establishment of a Palestinian state with "limited sovereignty" was "not being excluded". The Israel Labor Party platform of 2006, was more forthcoming and spoke of the establishment of a Palestinian state, and demanded the lease of settlements in settlement blocs, in order to solve the settlement issue.²³

On Israel's right wing, opposition toward a two-state solution was still strong. However, it was gradually, though partially and slowly, eroding. In January 1997, the "National Agreement Regarding the Negotiations on the Permanent Status Settlement with the Palestinians" was concluded between Yossi Beilin on "the left", and with Michael Eitan of Likud, David Levy of Gesher, and Rafael Eitan of Tzomet on "the right". There was no acceptance for the establishment of an independent State of Palestine, but a commitment to the need "to

permit the establishment of a Palestinian entity whose status will be determined in negotiations."²⁴

All these activities prepared the way for Ehud Barak to seek a two-state solution in negotiations with Chairman Arafat, an effort that failed at the end of January 2001 (for discussion on the reasons, see below).

Nevertheless, the concept of a two-state solution, received substantial reinforcement from two most relevant and important actors:

In March 2002, the Arab Summit meeting in Beirut adopted the Saudi proposed Arab Peace Initiative, which in its essence subscribed to a peaceful Israel-Palestine two-state solution. The central sentence read:

"(The) Initiative, calling for full Israeli withdrawal from all the Arab territories occupied since June 1967, in implementation of Security Council Resolution 242 and 338, reaffirmed by the Madrid Conference of 1991 and the land for peace principle, and Israel's acceptance of an independent Palestinian State, with East Jerusalem as its capital, in return for the establishment of normal relations in the context of a comprehensive peace with Israel."²⁵

President Bush's Rose Garden Speech followed this in June 2002, where the United States adopted the concept of a peaceful Israel-Palestine two-state solution. Whereas the concept of a peaceful Israel-Palestine two-state solution was identical with the concept advocated by the Arab Peace Initiative, the suggested enabling conditions were substantially different. The key elements of President Bush's speech read:

"My vision is two-states living side by side in peace and security... There is simply no way to achieve that peace until all parties fight terror... When the Palestinian people have new leaders, new institutions and new security arrangements with their neighbors, the United States of America will support the creation of a Palestinian state whose borders and certain aspects of its sovereignty will be provisional until resolved as part of a final settlement in the Middle East."²⁶

²² See Hirschfeld op.cit, pp. 59-60.

²³ See in regard to the 1997 and the 2006 ILP policy platform: www.jewishviruallibrary.org/jsource/politics/laborplatform.htm

²⁴ Hirschfeld op.cit. p. 196. The content of this Agreement between members of the Israeli peace camp and right wing parties did not become a platform for joint action. However, most politicians who signed the agreement, and particularly the two parties Gesher and Tzomet, disengaged from their coalition with Likud under Netanyahu's leadership and hereby contributed to Ehud Barak's election victory of May 1999.

²⁵ Quoted from Appendix 4 The Arab Peace Initiative Adopted at the Beirut Arab Summit, March 2002; in: Marwan Muasher The Arab Center – The Promise of Moderation; Yale University Press, New Haven and London 2008; p. 281. Marwan Muasher, being Jordan's Minister of Foreign Affairs, played a leading role in preparing the Arab Peace Initiative (and later also the Benchmarked Roadmap for Peace in the Middle East) describes the political and diplomatic activity in preparing the Arab Peace Initiative. See: *ibid.* pp.102-133.

²⁶ See: Full text of George Bush's speech on Israel and Palestine, <http://www.theguardian.com/world/2002/jun/25/Israel.USA>.

There can be little doubt that the nominal commitment of the most relevant actors to the concept of a peaceful Israel-Palestine two-state solution indicated important progress on the way toward a possible peaceful solution. Nevertheless, the remaining gap of two contradictory concepts, threatened to create obstacles on the way towards implementation. The enabling conditions suggested and demanded by the Palestinians and the Arab states were: Israeli withdrawal from occupied territories, the establishment of the State of Palestine with its capital in East Jerusalem, and agreed provisions for the right of return of Palestinian refugees to their former homes in Israel.

The American concept of a two-state solution shared by Israel's center left wing parties was very different: The enabling conditions were first and before anything else, a common struggle against terror; the creation of a peace-seeking Palestinian leadership, the establishment of functioning state institutions, as a pre-condition towards a phased approach on the way toward a two-state solution.

2. Achieving Headway on the Ground toward a Peaceful Two-State Solution

a. The Political Obstacles to Palestinian State-Building

When Ben Gurion proclaimed the State of Israel on May 14, 1948, the Yishuv (the Jewish community living under British Mandatory Palestine) had built its state institutions for almost three decades (mainly since 1921).²⁷ No similar development occurred in Palestine after the conclusion of the Oslo I and Oslo II Agreements. The causes of not doing so were mainly twofold: 1) Arafat's self-serving political interests and leadership style; 2) Israeli imposed limitations.

Arafat's Political Style

Arafat was a most remarkable leader. His leadership remained (by and large) unchallenged until his death. He achieved this without a government apparatus to assert his authority, without a monopoly over the use of violence, heading an umbrella organization – the PLO – which combined several revolutionary groups, each with its own leadership, its own para-military organizations, its own grassroots support, and its own largely independent financial income. To maintain an unchallenged leadership under such circumstances required a remarkable manipulative capacity. Arafat did so by adopting several strategies:

i. Controlling three different Constitutional Structures:

After the signing of the Oslo Accords, Arafat maintained effectively three different constitutional structures: those of the PLO, of Fatah and of the Palestinian Authority. Additionally, he saw to it that decisions were taken in his own court, outside those structures. Arafat

allowed for elections to the Palestinian National Council (the legislative branch of the PLO), for the Palestinian Revolutionary Council (the legislative branch of Fatah) and on January 20, 1996, he held elections for him to become president, and for the Majlis – the Parliament of the Palestinian Authority. However, he maintained the right to nominate members and decisions were continuously taken outside those structures, based on offering revolving favors to changing actors. Nevertheless, the three legislative bodies served an important function: their elected members acted as mediators and go-betweens between the Palestinian people and the leadership.

ii. Controlling the Emerging Governmental Structure of the Palestinian Authority:

After the Madrid Conference of 1991, the Palestinian "inside" leadership of the West Bank and Gaza, established the so-called "technical committees", which in effect were state institutions in the making. Experts under the political and organizational guidance of Faisal Husseini and Sari Nusseibeh managed these "committees" most professionally.²⁸ After the signing of the "Israel-PLO Declaration of Principles" on the White House Lawn, in September 1993, when negotiations on establishing the Palestinian Authority got underway, I was given the task to offer to transfer all (or most of the) files of the Israeli Civil Administration in the Occupied Territories to these technical committees, in order to allow them to prepare effectively for emerging governmental tasks. This offer that had the backing of Prime Minister Rabin was rejected, as Arafat was not willing to permit the technical committees under the leadership of Faisal Husseini and Sari Nusseibeh to gain governmental power.

iii. Arafat Maintained Financial Control

One of the jokes told to us in Norway referred to a PLO official who wanted to fly from Rio de Janeiro to Sao Paolo. In order to be permitted to buy the ticket, he was ordered to come to Tunis, as he needed Arafat's personal signature for the ticket purchase. Financial control was linked to corruption in order to create personal dependency upon Arafat, as well as political vulnerability. A leading Palestinian diplomat spent many hours with me, telling me in much detail, how Arafat created financial dependencies, offering at first presents to the Palestinian leaders of the intifada, and to their families, and gradually creating hereby a dependency relationship. Favors were always measured and could be withdrawn at any given moment.

iv. Maintaining a "Revolutionary" Structure of Armed Groups

²⁷ See Anita Shapira, *Israel – A History*; Weidenfeld and Nicolson, London 2012; Part II: A State in the Making; 1918-1948; pp.67-152.

²⁸ See Sari Nusseibeh (with Anthony David), *Once Upon a Country – A Palestinian Life*; Halban, London 2007; chapter 23 "A Shadow Government", pp.353-363.

Arafat was not willing to establish a monopoly of the use of force or a single command structure. Instead, he played one armed group against the other and provided each of them with a kind of financial fief: one group was given the right to control the income of the Karni passage of people and goods between Israel and Gaza; another group was given the right to control the income from the Allenby Bridge passage, and other groups received income from different trades. This system prevented a transparent financial administration and a single state budget, but depended upon different financial pots, which Arafat controlled or permitted others to control, as to control them.

Israeli Imposed Limitations

The Oslo II Agreement of September 25, 1995 established the Palestinian Authority as a governmental structure and provided the ground rules for the establishment of the Palestinian Parliament, the Majlis. Hereby important foundations for state building were created. This however, went together with substantial limitations imposed mainly by dividing the West Bank into area A, the cities, where the Palestinian Authority obtained administrative and security authorities; into area B, the villages, where the Palestinian Authority obtained administrative but no (or very little) security authorities, and the rest of the West Bank (60% of the territory), where Israel maintained administrative and security authorities. These provisions had a damaging impact on the Palestinian capability of state building, as explained below.

i. Diminished Administrative Capacities

The fact that the Palestinian Authority does not have administrative control over 60 % of the West Bank territory became a severe impediment for state building:

It hinders planning for a road and railway network, a sea and airport to serve the Palestinian people. Nor can the Palestinian Authority build without Israeli permission a functioning energy infrastructure: power stations, an electricity network; the exploitation of natural gas reserves and more. It also encumbers planning and zoning necessary to permit urban and rural areas to expand for additional housing and more.

ii. Limited Policing Capacities

In order to create a functioning, responsible and prosperous State, the maintenance of law and order is essential. The judicial system remains largely under the control of the Palestinian political leadership. Correctional facilities are wanting. Yet, most important, the Palestinian police forces are seriously hampered in executing their duties by provisions of the Oslo II Agreement. There are few police stations in Area B, and the pursuit of criminals from one area to the other is dependent on a lengthy and tedious procedure of coordination with the Israeli security authorities.

iii. Limited Economic Development Capacities

The expansion of Palestinian agriculture, of tourism facilities, as well as possibilities for creating new urban centers would be possible – theoretically – in area C, which covers 60 % of the West Bank. Alas, under present conditions these economic development options are mostly undermined.

iv. Israeli Settlements Create Various Impediments for Palestinian State-Building

The settlements have impeded Palestinian development. However, an even greater impediment to development has been the allocation of "state land" to settlements and, at times, the expropriation of private Palestinian land. The settlement leadership has asserted strong political pressure on the Israeli government to limit Palestinian access and movement in order not to impede or endanger the movement of settlers. Successive Israeli governments have withheld important concessions for state building to the Palestinians, in order to keep these measures as a negotiating chip, particularly in order to gain Palestinian concessions in regard to Israeli settlement areas.

In addition, the Palestinian Authority has created self-imposed impediments for development in order to maintain the claim that the settlements are illegal according to international law. This is actually not the case, or would only be the case, if the Palestinian Authority, announces the Oslo Accords as invalid. In the various agreements signed under the Oslo process, the PLO and the Palestinian Authority have agreed that the responsibility and jurisdiction for the Israeli settlements in the occupied territories remains with Israel, and that the settlement issue has to be dealt with in permanent status negotiations. This issue has a major effect in regard to water. The Oslo Accords have provided for the creation of a joint water committee that coordinates all activities regarding water in the occupied territories. Many projects for extending water resources to the Palestinians have been vetoed by the Palestinian representatives to that committee, in order not to "legalize" water supply to the settlements. A change of this policy would facilitate solving the water problem, and enable substantial expansion of Palestinian agricultural activities, tourism, and urban development.

b. Improvement on the Way to Palestinian State-Building

Palestinian state building is undoubtedly a most important national interest of the Palestinian people. It is a tedious, lengthy and complicated process that is necessary to turn a revolutionary movement, as the PLO was and (possibly) still is, into an orderly state. Yet, the moment the Palestinian Authority in the West Bank and Gaza was created, in spite of all the obstacles, the need for a

state-building process, had gotten underway. And as a matter of fact, in spite of setbacks, **important headway has been achieved.**

Creating a Monopoly over the Use of Force, and a Single Functioning Chain of Command

One of the first activities of Salam Fayyad, when he became Prime Minister in 2007, was to regulate the relationship between the Palestinian Ministry of Finance and the various security apparatuses. He insisted on a seemingly very simple change: all security officials would receive their salaries directly into their personal bank accounts from the Ministry of Finance. This move largely (although not completely) eliminated the financial power base of various Palestinian warlords, and hereby in effect unified the Palestinian security forces.

General Keith Dayton, who was appointed US Security Coordinator to work with the Palestinian Authority and Israel, assisted President Abbas and his ministers of interior, to create the various security branches, and develop a clear and unified chain of command. A most essential component for Palestinian state-building had been accomplished.

Creating Conditions Supportive for Palestinian Economic Development

The Economic Cooperation Foundation under my and General Baruch Spiegel's leadership developed a concept to overcome the anarchic situation that followed the second intifada. The concept had four components: The first was to reintegrate so-called fugitives – those individuals and groups that had been members of security formations, carried arms, and terrorized the local population by demanding protective money for economic activities. Fearing apprehension by Israeli security forces, these fugitives violently opposed the changing and reformed Palestinian security forces and thus became a major threat to law and order. We suggested that fugitives who were willing to give up their arms should be granted clemency by the Israeli security forces, and the PA would arrest them for several more months in order to keep them off the streets for a transitional period, while offering their families a minimal degree of social security. Both the relevant Israeli and Palestinian authorities accepted this concept, which enabled the Palestinian security forces to disarm the fugitives and start to restore law and order. This agreement prepared the way for further cooperation. The second component was to remove roadblocks and other impediments to movement and create a relatively free flow of access and movement, mainly between Jenin and Ramallah in the North of the West Bank, and between Bethlehem and Hebron in the South. The passage via Jerusalem has still remained problematic. The third component was to foster the establishment of border industrial parks, in the North in Jenin, in the South West in Tarqumiyya and in the South-East, near Jericho. The fourth and final component was to ease procedures at the

crossing points into Israel.²⁹ There remains the need to expand Palestinian activities substantially into Area C, to renegotiate the Paris Agreement of May 1994, governing the Israel-PA economic relations; to renegotiate the agreement in regard to water, and providing conditions for Palestinian control of West Bank natural resources. This – so far – has not happened.

Creating Israeli-Palestinian Security Cooperation

After the second intifada, the Israeli security forces still viewed the Palestinian security forces that politically identified with the Fatah movement, as potential enemies. Yet, the coordinated Israeli-Palestinian effort to deal effectively with the problem of the fugitives opened the way to further security cooperation. The Israeli security apparatus largely ignored serious efforts of General James Jones, who was designated by Secretary of State Condoleezza Rice, to propose security conditions for a Permanent Status Agreement, as those of General Keith Dayton. Early in July 2008, General Jones complained about this in a meeting with Gilead Sher (who had been Barak's chief negotiator on the Palestinian file), with Baruch Spiegel and myself. Gilead Sher arranged on the spot a meeting between General Jones and Ehud Barak, the Minister of Defense at the time. Several weeks later, Barak and Israel's chief of staff Gabi Ashkenazi travelled to Washington. What followed was the emergence of a US overseen Israeli-Palestinian security cooperation. General Ashkenazi would sum this up, with the simple sentence: "When they (the Palestinian Authority) do more, we do less". In spite of all the ups and downs in peace negotiations, security cooperation has so far remained intact. As such, it has become an important building block for a two-state solution and the maintenance of good neighborly relations between the two-states.

Salam Fayyad's State-Building Strategy

Another most important part of state-building was the reforms introduced under the premiership of Salam Fayyad to create functioning Palestinian state institutions. The working of the various ministries was coordinated and streamlined; a transparent state budget has been created; some initial reforms of the judicial system have been promoted. As important as this strategy was, it disregarded two fault lines: In creating a functioning state apparatus, Fayyad lost the confidence of President Abbas, which eventually led to his dismissal and a slow-down, if not a move away from his reform efforts. Second, Fayyad's tendency was to act unilaterally and disregard the need to seek a negotiated agreement on necessary changes with the Government of Israel.

Remembering that the Israeli state-building effort, before the proclamation of the State of Israel, lasted for twenty-seven years, the Palestinian effort of state-building, partly under more difficult conditions, is relatively impressive. In conclusion: First, Palestinian state-building is a vital

²⁹ See Hirschfeld op.cit. pp. 317-318.

national Palestinian interest and as such has proven to be guardedly sustainable. Second, additional Palestinian state-building efforts have to be promoted both top-down and a bottom-up. Top-down means that coordination and agreement with Israel is essential, as most vital Israeli interests are involved in almost every Palestinian move. Bottom-up means that substantial change has to be achieved on the ground that will create mutual trust, as well as legitimacy for necessary political concessions on both sides. Third, substantial regional and international support and oversight functions are essential.

IV. Why Did Negotiations Seeking a Permanent Status Agreement Fail Repeatedly?

1. Five Failures

Since the conclusion of the Oslo Accords, attempts to reach an Israel-Palestine Permanent Status Agreement that would include "end of conflict" and "finality of claims" failed five times:

The first attempt was the "Beilin-Abu Mazen Understanding", which was concluded on October 31, 1995, five days before the assassination of Yitzhak Rabin. I played a leading role in the negotiations under the oversight of Yossi Beilin and the support of Ron Pundak. Today I am convinced it was the biggest mistake I have ever made, as the paper created the illusion that an "end of conflict" agreement was attainable. Several weeks before we concluded the Understanding, on September 11, 1995, I attended a meeting with Chairman Arafat, together with the former chef de cabinet of Chancellor Kreisky, Ferdinand Lacina. At the meeting Arafat turned to me and remarked that the Permanent Status issues were too difficult and too complex to deal with.³⁰ He gave a similar warning to Yossi Beilin.³¹ When Permanent Status negotiations got to a critical stage, in September 2000, Abbas publicly renounced the Beilin-Abu Mazen Understanding. At the time Palestinian demands went most substantially beyond of what had been agreed in October 1995, which made it evident that the "Understanding" was not worth the paper it was written on.³²

Arafat, maintained a consequent position, asking either for a total Israeli acceptance of all Palestinian demands, in order – possibly – to commit to "end of conflict",³³ or as an alternative he suggested a phased approach. Already several years earlier, during the first premiership of Netanyahu, Arafat refused to negotiate a Permanent Status Agreement. In the summer of 2000 Arafat asked Israel to accept the proclamation of the State of Palestine; to carry out a Further

30 Hirschfeld op.cit. p.375, footnote 113.

31 Ibid. pp.176-177

32 Ibid. p. 245.

33 Arafat met Clinton April 20, 2000. We received a read out of the meeting, which in many ways was pathetic and a dialogue of the deaf. Clinton told Arafat that what was on the table was "everything or nothing" and accordingly Arafat laid out demands that no Israeli government could accept in their entirety. See *ibid.* pp. 232-233.

Redeployment of 11 %, giving Palestine de facto control over 51% of the West Bank territory and establishing a Palestinian municipality in the Arab neighborhoods of Jerusalem. In regard to the territorial issue, Arafat was willing to commit to negotiate the final outcome, while agreeing to disagree on the final outcome, permitting the Palestinians to claim the June 4 cease-fire line as a temporary border.³⁴ Prime Minister Barak did not accept these conditions and thus the second attempt to reach a Permanent Status Agreement in the aftermath of Camp David, in September 2000, failed.³⁵

On December 23, 2000, President Clinton submitted to both the Israeli and Palestinian negotiating teams, what became known as the "Clinton Parameters". Arafat rejected them and Clinton commented:

"...I still had no idea what Arafat was going to do. His body language said no, but the deal was so good I could not believe anyone would be foolish enough to let it go. Barak wanted me to come to the region, but I wanted Arafat to say yes to the Israelis on the big issues embodied in my parameters first... Finally, Arafat agreed to see Shimon Peres... Nothing came of it. As a backstop, the Israelis tried to produce a letter with as much agreement on the parameters as possible, on the assumption that Barak would lose the election and at least both sides would be bound to a course that could lead to an agreement. Arafat wouldn't even do that because he didn't want to be seen conceding anything."³⁶

Similarly the third attempt at Taba, at the end of January 2001, failed.

Olmert's peace proposal of September 2008 met the same fate. The Palestinian claim that it was a "take it or leave it proposal" is not exact. Olmert after the initial rejection sent Ron Pundak to President Abbas, to ask for possible changes. President Bush and Secretary of State Condolezza Rice, asked Abbas to reconsider, but to no avail.³⁷

Finally, Secretary Kerry's attempts of 2013-14 added to the long list of failures.

2. Understanding the Causes of Failure

Historically and politically the different approaches to reach a two-state solution as prescribed by the Arab Peace Initiative on one hand, and by President George Bush's Rose Garden speech on the other, illustrates the fact that no common approach as how to reach a two-state solution has yet been

34 This proposal of Arafat was given to me and Boaz Karni by Hanan Ashrawi and was rejected by Barak. The same evening Arafat and Barak met and the same idea was again proposed and rejected. See: *ibid.* pp. 246-247.

35 The failure of the Camp David Summit had been predictable. On the eve of the opening of the Camp David Conference I phoned my sister and told her that Barak was jumping from an airplane without a parachute. See: Hirschfeld op.cit. Chapter Seven: "The March of Folly: Ehud Barak's Attempt to Conclude a Permanent Status Agreement, May 1999-February 2001; pp. 221-260.

36 Bill Clinton, *My Life*, New York, Random House, 2005; p. 944.

37 Condolezza Rice, *No Higher Honor: A Memoir of My Years in Washington*; Random House, New York 2011; pp. 723-724.

established. The Arab States and the leadership of the PLO demand in essence an Israeli up-front commitment to accept an almost complete withdrawal to the June 4, 1967 cease-fire lines, the establishment of a Palestinian capital in Jerusalem, and more than mere symbolic moves in order to implement the Palestinian "right of return" of the refugees. Whereas, more radical Palestinian groups, particularly the Hamas, reject Israel's right of existence, while they might be willing to accept some temporary compromise solutions.

The United States and Israel – among those who support the concept of a two-state solution – envisage by and large a gradual and phased process. During the fourteen years that have passed since the publication of the Arab Peace Initiative and the Bush approach to a two-state solution, this gap was not narrowed, but rather widened.

Israeli past fears that a Palestinian state will become a harbinger for Palestinian or Arab military or terrorist aggression against Israel have, due to the second intifada, Israel's experience gained by withdrawing from South Lebanon, and later from the Gaza Strip, and the more recent destabilization in the Middle East, been reinforced. Ongoing Palestinian terror acts, if even only committed by individuals, steadily reinforce this fear. The common reality based knowledge in Israel is that any peace agreement with Palestine will by no means put an end to terror. ISIS, other jihadist movements, Hezbollah, Hamas and last but not least Iran, who all publicly committed to the destruction of the State of Israel, will try to undermine the Israeli-Palestinian peace.

Another Israeli nightmare, would be the emergence of Palestine as a "failed state"; an eventuality that can hardly be excluded. Destabilization in Palestine could all too easily overflow to the East, and threaten the stability of Jordan; or spill over to the West, and undermine security, law and order in Israel, either by terror, or by criminal action.

As a two-state solution does serve Israel's national interest to maintain its Jewish-democratic character and create peaceful relations not only with the Palestinian people, but similarly with other Arab and also Islamic states, cautious headway in a phased controllable process appears to be imperative. Israel's realistic policy choice is not between signing and not signing a Permanent Status Agreement with the Palestinian Authority, but either to engage in a phased process on the way toward an agreeable two-state solution or to try to pursue a policy of crisis management along the lines of the present status quo.

On the other side, the Palestinians fear that any phased process will leave them in the end with a truncated and bifurcated Palestinian state, with limited sovereignty over its own territory.

So far, the gap between these two positions has not been bridged, largely due to the following reasons:

1. *The Destructive Repercussions of Double Asymmetry*

The first asymmetry relates to the uneven Israel-Palestine power relationship. Israel's military power, its economic

prosperity and income and its control of Palestinian affairs, creates a very dangerous sense of Israeli superiority, causing the Israeli side all too easily to over-estimate its own negotiating position, and causing the Palestinian side, to fear Israeli bullying.

This first asymmetry is being matched by a second asymmetry, which makes the Palestinians believe that geo-politics, demographics and time, are working in their favor. It is being assumed that the Palestinian people and leadership are and will be capable in the future of mobilizing not only the Arab world but most the world's Islamic population. The geo-political situation makes it evident that Israel cannot for decades to come remain an isolated beleaguered island, armed to its teeth, in the Middle East. Demographics clearly indicate that Israel will not be able to maintain a Jewish majority by maintaining the occupation of the West Bank and Gaza and time will enable the Palestinians sooner or later to overcome Israel's qualitative (educational) edge and build regional and global coalitions against the Jewish state.

The double asymmetry creates a dangerous dynamic. The Israeli side is afraid of Palestinians switching repeatedly from negotiations to violence. It is aware of the wider regional support for the option of violence and armed conflict, and is thus hesitant about making far-reaching concessions and giving up strategic assets that would be needed in conflict. Those on the Palestinian side, aware of their power to withstand pressure, do not see the need to settle for less than what they perceive to be minimally fair.

2. *The Questionable Wisdom of Seeking "End of Conflict"*

Sometimes politicians tend to create hurdles that are too high to overcome. Many conflict resolution processes have been relatively successful without demanding the one or other side to commit to "end of conflict". The peace process in Northern Ireland offers a clear example. There, even agreement on the final end game has not been achieved, but rather a commitment of both sides to solve the ongoing conflict, by agreed procedural and democratic means.

The need for Chairman Arafat to sign an "end of conflict" agreement and "finality of claims", frightened him and contributed to his remark that he would be assassinated if he were to sign the proposed agreement. This is even more evident for President Abbas. To commit to "end of conflict" Abbas would have to satisfy the essential demands of three different Palestinian groups: the Palestinian inhabitants of the West Bank and Gaza, the Palestinian Diaspora and the Palestinian Arab citizens of the State of Israel. To obtain the support of the West Bank and Gaza Palestinians, any territorial concession is conceived as failure; to obtain the support of the Palestinian Diaspora, Abbas could not compromise on the "right of return"; and in order to take care of the interests of the Palestinian Arab citizens of the State of Israel, he could not accept

the Israeli demand to recognize Israel as the state of the Jewish people.

On the Israeli side, the unrealistic promise to achieve "end of conflict" was offered to explain what most Israelis perceived as far-reaching concessions. The "end of conflict" concept created the need for a destructive "everything or nothing" approach that has repeatedly ended with "nothing", leaving any agreement dependent on solving all outstanding core issues of conflict.

Probably even worse, the "end of conflict" concept in substance sustained the slogan that "President Abbas was no partner". True enough, he was and is no partner for an "end of conflict" and "everything or nothing" approach, which ruled out other options of moving towards a two-state solution, an approach which interests both sides.

3. *The Danger of Underestimating the "Price for Peace"*

Aiming to deal with all outstanding core issues of conflict, the "price for peace" both sides have to pay remained substantial. The Palestinian refugees were in essence asked to give up their right of returning to their former homes; the Israeli settlers were asked to give up their dream of residing in Judea and Samaria and fulfilling what they believed was God's demand. On security issues, the Palestinians were asked to give up substantial components of their own sovereignty, while Israel was asked to withdraw from territories that offered a certain strategic depth for the defense of Israel's population centers between Ashqelon and Haifa, which would be vulnerable to attack if violence recurred. Failure became a foregone conclusion as long as those groups, who had the most to lose by a Permanent Status Agreement, were neither brought on board, nor effectively marginalized.

4. *The tendency of the Peace Negotiators to Ignore the Religious Leadership on Both Sides*

In 2006, the Spanish Government organized a 15-year anniversary of the Madrid Conference. At that occasion, the Israeli and Palestinian delegations were invited to a reception with the King and Queen of Spain who received us graciously and after an initial speech mingled among us. At the occasion, small snacks were served, including various forms of pork and bacon. The problem was not the faux pas of the Spanish Court; the problem was rather the fact that neither the Palestinian nor the Israeli negotiators, cared that the delicious snacks were neither kosher, nor halal.

On both sides, Yossi Sarid on the Israeli side, and Yasser Abed Rabbo on the Palestinian side, in referring to the peace process, raised the flag of secularism and hereby tended to alienate a majority of Israelis and Palestinians who cherished strong religious and traditional sentiments.

The four issues discussed represent the major strategic reasons that have caused the repeated failure of

negotiations. In addition, many tactical mistakes were made, which have to be avoided in future negotiations.³⁸

V. The Enabling Conditions to Promote an Israel-Palestine Two-State Solution

In order to identify the enabling conditions, particularly for Israel, but also for the Palestinians, it is useful to review experience gained during the Oslo negotiations and compare, what to do and what to do differently.

1. What to Do?

Understanding the "Need" for Fifteen Years of Failure:

When the European Union commissioned me to write a research paper, which eventually became the blue-print for the Oslo negotiations,³⁹ I had had the privilege of learning the lessons from fourteen years of failed negotiation attempts – aimed at defining an agreement on Palestinian self-government. This experience led to success. One should remember Churchill's sarcastic remark saying that "American foreign policy would always be rationale, but only after all other alternatives have been exhausted". In negotiations aiming to overcome particularly prolonged conflicts, the process of testing possible "irrational" outcomes is almost obligatory, as each side wants to obtain the optimal outcome. Only after having tested various options that do not work, and extracting from each of them, one or more constructive elements, is it possible to define and reach achievable common ground.

After the Camp David Accords were signed in 1978, we experienced repeated failures. The attempt to reach an agreement in Israeli-Egyptian negotiations failed at the end of 1981; President Reagan's Peace Proposal of September 1982 failed; another attempt to reach an Israeli-Jordanian understanding by concluding the London Agreement of 1987 also failed; so did the attempt to reach an understanding with the Palestinian "inside" leadership, first in 1989-90, and again during the Washington talks after the Madrid Conference. However, important elements of each attempt were adopted in the concept that was finally concluded and agreed upon.

Aiming to reach an Israel-Palestine two-state solution today, we again have the privilege of being able to learn from repeated failures: Seeking an end of conflict agreement failed repeatedly; the concept of the "Performance-Based Roadmap to a Permanent Two-State Solution in the Israeli-Palestinian Conflict" similarly failed.⁴⁰ So did the attempt to

38 For a discussion of tactical mistakes, see Hirschfeld, chapters seven, eight and nine.

39 Yair Hirschfeld, Israel, the Palestinians and the Middle East: From Dependency to Interdependence; September 1992; unpublished policy paper; the content of the paper is being summed up in Hirschfeld op.cit. pp. 100-106.

40 For the text see Muasher op.cit. pp.283-290; for a description of the diplomatic activities and the motivation in developing the concept of the Roadmap see: ibid. chapter five, pp. 134-175.

initiate the concept of Unilateral Disengagement.⁴¹ In seeking to move forward on the way toward an Israel-Palestine two-state solution, it is essential to extract from each one of these attempts, elements that both parties need in order to agree.

A decisive enabling condition for success is to prevent failure to turn into despair, but rather turn failure and the related suffering into determination and hope. Optimally this is the task of leadership. As a backstop this is the task of civil society.

Defining (Accurately) the Zone of Possible Agreement

An obvious precondition enabling leaders and negotiators to define the Zone of Possible Agreement is to have an in-depth understanding of all issues of disagreement. In preparing the Oslo concept I received from Hana Siniora, who in 1985, had been appointed by Arafat as possible negotiator, a detailed description of the diverging Israeli and Palestinian positions on each issue related to the self-government negotiations.⁴² As both Rabin and Arafat perceived the establishment of Palestinian self-government as both a separate and a shared interest, headway was possible. Understanding the difficulties offered a way forward by adopting the principle of gradualism; i.e. moving forward step-by-step in a well-controlled and pre-described process.

While seeking a two-state solution, a majority of Israelis and a majority of Palestinians will tend to agree that the creation of a successful, prosperous, responsible and contiguous State of Palestine is potentially a shared interest. In this context, the question the negotiators ask provides a key to identifying the Zone of Possible Agreement. If the question asked is: How can all core issues of conflict between Israel and the Palestinians be solved? – Experience has shown that there is no Zone of Possible Agreement. However, if the question asked is: How can a successful, prosperous Palestinian state be established that will live in good neighborly relations with Israel and its other neighbors? – A substantial Zone of Possible Agreement can be identified.

Identifying the Deal-Making Element for Both Sides

The Oslo negotiations were successful, as the deal-making elements were identified mostly at the beginning. For Arafat, the decisive dealmaker was the offer to return from Tunisia to historical Palestine, as well as the willingness of Israel to recognize the PLO. For Rabin, the decisive dealmaker was the concept of gradualism, which permitted the Israeli government to maintain effective control mechanisms, i.e. the source of authority, and maintain the civil administration, and the military government (which according to the Camp David Accords was meant to be withdrawn).

I argue that similar dealmakers can now be identified in the effort to move forward toward a two-state solution. President Abbas and the Palestinian inhabitants of the West Bank and

Gaza need an irreversible commitment of Israel for reaching a two-state solution. Thus, such an Israeli commitment, in the form of phased recognition of the State of Palestine, enabling negotiations to be pursued between two states – with no recognized border between them, has the potential to become a dealmaker, leading to full recognition, when agreement on territory and the border shall be achieved. Prime Minister Netanyahu or any other Israeli leader will need in return, as Rabin did, to maintain control mechanisms of an envisaged process.

In order to support such an approach both sides will need substantial political, security, economic, technical and moral support from the international community, and even more so, from the Arab states in the region.

2. What to Do Differently?

The Need to Manage Expectations Realistically

In trying to sell the Oslo Agreement to the Israeli public, Rabin and Peres oversold it, claiming that they had achieved a peace agreement, which the Oslo Accords never were. The Oslo Accords described an agreed process how to pursue a common search for conflict resolution. Benny Begin, in an interview to Connie Bruck in 1996, clearly indicated that this mistake would make it possible for the Likud to effectively oppose the Oslo Concept.⁴³

In the present context it would be a mistake to argue that headway in the peace process will end terrorist attacks and thus create personal security to Israel's citizens. The likelihood that Iran will instigate terror acts, that ISIS, various jihadist groups, Hezbollah and Hamas will try to do so – mainly in order to stop the peace-finding process, or that individual acts of terror will continue, is very high.

Expectations can be tuned down to realistic aims, strengthening the Jewish-democratic identity of Israel; improving relations with neighboring countries; overcoming trade boycotts, and most important creating security alliances and a joint regional and international struggle against terror.

The Need to Create an Effective Policy against Spoilers

Rabin's slogan that he would fight terrorism, as if there were no peace negotiations, and he would pursue peace negotiations, as if there was no terror, was a mistake. The outcome of this approach was detrimental on two accounts: First, the continuing and escalating acts of terrorism brought about a dwindling of popular support for Prime Minister Rabin, contributing to the public atmosphere that led to his assassination. Second, the commitment to negotiate in spite of Palestinian terror acts created neither a stick nor a carrot incentive for Arafat to take effective action against Palestinian terrorism. Under present conditions, Israeli-Palestinian security coordination alone, is not good enough, as the Palestinian Authority even together with Israel, is not capable to stop terrorist acts, which plague the entire region, as well

41 See Dov Weissglas, Arik Sharon –Rosh-Hamemshala – Mabat Ishi (Sharon-A Prime Minister) Tel Aviv, Yedioth Ahronot, 2012.

42 Hana Siniora's document is printed in Hirschfeld op.cit. pp. 102-103.

43 See Connie Bruck, The Wounds of Peace, The New Yorker, November 14, 1996.

as Europe and the United States. Hence, what is asked for, is to build an effective regional and global coordination and cooperation structure to deal – as effectively as possible – with all the features of terror: incitement, the production and smuggling of arms, the movement and training of terrorists, and effective preventive action.⁴⁴

Most evidently, in parallel, decisive action against Jewish terror and hate crimes, have to be taken by the Israeli Government.

The Need to Get Opponents on Board and/or to Marginalize Them

In pursuing the Oslo process, two (overlapping) groups – the religious leadership and the settler community – were, with devastating results, largely ignored. Permanent Status negotiations under Prime Minister Barak also alienated Israel's Palestinian Arab community. Ignoring and alienating stakeholders threatens any negotiating process.

Working With and Not Against the Settler Community:

The settler community are undoubtedly the group to pay the major price in order to enable a two-state solution: they will have to give up their ideological commitment to Eretz Yisrael (the Land of Israel), and quite a few will have to pay a high personal price – to move out of their present homes – either into settlement blocs – or move West of the June 1967 cease-fire line. Estimates about the internal division of the settler movement indicate that about twenty percent favor a two-state solution; almost sixty percent may lean either way, largely dependent on whether they themselves will have to move, or not; and about twenty percent of the settlers oppose progress toward a two-state solution, although among them are those who will obey and go along with any government decision, while calling for civilian resistance. The remainder will most likely struggle – probably violently – against any headway toward a two-state solution.⁴⁵

In order to create enabling conditions for obtaining at least passive support of the settler community five measures seem essential:

- To refrain from demanding a total settlement freeze, as such a step lumps all different groups together. The great majority of settlers live in urban areas very close to the 1967 cease-fire line. These include religious-orthodox (haredi) settlers who politically tend to identify with Shas, whose support for the envisaged peace process is essential.
- On the basis of the principle "what has been agreed upon shall be implemented" to negotiate balanced quid pro quo understandings that will on the one hand legalize settlement activity in specific areas, and on the other hand clarify from where settlers will have to be relocated/evacuated.

- To make necessary provisions for settlements that will have to be relocated; to build their alternative residence, before asking them to move, thus enabling these families to move from one home to another.
- To formulate a code of conduct with the settler leadership (the ideological leadership, the heads of regional councils, and the rabbinical leadership) to allow for political and civil protest action, while maintaining the full commitment to observe government decisions; and
- To take necessary action to deter settler violence.

In order for these tactics to succeed two additional measures are essential: emerging change on the ground, enabling Palestinian state-building particularly in Area C that will create a reality to be accepted; and keeping the number of settlements and settlers who will have to be evacuated at a minimum, seeking a variety of solutions for permitting the majority to remain in their present homes, while undertaking an Israeli governmental commitment to refrain from confiscating Palestinian land.

Working with and Not Against the Religious Leadership

For both Israel and Palestine at least the passive support of the Jewish and Muslim religious leadership will be essential. Presently two different dialogues are being pursued: an internal Jewish dialogue with rabbinical leaders aimed at asking them to take responsibility in supporting a realistically achievable peace process; and a parallel Jewish-Islamic dialogue aimed at defining common ground and coordinated action.⁴⁶

Bringing Israel's Palestinian Arab Community on Board.

This will have to occur on several levels: the Israeli Palestinian political leadership has been in the past as well as more recently in secret mediating missions between the Israeli Prime Minister and Arafat or Abu Mazen. (Ahmed Tibi undertook such a task for PM Rabin, Aiman al-Oudeh for PM Netanyahu). On the wider socio-political level it will be essential to build joint Jewish-Arab coalitions in support of seeking together a two state solution. A wider process of Arab elite formation in Israel which is underway, will constitute another socio-cultural, socio-economic, and socio-political pre-condition for bringing the Palestinian Arab Community of Israel on board.⁴⁷

3. The Emerging Dilemma for the Palestinian People and Leadership

The present political position of President Abbas is largely in line with the concept laid out in the Arab Peace Initiative of March 2002: seek to obtain from the international community sufficient support to assert pressure on Israel to accept upfront the contours of a permanent settlement agreement. Pursuing this approach, Abbas has shown flexibility in regard to the process of implementation, but no flexibility in regard to the asked for final outcome.

⁴⁴ See Ron Shatzberg's article in this publication for more details.

⁴⁵ These findings are based on a private unpublished poll that has been carried out by Othniel Schneller in 2014.

⁴⁶ See the article by Ro'I Ravitzky in this publication.

⁴⁷ For more details, see that article by Kamal Hassan in this publication.

I believe this is an understandable but realistically untenable position. The Palestinian leadership has a vested interest in convincing the international community, not to pursue the paradigm of "end of conflict", but to seek a most pragmatic paradigm, for which they possess sufficient legitimacy to come to terms with Israel, and bring about the "end of occupation." Abbas and/or his successor have all the necessary legitimacy internally, regionally and internationally, to ask for a territorial agreement that will end occupation and establish a contiguous and not a truncated Palestinian State. Evidently this will have to be achieved in such a way, as to take care of Israel's essential political and security interests, in a controlled process, necessary to reach good neighborly relations.

If Abbas and/or his successor will sustain the "everything or nothing" approach, I am afraid that Palestinian rejection will be eventually perceived by the international community as recipe leading to a continued stalemate, causing hereby passive support to incitement, or worse, involvement in terror. This is a dangerous fault line the Palestinian Authority might not want to trespass. It would repeat the mistake of 1990-1991, when Arafat sided with Saddam Hussein's aggression against Kuwait, and against a widely united coalition of the international community and most Arab states.

Only rejectionist tendencies of a right wing Israeli government might save the Palestinians from being held responsible for trespassing the fault line between those countries opposing terror, and those passively or actively supporting it.

A constructive Israeli governmental policy committing to gradual and controlled progress toward a peaceful Israel-Palestine two-state solution, living in good neighborly relations one beside the other, would make a change of the present rejectionist approach of President Abbas untenable and vice versa, a pragmatic approach of President Abbas would leave Netanyahu with no excuse not to move forward on the path toward a peaceful two state solution.

4. The International Community: Policy Requirements and Repercussions

There are voices among the international community who tend to ignore the remark of Albert Einstein that when an experiment has failed four to five times, repeating it another time is senseless. These voices tend to stick to the concept of "everything or nothing" and still advocate the paradigm of solving all outstanding core issues of conflict, in order to reach a commitment on "end of conflict" and "finality of claims". In doing so, they keep both the Palestinian and the Israeli leadership in the "comfort zone" of maintaining a rejectionist policy. For internal political reasons, this has advantages for Prime Minister Netanyahu on one side, who can claim that "the world is all against us" and pose as the sole defendant of Israel's inalienable rights. And it has similar political advantages for President Abbas, as he can maintain his position of "everything or nothing".

As a matter of fact the recent Quartet statement of July 1, 2016⁴⁸ has made an effort to get both the Israeli and Palestinian leadership out of their comfort zone, and made essential preliminary demands to introduce political change on both sides of the divide: demanding the Palestinian Authority to stop incitement, and demanding Israel to change drastically the settlement policy and the preclusion of Palestinian development in Area C.

Further action of the international community should involve:

- Develop in a dialogue with the parties a gradual approach towards the achievement of a two-state solution.
- Encourage the parties to work out understandings in regard to territory, settlements security, economic and civilian state-to-state relations, on the basis of "what has been agreed upon shall be implemented."
- Assist the parties to develop together with the neighboring Arab states an effective "control and command" structure to fight against all forms of violence, incitement and terrorism.
- Mobilize regional and wider international support for creating an independent physical infrastructure of the emerging Palestinian State, coordinated with Israel in order to create supportive conditions for good neighborly relations. This should definitely include a commitment to the indivisibility of the West Bank and Gaza, as integral parts of the State of Palestine. In dealing politically with Gaza it will be essential to develop a fully coordinated position between the Government of Israel, the Palestinian Authority in Ramallah, the Government of Egypt and obtain further support from Saudi Arabia, other Arab Gulf States (with the exception of Qatar) and Jordan.
- Define in agreement with the parties, an effective international oversight mechanism, to hold the parties responsible for implementation of commitments made. In this context various approaches may be tested. On security issues it may be advisable to permit the USSC (United States Security Coordinator) to review progress and work with the parties together in order to move forward. Another option would be to create a joint working group between Israel, the PA, Egypt and the United States (as referred to in the Agreement of Movement and Access of November 2005) to deal with security issues. Regarding economic issues, the AHLC (Ad Hoc Liaison Committee) may assert a well mandated review function. Another option would be to create (in line with the French Initiative) a joint committee, which would report periodically to an agreed international forum. In regard to the political process, the Quartet powers, (USA, EU, Russia and the UN) will have to assert a reviewing, supportive, and correctional role.

⁴⁸ Report of the Middle East Quartet, July 1, 2016: see: <http://reliefweb.int/report/occupied-palestinian-territory/report-middle-east-quartet-july-1>

- Assist the parties to define an agreed mechanism, as how to permit both sides to continue to work together, while "agreeing to disagree" on various issues; and assist the parties to establish a mechanism for resolving disputes that will either come up, or will remain. Such a mechanism will have to be negotiated between the parties.
- Assist civil society on both sides of the divide to act as a backstop, to maintain in the public awareness the concept of mutual interest and partnership for a two-state solution and promote an ongoing process of civilian reconciliation.

VI. The Bad Case Trajectory

I have argued in the past "there is no alternative to peace". Unfortunately this is not true. There are many alternatives: maintaining a more or less volatile status quo, mutual violence and war. An alternative to courageous and innovative action will always be non-action. At the present point of time, the most realistic trajectory is one or the other of these negative options. Europe is too occupied with the refugee problem and Brexit; the United States has yet to decide in what direction

to move, while its international role in the Middle East is by American intent, as well as by default, diminishing.

The Israeli and Palestinian narratives of what has happened during the last three decades seem to be non-bridgeable, although largely symmetric, and the political process for the succession of Abbas and Netanyahu, will tend to prevent the adoption of rationale policies on either side.

In spite of all of this, the concept and idea of a two-state solution has been remarkably resilient. The sequence outlined by President Obama in his speech at the memorial service in Dallas: suffering causes perseverance – perseverance causes character (and determination) – character and determination creates hope, may well have to be repeated.

Israel has a strategic interest to build regional alliances with its Arab and Muslim neighbors, a fact that Prime Minister Netanyahu is well aware of. For the time being the Palestinian leadership still holds the key for success in this endeavor. A joint bilateral and multilateral strategic brainstorming effort, optimally on track one, but also on a track one and a half (non-officials with officials participating) has the clout to show the way forward.

Factors that Help / Enable Progress towards a Two-State Solution – The Security Area

Ron Shatzberg

Introduction

This paper will attempt to point to the factors that both help and hinder progress towards the two-state solution, exploring the issue through the prism of security. Ensuring the security of Israeli citizens is a sine qua non for all Israeli leaders, and a prerequisite for any progress towards the two-state solution. At the same time, the Palestinian Authority contends with internal criticism because of its difficulty in providing personal security for its citizens. Since the signing of the Interim Agreements in 1995, security issues have been the key factor in shaping political reality. The Second Intifada (2000-2004) and the violent struggles that periodically erupted both before and after it have had a crucial impact on the degree to which the parties have been able to enter negotiations and mobilize public support for the idea of two states. Mapping the conditions that enable or hinder security may help foster an understanding of how to move forward toward a permanent solution. The complex dynamics and internal processes experienced by the two peoples, as well as the involvement of the international community, have had a profound impact on the development of conditions that make negotiations possible. Based on past experience, it is clear that situations involving escalation and confrontation impede progress towards a solution, even if the parties are in the midst of negotiations. Furthermore, extremists on both sides are aware of this, and consequently try to sabotage the negotiations by attempting to divert the parties onto the path of violent confrontation. These “spoilers” are well aware that negotiators depend on public support, and will do whatever they can to employ public opinion to disrupt negotiations and cause them to fail.

Palestinian security apparatuses

In accordance with the interim agreements (Oslo), the Palestinian Authority maintains several security forces that are not quite on the level of an army, but which can engage in law enforcement and contend with issues of internal security.

The Palestinian security forces consist of seven main apparatuses:

1. The National Security Force (NSF) – This is the infrastructure for the Palestinian military force. Its mission is to maintain internal security and the stability of the regime.
2. The Civil Police – This is the central apparatus for the maintenance of law and order. Its main role is to address the needs of the local population. With about 8000 police officers, the Civil Police Force is the largest and most modern of the PA's security forces. It fights crime, enforces

traffic laws, engages in patrols, and reinforces other security units.

3. The Preventive Security Service – This is an apparatus for gathering intelligence within the Palestinian Authority. The Preventive Security Service focuses on fighting Hamas and other opposition elements in the West Bank.
4. The Presidential Guard (Force 17) – The Presidential Guard is directly subordinate to Abbas, and its role is to provide security for the Chairman and other senior PA officials. However, the Presidential Guard is also frequently used to fight Hamas and the Islamic Jihad. Numbering about 5000 soldiers, the Presidential Guard is also used to subdue protests.
5. The General Intelligence Service – This is an intelligence-gathering apparatus that acts outside the territories of the PA. It numbers about 4000.
6. Military Intelligence (MI) – MI is responsible for internal security in the security apparatuses.
7. Emergency Services and Rescue (Civil Defense) – These are subordinate to the PA Chairman.¹

Security cooperation between the IDF and the Palestinian security forces

The Interim Agreement between Israel and the Palestinians signed on September 28 1995 attributed great importance to security cooperation between the IDF and Palestinian forces, as reflected in the “Protocol on Redeployment and Security Arrangements.”² The relationship between the IDF and the Palestinian security forces in the West Bank has seen ups and downs, notably a number of phases: The **first phase** from 1995 to the Western Wall tunnel events in September 1996 – trust building. At this stage, the parties began to build trust and successful cooperation, and to engage in high-level implementation of the rules as detailed in the security protocol. The **second phase** – the Western Wall tunnel events were a crisis point, as this was the first time members of the Palestinian security forces opened fire on IDF soldiers, taking a toll in IDF lives. From this point forward, the Central Command headed by Gen. Moshe Yaalon took an approach that required the IDF to prepare for a possible all-out confrontation between the parties, although the security coordination mechanisms remained in effect, albeit burdened by increasing mutual suspicion. The third phase began with the eruption of the Second Intifada in September 2000, and even more so with the launch of Operation Defensive Shield

1 T. Croitoru, “Timeout in Judea and Samaria,” *Maarchoth* 445, October 2012, p. 44.

2 See: <https://www.knesset.gov.il/process/docs/heskemb2.htm>

in March 2002. This continued until the election of Mahmoud Abbas as president of the Palestinian Authority in 2006. At this stage, security coordination between Israel and the PA completely fell apart, and the IDF began to engage in regular incursions into Area A to take counterterrorism measures, which (according to the Interim Agreements) were under Palestinian security control. The fourth stage started in 2006. Several factors may be noted as having led to a significant reduction in the volume of terror and to a gradual increase in the level of security coordination: the election of Abu Mazen, who implemented a consistent policy of combating violent resistance against Israel, and the struggle of the PA and Fatah against the Hamas, which was perceived after the elections in 2005 and the takeover of Gaza in 2006 as a political threat to the PA headed by Mahmoud Abbas. This marked the beginning of IDF and PA collaboration against the Hamas, perceived by both as a common enemy. In addition, a number of changes on the Israeli side resulted in improved security and a significant decrease in the number of terrorist attacks: the construction of the separation fence, which hindered the crossing of terrorists into sovereign Israel and enabled the IDF to implement a policy that differentiated between civilian population and terrorist elements by means of containment of the West Bank; a substantial improvement in IDF intelligence capabilities; a reduction in the massive use of tanks and armored personnel carriers, as well as a reduction in the implementation of policies involving clampdowns and closures of Palestinian communities.³ All these brought about a gradual resumption of security coordination between the IDF and Israel's other security agencies (the ISA and the police) and the Palestinian security forces.

Security coordination – Update

The security situation in the West Bank over the past decade may be defined as stable but tense. In terms of casualties and fatalities, there has been a dramatic decline in the number of Israeli and Palestinian casualties when compared to the Second Intifada in the early 2000s. According to ISA figures, 632 Israelis were killed in the five years of 2000-2005, and 143 Israelis were killed in the eight years of 2006-2013. The figures for the Palestinians show that in 2000-2008 there were 4791 Palestinians fatalities (of whom 1793 were killed in the West Bank), and in 2009-2015 there were 784 Palestinian fatalities (of whom 238 were killed in the West Bank).⁴ After the Second Intifada several escalations occurred, mainly in Gaza (Operation Cast Lead in 2008-2009, Operation Pillar of Defense in 2011, and Operation Protective Edge in 2014), at which time the security coordination between the IDF and the ISA with the Palestinian security forces was not discontinued. During these events, the Palestinian security forces served

³ Colonel Oren Avman, "The strategy of separation – The operative index: The example of Northern Samaria, *Maarachot*, June 2006 <http://maarachot.idf.il/PDF/FILES/7/112137.pdf>

⁴ The figures are from B'Tselem <http://www.btselem.org/statistics/fatalities/before-cast-lead/by-date-of-event>

to calm the situation and quelled extensive riots in the West Bank. They also continued to maintain security coordination even during events involving escalation that originated in the West Bank, such as the abduction of the three boys and Operation Brother's Keeper in 2014, and the "Knife Intifada" in 2016. At the same time, the Palestinian security forces had to contend with Palestinian public opinion that opposed security coordination, viewing it as a symbol of the humiliation of Palestinian national dignity.

Security coordination apparatuses

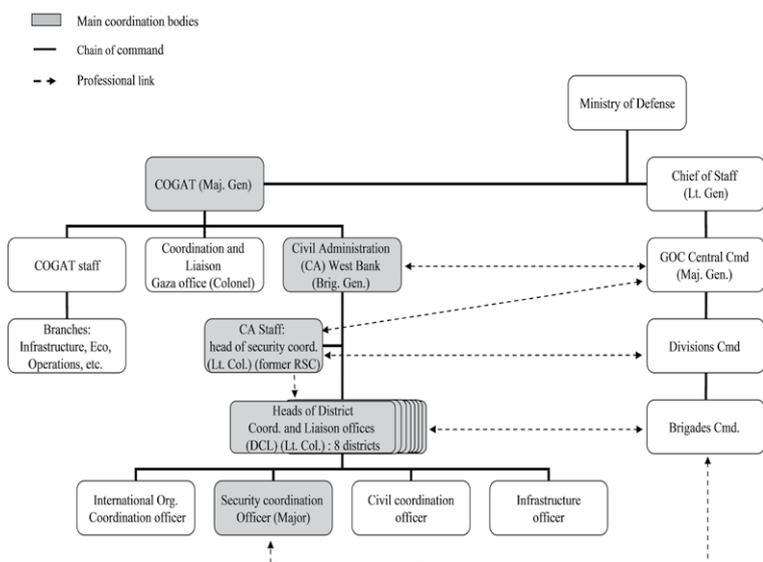
Military coordination – May 4 1994 saw the signing of the Cairo Agreement. The security annex to the agreement specified a procedure for the establishment and operation of an Israeli-Palestinian security-coordination apparatus. Subject to the agreement, apparatus headquarters were established, involving a Joint Security Committee (JSC), a Regional Security Committee (in the Gaza Strip), a Regional Security Committee (RSC), and three District Coordination Offices (DCO) – two in the Gaza Strip and a third in Jericho. On September 28 1995, the Second Oslo Agreement was signed in Washington, setting in motion the establishment of seven additional regional coordination offices in districts of the West Bank. This mechanism worked reasonably well until Operation Defensive Shield in March 2003, serving as a buffer that maintained regular communications between the security bodies. Upon completion of the IDF operation, the IDF decided to discontinue the security cooperation and dismantle the coordination apparatus, whereas the Palestinians continued to maintain their parallel apparatus mainly due to the need to continue to pay salaries to their people. Resumption of security cooperation began only after the Second Intifada ended, and responsibility for it was transferred to the Coordinator of Government Activities in the Territories (COGAT), which maintains a security coordination cell in each Coordination and Liaison Administrations (CLA) in the different sectors of the West Bank. Each CLA is under the command of an officer with the rank of major, who works with the Palestinian coordination apparatus, and a Palestinian National Security Force (NSF) commander, who is responsible for the sector.

According to the agreements, Palestinian forces are responsible for security in Area A (20% of the West Bank, mainly areas that include Palestinian cities and towns and their environs). Consequently, they may operate freely there, while the IDF may not deploy forces in these areas. In Areas B (20% of the West Bank), Palestinian forces are required to coordinate security in advance, excluding a number of towns where Palestinian police stations have been set up, where they may operate freely. Any movement (in uniform and carrying arms) of Palestinian forces in area C (60% of the West Bank) requires prior coordination with the IDF. Starting with Operation Defensive Shield in March 2002, the IDF no longer upholds the Interim Agreement and enters Area A to engage in counterterrorism measures. In these cases, most of which occur at night, Palestinian forces are informed in real time and (according to the agreement) the IDF briefs the police stations in order to avoid friction

Developing an Israeli Grand Strategy toward a Peaceful Two-State Solution

and prevent undermining interoperability between IDF and Palestinian forces. Each incursion of this kind is perceived by the Palestinians as a humiliating event that subverts the legitimacy of the Palestinian security forces in the eyes of the Palestinian public.

The structure of the security coordination



The structure of the security coordination apparatus

Coordination between the intelligence agencies – A major element of the security coordination, conducted generally behind the scenes, is intelligence coordination between intelligence agencies on both sides. On the Israeli side, the ISA is the main entity responsible for intelligence gathering, and it works with its counterparts on the Palestinian side: the Preventive Security Service and General Intelligence. Intelligence coordination is complicated due to the fact that the ISA also uses human intelligence (HUMINT), meaning Palestinian operatives who transmit information to their Israeli handlers. As long as the intelligence gathered serves the interests of both sides, a certain level of coordination and exchange of information is maintained. However, there is a large area involving matters regarding which the interests of the two apparatuses do not coincide. The ISA is exceedingly careful not to share intelligence with PA apparatuses in certain cases, lest they expose sources, and in other cases out of concern that the PA would have difficulty acting against those parties. Nevertheless, there have been cases in which intelligence information was transferred and the Palestinians took action to thwart terrorist activities.

International involvement in training Palestinian forces

Two international bodies have been active for more than a decade in training Palestinian security personnel and enhancing

the capabilities of the Palestinian security apparatuses. In 2005, General Keith Dayton was appointed as United States Security Coordinator in the Palestinian Authority (USSC), and he began training the Palestinian national security forces with a team comprised mostly of American, British, Canadians and even Turkish officers. In the last decade, 14 national security battalions have been trained at the Jordan International Police

Training Center (JPTC) located in Jordan to contend with the tasks of maintaining order and controlling riots. The apparatus also currently helps with the procurement of equipment and the continued training and organization building of the force. At the same time, in 2006, a mechanism was established for training and instruction of the civil police force in the PA by the European Union, the EU Coordinating Office for Palestinian Police Support (EUPOL COPPS). The activities of these two organizations assist the PA in training security forces to take a more professional approach, enhancing their ability to carry out their duties and gain the trust of the Palestinian public, and also helping to bolster the Israeli's level of confidence in the capability of the Palestinian security forces.

The challenges of security coordination

The basic anomaly – Security coordination is maintained as part of an anomalous situation by which Israel continues to control many aspects of the life of the Palestinian population as it works to secure the day-to-day lives of the settlers living in the West Bank. This situation presents both sides with a reality that does not allow cooperation on an equal footing, and creates a sense of ongoing and mounting frustration on the part of the Palestinians, particularly in the absence of political negotiations and the assurance of prospects for a long-term solution. Some argue that in the context of the Interim Agreement, Israel tried to exercise its security interests, whereby the Palestinian security forces would operate against the terrorists that belong to groups opposed to Israel – Hamas, Islamic Jihad, the Popular Front or any other terrorist organizations. The Palestinian public is opposed to Palestinian security forces serving Israeli interests, and attempts of the PA to present the cooperation as being in the Palestinian national interest have met with opposition among large swathes of the Palestinian public.⁵

Lack of internal legitimacy – The PA's security services are perceived by the Palestinian public as serving the interests of the Israelis. Arrests of Hamas operatives, who execute or plan to execute terror attacks in Israel, as well as IDF incursions into Area A, are viewed by the Palestinian public as collaboration with the "Israeli occupation". The degree of legitimacy accorded to the Palestinian security services also depends on the degree of legitimacy accorded to the PA itself, and as the latter diminishes, the legitimacy of the former diminishes along with it.

⁵ Roland Friedrich, Security Sector Reform in the Occupied Palestinian Territories, Palestinian Academic Society for the Study of International Affairs (PASSIA), Jerusalem, November 2004, p. 23.

Inaccessibility of service – Because of the agreements and the current situation, police enforcement services are not available to some 760,000 Palestinians, or about one-third of the Palestinian population in the West Bank. This population (about 700,000), most of whom live in villages situated in Area B and a smaller proportion in villages in Area C (about 60,000), are unable to access immediate police services due to the need for security coordination with Israel. Security coordination can take several hours, which often makes the involvement of the Palestinian police irrelevant.

Furthermore, many of the villages the police patrol infrequently (at times left unpatrolled for over a year) become places of refuge for criminals, who flee to these villages after committing crimes in areas controlled by the Palestinians in the knowledge that they are in effect beyond the arm of the law. As a result of this absence of regular, effective law enforcement, the local population hoards weapons for self-defense, which intensifies their frustration and further undermines the legitimacy of the security forces and of the PA's power.

The inability to enforce law and order in dozens of villages in Area B undermines the legitimacy of the PA as a central government that should be able to provide its citizens with their most basic needs and expectations – personal security, good governance, government services, etc. A Palestinian governor who needs to send enforcement and supervisory forces is unable to do so without an armed police escort, thus adversely affecting the level of service citizens receive from the central government.⁶

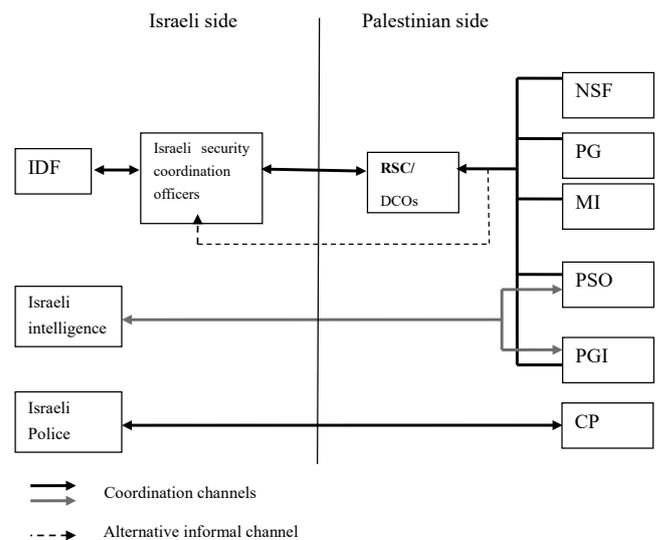
A low level of professionalism – Despite improvement in the capabilities of Palestinian security forces, the different organizations suffer from poor training and motivation. Although security personnel salaries are not high, they are sufficient to attract young people seeking job security. The units suffer from visible underemployment because of the numerous different forces and small volume of work, which lead to a poor organizational culture. The promotion system, based on fixed periods of service, creates a situation in which there are multiple officers promoted to senior positions without any clear assignments, while at the same time, the number of foot soldiers is declining.

Organizational challenges – The low wages as well as the lack of a regular payment schedule have created a situation whereby police and members of other security forces work 3-4 days a week in order to save on cost of travel to and from work. The employment roster is much larger than necessary, as previously such apparatuses were inflated to employ people affiliated with the Fatah movement (whose presence was needed there to ensure the stability of the regime). Additionally, there is a significant problem in division of authority, which leads to power struggles among the various security apparatuses, and this negatively impacts the efficiency and professionalism of the law enforcement.

Problems in full completion of law and order processes – The complete process of law enforcement requires fully operative

prosecution and legal systems. These two areas are incomplete and do not allow for due process of law enforcement. The main problems are professional evidence collection, a weak prosecution, and a legal system that finds it difficult to resist the pressure exerted on it by clans and various governmental entities.

Security coordination issues – The security coordination mechanism should operate through the Palestinian security-coordination apparatus, and from there to the Israeli security coordination officers at the relevant Israeli DCOs. However, the Palestinian coordination apparatus is sometimes bypassed, creating a gap that impedes coordination:



Factors that enable progress towards a two-state solution

In this interim situation, when no negotiations are being held and the Jewish settlements remain in place, with the IDF deployed in the West Bank and continuing its regular operations, there is little tolerance for the dramatic changes required to move ahead to the two-state solution. The IDF's principal security task, the prevention of terror attacks against Israeli population and enabling settlers to continue living their day-to-day lives, will continue to affect the extent of its ability to transfer some of its security authority to Palestinian forces. The current makeup of Israel's governing coalition includes parties such as Habayit Hayehudi and Yisrael Beiteinu, which are not especially enamored of the idea of expanding the authority of Palestinian forces. As we recently saw, when the army tried to implement a new policy of transferring additional authority to the Palestinian security forces in Area A (Ramallah and Jericho), Habayit Hayehudi ministers strenuously objected, and their efforts to thwart its implementation met with success.⁷ At the same time, even within these restrictions, Israel has the ability to allow the Palestinian security forces to build up their capabilities in a controlled fashion, bolster their internal legitimacy, and better serve the needs of the Palestinian population. Below is a proposed model for the expansion of the security authorities to be transferred to the Palestinian security forces.

⁶ Based on a discussion with the Palestinian governor of a large district in the West Bank.

⁷ See <http://www.inn.co.il/News/News.aspx/318147>.

Expanding the powers of the Palestinian security forces

Implementing most of the components of the project involves deciding on an Israel-PA agreement and implementing it through coordination between both sides, with the assistance of the United States and other relevant international bodies.

The basic premises underlying the plan

The plan depends on the sides entering into negotiations. In the absence of negotiations, it will be difficult to convince the Israeli public that a transfer of responsibility to the Palestinian security forces is necessary. The plan assumes that during the negotiation process, no settlements will be evacuated and that all roads regularly used by the settlers will remain under IDF security responsibility. The plan also assumes that the training of Palestinian forces and the enhancement of their capabilities will be stepped up by the international training parties: the USSC and EUPOL COPPS. The IDF will reserve the right to enter any territory transferred to Palestinian responsibility in cases of a “ticking bomb,” but only after the PA has failed to address the problem or take necessary action. Authority to enter Palestinian territories will be granted to the IDF at the level of the defense minister and prime minister.

The proposed pilot program involves the transfer of security responsibilities to the PA in the pilot area, which will mainly consist of areas A and B, but also in those parts of Area C where there are no IDF bases, Israeli settlers or roads used daily by settlers.

Gradual expansion of the pilot area to other areas

In accordance with the process described here, security authority will be transferred to the PA in the various areas that make up the pilot area, one area at a time, paralleling reduction in IDF military operations in the relevant area. The arrangement involving expansion of the pilot area to additional areas will be based on the area’s importance and political sensitivity to both sides. The decision to expand the pilot to further areas will be made based on a consensus between the parties and subject to agreed-upon performance measures.

Based on the criteria for expanding the pilot area to other areas, this is the proposal for expansion of the pilot area in the **northern West Bank** area (see maps on page 11):

Area	Size in square kilometers	Palestinian population
Jenin area	812 square kilometers	389,000 Palestinians
Tulkarm area	31 square kilometers	81,000 Palestinians
Tubas area	171 square kilometers	6,473 Palestinians
Nablus area	57.8 square kilometers	170,123 Palestinians
Qalqilyah area	126 square kilometers	83,211 Palestinians
Total	1,197 square kilometers	729,719 Palestinians

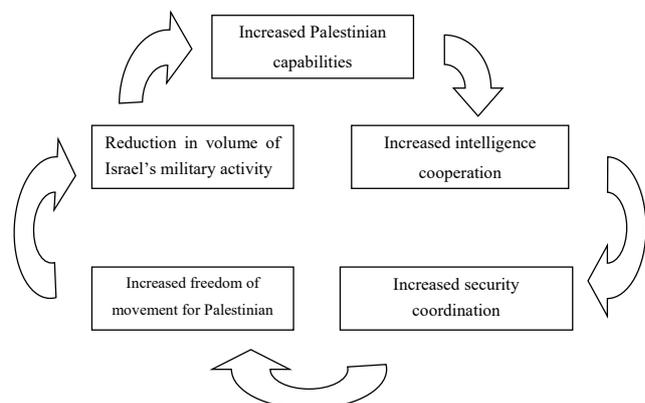
This is the proposal for expansion of the pilot area in the **southern West Bank** area:

Area	Size in square kilometers	Palestinian population
Hebron H1 area	21 square kilometers	160,470 Palestinians
Yatta –Samoa area	60 square kilometers	88,552 Palestinians
Dura –Dahariya area	241 square kilometers	118,310 Palestinians
Halhul – Tarqumiya area	121 square kilometers	90,191 Palestinians
Beni Naim – Sa’ir area	300 square kilometers	68,693 Palestinians
Total	743 square kilometers	526,126 Palestinians

Implementation stages of the security plan

The various implementation stages of the pilot plan will be based mainly on the **Palestinians’ ability** to perform their required tasks, as well as on their ability to control the region. The USSC will evaluate the performance of the Palestinian National Security Forces (NSF), the Palestinian Police Force and Palestinian Intelligence, and determine whether they meet the targets as defined in the security plan. This evaluation will facilitate the decision on whether or not to expand the pilot to other regions. Based on the assessment of the USSC, the IDF may decide to gradually cut back its activities in the pilot area. The gradual process described here takes into account **the degree of IDF visibility and the degree of urgency that demands military action**.

Depending on implementation of the proposed plan, as the PA’s security capabilities are enhanced, IDF activity will be based less on unilateral action and more on coordination and cooperation, which will contribute to strengthening Palestinians capacity. Parallel to this process, freedom of movement of the NSF and Palestinian police will be increased. The chart below illustrates the interaction between developing Palestinian capabilities and Israel’s security activities.



Thus, progress of implementing the proposed plan involves both Palestinian performance as well as Israel's adherence to its commitments, which are included in the security plan by means of creating a give and take between the implementation of the Palestinians tasks and the reduction of Israeli military activity in the pilot area.

These are the areas of responsibility of Israel and the Palestinian Authority to be included in the security plan:

Israeli commitments	Palestinian commitments
Termination of Israeli military activity	Imposition and maintenance of law and order
Security coordination	Building of Palestinian security forces
Transfer of crucial intelligence information	Counterterrorism activities
Granting freedom of movement to Palestinian security forces	Enhancing Palestinian intelligence
Security coordination apparatus – To bolster coordination and cooperation	

The security plan will be based on the following:

- I. A detailed geographical demarcation of possible pilot areas and criteria for expanding the pilot project to other regions.
- II. An operational plan detailing operational aspects of the functions of the Palestinian National Security Force (NSF), the Palestinian police and the Palestinian Intelligence Agency (the plan will be outlined by the PA, with the assistance of the USSC and the EUPOL COPPS).
- III. Distribution of responsibilities between the NSF, the Preventive Security Force, General Intelligence Service, and the Palestinian police.
- IV. A training plan to develop additional capabilities.
- V. Palestinian tasks and stages of implementation.
- VI. Steps required of Israel.
- VII. Responsibilities of the USSC and EUPOL COPPS.
- VIII. The security-plan implementation phases (as shown in the table on page 16).
- IX. Timetable

The following table incorporates the elements of the security plan and consists of three phases, each of which is expected to last approximately three months. The proposed duration for implementation of the entire program is 6-12 months, depending on how long negotiations take.

Security coordination	Intelligence sharing	Freedom of movement for Palestinians	Israel's responsibilities	Palestinian responsibilities	Phase
Limited to the area in which the Palestinians carry out counterterrorism activities	Limited to the area in which the Palestinians carry out counterterrorism activities	Complete freedom of movement in Area A Movement outside Area A to be coordinated with Israeli authorities Removal of checkpoints in pilot area. Transfer of Palestinian forces from Jericho and Ramallah to pilot area as part of an abbreviated coordination procedure with Israeli authorities.	Continued IDF activities in pilot area when essential. Limited to low-intensity nighttime activities in Palestinian cities (in coordination with Palestinian sector DCO) Authorization for activities will be granted at the Central Command level.	Law and order in Palestinian cities and their environs (Areas A and B). Low level of counterterrorism activities in Palestinian cities. Use of arms is permitted in Area A. In Area B, and is limited to: Law enforcement Self defense	Phase 1

Developing an Israeli Grand Strategy toward a Peaceful Two-State Solution

Security coordination	Intelligence sharing	Freedom of movement for Palestinians	Israel's responsibilities	Palestinian responsibilities	Phase
Expansion to cover all security issues in the pilot area	Expansion to cover all terror activities discovered in the pilot area	Absolute freedom of movement in the pilot area. No need to coordinate.	Discontinuation of IDF military activity in pilot area, excluding cases in which such activity is essential to prevent an immediate security threat ("ticking bomb"). The duration and intensity of activity will be maintained at as low a level as possible to create minimal disturbance to the Palestinian population. Authorization for activity will be granted at the level of the minister of defense. Rehabilitation of the sector security DCO and shared offices.	Imposition of law and order and stepping up of counterterrorism activity in the pilot area. The use of arms is permitted in the pilot area both to enforce law and order and to engage in counterterrorism activities. The arms and equipment of the Palestinian forces will be upgraded, i.e. bulletproof vests, etc.	Phase 2
Expansion of required activities for immediate response and hot pursuit	Transfer of precise intelligence for immediate response against terror	Freedom of movement for the Palestinian forces in agreed-upon routes between the pilot area and specific security centers	Absence of military activity, excluding cases of "ticking bombs."	Overall security and civil responsibility lies with the Palestinian Authority in the pilot area.	Phase 3

Building trust between the sides

The security element is a leading component guiding decision makers in Israel when deciding whether Israel should give up land for peace. In order to reach a permanent settlement, it is necessary to restore confidence between the security agencies of the two sides. In his article, "From Operation Cast Lead to a Different Path," Col. Gal Hirsch (his rank at the time of writing) explains that he served as Central Command operations officer at the time of the change in perception led by Prime Minister Ariel Sharon, which viewed the PA as an adversary, and its government as directly responsible for the acts of terrorism and violence emanating from its territory. At this stage, the IDF exerted pressure on the PA and its security agencies to force them to fight terrorism, while refraining from negating Palestinian sovereignty and subverting its civilian apparatuses.⁸

The period following the Second Intifada saw a gradual change in the attitude of Israeli security officials towards PA security forces. A working relationship began to gradually take shape again between the parties, in tandem with a process involving the introduction of some of the fighting militias into the apparatuses (the agreement regarding wanted terrorist

operatives). The security coordination passed a number of significant tests, and Israeli security officials declared on more than one occasion that this coordination is a cornerstone of stability in the West Bank. However, the change in question has not yet penetrated the consciousness of Israel's politicians or general public, which continue to consider Palestinian security officials as hostile elements that cannot be relied upon at the current time, or as part of a future settlement. In the context of the negotiations on security arrangements in the Annapolis process, it became clear that negotiators on behalf of Israel were working from a position of mistrust towards the Palestinians, specifically regarding their ability to indeed maintain the security perimeter and demilitarization of a Palestinian state. The Palestinians, on the other hand, viewed this as an attempt to coerce Israeli presence in Palestinian state territories and continue the occupation by other means.⁹

In order to reach an agreement, the decision makers and Israeli public will have to be convinced that the transfer of security responsibility to PA forces will not undermine Israel's security, and that the power given to them will not be directed against Israel in the event of a change in the Palestinian government. The foundation stone in the trust-

⁸ Gal Hirsch, "From Operation Cast Lead to a different path – The development of the campaign in the Central Command 2000-2003," Maarchot, February 2004, pp. 28-29.

⁹ Omer Tzanani, The Annapolis Process: Oasis or Mirage? Pp. 98-99, 2015

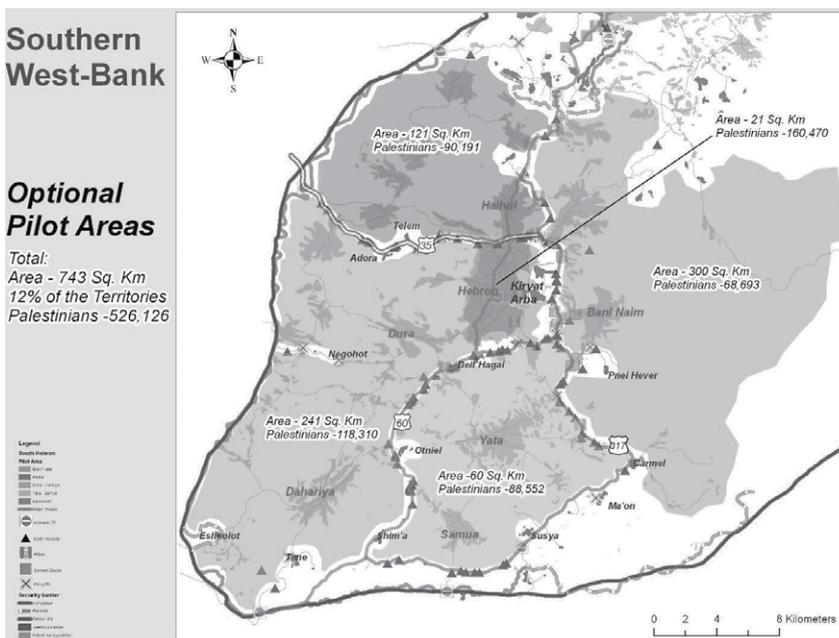
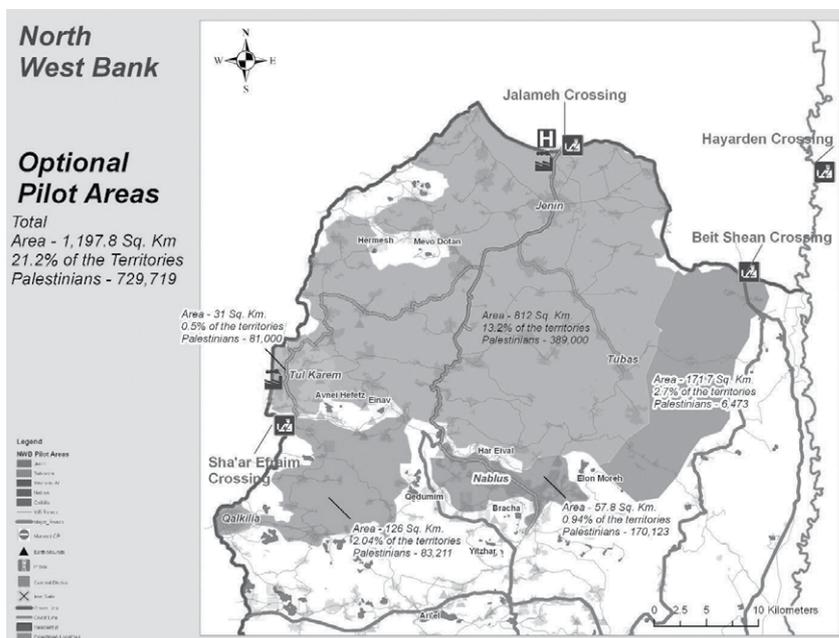
building process needed on the Israeli side is to bolster Israeli conviction that the Palestinians are indeed able and motivated to abide by a signed agreement. That is why it is necessary to engage in a process of strengthening security ties between PA forces and the IDF and Israel's intelligence agencies, despite the reluctance among both the Palestinian and Israeli publics to take action of this nature, and despite the limitations dictated by continuing the current situation, in which the IDF's principal responsibility is to protect the Israeli population in the West Bank.

We must explore how to leverage the security coordination so that it serves to strengthen the confidence of the Israeli and Palestinian publics regarding the necessity of coordination, and illustrate how it serves the interests of each party. For example, for the Israeli side this could be the returning of Israelis who accidentally cross over into Area A by PA security officials, or safeguarding the security of Jewish worshipers who come to worship at Joseph's Tomb in Nablus. For the Palestinian side, strengthening security cooperation with Israel in a reality in which there is no political process is an almost impossible task. The fact that Abu Mazen's leadership is dependent on the loyalty of the PA's security apparatuses means that he needs to find the right way to preserve the legitimacy of security force activities without being perceived as collaborating with Israel. Hamas exploits this weakness, publishing virulent criticism of any security coordination with Israel on its media and social networks. Security coordination and expansion of the authority of the Palestinian police in Area B will make it possible to strengthen Palestinians' personal security, and enhance the level of services that the government provides to its citizens. At the same time, improving the effectiveness of the actions taken by the PA's security forces against Hamas operatives, particularly in a way that serves both Palestinian leadership and Israel, can strengthen the trust between the sides, prevent escalation and ensure quiet, all of which are prerequisites for any round of negotiations.

Security coordination with Gaza

Since the Hamas takeover of Gaza in 2007, there has been no communications between the Palestinian security forces in Gaza (which are under the absolute control of Hamas) and Israel. These forces draw their salaries from the PA, but do not bend to its authority, meaning that in practice Gaza and the West Bank maintain two separate, parallel security bodies. Many ideas have been raised by the international community to propose an

agreement for the entry of PA security forces into Gaza in the last decade. Most of these ideas have taken the position that PA security forces can be brought to man the crossings and seam zone between Gaza and Egypt (the Philadelphi Route). However, thus far the Hamas and PA have failed to reach any agreement between them on the subject. The assumption that holding onto the Gaza perimeter will help the PA to gradually retake control of Gaza is not a realistic one. The Hamas will not voluntarily dismantle its military capability, and consequently, it appears that the inclusion of Gaza in the interim agreements for the expansion of the Palestinian authority will not be possible. At the same time, it is in the IDF's interest to achieve a balance of deterrence and unwritten understandings with Hamas that will create a security situation desirable to Israel.



Economic Enabling Conditions towards Sustainable Palestinian State-Building

Anat Kaufmann and Baruch Spiegel

Introduction

The often-cited vision for a future Palestine is that it be a sovereign, contiguous and prosperous state. There is no doubt the three are interrelated. In the following article, we focus on the latter issue of prosperity, and the basic elements needed to secure such a state, guided by the premise that an economically viable foundation is a crucial stepping-stone on the way to a peaceful solution of two sovereign and contiguous states.

The aim of this paper therefore is to discern the necessary economic and institutional conditions required to make sure – and convince the Israeli public – that a future Palestinian state will not become a failed state, with the associated negative political and security consequences that having such a neighbor entails.

It should be noted that while this paper does not address Israeli-Palestinian economic relations under Permanent Status – which should ultimately be negotiated by a sovereign Palestine – we focus instead on the required economic developments to help both sides reach that point from an optimal and economically secured position.

Finally, this paper argues that in order to progress to that optimal position, there is a need to design and implement, on an agreed basis, new economic arrangements between Israel and the Palestinian Authority.

Background

The economic framework of relations between Israel and the Palestinian Authority was formally defined in the 1994 “Protocol on Economic Relations” – also known as the Paris Protocol – signed between the Government of Israel (GoI) and the PLO, representing the Palestinian people. The Protocol created a customs union between the two sides, known as the “customs envelope”, that was intended by its authors to serve as an interim arrangement – of no more than five years¹ – until the establishment of a sovereign entity, i.e. Palestine. Over twenty years since, the inherent structural asymmetry, both in economic power and in everyday business transactions continue to dominate the relations.

The disparity between Israel and the PA economy is well known: GDP per capita in Israel equals to \$37,208, while that of the West Bank and Gaza equals to \$2,966². In addition,

- 1 The Protocol was to be replaced by an economic agreement for permanent status, to be negotiated and put into effect with the signing of a comprehensive and final-status agreement by 1999.
- 2 2014 World Bank figures, quoted in the Quartet Report to the AHLC, April 2016.

while Israel in general refers to trade with the Palestinians as domestic commerce, as defined by the customs union, for the PA it is considered “cross-border” trade. Indeed, the concept of “cross-border trade” is in itself problematic since it suggests the existence of agreed borders, which of course are still lacking in the Israeli-Palestinian context. Thus, despite the use of the neutral term “crossing points”, from the point of view of Palestinian traders and workers, the entry and exit points between Israel and the PA de facto function as border crossings and customs clearance points³.

According to the analysis of Arnon (2001), the vision that the Protocol represented was to create favorable conditions for the development of the Palestinian economy, in the hope it would undergo a process of sustainable growth. However, this target was not reached; large sums of foreign assistance were allocated to emergency programs and the public sector, Israel continued to enjoy significantly more power in the relations and any economic progress that was made, came to a complete halt with the outbreak of the second intifada. Lately, the drastic decline in donor funding “... from 32 percent of GDP in 2008 to 6 percent in 2015 has significantly contributed to the recent economic weakening” (World Bank report to the AHLC, April 2016).

Beyond the need to revise and update an economic framework which was originally structured for an interim period, the customs envelope designed by the Paris Protocol is only partially implemented (Arnon, 2001). This was most evidently the case in Gaza, when the underground “tunnel economy” between Gaza and Egypt thrived. Smuggling of anything from cars, fuel and farm animals to cigarettes and weapons, the tunnels provided a lucrative source of income for Hamas who taxed the commodities passing through. At the height of the tunnel industry, before Egypt began dismantling it in 2012, there were about 1,500 underground routes of supply between Gaza and Egypt.⁴

Thus, even though the political and security situation has changed significantly since the 1990s, the economic frameworks that govern commercial relations between Israelis and Palestinians have not. Moreover, until the conflict is fully resolved, and in order to improve relations on the economic (and hence also on the political) levels in the interim, the following sections address the economic conditions required

- 3 From Peres Center report on “Strengthening the Palestinian Private Sector through Reducing Trade Transaction Costs: A Comprehensive Research and Advocacy Program”, December 2015.
- 4 Reuters Exclusive, August 2014: <http://www.reuters.com/article/2014/08/21/us-egypt-gaza-tunnels-idUSKBN0GL1LC20140821>

from an infrastructural, institutional and framework-related perspectives.

Enabling Conditions – Infrastructure

Any discussion of enabling conditions for state building must begin with the creation of an Israeli-Palestinian understanding for the development of a sustainable, modern infrastructure of the emerging State of Palestine, necessary to create and facilitate economic growth. The current situation is that both parties have moved into a gridlock, which causes a mutual lose-lose effect. Under existing agreements, in the most basic elements of roads, water and energy the Palestinians remain heavily dependent on Israel. In a political climate, where Israeli-Palestinian negotiations are ruled by the principle "nothing is agreed upon until everything is agreed upon" any constructive approach toward the development of an independent, although interdependent, construction of Palestinian transport, energy, water, communication infrastructure is being blocked.

In this situation, infrastructure development is left for the agenda of the international community. In 2012, the Palestinian Partnership for Infrastructure Development Multi-Donor Trust Fund (PID fund) was established. Administered by the World Bank, the Fund's objective is to improve the coverage, quality, and sustainability of infrastructure in the Palestinian territories through financial and technical support in the water, urban development, and energy sectors and by 2015, it contributed over \$100 million towards these aims.⁵ Nevertheless, in its recent report to the donor conference (AHLC – Ad Hoc Liaison Committee), the Office of the Quartet (OQ) describes how there was virtually no public infrastructure development in 2015. What is needed is to oblige both parties to accept the principle of separation of physical infrastructure in order to promote the full independence and sovereignty of the State of Palestine, while creating regional coordination between Israel, Palestine and their neighbors.

In order to build a solid foundation for a future Palestinian state, independent infrastructure development and gradual separation in the management of existing facilities must begin, with Israeli and international assistance and expertise. These issues cannot wait until a peace agreement is concluded, since in many cases it requires preparation for re-organization, either of separation or, if and where needed, of joint infrastructure management and maintenance.

The following sections describe specific key elements in infrastructure development that need to be accompanied by a complete strategic plan and outlook; from immediate to medium and long-term measures.

Energy

The Israeli electric grid, which also provides electricity to the West Bank and Gaza, is a national system, i.e., one that

operates a closed system regulating overall electric supply to Israel, West Bank and Gaza. Therefore, the Palestinian energy sector remains heavily dependent on external energy sources except for a small percentage of electrical energy that is being produced through the partially operated electricity plant, which covers part of Gaza's electricity needs⁶.

In total, more than 95% of electricity in the Palestinian Territory is imported from Israel⁷ and while the huge financial debt to Israel Electric Company (IEC)⁸ needs to be resolved for the benefit of both parties, independent energy production – primarily through renewable sources such as solar power – is critical to reduce dependence on Israel and energy costs to consumers. It should be stressed that in the immediate term, according to the Bank of Israel, this issue is one of the most important economic problems between Israel and the PA and requires finding a solution in the near future: The continuation of the debt hinders possible development projects in the PA which require additional electric capacity.

According to recent Quartet estimates (April 2016), the immediate development of solar energy in the West Bank can save up to 25% of the total cost of electricity imported from Israel, by 2025. Solar energy projects are already being promoted by both private entrepreneurs and by international agencies, but in order to ensure their successful and timely implementation Israeli authorities need to streamline approval of such projects.⁹

In the Gaza Strip, which has long suffered from an acute energy crisis whereby electricity is only available on a sporadic basis, the internationally backed "Gas for Gaza" initiative is gaining pace. Since linking Gaza to a reliable and cost-efficient natural gas supply has been identified as the only viable long-term solution to its energy crisis, the OQ launched in August 2015 the G4G Task Force. In coordination with the Palestinian Energy and Natural Resources Association (PENRA), the Task Force aims to facilitate the agreement and construction of a natural gas pipeline connecting Gaza to the Israeli natural gas network. Shortly after at the September 2015 AHLC meeting, the Israeli Government announced its approval in principal for the G4G project.

Therefore, in addition to measures already underway of Israel constructing additional sub-stations to uphold rising demands,¹⁰ diversification of energy sources, including regional interconnection with neighboring countries, such as Jordan and Egypt, must be promoted.

In the longer-term the overdue development of independent gas fields is necessary. Permission should be given to Shell (owner of BG Group) to develop the Gaza Marine gas field opposite Gaza's coastline, in full coordination with the

5 <http://www.worldbank.org/en/programs/palestinian-partnership-for-infrastructure-trust-fund>

6 2011 Annual Report by the Palestinian Electricity Regulatory Council.

7 Ibid.

8 Amounting to NIS 1.7 billion according to the Bank of Israel.

9 Interview with Arab-Israeli business entrepreneur, June 2016.

10 Four new sub-stations underway in Tapuach junction, Tarqumiya area, Ramallah and Jenin.

Palestinian Authority. The PA will subsequently receive income from the Israel Electric Corporation and/or be able to market the gas in Jordan via the Israeli pipeline infrastructure to make the development of the gas field cost effective (Gaza Reconstruction paper, 2015) as well as offer Israel much needed competition in its monopolized gas market. Indeed, the development and exploitation of the Gaza Marine off-shore gas field represents a 'game changer' in terms of the cluster of major projects it can make possible, such as desalination facilities and waste-water treatment plants. Moreover, it is a rare example of an all-round 'win-win' proposition which needs not – indeed must not -- await the conclusion of a permanent status agreement.

Water & Wastewater

Particularly in the field of water and wastewater a solution-oriented approach could be immediately achieved and enable both the expansion of Palestinian agriculture and the creation of a substantial number of employment opportunities. Also here the situation is presently gridlocked, as both sides, Israel and the PA, handle the water issue solely via the political lens, on account of the well-being of the people.

The Israeli–Palestinian Interim Agreement on the West Bank and the Gaza Strip, known as Oslo II, was the first to be explicit about “Palestinian water rights in the West Bank” and to establish a framework for the management of shared water resources. Thus, article 40 of the Interim Agreement pertains to the establishment of a Joint Water Committee (JWC) and a Palestinian Water Authority (PWA); allocation of water between Israel and Palestine, with a focus on the Mountain Aquifer; and mutual obligations to treat or reuse wastewater (Brooks et al., 2013).

There is growing consensus that (a) the water issues should be resolved now and not left “hostage” due to lack of progress on the core issues of conflict and (b) that due to significant technological advancement in both desalination and wastewater treatment, water issues can be resolved in the immediate to medium-term period. Reaching new understandings on water allocation and management is important, since in the absence of sustainable use of water by both peoples, overall social and economic development will be threatened, and so will stability in the region (Brooks et al., 2013).

A comprehensive Israeli-Palestinian agreement on water should be based on the equal division of quantities per capita and the maximization and utilization of renewable sources. Israeli water technology is a global leader, and significant headway has been made in recent years to the extent that there is no shortage of supply in a generally arid region and despite successive drought seasons, particularly in northern Israel. Although this expertise should be used to support the sustainable development of an **independently-managed** Palestinian water sector, it is well-known that nature knows no boundaries and shared water reservoirs and eco-systems will continue to **necessitate regional cooperation and obligation to preserve shared natural resources**.

While Israel has reached a level of maintenance, desalination and water re-usage that make it much less dependent on climate and other external shocks, the situation throughout the Palestinian Territories is much more complex. In Gaza, international agencies have long warned that living conditions, most notably potable water and sewage conditions, will become “un-livable” by the year 2020. In the West Bank, drastic cuts in “Mekorot” (the Israeli water company) supply to Palestinian villages have occurred throughout the month of June 2016, starting an accusation battle between Palestinian and Israeli officials who complain solutions are all available, but each side blocks the other in the Joint Water Committee. As a result necessary water infrastructure and maintenance work is not being carried out, “which has led to the old and limited pipes being unable to transfer all the water needed in the region.”¹¹ This is a most negative illustration of the consequences of deadlock reached in water cooperation.

On the issue of wastewater, much improvement is needed. Less than one-third of the West Bank's Palestinian population has sewage systems connected to wastewater treatment plants; the remainder of the population relies on septic tanks and cesspits, which are often poorly maintained (Brooks et al., 2013). Whereas in Gaza, despite 70 percent of the population being connected to sewage collection systems, rates of treatment are reported to be as low as 25 percent (Palestinian Water Authority, 2014). Again, the water gridlock has been delaying planned solutions. According to a 2013 survey by the Israel Parks and Nature Authority, over 90 percent of sewage from Palestinian towns (and 13% of Israeli settlements) flows untreated into the Green Line, polluting groundwater aquifers shared by the two sides. Many argue a particularly severe example of this pollution is the Kidron Valley/Wadi-El-Nar River basin that begins in the West Jerusalem neighborhoods, through to East Jerusalem and continues through the Judean Desert to the Dead Sea.¹² A master plan to rehabilitate the highly polluted valley was planned to begin implementation by a Dutch company who retracted its project, after being subjected to political pressure not to operate in East Jerusalem, beyond the internationally-recognized Green Line. Moreover, the solution of diverting wastewater to treatment plants in Israel is in contrast to international law which prohibits the unilateral utilization of shared water resources. Other attempts to redirect wastewater treated in Israel back to Palestinian (agricultural usage) have been met by both political and technical/financial problems, when the standard and associated costs of wastewater treatment in Israel remain too high for the Palestinian farmers and household consumers. Finding a mutually accepted solution to implement the Kidron Valley rehabilitation project would set a highly useful precedent.

Even more important would be to get both sides to negotiate and conclude (here and now) an agreement on water. Such

11 Ha'aretz, June 2016: <http://www.haaretz.com/israel-news/1.726132>

12 <http://www.haaretz.com/opinion/.premium-1.538447>

as agreement should entail offering equal water rights and the same amounts of water per capita to Palestinians and Israelis; committing to protect in a coordinated manner the joint water resources, permit each side to administer separately its water resources; accept European standards for maintaining the necessary water quality. Finally, it should include a coordinated plan how to narrow the gap of water consumption, not by reducing Israeli water consumption, but by upgrading the supply of water resources for the people of Palestine.

Agriculture

Directly related to the lack of resolution and cooperation on water issues, Palestinian agriculture dropped from 25% of GDP in 1994, to 3.5% today, yet it remains important for employment and export purposes. Agriculture comprises 15.3% of the total Palestinian exports and absorbs a significant share of the formal and particularly the informal labor force (13.4% and over 90% respectively).¹³ Moreover, according to the World Bank over 30% of informal Palestinian agricultural work is performed by women, which suggests that investment in agriculture development will benefit Palestinian women, a hugely under-represented actor in the Palestinian job market. The Palestinian private sector is willing and has the financial ability to invest in the agricultural sector.¹⁴

In response to ongoing Israeli public demand for lowering costs of living, particularly in the food sector, it is also in the interest of Israel to import agricultural produce from Palestine than from say Spain.¹⁵ This necessitates introducing understandings dealing with kosher requirements, public health concerns, phytosanitary monitoring, questions of standards, as well as cleverly dealing with the business competition between Israeli and Palestinian farmers, who both have a vested interest to protect local produce. If a wider understanding can be reached on issues of water, the promotion of agriculture, coordination of access and movement and more, than increased Palestinian agricultural sales in Israel, both from Gaza and the West Bank, would serve the interests of both sides.

Tourism

The variety of important religious and historical sites throughout the West Bank currently attract more than 1 million international tourists, compared with almost 3 million annual visitors to Israel. Similarly, West Bank's average room occupancy rate is 26%, in contrast to Israel's 66% average (Portland Trust, 2013). Bearing in mind that Israel too consistently fails to realize its touristic potential due to the un-stable security situation with each round of violent conflict impacting the tourism sector immediately, the Palestinian tourism potential remains significantly under-utilized. The upgrade and development of Palestinian tourism infrastructure

and service standards is ongoing and on the agenda of international donors. According to the Portland Trust (2013) analysis, there is significant un-tapped potential with long-term potential to attract up to 5.5 million tourists annually, which in turn would serve as key economic engine of the Palestinian economy and employment market.

For example, in the northern area of Taysir and Tubas a significant portion of the land belongs to the Catholic Church, which could serve the development of tourism for Christian pilgrimage.¹⁶ Plans for the development of northern West Bank area as touristic site and regional vacation area should also be promoted: with an important biodiversity area, historical Christian sites such as the ancient Burqin Church¹⁷ and existing local tourism infrastructure¹⁸ it can be expanded and upgraded to attract local, regional and international visitors.

According to the Palestinian Central Bureau of Statistics (PCBS), total expenditure by international tourists in the PA in 2013 was over \$1 billion, equaling 11% of West Bank GDP.¹⁹ However, since these figures were collected there has been a marked deterioration in security in Gaza, Jerusalem and the West Bank. Under such conditions, the tourism sector is often the first to suffer the consequences, also in Israel.

Transport & Roads

A contiguous and prosperous State of Palestine, living in good neighborly relations besides Israel, has to provide its citizens with free and effective movement for work and leisure and create the necessary inter-connection between the two states, and their neighbors. For this purpose, an agreement or a fully coordinated understanding, on the construction of the Palestinian road-, railway- network, and a sea- and airport is essential. In order to promote trade, tourism as well as good neighborly relations the full coordination of the Israeli and Palestinian transport infrastructure is essential.

On a tactical level, it should be possible to ask the Government of Israel to allow for the upgrade of roads throughout the West Bank. However, in order to adopt a strategic change, the parties will have to discuss and coordinate joint interests, and enable the necessary construction work to provide for an effective and sustainable transport infrastructure for the future State of Palestine, and the inter-connection with Israel and all its neighbors.

Thereupon, Israel needs to acknowledge the responsibility of the PA to administer (plan, manage and oversee) the field of transportation in order to provide its citizens with the right of free access and movement by land, air and sea, for people, goods and services. It will be particularly important to provide for the security and safety of all road users.

13 Council for European Palestinian Relations, "Agriculture in Palestine: a post-Oslo analysis", 2012.

14 Discussion with senior Palestinian economist, March 2016.

15 Interview with senior Israeli economist, June 2016.

16 Discussions with senior Palestinian former official, August 2015.

17 The Burqin church, also known as St. George's Church, has stood in its current location since the Byzantine era as a marker of the site on which Jesus healed ten lepers of their disease.

18 Haddad tourist village which is close to Jalameh/Gilboa crossing attracts Arab-Israeli visitors

19 Discussion with Bank of Israel representative, April 2016.

While transport system development requires a Master Plan of a vertical and horizontal road network, specific "designated roads" which will require special arrangements for use by Israeli road-users (e.g. route 443 which is the main road linking Jerusalem and the West Bank) and vice versa, special arrangements for use of Palestinians on "designated Israeli roads", also need to be considered. Thus, the Israeli as well as the Palestinian road and railway network shall facilitate movement between Israel and the PA/Palestine, as well as the movement of one side via the road and railway infrastructure of the other. This can be accomplished mainly by creating agreed ways for traffic passage, as an important means to permit for economic cooperation, trade creation, the expansion of tourism facilities and good neighborly relations. In addition, since the Palestinians will continue to rely on Israel's air and seaports, "dedicated port areas" for efficient handling of Palestinian goods in existing seaports can be introduced, allowing Palestinian presence and problem-solving capacity in the ports of entry.

Communications

Identified as priority sector for development, Palestinians' high-tech has so far developed under challenging technological conditions with insufficient internet coverage and speed.

The Principles Agreement on the Allocation of Spectrum on the 2100 MHz band was signed by the Gol and the PA in November 2015 after long years of negotiations. The agreement allows Palestinian cell phone providers to provide 3G services and allows Wataniya Company to provide 2G services in Gaza (OQ, 2016). The next steps should focus on the timely implementation and delivery of the 3G/2G Agreement, with additional moves to leverage the agreement for the benefit of a strong Palestinian high-tech sector.

The fact that Israel has gained a globally leading position in high-tech provides a most important potential advantage for the coordinated Palestinian development of high-tech capacities in cooperation with Israeli entrepreneurs. Whereas such cooperation is being pursued, it is hampered by the Palestinian anti-normalization movement, which in this way causes damage to vested Palestinian interests. With youth unemployment at around 30 percent in the West Bank and close to 60 percent in Gaza; and with almost one in three university graduates unemployed in WBG (IMF, 2016), the high-tech sector is particularly important for generating employment opportunities for the young and the educated.

Crossing Points

The crossing points positioned between Israel and the West Bank, the West Bank and Jordan and between Israel and the Gaza strip will continue to prove crucial for port access and trade facilitation. The Israeli government recently announced a two-year, 300 million NIS plan to upgrade West Bank crossings, in a bid to make the checkpoints more efficient and more secure. The upgrade is expected to include doubling of scanning capacity, construction of dedicated conveyor for aggregates (e.g. at Jalameh crossing) as

well as extension of cargo-handling area where necessary. This is a highly important development, which is in line with significant improvements in the ability of technological devices such as scanners and electronic container seals to mitigate security and customs leakage concerns. In Gaza, it was recently revealed in the media that Israel intends to resume operation of a cargo terminal at the Erez crossing in order to alleviate existing congestion in Kerem Shalom, the only remaining goods-handling crossing between Israel and Gaza. In the longer term, the end goal should be for all international standards to be upheld at the official crossing including TIR standards.²⁰ and containerization in air, land and sea transport.

The crossings between Israel and the West bank are particularly important for movement of labor purposes. Palestinian employment in the Israeli economy (Israel and settlements) has expanded to over 100,000 workers, including those without legal permits. These workers' income equals some 13% of Palestinian GDP.²¹ The issue of Palestinian employment by Israelis is complex in the sense that it generates both positive and negative economic consequences: on the one hand, according to Quartet estimates, if not for jobs in Israel and Israeli settlements, formal unemployment in the West Bank would be around 35%, which is comparable to Gaza rates. On the other hand, Palestinian low-wage labor in Israel is not a substitute for a viable long term solution and it does not generate productive growth in the Palestinian Territory because it downgrades Palestinian human capital towards lower skills jobs which is not congruent with advancing longer-term independent needs (OQ, 2016). Another complexity is its effect on wages, with average daily wage for workers employed in Israel being more than double that of West Bank workers, this helps in raising wages in PA as a response, but also raises in turn Palestinian production costs hindering its competitiveness.²² Currently, 11.8 percent of Palestinians from the West Bank are employed in Israel and in settlements. As for work permit quotas, Israel has granted 68,500 permits for Palestinians to work in Israel and this quota was increased by 7,000 in March 2016 (IMF to AHLC, 2016).

Since much of the commercial activity concentrates at the crossing points, the need to increase business interactions between Israelis and Palestinians, encouraging access to potential markets and consumers is not absent from Israeli policy thinking. In recent months, the Israeli Ministry for Regional Cooperation inaugurated the opening of a regional meeting center at Sha'ar Efraim crossing (located west of Tulkarem under the authority of the Ministry of Defense), described as "a unique option of place of meeting Palestinians and Israelis without need for permits".²³ While the idea and its objective are important and positive, the Palestinians generally

20 The Customs Convention on the International Transport of Goods.

21 Discussion with Bank of Israel representative, April 2016.

22 Ibid.

23 Regional Meeting Center Concept Note, Ministry of Regional Cooperation, December 2015.

refuse to make use of this service, since it symbolizes the control of the Israeli authorities over economic interactions. Thus, they often complain that if they are allowed to reach and enter the crossing, they should also be allowed to pass through it and access directly potential business partners or investors in Tel-Aviv, Haifa or wherever they may be.²⁴ This is a good reminder that even when addressing purely economic development issues, neither side can escape the political context and its accompanying sensitivities.

Area C

The last enabling condition we wish to highlight in this section is that which tends to go first on the agenda of international diplomacy, with regards to unlocking the economic potential of the Palestinian state. Area C, which is under full Israeli civil and security control, and which comprises just over 60 percent of the West Bank, includes the major residential and development land reserves for the entire West Bank. Area C is richly endowed with natural resources and it is contiguous, whereas Areas A and B are smaller territorial islands. For example, the Palestinian stone and marble industry which is considered a commercial success (ranked 11th in the world) draws almost all of its raw materials from area C.²⁵ Nevertheless, the manner in which Area C is currently administered virtually precludes Palestinian businesses from investing there (World Bank, 2013).

Under the Oslo II Accords, provision was made for three "Further Re-Deployment" moves by Israel that would enlarge Palestinian controlled areas. In the "Note for the Record" which was signed in January 1997, Further Redeployments were classified as an "obligation for implementation" and not as an "obligation for negotiation". This meant in practice, that the Government of Israel had the right to define the extent of Further Redeployments unilaterally and refrain from negotiating this extremely important issue. This clause gave Israeli governments the legally based excuse to maintain full control of 61 per cent of the area of the West Bank, classified as Area C. From Israel's point of view, control over these areas is seen as an important negotiating chip in the effort to reach a Permanent Status Agreement.

On the other hand, preventing the Palestinian Authority to take responsibility for most of these areas undermines the Palestinian capability of establishing a contiguous and prosperous State of Palestine. During the last decades, the Civil Administration, prohibits Palestinian construction in most of area C and severely limits any Palestinian development initiative.²⁶ According to World Bank estimates (2016 report to the AHLC), granting Palestinian businesses access to

24 Interview with Arab-Israeli business entrepreneur, June 2016.

25 Discussion with senior Palestinian economist and businessman, June 2016.

26 According to the World Bank report (Oct, 2013) restrictions on economic activity in Area C have been particularly detrimental to the Palestinian economy (loss estimated at \$3.4 billion constituting a third of local GDP in 2011 alone); and a dramatic fall in submission of development proposal was observed, presumably due to disbelief in the possibility of getting their approval.

Area C would increase Palestinian GDP by a third. To our understanding, there are many possible initiatives in Area C that would have a large impact on Palestinian state building and could be advanced in the current reality. However, the implementation of these initiatives requires a shift of Israeli policy, whether top down or at the professional level with the backing of the government.

Consistent with the general status of the conflict, the current state of affairs in area C is dangerous as it fuels the frustrations of the Palestinian population. It reinforces radical groups that call for a return to violence and furthers tensions between the Israeli and Palestinian leadership. Unfortunately as long as the principle "nothing is agreed upon until everything is agreed upon" is being upheld, this situation will continue.

What is needed is a common effort to discuss necessary understandings and measures that will enable the creation of a contiguous and prosperous State of Palestine. The angle for doing so should not be the final territorial agreement, but the basic economic and social needs of the people. These are: seeking to create an effective physical infrastructure; i.e. a Palestinian road and railway network, a sea port and an airport, providing for optimally free access of movement; developing an energy and water and sewage infrastructure; enabling the expansion of agriculture, tourism, industry and trade, as well as building one or two new cities. All these important initiatives will make it necessary to expand Palestinian control substantially into Area C.

Since such a development will obviously impact Israeli interests, this should be a major issue for reaching mutual understandings and agreements, before solving all outstanding core issues of conflict.

Enabling Conditions – Institutional

In addition to the security concerns the prospect of an independent Palestine often raises among Israelis, there is also good grounds to doubt the ability of Palestinian institutions to fulfill the responsibilities of statehood. There is a need to move forward at the institutional level of the PA in order to facilitate the infrastructure projects discussed above, as well as allow for the development of the Palestinian economy, both in Gaza and West Bank.

In the banking and finance sectors; outstanding debt issues – on both sides – need to be settled in order to create trust and move forward towards better cooperation and coordination between Israeli banks and Palestinian counterparts, particularly between the Bol and PMA (Palestinian Monetary Authority). Upgrade of banking arrangements is also related to customs issues where progress is needed to allow for Palestinian capacity building. In 2012, the issue of bonded warehouses for Palestinian customs and VAT handling was one of the main items on the agenda discussed directly between the parties, as part of the "MOF-to-MOF" professional dialogue led by Dr. Yuval Steinitz, then Israeli Minister of Finance and PA Prime Minister at that time, Dr. Salam Fayyad. The so-called "Steinitz-Fayyad understandings"

concluded upgraded arrangements for the transfer of goods between Israel and the Palestinian territories and related tax procedures. While implementation since has been partial at best, the current ministers of finance (Kachlon and Bishara) have established good working relations and direct lines of communication which could allow for this issue to be re-examined. In this context it will be essential to include particularly the Palestinian private sector in negotiations, in order to test ahead of time, their capacities to invest and promote economic growth.

The need to (re)introduce Palestinian customs officials to hands-on experience in customs procedures and best practices is necessary to secure the level of professional capacity required to implement an independent tax regime in future. The case of the Turkish-led project, the Jenin Industrial Free Zone (JIFZ) can potentially provide an opportunity to test independent Palestinian customs authority. Located in area B, which prohibits access and control by Israel's customs authority, the JIFZ is in close proximity to the Israeli customs point at Jalameh/Gilboa crossing. The involvement of Turkish investors, in the currently improving diplomatic climate between Israel and Turkey, coupled with the fact that the Palestinians signed a concession agreement with the Turkish developer stating that the industrial zone will operate as "tax free" area which necessitates close coordination with Israel, provides an opportunity to "think outside the box" for trade and investment enabling solutions.²⁷ Ultimately, the JIFZ project, similarly to other major economic projects that need to be promoted further in Palestinian Territories, is in the interest of Israel too. It provides a "win-win" opportunity since it offers local Palestinians much-needed employment, economic development, trade and investment opportunities and in turn, offers Israel stability and improved regional cooperation.

Another basic institutional aspect required to enable any economic activity is that of law and order. Indeed, if the PA cannot maintain adequate policing service in areas under its administration, and it fails to maintain a "business-friendly" environment, then it will not be able to attract business and investors. In area B, the Palestinian ability to exert its authority is limited. Under the Oslo II accords, responsibility for public order in area B was given to the Palestinian Civil Police. However as the overall security authority remained since in the hands of Israeli security forces, the constant need for Israeli-Palestinian security coordination on each and every law enforcement activity resulted de facto in a limited enforcement capacity and lack of regular police services in area B. This state of affairs does not allow the fulfillment of Palestinian central and local governance functions on a regular basis in areas under Palestinian jurisdiction, and the resulting law enforcement vacuum in area B has created a safe haven for criminal activities and local possession of weapons that challenge the authority of the PA and its ability to control these areas.

²⁷ Discussion with Israeli customs, April 2016.

Both the international community and the Israeli security establishment are well aware of the risks of growing law enforcement vacuum in parts of area B, lack of development of area C and the need for positive stabilizing measures on the ground that will answer the growing frustration of the population and of the PA. Israeli security authorities have recently promoted positive steps: even after the current outbreak of violence Israeli authorities continue to recommend differentiating between Israeli response to terrorists on one hand and to the Palestinian population on the other hand, and avoiding collective punishment. However, in order to create significant changes on the ground, additional significant steps must be undertaken to strengthen security cooperation and allow for Palestinian police to upgrade its law and order capacity.

The OQ in collaboration with USSC (US Security Coordinator) and EUPOL COPPS (EU Coordinating Office for Palestinian Police Support), worked with Palestinian and Israeli security authorities and developed a comprehensive mapping of PA police access in the West Bank. As a result, in April 2015, Israel dramatically eased the coordination rules for the Palestinian security forces (PASF). OQ is currently working with the PA and the donor community on the establishment of new police stations based on the expanded access (OQ, 2016).

A final note on the institutional level relates to the need for Palestinian trade diversification. A persistent trade imbalance exists between Israel and Palestinian Authority: Palestinian purchases from Israel account for about two-thirds of total Palestinian imports, and Palestinian sales to Israel account for about 81 percent of total Palestinian exports. In contrast, trade with the Palestinian Authority is equivalent to only a small percentage of Israeli foreign trade (Bank of Israel, 2012²⁸). In terms of numbers, these figures amount to NIS 16.4 billion in Israeli sales to the PA and NIS 3 billion in Israeli purchases from the PA.²⁹ This suggests that in order to reduce its trade dependence on Israel, the relevant Palestinian institutions need to diversify trading partners. Although the PA has signed agreements with GAFTA (the Greater Arab Free Trade Area), much of that potential remains to be realized. For example, promoting Palestinian control of imports from GAFTA on customs rate and standardization processes could offer a potentially immediate positive impact on PA's foreign trade (Peres Center 2015). A different example could take the form of a Palestinian-Jordanian-Israeli tripartite agreement to allow the movement of Jordanian goods to Palestinian markets and would be in the interest of Israel, since the more integration PA has eastwards the more integration Israel could have with that third country.³⁰

²⁸ <http://www.boi.org.il/he/NewsAndPublications/PressReleases/Documents/Israel-Palestinian%20trade.pdf>

²⁹ From a "business guide to Israeli and Palestinian businesses", published by the Israeli Union of Chambers of Commerce, 2015.

³⁰ Interview with senior Israeli economist, June 2016.

Enabling Conditions – Framework

After considering some of the key tangible conditions and institutional progress required to stir the Palestinian economy towards the path to prosperity, it remains to consider the overarching economic framework necessary to enable all of the above.

According to a senior Israeli economist, one who was intimately involved in the 1990s economic negotiations, from a purely economic perspective, the axiomatic argument is that the more economic integration, the more economic benefits both sides would reap, and so there is a need to continue seeking opportunities for joint projects and “win-win” initiatives. Nevertheless, the significant asymmetries between the two economies, the fact that it is not a situation of economic relations between sovereign entities but rather a relation of Palestinian dependence on a much more powerful Israeli market, highlights the continued need to establish a separate, independently functioning Palestinian economy. While we remain aware of the Palestinian need to exert sovereignty and visibility in economic development there is no doubt that in the coming years, the Palestinian economy will continue to need Israel in order to create economic growth, if only for the fact that Israel controls the gateways of the air and sea ports.

The most fundamental question of framework concerns the existing customs union, under which Israel collects and transfers to the Palestinian Authority the taxes on goods intended for the West Bank and Gaza Strip. Meanwhile, on the Israeli side, the position of being in charge of collecting Palestinian custom tax monies has exposed the government to pressures to suspend the transfer of tax monies and to international criticism when transfers are withheld. The last time Israel withheld Palestinian tax money for a substantial period was between January and March 2015, in response to the PA joining the international criminal court in The Hague. This had an immediate impact on PA budget and debt having to cut back on public sector salaries in response. While several past attempts, both formally and informally, to upgrade the existing Paris Protocol have failed to challenge the basic framework of the customs envelope, mainly because an upgrade to Free Trade Agreement (FTA) or even “FTA-minus” as some suggest, assumes the yet to be realized existence of functional economic borders between the Israeli and Palestinian economies. In the current state of affairs, an FTA-type of agreement would be problematic due to high potential of leakage of goods. However, this does not mean that flexibility and reliefs (e.g. flexible rules of origin) in existing economic agreements to enable quicker growth should not be promoted on a relatively short-term basis.³¹

More flexible tax arrangements could include agreements on customs and income tax (permitting “double tax” returns). For example, while global trends are around 0% customs, the Palestinians may very well want to have protective customs to support certain vulnerable Palestinian productive

sectors (such as agricultural produce). On the other hand, tax coordination should be kept to a minimum, for specific and small groups of items (such as alcohol and tobacco).³² In any case, the existing A1, A2 and B lists that are the only agreed-upon exceptions to the customs envelope, need to be revised. These were included in the Paris Protocol in order to allow the PA the import of basic market needs from Jordan, Egypt and other Arab and Islamic states under Palestinian customs tariffs and Palestinian standards:

- A1: Goods imported must be locally produced in Jordan, Egypt or in other Arab countries.
- A2 Goods imported can be imported from Arab, Islamic or other countries.
- B Goods imported are not subject to quantitative restrictions but are subject to Israeli standards.

It is worth noting that the lists have been updated only twice since 1994, which means they have become largely irrelevant to the evolving needs of the Palestinian market (Peres Center, 2015). Further related agreements should also address the issue of standards; allowing for exports under lower standards but all should be clearly defined.³³

In addition to the importance of an upgraded economic framework, there is also a need to consider the roles of the actors within this framework. With the steady decline in foreign aid, coupled with the limited options for additional public sector growth, there is a final actor to consider, the Palestinian private sector. According to 2013 analysis by the Ramallah and London-based Portland Trust, the role of the private sector is critical for job creation and independent investment i.e., for becoming less reliant on external aid. Senior Palestinian economists who stress that the private sector has the ability (and liquidity) to finance major projects ranging from investment in agriculture to education as well as a particular interest in Gaza-based projects confirm this argument.³⁴ Similarly, international actors such as the Quartet have been persistently targeting private sector-led growth initiatives, stressing that “there is significant growth potential in sectors such as agriculture, manufacturing, tourism, ICT, and infrastructure. The Palestinian private sector, though small, has performed well under “...challenging circumstances, including conflict, occupation, disrupted supply chains, and limited access to outside markets. Profit levels of listed companies are strong. Business owners are resilient and resourceful. The banking sector is well-capitalized.” (OQ report, 2016).

Conclusions

While the framework of diplomatic relations between Israel and the PA continues to be strained by significant political constraints on each side, the issue of Palestinian economic development is much less controversial. Indeed, it is more

³² Ibid.

³³ Ibid

³⁴ Discussion with senior Palestinian economist, March 2016.

³¹ Interview with senior Israeli economist, June 2016.

straightforward to convince the Israeli public that it has a vested interest in a prosperous Palestinian economy, both as a natural market for Israeli goods and services and, more importantly, as a means for securing stability and calm. This article presented a selected set of feasible economic measures that, if implemented, either in whole or in part, would push Palestinian growth and development forward.

Although a political resolution (i.e. recognized and functional borders) is necessary in order to allow the Palestinian economy to reach its full potential, easing the restrictions and implementing existing agreements could significantly improve the economic outlook. In general, granting Palestinians access to production inputs and external markets and enabling unimpeded movement of goods, labor and capital, as anticipated in the political agreements, would drastically improve growth prospects of the Palestinian economy.

Unfortunately, there is no escaping the fact that currently both sides are deeply entrenched in conflicting positions instead

of promoting constructive solutions to the many items on the agenda which need not wait until the core issues of the conflict are fully resolved. In agriculture, gas and electricity and water issues, there are many opportunities to push forward important protracted projects, at the professional levels, without the need to wait for the political echelons. Indeed, with the stalemate in official negotiations between both sides and considering the political and ideological constraints of the incumbent Israeli government, it is high time to promote “bottom-up” initiatives on a broad basis; if many different things happen in parallel, the combined impact on the Palestinian economy will be substantial.

Finally, if the Palestinian economy is successful in achieving substantial headway, coupled with the institutional capacity necessary to sustain such headway, this would go a long way in demonstrating to the Israeli public that its future neighbor will not become a failed state threatening its own wellbeing but rather a prosperous society and market open for business and cooperation.

Bibliography

AIX Group, *Economic Dimensions of a Two-State Agreement between Israel and Palestine*, Vol. II, June 2010

Arnon A. and J. Weinblatt, *Sovereignty and Economic Development: The Case of Israel and Palestine*, article in *The Economic Journal* · Royal Economic Society 2001

Bank of Israel (BoI), *Trade links between Israel and the Palestinian Authority*, 2013 report

David B. Brooks, Julie Trottier & Laura Doliner (2013) *Changing the nature of transboundary water agreements: the Israeli–Palestinian case*, *Water International*, 38:6,

The Portland Trust, *Beyond Aid: A Palestinian Private Sector Initiative*, 2013

Palestinian electricity Regulatory Council (PERC) 2011 Report; <http://www.perc.ps/ar/files/publications/annuareport2011en.pdf>

Peres Center for Peace, *Strengthening the Palestinian Private Sector through Reducing Trade Transaction Costs: A Comprehensive Research and Advocacy Program*, December 2015

Strategic Foresight Group publication, *Cost of Conflict in the Middle East*, 2009

Reuters Exclusive on Egypt-Gaza Tunnels, August 2014; <http://www.reuters.com/article/2014/08/21/us-egypt-gaza-tunnels-idUSKBN0GL1LC20140821>

Netanya Academic College, Center for Strategic Dialogue, *Promoting a Coordinated Strategy for the Reconstruction of Gaza*, October 2015

International Monetary Fund (IMF), report to the meeting of the Ad-Hoc Liaison Committee (AHLC), April 2016

איגוד לשכות המסחר, המדריך המלא. ישראלים ופולסטינים עושים עסקים, 2015

World Bank, *Area C and the Future of the Palestinian Economy*, October 2013

World Bank report to the AHLC, April 2016

Office of the Quartet (OQ) report to the AHLC, April 2016

PWA (Palestinian Water Authority), Water Sector Damage Assessment Report, August 2014. הכיבוש לא פוסח על משאבי הטבע של הגדה.

<http://www.haaretz.co.il/news/science/zafirir.premium-1.2921993>

The Path to Peace Runs through Sewage: <http://www.haaretz.com/opinion/premium-1.538447>

Israel Admits Cutting West Bank Water Supply, but Blames Palestinian Authority: <http://www.haaretz.com/israel-news/1.726132>

Burqin Church: <http://abrahampath.org/path/jenin/jenin-sites/burqin-church/>

What can Israel's Arab-Palestinian Citizens Contribute to the Middle East?

Kamal Ali-Hassan

Israel's democracy is facing new challenges. In view of the upheavals that have occurred in so many countries of the Middle East since the Arab Spring of late 2010, there is a growing demand on the part of Israel's Arab-Palestinian citizens for greater civil equality, along with their efforts to internationalize the Palestinian cause. These two processes call for a reexamination of the relationship between Israel's Jewish majority and its Arab minority, and of the relationship between Israel and the region and the world. The change in status that Israel's Arab-Palestinian citizens seek will directly impact the fabric of relations within Israel, as well as Israel's relations with the peoples of the region. Cross-state actors, such as research institutes in Israel and Arab countries, whose influence has surged since 2010 and who are trying to jump-start democratization processes in the region, can play an instrumental role in this process.

In addition to the internal processes of change taking place inside Arab society in Israel and the lively public debate it engages in on its social networks, which have reshaped the popular discourse among Arab-Palestinians in Israel, Israeli Arab intellectuals and research institutes are involved in extensive academic activity. All of these impact the elite discourse and represent the principal axes for a collaborative approach to dealing with the processes of change taking place in the Middle East and the uncertainties of the future. This approach is based on the premise that Israel's Arab-Palestinian citizens are the only Arabs in the Middle East and the world who share a common expatriate with the Jews in Israel. This could be decisive for the formation of new relationships between Israel and the Arab world, and drive the seizing of unique opportunities in the relations between Israel and the Palestinians in the territories, the other Arabs of the Middle East, and with state and non-state actors in the world. If Israel were to take a more egalitarian approach towards its Arab minority, they would feel a far greater sense of identification with and belonging to the state, and would more willingly engage in building partnerships between Arabs and Jews in Israel and the region.

The question is then whether the Arab-Palestinian citizens of Israel can contribute to the resolution of the Israeli-Palestinian and Israeli-Arab conflict and to promoting a better future in the Middle East in a way that has thus far not been implemented? Who are the key actors that shape the discourse in Arab society in Israel and how has this discourse evolved to the place where it is today? How can we build on this discourse in order to identify and perhaps exercise new opportunities for Israel and its Arab-Palestinian citizens? This article offers an attempt to answer these questions and present a conceptual and practical approach to the current reality.

The United States' failed policy in Iraq and its impact on developments in the Middle East

In January 2010, I was selected by the US Embassy in Israel to participate in a study program. The program took place over a period of six months at the University of Syracuse, New York, where I met other program fellows from the Arab world and the Middle East. Our meetings testified more than anything else to our desire to learn from the experience of other states and nations in dealing with issues and challenges in an effort to improve the existing situation. In the context of the program, I met Dr. Larry Diamond, a senior lecturer at Stanford University in California and an expert and adviser to President Clinton on matters related to democratization in the Middle East and the world. At our meeting, we discussed the contribution made by research institutes to the democratization process.

The subject of research institutes is an area in which I have taken an interest and been writing about since 2006. I have published numerous articles on this topic, the most recent of which focused on the development of research institutes in the Middle East in the wake of the Arab Spring. "Since the Arab Spring there has been an increase in the number of research and policy institutes in the Arab world, in their ability to operate independently and in the interest they are taking in Israel."¹ As part of my research, I met with two world experts on this subject: James G. McCann of the University of Pennsylvania, who runs the Think Tanks and Civil Societies Program, which ranks research institutes in the world, and Donald Abelson of Western University in Canada, author of *Do Think Tanks Matter?* I had met Abelson in Herzliya at a lecture organized by the Mitvim Institute.² At the three meetings, I learned about the complexity of democratization processes, the diverse tools available to promote these processes, while taking into account the unique features of each nation or state, which can be crucial to the process of democratization.

In his book *The Spirit of Democracy: The Struggle to Build Free Societies Throughout the World*, Diamond points to universal values as the infrastructure for democratization in the world. He discusses three pillars that together comprise the foundation for the democratic process: external factors, internal factors and regional factors. Later on, he asks: can the Middle East democratize? In his view, the toppling of Saddam Hussein, the dictator who ruled Iraq until 2003,

1 Kamal Ali-Hassan, "The New Kingdom of Forces: Research Institutes in the Middle East," in *Israel and the Arab Spring: Opportunities in Change*, Nimrod Goren and Jenia Yudkevich., (eds.), Ramat Gan: Mitvim, 2013.

2 www.mitvim.org.il

by the United States, the world's democratic superpower, was the first stage in the process of democratization of the Middle East.³ While it's probably too early to judge whether or not this assumption is correct, the current situation in Iraq and the Middle East in general does not appear to support this theory.

In February 2003, the eve of the war in Iraq, George W. Bush declared an ambitious goal: to transform the Arab countries into liberal democracies.⁴ Many Arab intellectuals interpreted his words not as a promise but rather as the declaration of an imperialist campaign aimed at once again subjugating the Middle East – a campaign they warned of back when his father was president of the United States.

The process of democratization in Iraq encountered difficulties the scale and intensity of which took the United States by surprise. Rather than bring peace and calm to Iraq, the toppling of the dictator Saddam Hussein begat waves of violence and an excessive use of force, harming mainly the civilian population. It also exposed the divisions, contradictions and conflicts inside Iraq and among the various components that constitute the Iraqi nation, especially between Sunnis and Shiites. A bloody struggle between these two factions became the dominant factor in the Iraqi reality in wake of the fall of Saddam's regime, accompanied by fierce rejection of and opposition to the democratic process, perceived as an imperialist Western concept.

Through an analysis of Western and Arab philosophy, Uriyah Shavit describes how an outlook that rejects liberal democracy and views the United States as a declining superpower has become the hegemonic viewpoint in Arab societies, and how this perception contributed to both the survival of the Arab regimes and the rise of al-Qaeda; and finally, how a conceptual debate developed into a military confrontation that is shaping the face of the Middle East today.⁵

The main lesson from the book appears to be that the efforts of the West to establish democratic regimes in the Middle East have thus far been a dialogue of the deaf. The paternalistic attitude assumed by the United States, so lacking in sensitivity to the unique characteristics of the population and societies in the Middle East, not only did not lead to the anticipated democratization process, but in effect caused countries such as Iraq to decline into bloodshed, and spawned the rise of extremist Islamic movements such as al-Qaeda and ISIS. If there is still hope for the process of democratization in the Middle East, given the costly mistakes that have already been made and the rivers of blood that are still flowing in the Middle East, it lies in a more open discourse between "East" and "West" about the essence of democracy and the ways to freely implement it in accordance with what the Arab

nations themselves desire and for the benefit of the entire international community. In view of the failure in Iraq, the Islamic threat and the repudiation by liberal Arab intellectuals, Shavit concludes, the big winners (for now) are the Arab regimes that have an organic-essentialist perception, and their call to preserve the existing order.⁶

Unlike imported solutions, such as liberalism or socialism, whose foreign origins are presented as the major cause for their failure in the region, the Islamic path is exhibited as one that in the distant past enjoyed great success, however, in contrast to the other alternatives, which have all met with failure, has not yet been tried. The motto of the Islamic movements "Islam is the solution" exerts a powerful attraction, especially for young people whose chances of finding employment, housing or even of getting married are limited.⁷

Apparently, the world's greatest power has yet to decode the state of mind in the Middle East, and accordingly, failed at a mission that could have been the most successful in human history – the democratization of the Middle East. The mistake was compounded: on the one hand, the divided and rifted Iraq was not the best place to start the democratization process in the Middle East. On the other hand, the United States' handling of its affairs in Iraq was not transparent, and was considered illegitimate because the Iraqis in all camps refused to accept American authority, and instead became caught up in the conflicts amongst themselves. The instability and chaos that ensued in Iraq hastened the US decision to withdraw without any progress having been made towards democratization in the country.

Following this move, new actors appeared on the stage: Islamic extremists, who quickly gained power and began to assume control over territory and people. In a divided country waging a bloody civil war, there is always room for extremists, especially those with military power, knowledge of the area and its inhabitants and substantial access to resources. The bottom line is that not only did the American incursion into Iraq and the toppling of Saddam Hussein not liberate the country and its citizens from the yoke of tyrannical rule, they actually made the situation in Iraq even worse. They unleashed on its citizens civil war, death and destruction – and with the appearance of extremist Islamic terrorist organizations on the scene, the terrorism the people now suffer from is no less horrific than that employed by Saddam Hussein against them. The United States has become the enemy of the Iraqi people and the Arab world as a whole, because its involvement in the Middle East is perceived as an illegitimate and colonial act, and that it is using the pretext of democratization to take over the Middle East and its natural resources.

During my stay in the United States in 2010, I met with more than seventy experts on the Middle East. They all shared

3 Larry J. Diamond, *The Spirit of Democracy: The Struggle to Build Free Societies Throughout the World* (New York, Times Books, 2008), pp 263-266.

4 Diamond, pp. 263

5 Uriyah Shavit, *The Wars of Democracy: Arabs and the West since the End of the Cold War*, Tel Aviv: Moshe Dayan Center for Middle Eastern and Africa Studies, 2008

6 Ibid, pp. 279-280.

7 Meir Litvak, "Introduction," in Meir Litvak (ed.), *Islam and Democracy in the Arab World*, Tel Aviv: Ministry of Education, 1997, p. 16.

the idea that democratization was the direction in which the United States wanted to take the Middle East, and that only by means of democratization of the region could there begin a rapprochement process and the building of partnerships based on common interests between democratic nations. However, many experts also argued that it was not the United States that would be able to set processes of democratization in motion. They pointed to the local civil society (grassroots) and civil society organizations as the drivers of the democratic processes. These experts emphasized the potential that lay in the growing strength of civil society organizations and movements that base their operations on ordinary citizens. They further underscored the importance of research institutes or think tanks, whose contribution to shaping and developing the discourse has become crucial in the last two decades everywhere, especially in the Middle East.⁸ Given the Americans' painful experience in Iraq as described above, this approach, which views the local civil society and research institutes to be a central axis driving the democratic process in the Middle East, should definitely be considered.

Late 2010 – Did the Arab world change direction?

Late 2010 saw the eruption of revolution the first in the Arab world, in Tunisia. When the demonstrations broke out, Prof. Elie Podeh immediately grasped the intensity and significance of the events in Tunisia and how they would impact future developments in the region. "Do not underestimate Tunisia" was the title of an article he published in 2011, in which he noted, "The fact that Tunisia is located on the periphery of the Arab world does not diminish the importance of the events. In the past, this country marked the start of a historic process. It was its legendary president, Habib Bourguiba, who in 1965 proposed a revolutionary idea: to recognize Israel within its 1947 partition borders. Although Bourguiba was lambasted and scorned in the Arab world, today it is clear that his proposal heralded the dawn of Arab recognition of Israel. That is why there is no room for an approach that dismisses or disparages events in Tunisia; these events are yet another sign that the Arab world is not disconnected from the global arena."⁹

Tunisia, perceived as a relatively marginal state among the countries of the Arab world, surprised everyone when it became the source of inspiration for the second major revolution in the Arab world. Egypt, the largest and most important country in the Middle East, joined the revolution, thus bolstering the Tunisian one, giving it a general Arab stamp of approval. The revolutionary discourse had now become the focus of the Arab world and among Arabs in general, including Israel's Arab-Palestinian citizens. The

8 Summary of my meeting with James McCann, from the journal I wrote from January to June 2010 prior to meetings with experts in the United States, which included a description and summary of the meeting subjects.

9 Elie Podeh, *Don't dismiss Tunisia*, Haaretz, January, 26, 2011

revolutionary spirit spread like wildfire throughout the Middle East, and quickly moved to Libya, Yemen and Syria. In other countries, such as Morocco and Jordan, the regimes engaged in hasty reforms for fear of that revolutionary spirit might take hold in their countries too. In wake of rallies and demonstrations, and after seeing the situation in other Arab countries, King Abdullah II initiated measures aimed at absorbing certain aspects of the criticism against his regime and introduced reforms into the Jordanian constitution from 1952 and the Jordanian election law.¹⁰

A wide range of demonstrations and demands for change began to crop up all over the new Middle Eastern arena, including in Israel. The principal demands put forth by protesters in Tunisia and then in Egypt and other countries were equality and social justice. They demanded an end to corruption and the government's decadent bureaucracy, and to increase transparency. Seemingly, there does not appear to be any comparison between the uprisings of the masses in Tunisia, Egypt, Libya, Yemen, Algeria, Jordan, Morocco, Iraq, Kuwait and Sudan against the non-democratic regimes in their countries and the social protests in Israel in 2011. Indeed, the escalation of these protests in some Arab countries led to civil war and the disintegration of the country, and in others, to the establishment of alternative dictatorial regimes, and in yet others to a forceful crushing of protests by the existing regime. In fact, since the Arab spring, Tunisia is the only country in which we can see an ongoing process of democratization.

However, the impressive surge of protests in the Arab world and the slogans calling for social justice undoubtedly had a direct impact on developments in Israel too. A study conducted by the Knesset's research unit on the social protest and its connection to the Arab Spring noted, "The study starts with the Arab Spring, its sources, the tools it used and its outcomes. It draws a connection between the Arab Spring protests and Israel's "cottage cheese" and tent protest in 2011, and tries to place the events in Israel within a broader, regional context geographically and globally in terms of the media." Later, the study relates to the use of slogans inspired by the Arab spring, especially the demand for social justice. "The tent protest quickly spilled over to a protest given the generalized slogan: "The people demand social justice."¹¹

Although the demand for social justice rather than the establishment of a Western-style democracy stood at the focus of the protesters in Arab countries, and although, as noted, the consequences of the Arab spring in most of these countries have been a disappointment – and in some (such as Syria, Libya and Yemen) even disastrous, in the background were the protestors' demands for democratization

10 Oded Eran, "Jordan: Demonstrations and Reforms on the Back Burner," in *One Year of the Arab Spring: Global and Regional Implications*, Yoel Guzansky and Mark A. Heller (eds.), INSS, Tel Aviv University, 2012, p. 51.

11 Pavel Tal, *The Social Protest and the Social Media: From the Online to the Real World and Back*, Jerusalem: The Knesset, 2012.

and regime change or fundamental reforms in relation to citizens who until now were under the thumb of dictators who had risen to power by virtue of monarchical succession or military coups. The fact that these aspirations have not thus far been realized does not mean they disappeared, and the revolutionary potential still exists. Nonetheless, this is not a yearning for Western intervention to bring about change, but rather an authentic desire on the part of Middle Eastern peoples for the institution of freedom and justice based on the will of the people itself.

An opinion article written by As'ad Ghanem immediately after the revolution in Egypt pointed to the far-reaching changes taking place in the Arab world. "This is a single joint revolution, implemented by Tunisians and Egyptians, to which most Arabs and free people in the world are partner. It is the result of using of media we were not familiar with before. It will be the basis for creating a united, democratic future for one nation whose enemies and rulers want it to be disunited. The nation has not surrendered and is seeking that which we share for a new revival. The test lies in the ability to rid ourselves of the burden of colonial history, which was followed by the implementation of internal colonialism by the ruling elites against the Arab nations."¹²

A year after the Arab Spring, also known as the as Facebook and Twitter Revolution or the Arab/Islamic Winter, the Institute for National Security Studies (INSS) in Tel Aviv held a conference aimed at gaining an understanding of what was happening in the region. Amos Yadlin objected to the use of the term "Arab Spring" because "this is not a brief season of blossoming; the events will not necessarily lead to a Western model of democracy, and nor is this a domino effect that will sweep the entire Arab world." The process will take many more years, he said. Asher Susser brought up the subject of the dissonance between the terms used to describe the events and what actually occurred. The terms that were on everyone's lips, such as "spring" and a Facebook and Twitter Revolution, were quite remote from the actual outcome. According to him, this is because not enough importance is attached to the cultural context and there is a reluctance to acknowledge the difference of the other.¹³ In an article about the Arab Spring, Elie Podeh and Nimrod Goren argued that the term "Arab Spring" was soon replaced by the term "Arab/Islamic Winter," which reflects the negative Israeli framing of the events occurring in the region.¹⁴

Despite the differences attributable to what is happening in the Arab world, there can be no doubt that the name "Arab Spring" was indicative more than anything else of the desire of the peoples of the region to effect drastic changes,

12 As'ad Ghanem, "The earthquake in Cairo heralds the long-hoped-for dawn," Al Jazeera Net, <http://www.aljazeera.net/knowledgegate/opinions/2011/2/8/>

13 Conference on: One Year of the Arab Spring: Global and Regional Implications, INSS, January 26, 2012, <http://heb.inss.org.il>.

14 Elie Podeh and Nimrod Goren, "Israel in the Wake of the Arab Spring: Seizing Opportunities, Overcoming Challenges," Ramat Gan: Mitvim, 2013.

and especially of their demand for justice and democratic treatment by the regime towards the citizens. The Arab Spring revolutions created a new reality in the Middle East, which is still in flux. The intensity of the protest drowned out the roar of the tanks in the streets, and a complex and unique process of democratization unlike anything known before was launched. Because of the unique situation of the Arabs, who have never experienced democracy, and especially due to the need of these peoples to express themselves out of a sense of awareness and connection to their country and the world, the region's future democratization offers new opportunities to the countries of the Middle East. The democratic idea appeals to the Arabs of the Middle East too, but the process of democratization must emanate from the people of the region themselves, in a way that is consistent with the Arab culture and the unique nature of the countries of the Middle East, albeit with outside support from democratic countries. The Arab Spring is still under way today, in accordance with the unique features of each of the states undergoing drastic changes, as well as in the states in which the potential for a revolution has not yet ripened. What is of particular interest in the entire series of changes that began in 2003 (with the overthrow of Saddam Hussein) is the intensity of the demand for democratization, a message absorbed at the speed of light and that became a source of identity and inspiration among the citizens of the free world, states and minorities in the Middle East and in Israel. This became a framework for intensive research and activity to gain an understanding of the directions of future development and their impact on states, the region and the world system.

The Arab Spring heralded the beginning of a new era in the region, whose final outcome is very difficult to foresee at this stage. Like with any drastic change, we are witnessing resistance that is undermining stability and that involves the use of violence, which in some cases is quite extreme and destructive. The cases of Libya and Syria are illustrative of the negative directions that the Arab Spring has taken. As might be expected, experts pursued the more negative scenarios of the Arab Spring, which is important in order to present the options for contending on all the different levels. But more important, in my view, is to listen to the voices of those in the Arab world who continue to strive for democratization, to observe them and ensure the success of the transformation process with regional and global support. Should this process fail, it would undoubtedly weaken the free voices in the Arab world and bolster the traditional, extremist and ultimately destructive attitudes, which will inflict grave damage on the citizens and the world in general.

More than at any other time in the past, the Arab Spring may be characterized as a drastic change from within. This is the source of its strength, even if in most countries in the Middle East we are currently seeing reverse processes. It is more important now than ever for regional and global democratic parties to join forces with the positive players, those who aspire to achieve democracy in the Middle East,

and support them and the process they wish to promote from within. If the process ultimately succeeds, it will be a victory not only for universal values, but also and especially for the countries and peoples of the region who will see a new light and experience a protected peace in the context of a democratic relationship between the government and its citizens. In addition, as has been demonstrated in the discussion in this chapter, developments in Arab countries also directly impact the State of Israel and its citizens, and their importance should not be underestimated – both for better and for worse.

The Arab Spring: Israel in a changing expanse – What is happening among its Arab-Palestinian citizens?

The Arab Spring gave rise to a situation of uncertainty, anarchy, waves of violence and weakening of regimes in view of the growing strength of extremist organizations. All these have been the focus of regional and Israeli interest worldwide, and efforts to try to map and assess the development of events and anticipated directions. The Arab Spring was on everyone's lips, largely due to the massive presence of the social media. Its impact crossed the borders of the countries in which it was occurring to Israel and the wider world. Elie Podeh and Nimrod Goren pointed to the dangers and opportunities embodied in the change process the Arab world is undergoing: "The Arab Spring – contrary to the prevailing Israeli opinion – poses not only risks, threats and challenges, but also offers Israel diplomatic opportunities. Furthermore, the Arab Spring has engendered a change in deeply rooted beliefs and images among Israelis about the citizens of Arab countries – from seeing them as passive citizens willing to live under dictatorships to viewing them now as active and courageous citizens, who are able to stand up for their rights and willing to risk their lives in their demand for change. It was no coincidence that Israel's social protest in the summer 2011 adopted slogans that emerged from the squares of the countries of the Arab Spring. Israeli decision makers can take advantage of the full range of developments in the Arab world to bring about real change in Israel's traditional policy toward the Middle East, and to move from a policy of defense to one of initiative," write the authors.¹⁵

This message was acknowledged by Israeli defense officials. An INSS conference enumerated the five steps that Israel should take under the heading "Strategic Springboards." It was noted that the most significant challenge for Israel is to identify the points that will give it an optimal strategic edge through the formulation of new defense-policy options. The first springboard mentioned by the participants was the domestic arena. The first priority in this regard should be to narrow the gaps between the Arab and Jewish populations, in addition to other important springboards, such as the Palestinian issue, relations with the Arab states

¹⁵ Ibid.

and world powers.¹⁶ Prioritizing the domestic arena as the first springboard, and particularly the demand to narrow the gaps between the Arab and Jewish populations, is no accident. It is a concrete and basic demand on the part of both Arab-Palestinian Israeli citizens and of experts from various disciplines and jurists in Israel. The changes that occurred in Arab countries during the Arab Spring, the fact that the nations of the region have ceased to be passive and have come out against their regimes in an unambiguous demand for social justice have caused Israeli experts to realize that the plight of Israel's Arab-Palestinians citizens can no longer be ignored or shunted to the sidelines. "The state, through its senior echelons, must take action to close the gap soon, decisively and clearly, while setting clear and concrete objectives and timetables," wrote former Supreme Court Justice Yitzhak Zamir.¹⁷

Even if experts often ascribe mainly security significance to the Arab Spring, they are clearly aware of the various gaps and inequalities that exist in Israeli society, particularly between Israel's Arab-Palestinian citizens and its Jewish majority. This situation of inequality undermines the delicate relationship that has been forged here since Israel's establishment and creates a constant potential for instability that could ignite under unpredictable circumstances.

The Arab Spring enhanced, intensified and revealed new subjects and aspects of the discourse within the Arab society in Israel. These new subjects reflect a trend that has been evolving inside Arab society, which is essentially criticism and public debate about various political and cultural issues. In recent years, and as a result of the discourse in the Arab world, Arab intellectuals and professors have been holding a similar discourse within the Arab society in Israel, which essentially involves scathing criticism of cultural issues such as the status of women, the murder of women, violence, the breakup of the family, and harsh criticism of traditional religious and social leaders, on the one hand, and of the Israeli government and the establishment, on the other. This latter criticism focused in particular on the discrimination practiced by the state against Arab-Palestinian citizens in all areas.¹⁸

The key actors leading this critical discourse were initially intellectuals and research institutes, but the debate soon spread to the population as a whole. The Mada al-Carmel think tank developed two new research programs: a research program on feminism, the first of its kind in Arab society, and a program of Israeli studies to address a need among Arab readers in Israel and the Arab world to learn more

¹⁶ INSS Insight, No. 790, January 31, 2016, New Directions for Enabling Israel to Overcome its "Strategic Confusion": Insights from the INSS Annual Conference, January 2016.

¹⁷ Yitzhak Zamir, "Equality of Rights for Arabs in Israel," in *The Status of the Arab Minority in the Jewish Nation State*, Tel Aviv: Tel Aviv University, Konrad Adenauer Program for Jewish-Arab Cooperation, 2005, pp. 59-83.

¹⁸ Kamal Ali-Hassan, lecture, "Democratic ideas among Palestinians in Israel inspired by the Arab Spring," Mitvim study day, Azari Center and Friedrich-Ebert-Stiftung, Haifa University, June 11, 2013.

about Israel as a state – its society, history and politics.¹⁹ In addition, the institute is constantly developing new research programs, as well as support for Arab doctoral students who participate in a workshop run by the Institute. Another example is the Center for Modern Research affiliated with the Islamic Movement, which has published dozens of opinion articles and detailed reports about the Arab Spring and what Arabs and Muslims in Israel can learn from it. One article written by Dr. Ibrahim Abu Jaber, entitled “The unity project as a product of the Arab Spring,” describes a process of anticipated unifications of Islamic movements in the Arab world. He does not rule out Iran joining the project and calls for the founding and establishment of a large Islamic project or global Islamic body. Another opinion piece published by the same center is called, “Isn’t it time to develop the struggle.” Isn’t it time, writes Ibrahim al-Khatib, to learn from the Arab Spring about the strategies and tools used by the citizens of the Arab world in their revolutions against their government. He notes that the way to a protracted struggle for rights in the state is by means of a structured program, not through violence or reactive operations, as was the case until now.²⁰ Three key messages emerge from the publications of the think tanks: The first is a secular approach that is open to the general Arab public; the second and the third relate to future coalitions between Islamic movements and the potential adoption of new non-violent strategies (peaceful revolution), in whose realization the masses actively participate.

Regional and global perspectives have become an integral part of the discourse in Arab society in Israel in the wake of the Arab Spring, including regional and global issues such as the involvement or intervention of the world powers (the West) in the events happening in the Arab world (the East); the limits of the Arab world’s power vis-à-vis world powers; the inferior situation of the residents of the Arab world. Issues of religion, culture, social economics and politics have become the focus of the discussion, and a great deal can be learned about the attitudes and perceptions in regard to the issues discussed, such as the position towards the Shi’ites, Kurds, Houthis and the radical Islamic organizations that have appeared on the scene, all in terms of how they relate to the policy of the Israeli establishment towards Arab-Palestinian citizens of the Israel.

Ghaida Rinawie-Zoabi, the director-general of the Injaz Center for Professional Arab Local Governance, has written, “The effect of the Arab Spring – and the changes it brought about in the regimes of the Arab countries – has not left Palestinians in Israel unaffected. The discourse about the Arab Spring among the Palestinians in Israel is extremely lively, and entails a number of major moral, political and social dilemmas. Until the Arab Spring erupted, the pride of the Palestinians in Israel centered on their ability to lead a public campaign against racism and prejudice in Israel, while the rest of the Arab world remained depressed and passive. Now, they have lost this advantage. Nevertheless, the Arab Spring

has proven that a non-violent struggle to change reality and the regimes is possible.”²¹ It is clear that Rinawie-Zoabi is pointing to the long-awaited democratic change of Israel towards its Arab-Palestinian citizens. The Arab-Palestinian public discourse in Israel can give an indication of the vast scope of the interaction within Arab society that has been affected by global Arab discourse. The social networks, which have constituted a key mechanism for organizing within the Arab world, have become a key tool for the discourse within Israeli Arab society too. Beyond the discourse being held on the open Facebook pages of individual people, pages have been opened to call for regional or global change under the name of the Arab Spring. Hundreds, even thousands of Arab- Palestinians in Israel belong to groups of this kind. In addition, there are people who are active on Facebook and write daily posts about events in the Arab world – in Syria, Egypt, Tunisia and in the Arab countries in general. Quite a few of the statuses or positions of Arab-Palestinian Israeli citizens relate daily to what is happening in the Arab world and serve as a focus for clashes between those who support and those with reservations or who reject much of what is happening in the Arab world or the region. The recent attempted coup in Turkey in July 2016 became a source of disagreement and violent discourse among the Arab-Palestinian citizens of Israel, between the supporters and opponents of the Turkish attempt to effect regime change. Some even participated in victory celebrations after the failed coup because they considered it to be anti-democratic. “It’s good that the uprising failed,” wrote Hassan Shaalan in an article on Ynet about Arab Israelis in Turkey.²²

It should be noted that my article has thus far reviewed the democratic effects of the Arab Spring on Arab society in Israel. But undoubtedly, there may also be non-democratic influences, such as cases of Israeli Arabs joining radical movements such as ISIS. However, these are minor effects and do not represent the general mood in Arab society. In any case, the impact of the Arab Spring has filtered into Arab society in Israel, which will continue to be influenced by events in Israel, the region and the world.

The Arab Spring has revealed new opportunities for Israeli Arabs to connect and identify with the Arab region. There are three primary explanations for this identification:

1. The negative and discriminatory attitude of the Jewish majority towards Arabs in Israel has not changed in the past two decades, and as a result, the social and economic situation of Arab-Palestinian Israeli citizens has worsened and led to internal crises, which has shaken their confidence in the Israeli establishment. That is why the Arab Spring represented a new hope for them that

21 Ghaida Rinawie-Zoabi, “The Arab Spring and Palestinians in the State of Israel,” In *Israel and the Arab Spring: Opportunities in Change*, Nimrod Goren and Jenia Yudkevich., (eds.), Ramat Gan: Mitvim, 2013.

22 Hassan Shaalan, “Israeli Arabs in Turkey: ‘It’s good that the uprising failed,’” Ynet, July 16, 2016 <http://www.ynet.co.il/articles/0,7340,L-4829051,00.html>

19 <http://mada-research.org>.

20 <http://derasat.ara-star.com>

the Arab citizen could change the situation: If in the Arab states, they succeeded despite the repressive attitude of the leadership towards the citizens as subjects, then it is reasonable to expect that here too, we should be able to positively influence our position and improve our inferior social and economic situation in Israel.

2. The success of the Arab Spring, or at least a start of the democratization process in the Arab world, refute Israel's claim that it is the only democracy in the Middle East. As a result of this change, Israel would be the first to lead improvements in its flawed democracy with regard to its Arab citizens. This change would significantly improve the situation of the Arab population and bring about a sense of satisfaction in view of the changes in the Middle East, which could cast a positive light on their status in Israel and possibly also provide them with new opportunities to connect with the region as it undergoes a process of democratization.
3. Israeli Arabs have a relative advantage in comparison to all the Arabs in the Middle East and the world. The advantage is reflected in their status as an Arab minority living on its land under Jewish democratic rule since 1948. Although the Israeli democracy is flawed in various respects, especially in regard to the discriminatory treatment of its Arab population, the regime is fundamentally democratic, with Jews and Arabs living alongside one another for more than sixty years. This is an experience that only Israel's Arab minority is familiar with, and the preservation and improvement of Israel's democracy is an important value for the Arab community in Israel. The Arabs of Israel can contribute from their civic experience in a democratic society to any of the societies undergoing a process of democratization, especially the Arab societies in the Middle East.

The Arab Spring has sparked interest and debate not only among Jewish society and in the Israeli establishment, but has also led to the development of an in-depth internal dialogue within Palestinian society in Israel. This new dialogue is being conducted among both the elites of Arab society in Israel and ordinary people. In the following pages, I will try to identify the state of mind among the Palestinian elites and general Arab-Palestinian society in Israel, and I will discuss the relationship between these two groups, the impact of the Arab Spring on them and future implications for Israel in the changing Arab region.

Palestinians and Israelis: The elites and ordinary people

The question of the formation of the consciousness and identity of the Arab-Palestinian citizens of Israel serves as a broad and comprehensive framework for understanding the common space created after 1948. For the Arab-Palestinians, the establishment of the State of Israel led to far-reaching changes that re-shaped their experience in light of their culture and citizenship in Israel. In general, Arab society

in Israel can be divided into two main sections: the elites and the ordinary people. In the unique case of the Arab-Palestinians in Israel, the elites also grew out of the ordinary people, mostly from the rural population. The relationship that has developed in Israel between the Arab-Palestinian elites and the ordinary people, and between them and the Jewish majority and the state is one dimension for understanding the experience and aspirations of the Arab-Palestinians in Israel. The second dimension is the connection between Israel's Arab-Palestinian citizens and the Palestinian and Arab expanse. I would argue that Arab society in Israel has a third reference group, the circumstances of whose formation is related to the 1948 war. That war led some 25-40% of the Arab-Palestinians to obtain the status of "present absentees," namely the internally displaced. This group, in my opinion, represents a major component in the consciousness and identity of Israel's Arab-Palestinian citizens. These three reference groups, with different degrees of impact over time, have shaped the unique experience of Arab-Palestinian citizens of Israel. Understanding the extent and characteristics of the three dimensions of the Palestinian consciousness and identity in Israel can become the basis for a rehabilitation of East-West, Jewish-Arab, Palestinian-Israeli relations.

The Arab-Palestinian citizens of Israel are the only Arabs in the Middle East and the world who have lived and still live as citizens of a country perceived as the enemy of their people and of most of the Arab countries of the region. They are the only Arabs that have an Israeli, Arab and Palestinian component in their identity and consciousness: This combination of identity components is unique to Arab-Palestinian Israeli citizens and could form the basis for a new approach aimed at developing future ties between Israel and the Palestinians and Arabs in the Middle East that have experiences shared by Palestinian citizens of Israel. The Arab-Palestinian citizens of Israel have undergone drastic changes since 1948, while the Arab world has been undergoing drastic processes since 2010. The main point is that there are certain similarities between the traumatic experiences that the Palestinian citizens of Israel experienced and those that the Arabs in the Middle East have been experiencing in recent years. The similarities in their experience, on the one hand, and the unique characteristics of this identity of the Arabs of Israel, on the other, can serve as the basis to both improve Israel's democracy and promote the democratization process that has begun in the Arab world.

The question of the relationship between Israel as a democratic state and the non-democratic Arab expanse lay at the focus of one of the chapters of the book Benjamin Netanyahu published in 1993 "A Place among the Nations." In the chapter, which discusses the relationship between democracy and peace, Netanyahu maintains that the main obstacle to peace in the Middle East is the fact that all countries of the region – except for Israel – are not democratic. Netanyahu states that if the West wants to promote peace in the Middle East in accordance with the "Western model," it

must first exert pressure on the Arab regimes to move in the direction of democracy. According to Netanyahu, pressures such as this were used in the past by the West in other regions of the world, but not in the Arab world. Netanyahu explains that the West should leverage economic aid given to Arab countries in order to pressure the regimes in these countries to promote democratic processes.²³ The question is how Israel (the only democracy in the Middle East as he sees it) can promote democratization in the Arab world?

Netanyahu's response to the Arab Spring events as Prime Minister was fundamentally different from the things that he wrote in his book. Precisely when manifestations of the democratization process started in the Arab countries and when Western countries enthusiastically welcomed this trend and did what they could to promote it, Netanyahu presented quite a different position to the Israeli public, painting a very negative and intimidating picture of the developments he had spoken about so favorably in the past. Later on, he repeated what he wrote in the book and took a positive position, saying that he was extending his hand to the nations trying to build a democratic future.²⁴

The Arab Spring and the demands for democratization of the nations in the Arab world raise at least a few questions about Netanyahu's view of the Arab countries. It is true that at this point, the Arab citizens that took to the streets in 2010-2011 have not yet achieved their goal. As in other cases of drastic change among peoples and nations of the world, the process of democratization in the Arab countries is accompanied by excessive violence and bloody struggles. But the peoples of the region seek democracy, and will eventually achieve it. Israel's Arab-Palestinian citizens, who on the one hand belong nationally to the Palestinian people and the Arab nation, but on the other, are part of Israeli society, to which they have adapted and whose democratic character – despite all their criticism and the limitations of Israeli democracy – they know and cherish, are in fact the only group within the Arab nation that has long-term experience of life in a democratic society. There is a broad consensus among the majority of the Arab public in Israel that the Israeli experience, i.e. Israeli citizenship, is a major component that forges and creates a new and unique identity for Arab-Palestinian citizens of Israel. This complex identity and the experience of life in a democracy can serve as a basis for the promotion of democratic values in the Arab world by Arab-Palestinian citizens of the State of Israel.

In 1993, Shimon Peres, then foreign minister in the government of Yitzhak Rabin, who together with Rabin led the Israeli-Palestinian peace process, published a book. The book, "The New Middle East," unveiled his peace doctrine, which was based on a conceptual change, which included moving from

23 Benjamin Netanyahu, *A place among the Nations: Israel and the World*, New York: Bantam, 1993.

24 Lior Lehrs, "Egyptian Plague or Spring of Youth? The Israeli Discourse Regarding the Arab Spring," in *Israel and the Arab Spring: Opportunities in Change*, Nimrod Goren and Jenia Yudkevich, (eds.), Ramat Gan: Mitvim, 2013.

a terminology of war to a terminology of peace. It represented a real hope for an agreement with the Palestinians, in wake of which reconciliation with the Arab world would follow. As part of the future change, Peres addressed Israeli Arabs in two contexts:

1. "On the very eve of the signing of the agreement with the PLO, six MKs of the Shas party withdrew from the coalition, and we were left with a majority of only 61 MKs. Although in a democracy, a majority of one is a majority, it is difficult to build a new national consensus around it, especially considering the fact that this majority depended on the votes of the Arab MKs, who favored the concessions we made to the Palestinians."
2. "About an hour before the signing ceremony on the White House lawn, Dr. Ahmed Tibi, Yasser Arafat's representative, showed up in my hotel room and informed me that if we did not agree to change the wording of certain statements in the Declaration of Principles (DOP), Arafat would go home."²⁵

Peres' first statement in effect delineated the limits of the involvement of Arab-Palestinian Israeli citizens in the decision-making processes in the Knesset: Even if Arabs are elected to the Knesset, they are not full partners in decision-making in Israel, which belongs to the Jewish majority. On the other hand, in the second text, Peres awarded Israeli Arabs an important role: to be the mediators between the Palestinians and Israel. This is based on the assumption that the Arabs in Israel are part of the Israeli society created after 1948. These two statements underlie the complexity of the status and role of the Arabs in Israel and of their relationship with the Palestinians outside Israel and with the Arab world. This situation came into being, in my opinion, also due to the lack of consensus in Arab society in Israel regarding a future vision based on the broadest possible consensus of all Arab-Palestinians in Israel. What is especially lacking is a clear answer to the question: What do they want their role to be and what are they capable of? While all four vision papers published in 2006 and 2007 speak about the Arab-Palestinian citizens of Israel, i.e. they work from the assumption that the vision needs to be realized within the framework of the State of Israel, the emphasis in each document is different, and no comprehensive document that includes a shared vision for all Arab society in Israel exists.²⁶ In addition, the absence of a shared vision for all the Arab-Palestinians in Israel may

25 Shimon Peres with Arye Naor, *The New Middle East*, Steimatzky, 1993, see especially pp. 30-35.

26 Yusuf Jabarin, "An Equal Constitution for All?" Mossawa, the Advocacy Center for Palestinian Arab citizens in Israel, http://www.mossawa.org/uploads/constitution_paper_heb_FINAL.pdf; "The Future Vision of the Palestinian Arabs in Israel," National Committee for the Heads of the Arab Local Authorities, http://www.knesset.gov.il/committees/heb/material/data/H26-12-2006_10-30-37_heb.pdf; "The Democratic Constitution," Adalaah, The Legal Center for Arab Minority Rights in Israel, [https://www.adalah.org/uploads/oldfiles/upfiles/democratic_constitution-h\(1\).pdf](https://www.adalah.org/uploads/oldfiles/upfiles/democratic_constitution-h(1).pdf); "The Haifa Declaration," Mada al-Carmel, Arab Center for Applied Social Research, <http://mada-research.org/wp-content/uploads/2007/09/haifahebrew.pdf>.

reflect a desire on their part to leave all their options open, to allow the State of Israel, the Palestinians, and Arabs in the region, including countries in the world to view them as potential partners, thus increasing their chances of improving their situation in the present and future.

Arik Rudnitzky summarized the main phases and approaches that characterized the approach of Arab-Palestinians to Israel since the establishment of the state.²⁷ Initially, there was an identity crisis between their identity as Israeli citizens and their Palestinian national identity, and this has been an inseparable part of the life of Israel's Arab-Palestinian citizens since the establishment of the state.²⁸ Over time, there has been a change, with the Arab-Palestinians feeling that they live in a "double periphery," as defined by Majid Al-Haj, who argued that the question of the national status of Arab-Palestinians in Israel has not been placed on the agenda, and that despite the signing of the peace agreement, the legitimacy of the Arab-Palestinians as equal citizens of the state or possible partners in the coalition government has not grown stronger.²⁹

As a result, the long-standing hopes for the association of peace with equality were dashed; Israel's Arab-Palestinian citizens remained on the margins of Israeli society and politics. The combined effect of these developments was reflected in the process that Eli Reches has called the "localization of national struggle": "The Arab-Palestinians in Israel gradually abandoned the traditional effort to realize the national aspirations of their fellow Palestinians in the territories, and instead turned all their resources towards the areas inside the "Green Line," and enlisted in the struggle for national and civic status within the state."³⁰ The local dimension was a central focus in forging the internal social discourse among the Arab-Palestinians in Israel, which was sustained by a system of dense social networks that were reshaped after 1948, especially among the rural population. I will address the discourse among this group below.

Ephraim Lavie has identified the processes that have led to the Israelization of Israel's Arab-Palestinians and their integration into Israeli society, on the one hand, and their developing demands for recognition as a native national Palestinian group that is entitled to equal rights, on the other, as a crucial component that will affect their collective identity. He further notes that it will characterize their reciprocal relationship with the state and the Jewish majority at the time when a Palestinian nation-state is being established alongside Israel. "The Arabs in Israel have learned to adapt to the majority among whom they live. These processes have

continually strengthened their identity component as Israelis alongside their Arab-Palestinian identity. Moreover, after the signing of the Oslo Accords in 1993, the Arabs realized that they need to stand up for themselves and take care of their future in the State of Israel, independent of future political processes and their results."³¹

As noted, Arab society has adapted to the Jewish majority among which it lives, after coming a long way in terms of its social and cultural experience with it. Prof. Sammy Smooha argues that: "The Arabs have undergone Israelization (without assimilation), which ties them closely to the state and the Jews in many areas of life. They have become bilingual and bicultural, they have become partially modernized in their lifestyle and way of thinking; they have become accustomed to Israeli standards, and Jewish society has become their reference group."³² The Hebrew language as a key element of Israeliness has had a powerful impact, and has already significantly changed the Arabic of Israel's Arabs so much that Israeli Arabic is now considered a separate regional language, distinct from other forms of Arabic, writes Muhammad Amara.³³ Smooha introduced a new and innovative approach entitled "Shared bound Israeliness."³⁴ In his conclusion, he writes, "The instrumental procedural democracy must become a substantive democracy, and introduce education towards the values of human rights, equality, tolerance, mutual respect and mutual responsibility." In his view, "The deepest rift in Israeli society is between its Arab and Jewish citizens. The culture, Zionism and the Arab-Israeli conflict are pulling them deeply apart. As long as the occupation continues, along with the hostile relations between Israel and the Arab world, while Israel strives to belong to the West, the impact of Israelization and the measures to increase integration and equality between Arabs and Jews will be limited." In his conclusion Smooha notes that one can identify the civic, day-to-day aspect, (the Israeli experience) as something that is a central element in the forging of identity, and as a predictor of the positions of the Jewish majority, the state and the Palestinians in Israel, who have built themselves a unique emerging history, politics, society and economy, with impressive personal and group achievements. A second aspect is related to the region

27 Arik Rudnitzky, "Arab Citizens of Israel Early in the Twenty-First Century," INSS, Memorandum 139, July 2014.

28 This dilemma was at the focus of an early research debate in the article by Yohanan Peres and Nira Darwish, "On the national identity of the Israeli Arab" *The New East*, 18, 1968, pp. 106-111.

29 Majid Al-Haj, "Identity and political orientation among the Arabs in Israel: The double periphery," *Medina, Mimshal ve-Yahasim Benle'umiyim*, Vols.41-42 (1997), pp.104-122.

30 Eli Reches, "Israeli Arabs after the Oslo process: Localization of the national struggle," *The New East*, 43, 2002, pp. 275-303.

31 Ephraim Lavie, "The Arabs in Israel after the founding of a Palestinian state: The struggle to be recognized as an indigenous-national minority in the State of Israel," in *The Influence of the Establishment of a Palestinian State on Israeli Arabs*, The S. Daniel Abraham Center for Strategic Dialogue, 2011, pp. 36-54.

32 Sammy Smooha, "Still Playing by the Rules: The Index of Arab-Jewish Relations in Israel 2012," Jerusalem: Haifa University and Israel Democracy Institute, 2013, pp. 22-23.

33 Muhammad Amara, "Hebraization in the Palestinian Language Landscape in Israel", in *Challenges for Language Education and Policy: Making Space for People*, edited by Bernard Spolsky, Ofra Inbar-Lourie and Michal Tannenbaum, NY and London: Routledge, 2015, pp. 182-195.

34 Sammy Smooha, "Shared Israeliness," in the "Four Tribes" initiative of the Office of the President of the State of Israel with the Institute for Policy and Strategy (IPS), Interdisciplinary Center, Herzliya, February 25, 2016.

and the political environment, which is characterized by the series of dramatic events going on in the Arab world and the Middle East as a whole, starting in 2010. These have directly impacted Arab-Palestinians in Israel in different contexts, especially in the areas of society and politics.

The Or Commission Report, which investigated the events of October 2000 involving Arab-Palestinian citizens and the Israel police, in which 13 Arab-Palestinian citizens of Israel were killed, pointed to the role of the state, alongside the role of all the sectors of society in taking part in constituting a reasonable harmony between the majority and the minority: "Majority and minority relations are problematic everywhere, and especially in a country that defines itself according to the nationality of the majority. The dilemmas that arise in such a country do not have perfect solutions, and some might suggest that there is a fundamental contradiction between the principles of a majoritarian nation-state and the principles of a liberal democracy. In any event, establishing reasonably harmonious relations between a majority and minority is a difficult task for all sectors of society, one that requires a special effort on the part of state institutions, which represent the hegemony of the majority, in order to balance the vulnerability of the minority as a result of its inherent inferiority – both numerically and in terms of influence. Refraining from making an effort of this kind, or doing so inadequately creates feelings of discrimination and a reality of deprivation among the minority, which can exacerbate over time. This is true for the situation of the Arab minority in Israel, which is discriminated against in many ways. Moreover, there are some unique factors in the case of the Arab citizens of Israel that may further aggravate the problematic nature of their socio-political status in Israel."³⁵

The Palestinian-Israeli discourse in Israel is impacted by various processes in Israeli domestic policy, in addition to the Palestinian-Israeli and Arab-Israeli conflict. It is actually this latter one that has yielded enduring peace agreements with Egypt and Jordan, while the process with the Palestinians has reached an impasse in the past decade. The peace treaties with Egypt and Jordan appear to remain stable even in wake of the Arab Spring. In contrast, the Palestinian-Israeli conflict is in need of new approaches, and the Palestinian citizens of Israel may play an important role in shaping them. That is why it is so important to understand the evolution of the self-awareness and identity of the Palestinians in Israel. With that in mind, I will discuss the discourses of the elites and ordinary members of Palestinian society in Israel, and present the relationship between these two types of discourses, and the output that can be produced from the unique nature and situation of Palestinian society in Israel and in the region.

35 Commission of Inquiry into the Clashes between Security Forces and Israeli Citizens in October 2000, Taking Accounts, Vol. 1, Jerusalem, 2003.

The Palestinians in Israel: The discourse of the elites

In 2009, Honaida Ghanim's book, *Reinventing a Nation: Palestinian Intellectuals in Israel*,³⁶ based on the author's doctoral dissertation at the Hebrew University in Jerusalem, was published. In her book, Ghanim discusses the unique features and the intellectual and ideological development of the Palestinians in Israel. She uses a central model: a liminal, multi-axis framework involving milestone events that have had a decisive influence on the identity of the individual in a social, political, economic and civil context. In fact, the theoretical framework underlying her study of the constitution of the narrative of the Palestinian elites in Israel is the liminal or liminality from the field of psychology, which describes a tragic event as one that constitutes experiences and channels the individual's future in the political, social, economic and civil context. In addition, Ghanim uses a theoretical framework taken from sociology, in particular the relationship between intellectuals and their reference group. She describes the intellectual as representing the quintessence of the sociological experience of the group – in this case Palestinian citizens of Israel. She also borrows tools from political science that have enriched the debate about Palestinian intellectuals in the civic context of the State of Israel, and devotes a considerable part of the discussion to Palestinian intellectuals in Israel.

The extensive use of theoretical aspects from the disciplines of social science enriches Ghanim's book, which presents a narrative based on complex and sometimes conflicting relationships within the Palestinian intellectual elites in Israel. The basic premise of the study is that the Palestinian citizens of Israel have undergone traumatic experiences that shaped their conceptual perception, and that this is reflected in the aspirations, writings and behavior of the Palestinian intellectuals in Israel to rebuild their nation. There is no denying that this is a sweeping statement about Palestinian intellectuals in Israel. Some of them did not really aspire to build, but rather only to survive, earn a living and get closer to the Israeli establishment, as a foundation upon which they based their philosophy, writings and behavior. Others were simply in a state of shock as a result of the intensity of the events, and acted or wrote without any program aimed at building. Instead, they described their experience and how happy they were before 1948. However, from a comprehensive analysis of the writings of Palestinian intellectuals in Israel, Ghanim chose to view the work of all the intellectuals as an aspiration towards and an act aimed at rebuilding the nation.

The book discusses the development of the Palestinian intellectual elites after 1948. Between the discourse on the homeland and citizenship, a third stream developed, one that was subversive or nationalist, and that expressed itself politically in the establishment of the Balad movement – the National Democratic Assembly – in 1995 by Azmi Bishara.

36 Honaida Ghanim, *Reinventing a Nation: Palestinian Intellectuals in Israel*, Jerusalem: Magnes, 2009.

Ari Shavit offered a masterful description of Bishara in an article, "Citizen Azmi," which appeared in the Israeli daily *Haaretz*: "An astute political philosopher, he has almost single-handedly shaped public dialogue in Israel by coining the term 'a state of all its citizens.' Bishara is the Arab-Israeli leader who voiced the demand that Palestinian citizens of Israel be recognized as members of a national minority deserving of its own cultural autonomy. Such analytical faculties are rare among Israeli politicians today."³⁷

In her book, Ghanim highlights the relationship between the intellectual as an agent of change in society, on the one hand, and the social structure of the Palestinian population in Israel, on the other. This relationship, which contains many contradictions, some of which are either unknown or impossible to precisely define – is a kind of zigzag between the individual self and the group self. At the same time, in the background is the entity of the state, which is for the most part alien, or at the very least opposed to the aspirations of Palestinian intellectuals in Israel (the third generation), i.e. to turn Israel into a state of all its citizens. But there are other ideological currents: communists, Islamists, Israelists, independents – in the image of Dr. Ahmed Tibi's coinage, who called Israel "a state of all its nationalities." In his view, "The Arabs in Israel do not demand a "state of all its citizens," but rather a "state of all its nationalities," in the context of a multicultural democracy with full civic participation. This not only ensures the rights of individuals, as in a state of all its citizens (an expression coined by Shulamit Aloni in the 1980s), but also the rights of individuals, on the one hand, and collective rights, on the other."³⁸

The diversity or contradictions between the intellectuals, which in many cases was also translated into political contexts, points above all to the complexity. However, it also points to the broad consensus that the status of Palestinians in Israel is unique, with the Israeli citizenship being the broadest common denominator shared by all. It is also a testament to the internal social and political pluralism of Palestinian society, and the multiple ways it has devised to contend with the challenges that the state and the Jewish majority pose to the Palestinian minority in Israel. In fact, the intellectual discourse among Palestinians in Israel is rich and filled with social and political insights and strategies aimed at both the present and future. The vision documents written by Palestinian intellectuals, scholars and social activists on how they visualize the future of Palestinians in Israel are an example of this development, as well as a representation

37 Ari Shavit, "Citizen Azmi," *Haaretz*, November 25, 2002.

38 Ahmed Tibi, "A State of all its Nationalities," *Maariv*, May 10, 2005.

of all the intellectual currents that participated in designing and writing these documents.³⁹

In the drafting of these documents, the Arab-Palestinian citizens of Israel reflected the consensus that has taken shape in recent years – that it is no longer possible to put off the debate on the entire complex of painful issues facing Arab society until the Israeli-Palestinian conflict is resolved, as well as their will to see themselves as separate from other parts of the Palestinian people, and be active in Israeli politics. According to Mary Totry, "The documents are a response to the urgent need to deal with the internal crisis Arab society has found itself facing for many years. Recent years have seen an increasingly worsening of the internal social situation. The crisis is reflected in the disintegration of social solidarity, the absence of a uniform national identity, a rise in affiliation with tribal, family and clan extremism, which from time to time erupts in physical violence, a general lack of tolerance, corruption in local government and improper governance by the local authorities, a crisis of leadership, a lack of civil-society organizations whose role is to provide services to the population, a return to religion and a strengthening of conservative values and norms, a significant decrease in the level of education in schools and universities, an increase in cases of violence in schools and in society in general, the continued barbaric murder of women in the context of what is cynically termed 'honor killings,' the exclusion of women from the economic and political spheres and discrimination against them, the exclusion of the elderly, children and those with special needs, and the violation of their rights. Over the years, Arab society has become passive and indifferent to public welfare. Although many of the phenomena enumerated here are prevalent in Jewish society too, their presence in Arab society further weakens it as a minority group. Instead of developing norms and values that would strengthen the Arab community in its struggle against the discriminatory policies of the state, and improve its status, these negative aspects eat away at Arab society and paralyze it."⁴⁰

Whether the vision documents reflect the maturity and self-confidence of Palestinians in Israel or that they are contending with an internal crisis, there is no doubt that these documents constitute an important step in the experience of the Arab-Palestinians in Israel, who are forced to deal with the challenges the state and the Jewish majority present to them. The national elections in 2015 presented Arab society with yet another challenge when the minimum threshold for election of a party to the Knesset was raised to 3.25%, placing

39 In 2006 and 2007, a number of different groups in Arab society in Israel published four vision documents: "An Equal Constitution for All?" by Mossawa, the Advocacy Center for Palestinian Arab citizens in Israel, (2006); "The Future Vision of the Palestinian Arabs in Israel," (2006); "The Democratic Constitution," Adalaah, The Legal Center for Arab Minority Rights in Israel (2007); "The Haifa Declaration," sponsored by Mada al-Carmel, by a group of Israeli-Arab intellectuals and academics, including Muslims, Christians and Druze.

40 Mary Totry, "The Vision Documents: Coping with an Internal Crisis," in *Between Vision and Reality: The Vision Papers of the Arabs in Israel, 2006-2007*, (eds.) Sarah Ozackay-Lazar and Mustafa Kabha,

the ability of some Arab parties to enter the Knesset in doubt. This change resulted in an important political process that produced the establishment of the Joint List – a political alliance that unites four very different Arab political parties under one roof: Hadash – an Arab-Jewish list with a socialist bent, which includes a series of Israeli leftist organizations; Balad – an Arab party that advocates turning Israel into a “state of all its citizens”; the United Arab List (Ra’am) – an Islamic-oriented party whose members include officials of the southern branch of the Islamic movement; and Ta’al – the Arab Movement for Renewal – headed by Ahmed Tibi, a party with a secular Palestinian nationalist orientation, which works to modify the civil and legal status of Israel’s Arab-Palestinian citizens and narrow the gaps between the Jewish and Arab sectors by means of affirmative action policies in all areas, in order to obtain full equality between Arab and Jewish citizens of Israel. Many Arabs viewed the raising of the minimum threshold for entry into the Knesset as an attempt on the part of the Jewish majority to limit Arab representation in the Knesset. Whether or not this was the intention of those who devised the law, it resulted in a historic agreement that established the Joint List, which incorporates a wide range of ideologies. This required and continues to require the political leaders of Arab society to find the common denominator among the various Arab movements, and to avoid schisms in Arab society and its leadership.⁴¹ Electorally, the Joint list achieved a great success in the 2015 elections, winning 13 Knesset seats compared to a total of 11 seats for Hadash, Balad and UAL in the previous Knesset elections. Furthermore, voter participation among Arab voters was also significantly higher (64%) relative to the elections in 2013 (58%). According to Saleem Brake, the Joint List was able to run for the Knesset in 2015 because it highlighted the commonalities shared by its members. Its top priority was the desire to serve the Arab population in Israel and bring about changes in decision-making outside the coalition too, although this option is not especially conducive to bringing about fundamental change. Instead, it makes it possible to surface and foreground the social and economic challenges facing Arab society in Israel. Arab representation in the Knesset is symbolic at best, which is why it is so important to optimize the performance of Arab MKs in monitoring and resolving the day-to-day problems faced by the Arab population.⁴²

It would seem, then, that the focus on the domestic arena is the pinnacle of achievement among the Arab-Palestinian intellectuals and Arab political movements in Israel in the past three decades. That is why the demand for equality between Arab and Jewish populations in Israel is considered one of the main goals at this time, and draws a broad consensus within the Arab society as a whole, as well as among the experts who will be discussed below. The relationship

41 Mustafa Kabha, “The national conciliation committee and its role in the establishment of the Joint List: Personal testimony,” Mada al-Carmel, 2015.

42 Saleem Brake, “The Joint List: Changes in representation and effective efficiency,” Mada al-Carmel, 2015.

between the Israeli Palestinians and the Jewish majority and the state has been one of the key aspects in the approach of Palestinian Israeli theoreticians and politicians, especially since the start of the peace process with the Palestinians and the signing of the Oslo Accords (1993), which constituted a turning point with respect to Arab-Palestinian citizens of Israel in the national civil context.

In 1998, As’ad Ghanem called the Israeli government a dictatorship of the majority. Later Ghanem and Yiftachel wrote “Understanding Ethnocratic Regimes: The Politics of Seizing Contested Territories,” In their article, they described a proposal for a political-geographical theory of ethnocratic regimes, defining such regimes as a distinct type that is neither a democracy nor a tyranny.⁴³ A theoretical discussion on the opportunities for cooperation between Arab and Jewish academics highlights the conceptual richness and the potential for practical cooperation between Arabs and Jews.

In another article, Ghanem and Mohanad Mustafa presented a democratic model as a basis for a future change in the relationship between the state and its Arab-Palestinian citizens. In defending their argument, they emphasized the complexity and unique nature of the case of the Arab-Palestinian citizens of Israel as opposed to the Palestinians in general. They argued that a process of democratization can serve as a firm, profound and comprehensive basis for the majority-minority relations in Israel. The proposal is to be based on the desire of the parties to live together within the framework of a consensual democracy and build a relationship of trust and full cooperation between the partners, as a way of life from the bottom up, all the way to the government, including the elites, by means of education.⁴⁴ The authors offer a detailed discussion of theoretical options for the future of the Arab-Palestinians in Israel. From among all the approaches and options concerned with the status of the Arab-Palestinians in Israel, they focused on the model of the contrast between the native minority and the colonial entity and its impact on their status. In their review, they relate to in-depth studies carried out by Palestinians that support the use of this theoretical framework, such as Edward Said, Nakhleh and Zureik, Abu-Lughod and more. However, in their conclusions, the authors do not themselves relate to Palestinians in Israel in accordance with this approach, but rather focus on the unique nature of their predicament and characteristics, and the need to democratize Israel so that its Arab-Palestinian citizens may enjoy a status equal to that of its Jewish citizens.

The proposed models demonstrate that ways exist to improve and maybe even make new starts between Israel and its Arab-Palestinians citizens, the Palestinians in general and the

43 Oren Yiftachel and As’ad Ghanem, “Understanding Ethnocratic Regimes: The Politics of Seizing Contested Territories,” *Political Geography* 23 (2005): 647–76 (Hebrew version in *State and Society* 4 (2005): 761–88).

44 As’ad Ghanem and Mohanad Mustafa, *The Palestinians in Israel: The Politics of the Indigenous Minority in the Ethnic State*, Ramallah: Madar: The Palestinian Forum for Israeli Studies, 2009.

Arab world, but only on the condition that Israel implements the principles of democracy upon which its government stands, particularly in relation to its Arab-Palestinian citizens.

Currently, the pursuit of yet unexplored subjects lies at the focus of interest of Arab researchers in Israel. In their study, "The Palestinian Nakba in the Israeli public sphere: formations of denial and responsibility," the authors Amal Jamal and Samah Bsoul note that there are no studies that examine the Israeli public consciousness and how its structures itself in relations to the Nakba as a historic event perceived in traumatic terms in Palestinian society. This underscores the need for a debate between the official Israeli historiography and critical constructive historiography.⁴⁵ The authors demonstrate how the writing of Palestinian history has undergone an accelerated process of research on various aspects of the Nakba, but that the unique nature and pioneering aspect of their research lies in that it explores the Nakba in Israeli public life, a subject as yet unexplored and which probably holds potential for a change of awareness and a dispelling of myths that studies show have been partly shattered. The importance of this study lies in the way Israeli Arab researchers deal with such a sensitive and complex subject, one that shapes perceptions, on the public level. The study proposes new courses of action for the Jewish establishment and society in Israel, which include taking historical and ethical responsibility for events that were traumatic for Palestinians in Israel (the Nakba) and that have had a crucial impact on the relationship between the Jewish majority, the State of Israel and the Arab-Palestinian minority in Israel. Studies such as this could form the basis for a constructive dialogue and contribute to deeper understanding of various aspects of the complex issues relating to Arab society in Israel and its relationship with the state and the Jewish majority. In addition, path breaking studies such as this can point to the anticipated potential contribution that can be made by Arab-Israeli researchers to the public, political and academic discourse.

The authors' conclusions illustrate the disparities, gaps, contradictions and even the delegitimization of the new historiography with respect to the Nakba. They note, "From a profound observation of the Israeli discourse concerning the Nakba, a number of perspectives in which it is perceived, understood and appreciated arise. These perspectives are neither consistent nor coherent with respect to each other, and in some cases are even contradictory. Importance of the exploration of the different perspectives is reflected in the desire to place a kind of mirror before the Israeli public and to point to the different ways of looking at what happened to the Palestinians in wake of the 1948 war. "In the summary of their study, Amal Jamal and Samah Bsoul raise the claim that "The in-depth meaning of viewing the memory of the Nakba as a threat that undermines the legitimacy of Israel is that Israel needs Palestinian recognition in order to feel

45 Amal Jamal and Samah Bsoul, "The Palestinian Nakba in the Israeli public sphere: formations of denial and responsibility," I'LAM Media Center, Nazareth, 2014; see note 5 and pp. 62-65.

at peace with itself. This Israeli need can offer a reflection of the deep cracks that run through the moral firmness of Israel's narrative and self-perception."⁴⁶

In 2014, I attended the first conference of its kind in Israel on the Palestinian citizens of Israel and Israeli foreign policy.⁴⁷ The conference participants expressed different views and pointed to the complexity of Israel being represented by Palestinians abroad. In my view, the inclusion of Palestinian citizens of Israel in its foreign service is a major and central challenge that can upgrade the status of Palestinians in Israel and significantly contribute to how Israel is perceived in the Middle East and the world. In the same context, the Mitvim Institute, in cooperation with the Israel Democracy Institute, held a conference on the subject of inclusive foreign policy: how to increase the involvement of diverse population groups in issues related to Israel's foreign relations. The conference was attended by representatives of various groups in Israel: the religious, ultra-Orthodox, Russians and Arabs in addition to experts from the Israeli academia and from the two institutes sponsoring the conference. A number of key issues unique to each group came up in the discussion of how to represent Israel abroad. Among the participants was Sana Kanana, a researcher at the Mitvim Institute, who presented preliminary insights on a study she was conducting about this issue among Palestinians in Israel. Her remarks were indicative of the barriers and opportunities that may direct result from the involvement of the Arab-Palestinian population in Israeli foreign system, but only on the condition that the state and the Jewish majority recognize the right of the Arab-Palestinians to live as equal citizens of the country.⁴⁸

The annual public opinion survey conducted by Mitvim – the Israeli Institute for Regional Foreign Policies – on the subject of Israeli foreign policy in 2015 shows that Israel's situation in the world is not good, having significantly worsened in comparison to where it was just a year ago. Improving this situation is dependent on progress in the peace process; when greater involvement on the part of the Arab states in the peace process is perceived as something positive, and when cooperation between Israel and Middle Eastern countries is perceived as feasible. Dr. Nimrod Goren, the head of Mitvim, says, "The findings show that the public is losing confidence in the foreign policy led by the government. This is reflected in the failure attributed to Netanyahu's efforts to halt the Iranian nuclear project, the feeling that Israel's status in the world and its relationship with the United States are rapidly worsening, and in the fear of the implications of the weakening of the stature of Israel's Ministry of Foreign Affairs. These are dangerous trends. In order to change them, Israel

46 Ibid.

47 Master workshop: Palestinian citizens of Israel and foreign policy," Mitvim Institute, Abraham Fund and the Academic Institution of Nazareth, January 28, 2013.

48 Master workshop: "Inclusive foreign policy: How to increase the involvement of varied population groups in subjects related to Israel's foreign policy," Mitvim, The Israel Democracy Institute, Jerusalem, July 19, 2016.

needs a new foreign policy perception that will address the security challenges via cooperation with the region and the international community and through the promotion of the peace process with the Palestinians.”⁴⁹

The variety of topics, issues and research areas in which the Arab-Palestinian citizens of Israel can make a unique contribution is broad. This potential has yet to be realized, but the above examples attest to the unique nature of the Palestinians and their important contribution to different fields of knowledge. The list of 100 professors⁵⁰ who signed a joint letter against violence within Arab society is a testament to the skills, achievements and genuine contribution that could be elicited from the involvement of Arab-Palestinians in key processes that until now have excluded them.

The Palestinians in Israel: The discourse among ordinary people

In the introduction to his latest book *Nakba and Remaining – Stories of Palestinians Who Remained in Haifa and the Galilee, 1948-1956*, published in Arabic in Beirut in April 2016,⁵¹ the Israeli Arab historian Adel Manna writes: “In my childhood I heard the story of what happened in 1948, first from my father and then from my mother and relatives.” Manna has chosen to tell his personal story as background for the dramatic historical events that occurred during that period. According to him, the 1948-1956 period was a transformative time in the history of the Palestinians, especially the Palestinians in Israel – the subject of the book. The use of personal narrative and oral history as central sources, in addition to secondary and literary sources on the subject of the research makes it possible to see new angles that have hitherto remained unknown: the documentation of the personal experience of the Palestinian villagers that until now has not found proper expression in the discourse of the elites. This is the unique contribution made by oral history to the research. Manna relates to the complex nature involved in writing history in the absence of resources – whether they are missing or are inaccessible to researchers because the state and the military have not yet released them for publication. He engages in an in-depth discussion of oral history as a major tool for collecting data (stories) from the people who experienced the events during the period in question, and discusses the difficulties involved in interviewing these people. In his book, Manna positions the historiography of the elites as opposed to the historiography of the rural population, who survived the war and adapted to the new reality in 1948. In doing so, he contributes to the historical discourse from a

49 http://www.mitvim.org.il/images/2015_Israeli_Foreign_Policy_Index_of_the_Mitvim_Institute_-_2.pdf

50 This is a list that includes the names and place of employment of 100 Arab-Israeli professors in Israel and abroad. They signed a letter against the violence that is tearing Arab society apart and undermines stability, causing a sense of insecurity in the Arabs towns in Israel.

51 Adel Manna, *Nakba and Survival – Stories of Palestinians Who Remained in Haifa and the Galilee, 1948-1956*, Beirut, 2016.

new, personal, rural perspective (most Israeli Arabs belong to the rural population), and then later bases his analysis on key events experienced by the rural population that were part of their civil and regional experience and as citizens of the world.

Manna also presents an in-depth analysis of the policy of the Israeli establishment in the years 1948-1956 towards the Arab-Palestinians who remained – *albaqin* – as he terms Arab-Palestinian citizens of Israel who survived the 1948 war and remained in Israel. He describes the circumstances that caused them to remain, which created a new status for the Arab-Palestinians in Israel as a result of the policy to refrain from deportation taken by the young state toward villages in the Galilee. This policy resulted in good relations between the village representatives and officials in the Israeli government. Nevertheless, these “good relations” were based on unbalanced power relations between the Israeli establishment and the local Arab leadership, and left little choice by the representatives of the Arab villages, whose close relations with the establishment led to an ambivalent attitude towards them on the part of the rural population. The oral history sheds new light on these aspects of the reality of Palestinian life in Israel after 1948 as a factor that shaped this population too.

Writing of this type adds important value to Palestinian historiography as a whole, and in particular the writings of Arab Israeli historians, who bring their own story and unique perspective on their national and civic identity and status. The development of Palestinian historiography in Israel is an important challenge that is highly impactful and can contribute to deeper understandings of both Israel and the Palestinians in Israel. The terminology that the author uses – “remaining” and “refraining from deportation” – are new concepts that are evidence of a new reading of the circumstances involving the creation of the Palestinians’ status in Israel. Manna’s book will likely be just the first in a long series of studies to be published in the coming years on the story of the Palestinians in Israel and the circumstances of their remaining in Israel, and in particular in each individual town or village.

The unique nature of the Arab-Palestinian citizens of Israel as a separate group within the Palestinian People

Mustafa Kabha, an Israeli Arab-Palestinian historian, has in recent years brought new research issues about the Palestinians, especially Palestinians in Israel, to the surface. For example, he studied the fate of the books collected from Palestinian homes in Israel after the establishment of the state and stored in the main library in Jaffa, and the fate of Palestinian prisoners captured by Israel after 1948 and more. In his newest book, *The Palestinians – A Nation and Its Diaspora*, Kabha discusses the unique circumstances that created the Arab-Palestinian minority in Israel, against the background of a historical, social and political process

among the Palestinian people, that began with the failure of the revolt in 1936-1939, continued in the years of confusion and stagnation in 1939-1945, with harbingers of revival before the war in 1945-1948, the 1948 war, the “Nakba”, and in the period from 1948 to 1967, which he calls “from Nakba to Naksa” (Nakba = disaster, Naksa = defeat). Kabha argues that the development of the Palestinian minority in Israel was the result of three triangles, between and around which Palestinian history unfolded and continues to unfold.⁵²

The first triangle includes the world powers, the Arab states and Israel. In time, the international actors changed, and accordingly their degree of involvement, especially of the superpowers. The attitude of the Arab states towards the Palestinians also changed, especially after the defeat suffered by Egypt, Jordan and Syria in 1967, which led to the occupation of the West Bank and Gaza Strip by Israel. In addition to the Arab-Palestinian citizens of Israel, from June 1967 on, the inhabitants of these territories moved from the control of Jordan and Egypt respectively to Israeli control. The Israeli occupation changed over the years, but remains in place and continues to impact the lives of both the inhabitants of the Occupied Territories and their fellow Palestinians who are citizens of the State of Israel.

The second triangle is related to national identity: the pan-regional Arab, the local Palestinian and the Islamic-political dimensions. This context has also seen significant changes. In the last two decades, political Islam has swung back into the heart of the Palestinian experience in the West Bank and Gaza. As these words are being written, Palestinian identity is swinging between the Palestinian secular heritage and the path offered by Hamas, with its religious and political content and goals.

The third triangle is related to internal social changes that have occurred among the Palestinians. In general terms, it may be stated that the Arab-Palestinian nationalism, with its revolutionary-secular nature, its organization and fronts, has been led by various members of the liberal professionals and intellectuals. On the other hand, the first and second intifadas brought the masses into the circle of political action, both the masses living in villages and cities, as well as young people in schools and in the streets.

Kabha's innovative review and analysis reveal a wide range of forces that have helped shape the actions and aspirations of the Palestinian people in the diaspora. Based on Kabha's analysis, five principal conclusions may be drawn:

1. The failure of the 1936-1939 revolt, the years of stagnation that followed and the crushing defeat of 1948 offer clear indications regarding the mistaken assessments made by the Palestinian people, which led to failure and disintegration. This resulted in the dispersal of the Palestinian people and the establishment of Israel in 1948.
2. The Palestinian national identity took shape in the circumstances of the war and struggle both against the

Zionist movement and the British Mandate. This fact obstructed the path to the formation of an independent Palestinian identity, one that could renew itself and address the needs of Palestinian nationalism. Instead, there has been cyclicity, imitation, import of old-new mechanisms that essentially evince a reliance on the past (failures, disintegration, internal conflicts) as opposed to ambitions derived from the future, which involve learning from the past and scholarly, calculated and consensual new beginnings on the internal, regional and international level.

3. On the social level: the entire Palestinian people (elites and all other classes) participate in Palestinian nationalism despite the contrasts and contradictions between organizations and fronts. This situation of “we have a little of everything” actually leads to the creation of fronts and constant clashes, entrenching the division and causing us to lose our way.
4. The three above conclusions form the basis for the claim that the situation in which the Palestinian people live in its diaspora both conceptually and in practice offers a unique opportunity for new operational methods that demonstrate a broader consensus within and among the currents in the Palestinian National Movement, especially among the Palestinian people as a whole. On the other hand, the three above conclusions could also lead us towards a diametrically opposed scenario, involving yet more schisms, distancing, struggles and even the use of violence. In my view, both scenarios are possible in the absence of a consensus as broad and comprehensive as possible within the Palestinian people regarding a peace agreement with Israel, which would bring about a drastic change in the positions of both sides, and certainly impact the entire region and enjoy widespread support.
5. Consequently, the main task is related to the Palestinian people, and more precisely, is associated with major changes on the social and political level that will drive a democratization process within the society and the territories of the Palestinian Authority, while similar processes should be taking place wherever Palestinians live in the diaspora. A drastic increase in the features of the democratization within Palestinian society and politics will increase the chances and opportunities for cooperation and coexistence between Israel and the Palestinians, as well as with the various countries of the Middle East – including Israel.

In the context of the Arab-Palestinians in Israel, Kabha discusses two aspects: The first relates to the circumstances of the creation of the “Arab-Palestinian national minority in Israel.” The author uses this term to describe the Arabs in Israel based on a discussion of the terminology, which in his view is dependent on the period or political outlook involved. He quotes the political scientist Benjamin Neuberger who describes the singular situation faced by this minority: “The Arabs in Israel are simultaneously a numerical and sociological minority. They are a numerical minority for

⁵² Mustafa Kabha, *The Palestinians – A Nation and Its Diaspora*, Ra'anana: The Open University, 2010, pp. 291-292.

the simple reason that in 1996, they represented only 18 percent of Israel's population. They are a sociological minority because they belong to a population sector that is not represented among the state's political, military and economic elites, and consequently, feels deprived and discriminated against compared to the dominant national group."⁵³ Against the background of this singular situation, Kabha writes: The imposition of the military government on the Arab population was explained by the need to maintain order and prevent potential dangers, which the country's leaders feared at the time. The military government, which officially began in 1950 and ended in 1966, is a clear expression of how the Arab minority was perceived by the Israeli establishment as a "time bomb." Kabha is doubtful as to whether this perception has entirely died out since the military government was abolished in 1966.⁵⁴

The second aspect relates to refugees inside Israel. Regarding the number of "internal refugees" in Israel, Kabha notes a number of sources that evince disparities in their estimated number as being 25-40 percent of all Arab-Palestinian citizens of Israel. Kabha also discusses how these internal refugees' property was treated and that it was not possible to return it, as well as their status as "present absentees" created in the State of Israel. He also points to the complex nature of the status of the refugee in the refuge villages in which they were settled, where they were distinguished as a separate group in the villages and known as refugees – *lajjiyn*. At the same time, they integrated into the life of the state and its politics in general, as an integral part of the Arab minority in Israel.⁵⁵

In the research proposal for my Ph.D., "The Effects of the 1948 War on the Palestinian Rural Population in Israel: Changes in the Social Networks of Tamra in 1948-1980," I noted the relationship between the establishment of the State of Israel and the major changes that have shaped the structure of new social networks. "The establishment of Israel in 1948 led to fundamental social and political changes among the Arabs who remained within its borders after the war, and directly impacted their cultural and civil identity. Most of the Arab population that remained in Israel after the war was village-dwelling Muslims. In traditional terms, the Palestinian village was characterized by a social and political environment with unique cultural features that suited rural life, the agricultural employment structure and its typical social institutions (i.e., customary law, *euraf*). Shared households were the dominant feature of the village family, as were a dense social network along with the other families in the village. These relationships, which if to generalize can be defined as family-oriented,

were reflected in the structure of the social networks and the patterns of political organization."⁵⁶

In this context, we can point to the third reference group that affects Palestinian citizens of Israel: internal refugees. Thus far, we have read about two reference groups: the Palestinians in the territories and the Jewish society. However, an in-depth study of the social structure of the Palestinian citizens of Israel shows that, "Every village of the Arab villages in Israel has a story that can provide an indication as to its different structure and makeup. Nevertheless, Tamra's story can be assumed to represent a large part of the Arab population in Israel for two main reasons: First, Tamra's entire population is Muslim. Second, more than 40 percent of Tamra's population moved there after 1948. Like other villages, the village of Tamra in the Western Galilee experienced significant changes as a result of the 1948 war that impacted the fabric of social and political relations among the different social groups. This is evident in the changes that occurred in its social networks. The consequences of the war led directly to the creation of a new social, cultural and political discourse. This discourse emerged from the new challenges born both at the local and national level, as well as those that occurred in its social fabric after 1948. This fabric includes the original villagers, alongside the refugees and many others who arrived in wake of the war and because of special circumstances that led individuals and families to move to Tamra from other places."⁵⁷

The rural discourse among the Palestinian citizens of Israel illustrates the unique nature of the population and reveals new aspects not seen elsewhere. The principal significance of this area is that it enables us to learn about Palestinian society and the changes that occurred in it, on the background of the distinction between the elites and the rural population, on the one hand, and between the internal refugees and the rural population that remained in its own original villages without leaving them, on the other. Special attention should be paid to another reference group, the internal refugees, because this group has had a profound impact on the discourse and awareness within Arab-Palestinian society, both in Israel and abroad, and may also play an important role in resolving the Israeli-Palestinian conflict. On the one hand, understanding the experience and life of the Palestinian internal refugees may contribute to understanding similar phenomena that are occurring today in the Arab world and its influence on it, especially of migration in the wake of traumatic events and re-integration in new places and states with varying degrees of democratization. On the other hand, if the State of Israel were to concretely and practically address the plight and aspirations of the internal refugees (such as by allowing to some to return to the lands from which they fled or were expelled in 1948, and even in the early years following the establishment of the state, and which were confiscated by

53 Benyamin Neuberger, "The Arab Minority in Israeli Politics: National Alienation and Political Integration, Government and Politics in the State of Israel, 11, Tel Aviv: The Open University, 1998, p. 5.

54 Ibid, pp. 153-154.

55 Ibid, pp. 158-161.

56 Kamal Ali-Hassan, "The Effects of the 1948 War on the Palestinian Rural Population in Israel: Changes in the Social Networks of Tamra in 1948-1980," proposal for Ph.D. dissertation, Tel Aviv University, 2013.

57 Ibid.

state authorities, allowing some of the internally displaced to return to their original localities and/or providing them with adequate compensation for their expropriated lands), it could not only contribute to a significant improvement in relations between the Jewish majority and the Arab-Palestinian minority in Israel, but could also be seen as a positive gesture that would win respect among the entire Palestinian people and contribute to the process of rebuilding trust between Israel and the Palestinians.

At the same time, efforts must be made to significantly improve the state of the villages that took in the internally displaced, and as a result doubled their population, without any planning for the integration or resettlement of refugees in them. Over time, these villages have become overcrowded and suffer from critical social and economic problems.

Summary and conclusion

The Palestinian citizens of Israel represent the first case in human history in which Arab Muslims live under Jewish rule. The democratic character of the State of Israel, even if somewhat flawed in terms of its relationship to its Arab-Palestinian citizens, is yet another anomaly in the Middle East and Arab countries, with the exception of Tunisia to some extent. The unique experience of the Arab-Palestinian citizens of Israel – who appreciate and cherish the values of democracy and that they live in a democratic society, and the vast majority of whom are opposed to anti-democratic developments both in Israel and in the countries of the Middle East (such as the failed coup in Turkey in July 2016) – can serve as a source of inspiration for the peoples of the region as they undergo the processes of democratization, which began with the Arab Spring in late 2010 and have been cut short for now (except in Tunisia).

Despite the failure of the Arab Spring, the yearning for democracy in the Arab world continues to surge among wide circles, with one of the signs of change being the development of a new approach towards Israel. This is reflected in the establishment and development of new think tanks in Arab countries, where interest in Israel is constantly increasing.

The impact of the Arab Spring is felt in Arab society in Israel too, which will continue to be influenced by events in Israel, the region and the world. The Arab Spring has created new opportunities for Arab-Palestinian citizens of Israel to connect with and demonstrate their solidarity with the Arab region, primarily due to the ongoing discrimination against Arab society by Israel's state authorities and Jewish majority. This constitutes a major barrier to the social, economic and cultural progress of the Arab-Palestinian citizens of Israel and their full integration into Israeli society. The Arab Spring represents a new opportunity for the Arab-Palestinian citizens of the state to connect with the Arab expanse all around and highlight the national dimension at the expense of the civil dimension, at least symbolically. This would counterbalance the alienation they feel as a marginalized minority in Israel. Of course, there are certain similarities between the motivation

behind the Arab Spring (such as a demand for social justice in general, and in places such as Tunisia, considerable frustration especially among academics, many of whom are unemployed) and the issues that are important to Arab society in Israel (social justice, fighting poverty, expanding employment opportunities, especially also for academics and women).

As mentioned above, the Arab-Palestinian citizens of Israel have an advantage over all the other Arabs in the Middle East and the world in that they have been living since 1948 as citizens of a democratic regime in a country with a Jewish majority. As a result, they are very aware not only of the advantages and limitations of democracy (in general, and in Israel in particular) but are also familiar with Jewish society in Israel – for better or worse.

Despite the discriminatory attitude of the Israeli authorities towards Israel's Arab-Palestinian citizens, interaction between Arab society, on the one hand, and Jewish society and the State of Israel, on the other, is present in all areas of life. Arabs are an integral part of Israeli society and have made important contributions to its development, mainly thanks to Israeli Arab intellectuals and experts, who have contributed and continue to contribute throughout all the years of Israel's existence to the public and academic discourse in the country. The academic and intellectual cooperation between Arab and Jewish scholars highlights the richness of thought and the potential for future cooperation between Arabs and Jews. Moreover, the academic activity among Arab intellectuals and academics is dynamic, with new research areas constantly cropping up, whose pursuit may contribute new directions for resolving the conflict.

The models proposed by Arab-Palestinian intellectuals who are citizens of Israel to improve Israel's democracy offer new beginnings for the relationship between the state authorities and Arab-Palestinian citizens of Israel, between Israel and the Palestinians in the territories, and between Israel and Arabs and other relevant actors in the Middle East and the Muslim world.

The discourse of the elites and the discourse of the ordinary people are two main axes for understanding the characteristics of the identity and consciousness of Palestinians in Israel. Yet another important reference group within Arab society in Israel that this article points to is that of the internal Palestinian refugees in Israel. The discourse among the ordinary people is more personal and local, whereas the intellectuals take a more systemic, global view, intertwined with local history, but one that also relates to processes that the Palestinian people experience as a whole. The discourse of the internal refugees adds further layers to the internal discourse in Arab-Palestinian society in Israel. Understand the viewpoint of internal refugees and how they shaped the Arab society in Israel as a result of the new challenges created both on the local and national level, as well as those that occurred in the social fabric created after 1948 is especially important. This is because the experience of internal migration experienced by those internal refugees – along with that of the villages

and towns that took them in – became a constitutive factor in shaping the consciousness of the Arab-Palestinian citizens of the state, and had a powerful impact on the social, political and cultural discourse that developed in Palestinian society in Israel. Moreover, it can serve as a bridge to Palestinian society outside Israel.

The changes taking place in the Middle East will continue to directly impact regional stability, but also bring with them new opportunities for Israel and its Arab-Palestinian citizens. The Arab-Palestinian citizens of Israel can make a decisive contribution to improving the Israeli democracy

and promoting democratization in the region. Furthermore, they can serve as a bridge between Israeli and Palestinian societies and the Arab world based on an in-depth familiarity with all the worlds involved. In addition, changes for the better in the relationship between the Arab-Palestinian minority in Israel and its Jewish majority and the state could make a major contribution to the process of building trust between Israel, the Palestinians and the Arab world, and improve the international standing of Israel, which is currently threatened by its discriminatory attitude towards the Arab-Palestinian society in Israel and its continued policy of occupation of the territories.

Spoilers on the Way to a Two-State Solution

Yossi Hen

Chapter 1 – Historical background

The idea of the two-state solution was first conceived and proposed in the conclusions of the Peel Commission in 1937. From the onset, this proposal provoked strong opposition both from the Jewish and Arab parties, but it eventually became the official policy of the Zionist and *Yishuv* (Jewish residents in the land of Israel prior to the establishment of the State of Israel) leadership.

From the late 1930s and throughout World War II, Britain gradually lost its enthusiasm for the idea, and the war itself dismissed the subject from the national and public agenda. After the war, it again became a national issue with the establishment of UNSCOP (the United Nations Special Committee on Palestine), and UN Resolution 181 (Partition Plan) of November 29, 1947. At that point, the two-state solution had already been accepted by the main faction of the Yishuv leadership, as they saw the proposal as an international sanction for establishing the Jewish state in the Land of Israel after two millennia of exile.

On the two occasions in which the two-state solution was raised as a concrete proposition, it was rejected in its entirety by the Arabs, usually with shows of extreme violence: first, in 1937, with the renewal of the Arab revolt (although it should be noted that such violent attacks also occurred previously and with far more profound causes); and second, in 1947, following the November 29, 1947 UN vote agreeing to the partition (UN Resolution 181), signaling the outbreak of the 1948 Arab–Israeli War. After the war (in fact, prior to its conclusion), Palestinian factors had already lost their standing in the international arena, and the issue of the Arab-Palestinian state was barely considered until the Six Day War in 1967.

From 1949 (the signing of the Armistice Agreements in Rhodes) to 1967, the issue was "addressed" by the Arab states, each in accordance with their individual interests, although the renewal of Palestinian national sentiment already took root in the late '50s (with the founding of the Fatah movement), and establishment of the PLO in 1964.

The 1967 Six Day War and IDF conquest of the West Bank and Gaza Strip again raised the issue on Middle Eastern and global agendas, refocusing attention on the idea of a Palestinian state. While some supported a two-state solution, others considered a one-state alternative. This produced a "mirror image" effect ("Greater Israel" vs. a democratic and secular state, or an Islamic state as desired by the fundamentalist factions).

The issue was raised again in the 1979 Camp David Accords, although never with the intention of establishing a Palestinian state (certainly, not by Israel), and then again in the 1987

London Agreement. The outbreak of the First Intifada on December 9, 1987 elevated the issue to a first priority on all fronts – Israeli, Pan-Arab, Muslim and international. Subsequently, and as a direct outcome of these events, several additional developments unfolded:

- King Hussein's decision regarding the Jordanian disengagement from the West Bank in July 1988.
- The PNC's decision and Arafat's acceptance of UN Security Council Resolution 242 and two-state solution on October 1988.
- US agreement to commence official dialogue with PLO and willingness to extend an invitation to its representatives to the international peace conference held on December 1988 to resolve the conflict.

These factors, along with the circumstances resulting from the First Gulf War (the international coalition that also included Middle Eastern countries, and the Israeli policy of restraint to ensure it did not collapse despite the barrage of Scud missiles from Iraq that landed in Israel), prompted the US government, led by President George Bush and Secretary of State Baker, to the understanding that a "window of opportunity" had been created in the Middle East. This "window" could be used to promote regional peace, while also addressing the Palestinian issue, thus initiating the Madrid Conference on October 3, 1991.

Despite being "dragged" to the conference by intense pressure from the US, Israel sent its most senior ranking delegation, headed by Prime Minister Yitzhak Shamir, and took active part in the discussions, although with a considerable number of reservations. Notwithstanding Israel's reticence, this conference did establish several practices and official lines of communication that would later serve in all avenues used during the peace process, both bilateral and multilateral.

Although the Palestinians did not participate as an independent delegation (arriving as part of a joint Jordanian-Palestinian delegation), the process begun there paved the way to direct negotiations and mutual recognition between Israel and the PLO, and then to the Oslo Accords on September 1993.

The Oslo Accords, originally meant to serve as the starting point of an ongoing process, is a seminal event in the sequence of (mostly secret) meetings held throughout November 1992 to September 13, 1993, the day on which the signing ceremony of the Declaration of Principles was held on the White House lawn.

The bilateral and multilateral relations between Israel and each of its neighboring countries has always provoked opposition,

for varied reasons, within the national frameworks of each of the parties. In fact, even prior to the establishment of the State of Israel, an ideological rift divided the Jewish settlement in reaction to the Peel Committee partition proposal of 1937. Similar reactions were evident in the Arab world, including the Palestinians, in reaction to Resolution 181 from 1947.

The 1949 Armistice Agreements set both permanent and temporary borders to the State of Israel: the borders with Lebanon, and with Jordan in the Araba region and the Jordan Valley, were based on international borders determined in 1921-1923, and the border with Egypt was established in 1906. The borders with Jordan (the West Bank and Jerusalem) and with Syria (just below the Golan Heights) were established as armistice borders.

The armistice border with Jordan on the West Bank was considered the more "sensitive" border for two reasons:

- Security – it directly faces the central region of Israel, demarcating the country's "narrow waist" (just 14 kilometers).
- Ideology – it maintained, at least for the time being, the partition of Israel and Jerusalem. (It should be noted that the armistice border with Syria was also highly sensitive due to the settlement of Syrian citizens above the Hula Valley settlements in a clear attempt to gain tactical superiority).

The partition plan was opposed by people from both the political left and right (each with their own reasons), as was the West Bank armistice line. However, the dominance of the political party in power at the time, the Mapai Party (Workers' Party of the Land of Israel), along with the authority of David Ben-Gurion, Israel's first prime minister, on matters of state and security, tipped the scales and created a set of circumstances that persevered for the first 19 years of Israeli independence.

The Six Day War and its territorial outcomes disrupted everything once again. Debates and disputes regarding the "occupied territories" raged throughout Israel immediately following the war, even crossing political boundaries. This dispute became concrete after Sadat's visit to Israel in November 1977, and the signing of the Camp David Accords in 1978, which produced two decisions of historic significance:

- Israel's agreement to retreat from territories seized in 1967, and the evacuation of Israeli settlements.
- Recognition of the "Palestinian entity", and establishment of a framework for future agreements (initially to provide the Palestinians some autonomy). The part of the agreement regarding the Palestinian issue was designed to serve as a foundation for future peace agreements between Israel and the Palestinians. Years later, certain articles of the

Oslo Accords would preserve the outlines set forth in the 1978 Camp David Accords.^{1 2}

There were many opponents to the peace agreement with Egypt:

- **In the Arab world** – among countries that rejected any recognition of the State of Israel, specifically Saudi Arabia and Syria, which broke off diplomatic ties with Egypt. Members of the Muslim Brotherhood in Egypt also opposed the agreement.
- **In the Palestinian world** – both Arafat and certainly the "Rejectionist Front" believed the agreement to be a surrender of the Palestinian cause.
- **In Israel** – the majority of opposition stemmed from right-wing parties, including the Likud Party, and even a handful of Labor Party members. They argued against ceding strategic territories, or any evacuation and destruction of Jewish settlements. Furthermore, parts of the agreement relating to the West Bank were, to the ideological objectors, a return to the dispute over dividing the land of Israel and the ancestral Jewish homeland.

The dispute over Camp David served as a prelude to the great and terrible rift produced by the Oslo Accords on September 13, 1993.

Chapter 2 – Barriers to the peace process

Naturally, there are varied reasons and motives for opposing the peace process, some practical, some political, and some even personal, with the merits of each in the eyes of the beholder.

The following collection of articles extensively reviews the various barriers to resolving the Israeli-Palestinian conflict.³

"Socio-Psychological Barriers to Resolving the Israeli-Palestinian Conflict: An Analysis of Jewish Israeli Society"

–Eran Halperin, Neta Oren, and Daniel Bar-Tal address the deeply rooted **emotional barriers** that make it difficult to change beliefs and positions, as well as the ability to process information and take advantage of opportunities that arise. These obstacles may disrupt any evaluation, even causing overestimates of one's own ability to meet certain objectives (such as – "time is on our side"⁴), or of the commitment of the other side to resolve the conflict and make concessions. These are evident in the conduct of politicians and political leaders, in political discourse, and in the attitude of political-parliamentary and non-parliamentary parties and bodies.

1 "Previous Initiatives and Agreements", Reut Institute, 2004. [This and all the sources that follow are in Hebrew]

2 "The PLO: The Path to Oslo – 1988 as the turning point in the history of the Palestinian Liberation Organization", by Moshe Shemesh, 1997.

3 "Barriers to Peace in the Israeli-Palestinian Conflict", edited by Yaacov Bar-Siman-Tov, Jerusalem Institute for Policy Research, 2010.

4 Ibid.

“Barriers to Resolution of the Conflict with Israel – The Palestinian Perspective” – Yohanan Tzoreff⁵ points to those barriers in the decision-making processes on the Palestinian side, and considerations of Palestinian political leadership when interested in finding some resolution to the conflict. Ostensibly, these barriers existed when Arab leaders signed peace agreements with Israel in the past, particularly President Sadat and King Hussein. The difference lies in the fact that the Palestinians are a non-state actor with no past experience of independence, producing five kinds of barriers: **Rivalry among the Palestinians** – in the past, rivalry existed between the PLO and the Rejectionist Front, and today it exists between the PLO/PA and the Hamas, an enmity so severe it elicits the involvement (even full engagement) of the Arab world in Palestinian politics. **Territorial and geographic barriers** – stem from the difficulty in compromising on the 1967 borders. Can this suffice? Particularly in view of the Palestinian narrative insisting on the right to land, the demand for justice instead of compromise,⁶ and pressure from the Palestinian diaspora, which is comprised of scattered groups of refugees that in most places have no citizenship. **Identity barriers** – stem from the concern about preserving national identity without a state, the fear of losing it if a state is established, and fear of undermining the “holy struggle” of the Palestinian cause if the solution is achieved through compromise. **Psychological, religious, and cultural barriers** – consist of the unbending demand for the correction of a historical (and historic) injustice, specifically the establishment of the State of Israel and creation of the Palestinian refugee problem. **Political barriers** – stem from losing trust in national leadership and the lack of a decision-making mechanism for managing the current situation (organizational culture and traditions), evident in the PA’s day-to-day administration and civil management in the West Bank, and in Gaza up until 2007 when the Hamas took over.

“Conceptual-Cognitive Barriers to Peace in the Israeli-Palestinian Conflict” - Ifat Maoz addresses perceptual biases and their influence on the consolidation of political positions of each party in the conflict. These eliminate rational thought (relying on “gut instinct”), even warping one’s view of reality and inducing a reluctance to accept it, and negatively judging any action or conduct of the opposing side.

“Fear as a Barrier to and an Incentive for the Resolution of the Israeli-Palestinian Conflict” - Nimrod Rosler considers the element of fear in the conflict. Fear is essentially a means of protection for individuals and societies alike, and may serve as both an impediment and a motivating factor to resolution. In the Israeli-Palestinian conflict, fear (relating to security) constitutes an inhibiting factor that only exacerbates the distrust between both parties. However, on the Israeli side, fear of demographic processes is a motivating factor for reaching an agreement designed to separate Palestinian

and Israeli populations. Fear serves as a primary tool for political leaders and shapers of public opinion.

“National Narratives in a Conflict of Identity” – the Israeli-Arab conflict (and the Israeli-Palestinian conflict encapsulated within it) stems from contrasting identities and narratives, and not a material dispute. Yehudith Auerbach reviews how such narratives shape the identity of each side, harkening back to deeply rooted religious factors and early history of each party as they see it – and all centered on the same area of land, and most importantly its holy sites. Each side has taken care to make their positions clear in written documentation – the Israeli Declaration of Independence, and the Palestinian National Charter (and to a certain extent also the documents produced by various groups of Arab-Palestinian Israeli citizens regarding their future vision in the years 2006/2007). Each of these documents contains and is based on the narratives and identities that have produced it.

“Barriers to Peace: Protected Values in the Israeli-Palestinian Conflict”- Shiri Landman addresses the fundamental values considered by each party to be sacrosanct, meaning values of morality and ethics that cannot be relinquished. The leaders of each side must be committed to these values, and upholding them is vital to their legitimacy (as, often or not, these values are the reason they rose to power to begin with). In the case of the Israeli-Palestinian conflict, they touch on the core issues at the heart of the conflict – Jerusalem, the Palestinian refugees, permanent borders, and settlements – with both sides “representing” a reverence for the land.

“Justice and Fairness as Barriers to the Resolution of the Israeli-Palestinian Conflict” – Yaacov Bar-Siman-Tov reviews the Palestinian (and general Arab) terminology and references to a “just peace”. Thus, justice, the antithesis of compromise, is presented as the prerequisite for resolving the conflict, and is therefore a central barrier to the process. From their perspective, the Palestinian “demand for justice” focuses on Israel’s acknowledgment of responsibility for creating the Palestinian refugee problem in 1947 and 1948, and realization of their “right of return”, despite Israel’s self-determination (expressed in its Declaration of Independence) as a Jewish state, and one unwilling to accept pre-conditions set by the Palestinians for negotiations.

“Cultural Barriers in the Israeli-Palestinian Conflict” – Ilai Alon explains cultural differences and how these cultural barriers can be overcome. Cultural barriers in the negotiation process are those that stem from lack of understanding for or knowledge of the opposing side’s culture, as well as an unwillingness to consider it. The conflict between Israel and the Palestinians (and the Arab world) is profound and has many causes, not necessarily cultural in nature, but culture does impede mutual understanding and the ability to “get into the other’s head” – meaning, to gain a true comprehension of their attitudes.

⁵ Ibid.

⁶ “Independence Versus Nakbah: The Arab–Israeli War of 1948”, by Yoav Gelber, Zmora-Bitan, 2004.

"Religion as a Barrier to Compromise in the Israeli-Palestinian Conflict" - Yitzhak Reiter argues that religion constitutes a barrier in the following conditions:

- When religion sanctions war and control over land and territories considered holy, forbidding any negotiation over these lands.
- When religion disseminates religious discourse to the general public, including people who are not religious, thus entrenching it in their identity and their own discourse.
- When religious movements have political power, constitute a deciding factor, and take advantage of this to bolster their ideas and their implementation.
- When religious movements attempt to thwart the process by force (terrorist attacks and political assassinations).
- When religion is used to recruit "fighters" for the cause from outside the disputed territory.

"The Time Factor as a Barrier to Resolution of the Israeli-Palestinian Conflict" - Dan Zakay and Dida Fleisig discuss the concept and perception of time throughout negotiations and the peace process. Time carries a different significance for each of the parties, and the conceptualization of time influences processes of deliberation and negotiation. Time is a subjective concept, differing from person to person and among various groups, particularly in cases of rival forces.

Concerned that dragging out the process may prove detrimental to its interests, time may affect one party in a certain way, while differently affecting a party that believes that its opponent's attempt to rush the process is designed to corner them into concessions. This party may then try to utilize the urgency of their opponent to reach an agreement "at any cost", thus extorting concessions and gaining additional benefits for itself.

"Strategic Decisions Taken During the Israeli-Palestinian Peace Process as Barriers to Resolving the Conflict" – Ephraim Lavie and Henry Fishman discuss the differing views of the opposing parties regarding what strategic decisions are required to secure peace. Israel maintains that the conflict (and deliberations) should focus on the outcomes of 1967, and while the Palestinians discuss this issue (and the division of Jerusalem), their main focus is still on the refugee problem, a point that brings negotiations back to the 1947-1949 War (which flies in the face of Israeli consensus). This discrepancy raises the question of whether the two parties are ready to make strategic decisions, or are they still mired in tactical considerations? The approach in Oslo was to begin with the easier issues and progressively graduate to more divisive matters, an approach that, while logical, still left both parties far from strategic decrees.

"The Geopolitical Environment as a Barrier to Resolution of the Israeli-Palestinian Conflict" - Kobi Michael describes how the regional and geopolitical environment hinders both Israelis and Palestinians. The current political structure of Israeli leadership must overcome the following factors: its basic ideological stance, the positions of parties that comprise

its coalition, internal disputes and differing approaches among the parties, as well as fears (real or imagined) and images prevalent among the Israeli public (its constituency). Under the leadership of the PA, the Palestinians must deal with: the division between the West Bank and Gaza Strip, the general ideological dispute with the Hamas, and specifically their control of daily life in Gaza, and the dispute with the PLO in Tunisia (Kaddoumi), often serving as the mouthpiece for the Palestinian diaspora on the "right of return". Public opinion in Gaza, although not an electoral factor such as that of the Israeli constituency (at least in the sense of a Western democracy), may have significant impact on decision making and constitute a barrier, even producing violence – certainly in a problematic economic climate or when trust in their leadership is lacking.

"The Place of International Law in a Future Settlement of the Conflict" – Robbie Sabel examines the role of international law in conflict settlements. Primarily, it is the Palestinians that make use of international law to justify their arguments, most particularly in their narrative as it pertains to specific issues: refugees, Jewish settlements, and agreements regarding Jerusalem. This reliance on international law may draw the ICJ (International Court of Justice) into the conflict. This situation may prove a barrier to progress in a peace process managed through negotiations.

The more one reviews this list of barriers, the more it seems there is no dichotomous distinction, with barriers often overlapping. This is particularly true in issues of religion, culture, narratives and symbols, as they are elements that appear in combination in almost all types of barriers.

Dr. Kobi Michael points to three types/"clusters" of barriers.⁷

- Strategic
- Psychological
- Organizational

Michael emphasizes that the first two barrier clusters, both representing contrasts and clashes between the two parties, have already been extensively researched. However, the issue of organizational barriers has not been addressed as comprehensively, and Michael believes this issue must be investigated further, specifically the role of intelligence organizations, chiefly the ISA (Israel Security Agency) as a contributive and even deciding factor in the process. The tools available to the ISA are based on the establishment of (often intimate) contacts with Palestinian security forces, which are even more important in non-democratic countries (such as those of the Arab world) than in the Western world. So, the question regarding the ISA remains – did it constitute a hindering or contributive factor to peace?

⁷ From a talk conducted on April 3, 2001 in the Institute for National Security Studies, Tel Aviv.

Chapter 3 – Mapping the "players" in the process

Delaying and obstructive factors on the Israeli side

The political reality

The prime minister's ability to lead and make decisions to promote strategic objectives.

Right-wing parties

- Likud
- Habayit Hayehudi ("The Jewish Home")
- Yisrael Beiteinu ("Israel is Our Home")
- The Haredi (ultra-Orthodox) parties – Shas and Yahadut Hatora ("United Torah Judaism"): the changes in their stances over the years and the weight of their constituents.

Non-parliamentary factors

- Yesha (Judea and Samaria) Council
- Yesha (Judea and Samaria) Rabbinical Council
- Likud Central Committee members, party field operatives and secretaries of local Likud branches as a political interest group
- Public opinion in Israel – as influenced by other barriers, and thereby becoming a major barrier itself.

Delaying and obstructive factors on the Palestinian side

- The ability of the Palestinian leader, previously Arafat and currently Abu Mazen, to lead and make decisions to promote strategic objectives.
- The disputes within the PA during the time of Arafat and currently.
- PLO in Tunisia – Kaddoumi and the Rejectionist Front – the Hamas, the PIJ (Palestinian Islamic Jihad), and the PFLP (Popular Front for the Liberation of Palestine).

Gaza

- The establishment in Gaza – the Gaza Hamas
- Dissident organizations - PIJ, extremist Salafism (ISIS and others)

Regional powers

- Iran – its connection, until recently, to the Hamas, and support of organizations in Sinai
- Iran – support of Hezbollah
- Hezbollah – ties and pressure in the West Bank, incitation of and pressure in in the region through the Lebanese border
- Sinai – Salafi organizations, Jihad, ISIS, Al-Qaeda

The operative level

- Hamas terrorist attacks – in Israel and the West Bank
- Lone-wolf terrorist attacks
- High-trajectory fire and terrorist attacks from Gaza

The Arabs of Israel

Israeli Arabs constitute one of the more complex barriers to the process:

The mainstream of Arab citizens – aspire to become assimilated in the State in terms of their civil life.

When:

It is exactly the support of the two-state solution that is the open and gaping wound of Arab citizenry.

The two Arab factions opposed to the two-state solution (each with their own reasons:)

- Religious- fundamentalist (Islamism)
- Radical – the Balad ("National Democratic Assembly") Party, and the Abnaa el-Balad ("Sons of the Land") movement

Chapter 4 – Contact with the Palestinians since the Oslo Accords

From signing the Declaration of Principles to the election of Benjamin Netanyahu (1992-1996)

The signing of the Oslo Accords on September 1993 was attended by the negotiation team that had led the secret, back-channel negotiations. Without them there, the agreement would likely have been disrupted and ultimately failed. Rabin (and the Labor Party) position had already been established in the 1988 elections – the elections prior to the campaign that brought Rabin to power in 1992.⁸ These included the following three limits:

- There will be no return to the June 4 1967 line.
- No Israeli settlements will be evacuated from lands that Israel cedes in the peace agreements.
- No talks will be conducted with the PLO.

Yitzhak Rabin's stance and public pronouncement that – "Jerusalem will never be divided" is also noteworthy, a position he maintained until his assassination.

This position did change slightly in the party platform, even opening up to several other possibilities, before elections for the 13th Knesset – "The Labor Party holds to a vision of a new Middle East, where there are no more wars and terrorist attacks, and enormous economic resources are no

⁸ "The Diplomatic Process between Israel and the PLO from the Madrid Peace Conference until Today - The Israeli Positions on Four Core Issues: Borders, Security, Jerusalem and Refugees" by Shaul Arieli. in: "The Israeli-Palestinian Diplomatic Process over Time", S. Daniel Abraham Center for Strategic Dialogue, Netanya Academic College, 2014.

longer invested in the arms race. We will live in a Middle East of peace, a common market of irrigation systems, tourism, transportation, communications, and collaborations of culture, energy and science." This statement, different in its tone although still very general, does not explain how this vision will be accomplished, or with which partners, and it does not contradict the three limits already established by Rabin.

The negotiations, conducted through secret channels, led to the signing of a 13-point agreement on September 1993, titled the – "Declaration of Principles on Interim Self- Government Arrangements". The goal was to establish an agreement that would lead to national separation, eventually allowing the establishment of a limited sovereignty Palestinian state. In the interim, an alternative framework would manage Palestinian affairs (as specified in the 1994 Paris agreements). Conversely, the Palestinians were focused from the outset on establishing a fully independent state, preferably a confederation with Jordan that would also support common interests with Israel.⁹

On September 23, 1993 the Knesset ratified the Declaration of Principles, with a majority of 61 votes in favor, 50 against, eight abstaining and one absent. This count reveals that several MKs from the opposition did not vote against the ratification.

The Declaration of Principles determined that negotiations would lead to a permanent settlement based on Security Council Resolutions 242 and 338.¹⁰ The goal was to strive for a speedy interim agreement whereby Israel would withdraw from the Gaza Strip and Jericho areas. The two parties would also come to several partial agreements regarding the following issues:

- Security, Jerusalem, refugees – arrangements for the interim period.
- On May 4, 1994 the Cairo Agreement ("Gaza–Jericho Agreement") was signed and implemented in the weeks immediately following the signing. Naturally, the Oslo process provoked strong opposition from the political right in Israel, including the right-wing parties of the Knesset at the time, headed by the Likud and the ideological right – primarily Yesha (Judea and Samaria) settlers and the religious public that believes that the sanctity of the Holy Land supersedes any state decision. The main arguments were: fear of returning to the "Green Line" and the "narrow waist" of Israel, representing Israeli borders prior to the Six Day War, the sense of siege and suffocation or the statement attributed at the time to Abba Eban that the "1967 Lines are Auschwitz borders". However, apart from the (understandable) security concerns, there were other factors particularly significant to this segment of the religious public, such as ceding ancestral territories (considered anathema). Also, there was concern regarding a return to the "'67 Line", which had become a (negative) symbol, both to the Israeli public and a large part of the political system. These circumstances provoked a general resistance to any concession. In addition, there

were apprehensions and distrust of the Palestinians, and certainly Arafat, who was himself a (demonic) symbol.

At this point, opposition to the process was primarily political in nature, having to "cope" with the (justifiably) positive atmosphere in the Israeli public. Current events contributed greatly to improving Israel's international standing, strengthening ties with additional Arab and Muslim states. After many years of secret contacts the peace agreement with Jordan was signed on October 26, 1994, and additionally there was PM Peres's visit to Morocco, and later to Oman and Indonesia (the country with the largest Muslim population in the world). In 1996, PM Peres also visited in Qatar, thus laying the foundation for state and economic relations that were maintained until 2009, when these ties were severed during Operation Cast Lead. The new situation also impacted investments in Israel and the opening of new markets, a development that led to significant economic growth during those years.

On October 5, 1995, prior to ratifying the Oslo II interim agreement, Rabin spoke before the Knesset and set forth his view of the permanent agreement:¹¹

"We view the permanent solution in the framework of the State of Israel, which will include most of the area of the Land of Israel as it was under the rule of the British Mandate, and alongside it a Palestinian entity which will be a home to most of the Palestinian residents living in the Gaza Strip and the West Bank. We would like this to be an entity which is less than a state, and which will independently run the lives of the Palestinians under its authority. The borders of the State of Israel, during the permanent solution, will be beyond the lines which existed before the Six Day War."

Two important points in Rabin's speech reveal his view of a permanent resolution: it does not refer to a Palestinian state (but rather something that is "less than a state"), and it includes the determination that Israel will not return to the '67 border. One month later, on November 4, 1995, Rabin was assassinated, making it impossible to ascertain how events would have unfolded had he lived. On their part, the Palestinians always strived for a fully independent state, with all the symbols of sovereignty, but Rabin did not live long enough to deal with the matter. Rabin also repeatedly stated that Jerusalem would remain unified – another weighty issue that was never tested.

Rabin (and Peres also) never truly clarified his position regarding the core issues of the conflict, or how the permanent agreement should be resolved. The only exception to this was the steadfast policy against the Palestinian "right of return", as there was an almost total consensus on the Israeli side on this issue. However, it does not seem that this lack of clarity influenced the process during this initial stage (until Rabin's assassination and Netanyahu's rise to power).

First and foremost, it was the terrorist attacks that undermined public support for the peace process during that period, many

⁹ Ibid.

¹⁰ Ibid.

¹¹ Ibid., p. 7.

of which were planned and executed by Hamas members. Although the first attack (the Mehola Junction bombing in the Jordan Valley on April 15, 1993) occurred several months prior to the Declaration of Principles (Oslo Accords), the bombings seared into Israeli collective memory and consciousness are the ones executed in 1994 and 1995:

- Afula Bus car bombing, April 1994.
- Hadera central bus station bombing, April 1994.
- Dizengoff Street bus bombing, October 1994.
- Netzarim Junction bombing, November 1994.
- Binyanei Hauma parking lot bombing in Jerusalem, December 1994.
- Two bombings in the Beit Lid Junction (by Islamic Jihad), January 1995.
- Kfar Darom bus bombing (by Islamic Jihad), April 1995.
- Karnei Netzarim Junction car bombing, April 1995.
- Ramat Gan (route 20) bus bombing, July 1995.
- Jerusalem (route 26) bus bombing, August 1995.

There were 78 fatalities caused by these terrorist bombings, most which were executed in the central cities of Israel – an astonishingly high number during a peace and reconciliation process.

Naturally, the bombings touched on issues of personal security – a raw nerve of Israeli society, and brought up all the other barriers deterring progress on the Israeli side: psychological, ideological, and political. It was in this atmosphere, and in the face of mass public protests, that Israeli leadership attempted to push forward to the Oslo II Accords.

Meanwhile, the US found itself overseeing the Oslo peace process despite never having put much faith in its chances of success, and with the two opposing parties preferring to manage negotiations directly and through secret channels, informing the Americans about developments only after the fact. Aaron Miller, who served as advisor to several US secretaries of state,¹² addressed the passive role of the US throughout the process as both a positive and negative factor. As a positive influence, US passivity urged the parties to find their own way to some resolutions, but lack of US guidance also left them to their own devices, producing an agreement too difficult to implement due to the differing expectations of each party. It should be noted that during Rabin's term and following the Declaration of Principles (1992-1995), the population of Jewish settlers in the West Bank grew by 46%,¹³ with Israel continuing rapid construction in the Jerusalem area and establishing security roadblocks. The Americans refrained from citing illegal settlements not mentioned in the Oslo principles to Rabin, but they considered the settlements a violation of the spirit of the agreement and establishment

¹² "The Much Too Promised Land", by Aaron David Miller, translated into Hebrew by Guy Herling), Miskal – Yediot Aharonoth and Chemed Books, 2008.

¹³ Ibid., p. 257.

of trust between parties. The Americans also held back from demanding that Arafat restrict Hamas and Islamic Jihad operations, and did not clarify to him that the freedom of action he granted them in order to preserve internal Palestinian peace may undermine the entire process. At this stage, and perhaps to the detriment of its own interests, US passivity became a deterring, rather than beneficial, factor. There was no one who truly had a "bird-eye view" of the process, no factor constituting an objective overseeing mechanism that could call out the parties when they veered away from the spirit of the agreement principles.¹⁴

The elections held on May 29, 1996, immediately following the trauma of Rabin's assassination, and moreover – the terrible bombings of February-March 1996, brought about a political change and the rise to power of Benjamin Netanyahu.

Benjamin Netanyahu – First premiership (1996-1999)

Despite Benjamin Netanyahu's declaration on the eve of the elections asserting his commitment to the Oslo process (while insisting on territorial continuity), one should keep in mind the ideological roots of the man. Throughout his time as opposition leader (1992-1996), Netanyahu stood at the forefront of the political struggle against the Oslo Accords, and was identified as one of their primary opponents. He made numerous speeches, participated in the funeral procession in Raanana Junction and the great protest in Zion Square in Jerusalem, and gave interviews on the sites of past terrorist attacks. Due to his ideological beliefs, it is obvious why his commitment to the process could never match that of previous leadership. Netanyahu's government was based on right-wing and Haredi (ultra-Orthodox) parties (Shas and Degel Hatorah – "Flag of Torah"), who were on the extreme right. Initially, there were also several government members and bodies that either supported Oslo or did not clearly oppose it, such as Meir Sheerit, Yitzhak Mordechai and also Haderekh Hashlishit ("The Third Way") Party, headed by Avigdor Kahalani (previously a member of the Labor Party). They faced the staunch opponents to the peace agreement, including Uzi Landau and Benjamin "Benny" Begin, which formed a far more right-wing coalition than the previous one, but was also quite heterogeneous. Netanyahu did not "require" any pressure from those parties and right-wing ideologists and religious factions, as his policy was essentially in accord with their expectations. His stance was founded in those selfsame elements: psychological (including genuine security concerns), ideological and structural.

However, Netanyahu's personal political outlook began to crumble very soon into his premiership. He was forced to take actions that strained his relations with right-wing factors, first due to his own announcement on the night of the elections and then when coping with pressure from the international community (primarily the US), but even these actions failed to contribute significantly to the peace process.

¹⁴ Ibid., p. 267.

On September 23, 1996 (the eve of Yom Kippur), PM Netanyahu decided to authorize the digging of a new exit at the Western Wall Tunnels leading to the Muslim Quarter and the Old City. The need for this tunnel exit had already been discussed during Rabin's term, as movement in both directions in the tunnels was difficult, but the intent was to come to some kind of agreement, primarily with the Jordanian Waqf (who had its own reasons for not desiring the PA's interference in matters of the Temple Mount).

The opening of the tunnel sparked three whole days of riots across the West Bank and Gaza (and to a smaller extent among Israeli Arabs), in which 17 IDF soldiers and 100 Palestinians were killed, and many more wounded. After the riots, President Clinton summoned Netanyahu and Arafat to Washington to a summit meeting (with King Hussein also attending), putting a stop to the violence and initiating the signing of the Hebron Agreement on January 15, 1997, dividing the city of Hebron to areas H1 and H2. Two paradoxes produced this turn of events:

- This agreement constituting the next step of a stage Shimon Peres left incomplete, during the period between Rabin's assassination and forming of the Benjamin Netanyahu government.
- Under Netanyahu's premiership, the US could intervene in the negotiations between Israel and the Palestinians far more than during the Rabin (and Peres) administrations.

Netanyahu, having previously declared on the eve of the elections that he would not renounce the Oslo Accords, despite being known for his opposition to them (as was unquestionably the right-wing and Haredi coalition that formed his powerbase), decided to leave all options open¹⁵. He signaled his intentions to President Mubarak of Egypt and King Hussein of Jordan, albeit at this point still indirectly, and communicated with Abu Mazen through his advisor, Dore Gold. Yet, Netanyahu's personal conduct with the Palestinians remained unchanged, as he insistently refused to meet with Arafat, and his government refused to take any steps to improve the dire economic conditions in Gaza and the West Bank. It took combined American and European pressure to compel Netanyahu to allow the meeting between Foreign Affairs Minister David Levy and Abu Mazen, where they discussed the establishment of new work relations between Israel and the PA, including several understandings regarding Jerusalem. A short time later, Dore Gold again met with Abu Mazen, revoking these agreements and demanding the Palestinians take trust-building measures, closing political establishments in East Jerusalem¹⁶. Despite all these developments, the Hebron Agreement was signed on May 15, 1997, and ratified the following day by a majority of the Knesset (thanks to the support of the Labor Party and the political left).

The Hebron Agreement was certainly not approved of by the Likud (Netanyahu's own party), or by right-wing coalition

members, and in order to create "balances", Netanyahu decided to authorize the construction in Har Homa (although it must be mentioned that the Labor Party also supported building in this area). Naturally, this decision instigated a difficult crisis with the Palestinians. Throughout, the date of March 7, 1997 was fast approaching – the day on which, per the Oslo Accords, the first stage of redeployment of Israeli military forces in the West Bank was planned.

Several people close to Netanyahu – including Gold and Molcho – tried to establish secret channels to contact Arafat, attempting to make him "sympathize" with Netanyahu regarding Har Homa, meaning his intent to placate the right-wing parties, including his own party members. At the same time, they discussed with Arafat appropriate compensation to the Palestinians, and began a consultation process, thus establishing a dynamic of negotiations.¹⁷

Arafat had his own reasons to refuse the challenge, and at this point the renewal of the conflict was already in the offing. On the one side was Netanyahu, with his personal ideology and constant pressure from the political and ideological right, rebuffing any negotiations or concessions regarding the Land of Israel, and on the other was Yasser Arafat, who mistrusted Netanyahu and had to deal with his own pressure from the Hamas. The situation allowed each leader to "assist" his counterpart to become further entrenched in his own camp. Despite this, several senior members of Netanyahu's government, people who did support continuing the Oslo process, met with Palestinian senior officials, such as Defense Minister Yitzhak Mordechai's meeting with Yasser Abed Rabbo, and Foreign Affairs Minister David Levy's meeting with Abu Mazen, but these meetings only worsened tensions within the various factions of Israel's government.¹⁸

The difficulties and dilemmas Netanyahu was forced to tackle prompted him to attempt to detour around the interim phase and work towards a permanent agreement. Indeed, he offered opening months-long negotiations, hinting at his willingness to a Palestinian state spanning 45-50% of West Bank territories, and even the evacuation of several Jewish settlements. Netanyahu affirmed his intentions in a meeting attended by representatives of the press, held in the Sokolov House on November 27, 1997. He did emphasize throughout the unbending condition for such concessions was that the PA take action against the terrorist attacks.¹⁹ On their part, the Palestinians rejected the suggestion of "skipping" the interim stage, demanding negotiations on the three-phase Israeli withdrawal and redeployment as determined in Oslo II. Despite this, communication was maintained and talks continued regarding a permanent arrangement between Netanyahu's people - Yitzhak Molcho and Ariel Sharon (Minister of National Infrastructure), and Abu Alaa and Abu Mazen. From Netanyahu's point of view, any kind of response from the Palestinians would have been beneficial. If they agreed to negotiations, he would gain support from some

15 "Oslo: A Formula for Peace; from Negotiations to Implementation", by Yair Hirschfeld, 2000 (p. 244).

16 Ibid., p. 245.

17 Ibid., p. 249.

18 Ibid.

19 Golan, Avirama. Haaretz newspaper, November 28, 1997.

of his camp, and certainly the political center and left-wing, and his name would go down in history for the achievement. If they refused – he would gain further support from his own (right-wing) coalition.

I cannot truly determine Arafat's true motivation for refusing this initiative – was he concerned this would perpetuate a permanent state of affairs that was far from what the Palestinians hoped for (specifically regarding Jerusalem and the refugees)? Was he concerned about facing his rivals within the PA and Fatah? Afraid of facing the Hamas? Or the Palestinian public? These are all possibilities. Experience has shown that any attempt at dealing with the core issues that touch on the sensitive nerves of all involved parties in the Middle-Eastern conflict could incite opposition that could provoke violence. Dr. Yair Hirschfeld supports this view, maintaining that Arafat was fearful that the Palestinian and Israeli camps were so far apart, even among Oslo supporters, that it could set off another crisis (in a well-established dynamic).²⁰

The terrorist bombings continued even throughout 1997, although on a smaller scale than in previous years, resulting in 24 fatalities and dozens of casualties. The attacks (as those previously and the ones that followed) played a central role in the process – they constituted an extremely powerful lever in the hands of opponents in Israel, pushing the government to stop the process ("there is no one to give land and responsibility to"). For PM Netanyahu, struggling to deal with the pull in opposite directions, the bombings served as justification to stop all progress, even delaying implementation of previous agreements (the three-phase withdrawal and other issues).

The third (and central) factor in the process, the US, considered the situation a seeming dead end;²¹ while the parties were making attempts to continue talks and progress to some resolution, each, due to their own constraints, became further entrenched in their own positions. It was during this period that US Secretary of State Madeleine Albright first became involved.

On August 6, 1997, Albright stressed that: "...The sine qua non for progress is a mutual commitment to security against violence", and also that: "We cannot expect 100 percent success. But there must be 100 percent effort". She also added that: "...Both sides agree to settle their differences over the subjects of negotiation at the bargaining table, and not somewhere else".²² Clearly her remarks were an attempt to speak to the interests of both parties, particularly when addressing the violence – an issue of importance to each side, although each with their own attitude to it. Did her phrasing successfully address all of the barriers impacting the process? Probably not.

20 Interview with Yair Hirschfeld, June 23, 2016, Ramat Yishai.

21 Hirschfeld, "Oslo: A Formula for Peace; from Negotiations to Implementation", p. 252.

22 Ibid.

In late September of 1997, Secretary Albright met with the Israeli Foreign Minister David Levy and Abu Mazen, managing to agree on four key points: continued Israeli-Palestinian security cooperation and efforts to battle terrorism, including dismantling terrorist infrastructure; continued redeployment, as specified in the letter of the US Secretary of State from January 17, 1997; determination of a specified time frame for unilateral steps to consolidate stances and ensure the preconditions of each party necessary for permanent status negotiations; and establishment of an accelerated negotiating process for permanent solution with both parties agreeing to a target date. Later on, the Palestinians presented a document detailing the steps they were committed to taking against terrorism and violence, and then an amended version of the Palestinian Charter, having removed any article that conflicted with the Oslo Accords. They were urged to do this by the US and peace process supporters in Israel.²³

A plan was drafted by the American peace process team in preparation for the Wye Summit, planned for October 1998, based on the assumption that there was total distrust between the parties. The plan was also designed to address the security interests of both parties, and bring them closer without necessarily producing a compromise. This approach was in keeping with the initial Oslo "spirit" throughout 1992-1996. After one round of the Americans scurrying between the parties, Arafat finally agreed to the plan in return for Israeli withdrawals that would expand Palestinian territories (shift from area C to B, and from B to A). Concurrently, the Israelis produced a plan drafted by (newly appointed) Foreign Minister Ariel Sharon (previously Minister of National Infrastructure), designed to provide a framework for a permanent agreement allowing the establishment of a Palestinian state on 50% of the West Bank and Gaza Strip, with the other core issues (Jerusalem, refugees, and even borders) scheduled for future discussion without any time limits on the date.

Sharon's proposal held numerous advantages in the face of Israeli barriers. It had the potential to be widely accepted in the Israeli political system, and certainly gain significant support from members of the Labor Party. Nevertheless, it was also clear this proposal would generate strong opposition from the more extreme right-wing members of the Likud, the National Religious Party, and additional right-wing parties in the coalition, with a push from the religious block – people of the Yesha Council and Yesha Rabbinical Council.

The point was moot, as the Palestinians rejected Sharon's proposal. In their view, any agreement on a permanent solution must include the establishment of a Palestinian state on all areas of the West Bank and Gaza, as well as resolutions regarding other issues – Jerusalem, the refugees, the Jewish settlements, security arrangements, water, and neighbor relations.²⁴ To maintain their reputation, both in the eyes of the Palestinian public and the US, they insisted on implementation of full IDF withdrawal – phases 2 and 3 of redeployment. It was in these conditions, and with personal disagreements between

23 Ibid., p. 253.

24 Ibid., p. 254.

them, that the Israeli team (PM Netanyahu, Foreign Minister Sharon, and Defense Minister Mordechai) left for the Wye Summit.²⁵ Thus, the difficulties (barriers) facing the Israeli team were complex and convoluted: the basic (ideological) stand of Netanyahu, the (often personal) agendas of members of Israeli leadership, and the consistent pressure from the Israeli political right. These significant barriers were also evident on the Palestinian side, as will be presented in detail in the following.

Wye Summit – 1998

The summit was held throughout October 1998, and the Wye River Memorandum was finalized on 23 October 1998. The proposal presented prior to the summit by the Israelis was rejected, and Palestinian pressure on the Americans convinced them the proposal should not even be discussed. From the Palestinian viewpoint, the proposal was very far from meeting their demands, and they expressed a concern that it would incite more violence. At this point the Americans were in accord with the Palestinians.

The Wye Memorandum was designed to bring about implementation of Oslo II from October 1995, as well as the Hebron Agreement from January 1997, whereby Israel committed to the three-phase withdrawal. The Memorandum included the following points:

- Implementation of two of the three phases of Israeli redeployment (as specified).
- Palestinian commitment to fight terrorism, including seizing and confiscating weapons held by terror organizations and arrests of operatives.
- Commitment of both parties to prevent incitement, including establishing a US-Palestinian-Israeli committee to oversee and track relevant developments.
- Defining a framework for requests for transfer of suspected persons.
- Reaffirmation by Palestine National Council of January 1998 letter from PLO Chairman Arafat concerning the nullification of the Palestinian National Charter provisions that are inconsistent with the Oslo Accords.
- Resumption of permanent status negotiations on an accelerated basis to achieve the mutual goal of reaching an agreement by May 4, 1999, and commitment by both parties to refrain from unilateral steps in the West Bank and Gaza.
- An agreement that in the future steps would be taken to improve civil and economic matters.

The Wye Summit had a significant number of barriers to overcome – on the Israeli side, with varying opinions among Israeli leadership, as well as Netanyahu's inconsistency as he tried to avoid implementing gradual redeployment (by raising options that were never accepted), while simultaneously coping with unrelenting pressure from the staunchest Oslo

²⁵ Ibid.

opponents from his own party, opposition from other right-wing parties, and from the religious public and settlers. There were also barriers on the Palestinian side, specifically the ratification of the revised Palestinian National Charter.

In this case, it was the Americans, under the personal leadership of President Clinton, that effectively navigated the obstacles. The US team members believed that Clinton's abilities and great interpersonal skills in Wye were a sign that the US could also successfully manage future negotiations regarding the "big" issues.²⁶ Later, Clinton and his staff came to understand that the enormous complexity of the Middle East, of both Israeli and Palestinian leadership and the nations they represented, made conflict resolution unfeasible despite Clinton's excellent skills and personal commitment to the process.²⁷

Ultimately, it was probably the barriers on the Israeli side that tipped the scales. Right-wing opposition to the agreement was logical and expected. Netanyahu was given the opportunity to expand his coalition with the inclusion of the Labor Party, and enjoy broader support in the implementation of the Wye Memorandum (beginning gradual withdrawal). However, he also made efforts to stabilize the existing coalition, already on the verge of falling apart due to strong opposition to territorial concessions. This constant backtracking of Netanyahu, including messages indicating he would not implement the second phase of the agreement, caused rifts within the camp of Oslo supporters in the government, primarily Yitzhak Mordechai, a fact that only accelerated its collapse (although ostensibly the collapse occurred following the national budget vote).

In December of 1998, Netanyahu resigned his post, resulting in the May 1999 elections and Ehud Barak's rise to power.

Ehud Barak's premiership (1999-2001)

Ehud Barak was elected on May 17, 1999, and throughout early July he formed his government, including the Haredi parties and the left-wing Meretz Party. Electing Barak revitalized the peace process (although there were clear signs the process still had some life to it even under Netanyahu's leadership). It also raised expectations among the Palestinians, in neighboring Arab countries (who had also signed peace agreements with Israel), in Europe, and most especially in the US government. Even Hafez al-Assad, in interviews with his biographer, Patrick Seale, stated that he saw Barak as a man willing and capable of achieving peace.²⁸ Barak met with leaders of the region – President Mubarak, King Hussein and his son, Abdullah, but agreed to meet with Arafat on only a few occasions. It is unclear why Barak avoided Arafat personally – was it due to personal reservations he had or fear of public opinion in Israel? In any case, this avoidance was very evident. Also evident was the fact that Barak was attempting to do things "differently", preferring that those deeply involved in early stages of the process now be

²⁶ Miller, *ibid.*, p. 280.

²⁷ *Ibid.*, p. 281.

²⁸ "Manual for a Wounded Dove" by Yossi Beilin. Miskal – Yediot Aharonoth and Chemed Books, 2001. (p. 74).

removed from it.^{29,30} Aaron Miller even cited Terje Larsen, the Norwegian peace intermediary, who personally heard Barak state: "I will do the opposite of Oslo".³¹ At this point, Barak preferred that the US revisit its role as facilitator, exactly as in the first stage of the process in 1992-1996. Despite coming to power without past statesmanship or political experience, the force of Barak's personality successfully drew in others around him, both in the Israeli "peace camp" and in the US (particularly the US president), and he tried to simultaneously juggle the management of three central issues: the Syrians, the Palestinians, and the IDF withdrawal from Lebanon.

Barak met with regional leaders on July 11; Arafat, also in attendance, expected that he would immediately begin implementing the key articles of the Wye agreement, (including retreat from all area C). As mentioned, this was also Arafat's approach during Netanyahu's premiership (as well as not rushing to sign a permanent agreement on "Israeli" terms).

Arafat insisted that the Israeli government, under Barak's leadership, would fulfil all its obligations as agreed on during Netanyahu's administration – all articles of the Hebron Agreement, as well as the second and third parts of the Wye Memorandum. Moreover, in Barak's meeting with Mubarak, the Egyptian president emphasized that the Palestinians saw the Wye agreement as an important achievement that would be difficult to relinquish. In contrast, Barak insisted they first reach an agreement on principles, and only later discuss the details, as without basic accord it would be difficult to reach a comprehensive permanent agreement.³²

Barak continued attempts on three fronts: establishing peace with the Syrians (giving the issue great weight), progressing towards some framework agreement with the Palestinians, and finally implementing the next phase of withdrawal on the condition of signing a permanent agreement.³³ Early in the process, President Clinton made it clear to Barak that veering in any way from the agreement would pose a major problem, and may – from Arafat's viewpoint – become the true test of Barak's intentions.

In the Erez Crossing meeting, Barak and Arafat's second meeting on July 27, Barak again proposed an outline that included several central points, the most prominent being immediate implementation of the second phase of withdrawal, and postponement of the third phase until after an agreement signing. Meanwhile, Barak suggested they begin negotiations (between Gilead Sher and Saeb Erekat) on implementation of the Wye agreement, and proposed an Israeli retreat from territories in the Judea Desert, to be defined as nature reserves so Palestinian construction in these areas would be restricted, instead of the release of Palestinian prisoners by Israel. The key and most significant point was **Barak's**

demand (of Arafat) that he provide his final answer to the proposal within two weeks.

Arafat, probably on Clinton's advice, did not dismiss the proposal, but did stall in providing a reply. During August of 1999, the parties continued to discuss the second withdrawal phase and release of prisoners, including the number and type of prisoners to be set free (the names of several criminal prisoners also made it onto the list). Eventually, and after many pitfalls, Arafat did finally agree to an outlined solution, including implementation of the Wye agreement by September of that year. Secretary Albright expressed her willingness to personally visit the region, but as was his policy at the time, Barak preferred that she stay away. The core argument centered on Barak's demand for an interim agreement prior to signing a permanent one. The Palestinians claimed that was not part of the Oslo Accords, but the Americans and Egyptians pressured them to agree to this new Israeli condition.³⁴

On September 4, 1999 the Sharm El Sheikh Memorandum was signed in an attempt to finally implement previous agreements, with both parties attending in good spirits and successfully negotiating terms to the satisfaction of all. It was later voted and approved of in the Israeli government and Knesset. But it was particularly the Knesset vote that revealed a point that would later prove significant – the strength of the coalition. Several MKs did not attend the vote (such as Shas members), while others openly opposed it (National Religious Party and Yisrael BaAliyah). In addition, there were five United Torah Judaism faction members who had already left the coalition in protest against the transport of an electric company turbine on the Sabbath, after Barak (for his own reasons) refused to provide parking stops for the turbine to avoid the controversy entirely. It was in this atmosphere that Barak gradually lost his political base for significant, even historic, political decisions.

Towards the end of 1999, the Syrian issue again became national news, and on December 8 of that year President Clinton announced an imminent meeting between PM Barak and Foreign Minister Farouk al-Sharaa. The meeting revealed the profound disagreements between the parties, but also clarified to the Americans that Barak was willing to retreat from the June 4, 1967 border. For Barak, any breakthrough with the Syrians was in accord with the policy previously established by Rabin, a policy that had been abandoned throughout 1995-1996. He also saw it as a move that could pave the way for a retreat from Lebanon, as promised by Barak during the election campaign. The Americans and Palestinians interpreted this as a freezing of the progress on the Palestinian peace,³⁵ and it seemed that the process was again stalled. However, President Clinton and Secretary Albright were unwilling (or incapable) of dealing with the pressure Barak applied to the matter. On his part, Arafat felt that Barak was "taking him for granted".³⁶ It is interesting to note that several of Arafat's people did understand the benefit of

29 Ibid., p. 75.

30 Interview with Yair Hirschfeld, June 23, 2016.

31 Miller, *ibid.*, p. 283.

32 Beilin, *ibid.*, p. 77.

33 *Ibid.*

34 *Ibid.*, p. 80.

35 Miller, *ibid.*, p. 288.

36 *Ibid.*, p. 289.

progress between Israel and Syria, as it would reduce some of the pressure put on the PA and Arafat by Hamas and the Islamic Jihad which were supported by Syria.³⁷

Negotiations with the Syrians, including the meeting in Shepherdstown, produced not a single achievement, and were ultimately an unmitigated failure. The central (although certainly not single) point was the Syrians' access to the Sea of Galilee, with Barak greatly influenced by public opinion in Israel, which was markedly more reserved in regards to Syria than it was to resolving the Palestinian issue. This is evident in the gaps measured during the '90s between the Oslo Peace Index and Syria Peace Index.

In Aaron Miller's view, this rush towards peace with Syria revealed three problems to resolving the conflict with the Palestinians:

- A long period, approximately six months, had already been wasted, and there were only eight months left to President Clinton's term.
- A great deal of distrust had been generated among the Palestinians, particularly Arafat, towards Barak and his intentions. Among other things, this stemmed from his refusal to fulfil promises planned for execution during the interim period, most specifically the transfer of the three Palestinian villages near Jerusalem: Sawahara, Abu Dis, and Al-Azariya.
- Hafez al-Assad's refusal to make concessions, and his insistence on a return to the June 4, 1967 lines, setting the bar particularly high for Arafat and making it very difficult for him to take a different stance throughout negotiations on the West Bank agreement.

Another difficulty impeding negotiations, primarily on the Palestinian side, was that Arafat had arrived at this pivotal point when Abu Mazen and Abu Alaa, the two men closest to him (at least since the Oslo process), were not by his side. This became apparent in Wye as parties discussed the issue of the prisoner release, when no clear distinction made between security prisoners (viewed by the Palestinians as freedom fighters), and criminal prisoners incarcerated in Israel. This fact was utilized by the Israeli government (under Netanyahu) to release many criminal offenders, thus including them in the overall count, a situation that caused a rift between Abu Mazen and several of his close aides, including Mohammad Dahlan and Azfar Hassan. The issue of security prisoners was a sensitive and central factor to the Palestinian public, as it has direct impact on many families in the West Bank and Gaza. One example of how deeply felt this issue was were the violent riots that broke out in Ramallah, near Abu Mazen's house, probably "prompted" by Dahlan.³⁸

On the Israeli side, the "hardcore" peace supporters, those who had witnessed the birth of the Oslo process,³⁹ were pushed out of the process right until the Camp David Summit. This was a logical step to take on Barak's part, as he wanted to

manage the process very differently from past experiences in Oslo, but it was also a political misstep, possibly a crucial one, as he sacrificed the benefit these capable, creative, and experienced people may have lent to the process.⁴⁰

In the second week of May 2000, in reaction to Israel postponing the release of security prisoners, Palestinian prisoners in all Israeli prisons initiated a mass hunger strike. This event carried severe repercussions on the Palestinian political system and Palestinian public opinion. Increasing tensions finally erupted on "Nakba Day" (May 14), with violence spilling over to the following day and intensifying to hostile clashes between IDF soldiers and Palestinian protestors, including several Tanzim militants. Palestinian police reacting passively to unfolding events. Five Palestinians were killed, and almost 200 injured. Twelve IDF soldiers were also wounded.

That day, Barak's proposal to transfer responsibility of Abu Dis to the Palestinians was approved by the Knesset (moving it from area B to area A). The majority vote was unimpressive (56:48), with coalition members from Shas and Yisrael Baaliyah ("Israel on the Rise") parties and their deputy ministers not in attendance, and members of their factions voting against the transfer. This posed another element in the coalition breakdown, and in Prime Minister Barak's loss of his political base and legitimacy among the public.

On May 11, 2000, the Stockholm talks began against this backdrop of disquiet and violence in the areas of the Nakba Day and the "Days of Rage" (termed such by Palestinian leadership to recruit Palestinian public opinion by inciting political riots and providing an outlet for its fury). The talks were meant to lay the groundwork for a framework agreement between Israel and the Palestinians. Although planned to be held in secret, news leaked and they became public – a fact that created problems for the negotiators and leaders of both sides with their political rivals.

Throughout the talks, the Palestinians were offered 66% of the West Bank, with the remaining area divided into three settlement blocks: Gush Etzion, Ariel, and the Jerusalem "envelope". Jerusalem, specifically its holy sites and the future capital of the Palestinian state, was not discussed, primarily due to Barak's concern that it would further weaken his coalition (already showing signs of deterioration). Professor Shlomo Ben-Ami, acting Foreign Minister at the time, believes this may have been a mistake, as discussions regarding Jerusalem may have helped them prepare better for the Camp David Summit.⁴¹

The Palestinians, particularly Abu Alaa, refused to review the map, but did discuss percentages of land area.

In the end, the Stockholm talks produced no accords or even agreements. Whatever possible outcomes can be attributed to these talks, centers principally on matters of security, the settlement blocks, and the refugees. However, understandings left undocumented and unsigned are always "in the eye of the

37 Ibid.

38 Interview with Yair Hirschfeld.

39 Interview with Yair Hirschfeld.

40 "A Front without a Rearguard", by Shlomo Ben Ami, Miskal – Yediot Aharonoth and Chemed Books, 2004. (p. 41)

41 Interview with Ari Shavit, March 142001 ת, Haaretz newspaper.

beholder" (a problem that may even arise when agreements are officially signed and finalized).

The dilemma of the Israeli team was whether they could arrive at a comprehensive agreement without touching on issues relating to Jerusalem and the holy sites. The idea was to try for an exchange on the issues themselves,⁴² while insisting on substantive Palestinian concessions. Meanwhile, the Palestinians believed they had already made the greatest concession by signing the Oslo Accords, ceding 78% of the Land of Israel. Abu Alaa proposed the parties discuss and summarize each issue individually, a proposal that was rejected by the Israelis as they feared this would force them to maximal concessions.

The two parties also disagreed on the order of discussed topics.⁴³ The Palestinians preferred first addressing the principles, such as Israel's agreement to the '67 borders, and only then delve into specifics. The Israelis preferred to first review the practical arrangements (borders, security, refugees), and only after coming to some resolution move on to principles. From the Israeli point of view, determining '67 borders at the outset constituted a "precondition" that was unacceptable.

Abu Alaa's situation was also precarious, even grim. Conducting talks while violent riots raged in the territories put him under pressure. He feared that in the current climate, his more pragmatic approach regarding the refugees would mark him as the man who had given up "Palestinian Orthodoxy" (meaning the sanctity of the Palestinian cause – the right of return, the Palestinian homeland, Jerusalem, and the security prisoners). Meanwhile, news of the talks leaked out, and Abu Alaa felt throughout that he had no support from Arafat.⁴⁴ His relationship with Abu Mazen also proved to be an impediment to the Swedish talks; Abu Mazen was angry that this channel of negotiations had been established without his knowledge, that it included people he found unacceptable, and because Abu Alaa had agreed to discuss specifics without first establishing an agreement of principles. For all these reasons, Abu Alaa eventually agreed to accept Abu Mazen's leadership and seniority,⁴⁵ thus denying himself the chance of moving forward in the talks.

Arafat's lack of support and detachment from talks conducted by his own representatives, particularly through secret channels, stems from a problematic "organizational culture" of the Palestinians, an issue which may itself have been a significant barrier to negotiations.

This led the Israeli team to certain insights, particularly the understanding that the Palestinian system was struggling to make decisions, and progress would require international support. This was the only way to clarify the limits of Israeli concessions to Arafat.⁴⁶ It was in this difficult climate that both parties arrived at the Camp David Summit.

42 Ibid.

43 Ben Ami, *ibid.*, p. 50.

44 Interview with Shlomo Ben Ami.

45 Beilin, *ibid.*, p. 116.

46 Interview with Shlomo Ben Ami.

From Camp David to Taba Summit

The parties did not arrive at the Camp David Summit in the best of terms. By this time, Barak had lost much of his political support and his coalition was collapsing. Riots and violent outbreaks in the territories weakened public support and his legitimacy in making concessions and painful decisions, and Barak felt time slipping away. Arafat was practically dragged to the summit by Clinton pressuring him to attend. Each party claimed the other had rescinded positions previously agreed on in the Stockholm talks. Trust between the parties, particularly their leaders, was nonexistent.

By July 2000, President Clinton's time was also growing short, with only several months left to his term.

The talks in Camp David commenced with Barak's proposal of a map that left Israel with an area of 8-10% of the disputed lands, without any territorial exchange, and with Jerusalem under Israeli sovereignty. The Palestinians made no counteroffer, making the Israelis feel that any suggestion on their part would be rejected outright.

With this view, the Israeli team decided to present Clinton its terms on the following points: annexation of 10-12% of the West Bank, status of the settlement blocks and Jewish settlements not recognized by international law, security arrangements, Israel's strategic needs, and the Jordan Valley. Jerusalem was included in the points raised before the president.⁴⁷ At the same time, the Israelis proposed several conciliatory arrangements for the Palestinians, such as a "safe passage corridor", and economic and civil benefits.

Another discussion with Clinton, Shlomo Ben-Ami, and Saeb Erekat touched on the matter of Jerusalem and the holy sites. Ben-Ami proposed that the inner envelope of Arab neighborhoods would be under a functional autonomy, the Temple Mount under a Palestinian trusteeship (subject to Israeli sovereignty), and the outer envelope of Arab neighborhoods would be under Palestinian or Israeli sovereignty – per demographic division. The Palestinians countered with a demand for sovereignty over the entire Old City, excluding the Jewish Quarter and the Western Wall.⁴⁸

Clinton initiated a simulation game on Jerusalem during the discussions, during which suggestions were made by the Israelis also addressing the outer neighborhoods, inner neighborhoods, Old City and Temple Mount/Al-Aqsa Mosque. Clinton was satisfied with this development,⁴⁹ but the Palestinians reacted by making no counterproposals, and instead hurling accusations at the Israelis and demanding reparations for the "conquest". At one point, incited by Clinton's anger at their behavior, Arafat stated he was willing to concede 8-10% of the West Bank, but insisted that for him and his team the core issue would always be Jerusalem. Clinton's focus on Jerusalem in the simulation game indicated he

47 "The Israeli-Palestinian Peace Negotiations, 1999-2001 - Within Reach", by Gilead Sher. Routledge Publishing; 2006 (p.226).

48 *Ibid.*, p. 229.

49 Interview with Shlomo Ben Ami.

understood that the very heart of the conflict centered on the city and its holy sites.

Further in the negotiations, after his return from a brief trip to Japan, Clinton raised three alternative solutions (deferring discussion on certain issues), and asked Ehud Barak to provide Arafat's reaction to the proposals, but Arafat chose not to make any. The American team felt Arafat was being stubborn, and rigidly unwilling to make any compromises.

The Camp David Summit ended in failure, with several possible causes:

- Both parties did not prepare sufficiently prior to arriving at Camp David, particularly during the Stockholm talks. Ehud Barak was overly confident, assuming that a meeting between leaders (mediated by the US) would invariably succeed, so that he and Arafat would manage to bridge the differences and arrive at historic decisions.
- Israeli definitions – what the true "core" interests at play were (as described by Shlomo Ben-Ami), when the Palestinians refused to make any suggestions that could be addressed.
- The lack of any "Oslo people" during the Camp David talks, meaning those best experienced at dealing with the Palestinians, both in terms of managing negotiations and familiarity with Palestinian negotiators.
- The personal relations between Barak and Arafat, and the Palestinian leader's total lack of responsiveness to Barak's manner and approach (most notably, the "dictation" of schedules for making historic decisions).
- Barak's political weakness and loss of political and public support, a fact that influenced his behavior during negotiations. This weakness also stemmed from his own personal manner and insensitivities to the fundamentals of the political system.

On the other hand,

- Arafat's lack of commitment to any positions stated by his subordinates, or any understandings achieved in the early stages (particularly the Stockholm talks).
- Arafat's single-mindedness on core Palestinian issues (Jerusalem, refugees), and total disregard for the Jewish people's historical attachment to Jerusalem and the Temple Mount.
- Disputes and disagreements in the Palestinian camp, some personal in nature. This resulted in the exclusion of the Palestinian Oslo negotiators from Camp David (a division that also influenced Abu Alaa's ability to function in Stockholm).
- The personal manner and conduct of Yasser Arafat, including his behavior towards President Clinton, constantly stalling for time and often refusing to respond to proposals.
- Arafat's flat refusal to stop the violence, or make the slightest effort to calm down the riots in the territories, a fact that increasingly undermined Barak's political and public base and legitimacy in making concessions.

- Palestinian "narcissism" – meaning tenaciously refusing to see reality through anything but a Palestinian perspective, ignoring political reality (coalition and public) within Israel. A lack of understanding or desire to understand that Barak's weakness, certainly in view of the violence and deteriorating state of security, made it difficult for him to manage negotiations or make concessions, possibly losing him his premiership and further distancing the Palestinians from their grand aspirations. Their approach always centered on "us" in the "here and now".

As for the Americans, Ron Malley, previously a National Security Council member and Clinton's advisor on the Middle East at the time, later pointed to the mistakes of the US during proceedings.⁵⁰ Malley believes the US was unprepared for the summit, and therefore constantly forced to improvise. Moreover, the US underestimated the importance of dynamics during the interim period – expansion of Israeli settlements on one hand and incitement against Israel on the Palestinian side on the other hand – as there was the hope that everything would "fall into place" when peace was finally established. Malley claims the Americans were too slow to make their own suggestions, and when they did it was often too late.

After Camp David, there were continued attempts at contacts on various levels, all with US involvement, but with no significant breakthroughs. The reverse was true – the Second Intifada immediately following Arik Sharon's visit to the Temple Mount created a new situation entirely.

The Taba meetings were last-ditch efforts to make some headway. These included the president's proposal ("Clinton Parameters"), designed to conclude the conflict while addressing four major points: the territories, the settlement blocks, Jerusalem and the refugees – a list that included the core issues. The Israeli government accepted the parameters with a majority vote, even going so far as to compromise several key positions, basically agreeing to a retreat from nearly 95% of the West Bank, and unprecedented concessions regarding sovereignty over the Temple Mount. Arafat responded with evasive answers that even the Americans considered a clear refusal.

By January of 2001, President Clinton had only a handful of days before the end of his term, with elections in Israel set for February 6, 2001. Could historic decisions of such magnitude be reached in such a brief timespan? It seems both parties were either incapable or unwilling to do so, each for their own reasons.

Sharon and Olmert governments (2005-2009)

The following years were marked by a considerable number of historic events in the region and the world. In the US, President George Bush's administration began its term, then the September 11 attacks resulted in the US invasion of Afghanistan and Iraq and the toppling of Saddam Hussein's regime – two events that embroiled the region and the world

⁵⁰ Beilin, *ibid*, p. 260.

in a maelstrom that continues to this day. In Israel, the Sharon government began its term, coping with the great wave of terrorist attacks throughout the Second Intifada, leading to Operation Defensive Shield. The operation effectively returned full security control of the West Bank to the IDF. In 2004 Arafat died and was replaced by Abu Mazen, who opposed the violent riots and terrorist attacks. Prior to that, in 2002, President Bush presented his "roadmap", a policy plan to resolve the Israeli-Palestinian conflict, and PM Sharon announced his support of the plan in the 2002 Herzliya Conference. That year the "Saudi Initiative" (later becoming the "Arab Peace Initiative") was made public, a proposal that has never received official response from the government of Israel except for some token statements.

In 2005, Sharon led a unilateral disengagement from the Gaza Strip, then "left the political stage" after the 2006 general elections. Ehud Olmert, who left the Likud Party with him, replaced him as prime minister.

In contrast to his ideological upbringing, and even before his term as prime minister, Ehud Olmert believed and stated openly that the dream of Greater Israel was no longer viable, and a compromise should be pursued with the Palestinians regarding a division of land. This approach consolidated further on his appointment to prime minister.

In 2007, after seven years of intifada, an agreement for security cooperation was signed with the PA, and on November of that year the Annapolis Conference was held to pave the way to a continued peace process. The conference concluded with a joint statement supporting the "roadmap" and determining the completion of negotiations by the end of 2008.

On February 16, 2008, in a meeting held in the prime minister's house in Jerusalem, Ehud Olmert presented Abu Mazen with his suggestions for a permanent agreement and a resolution to the conflict. The details of this proposal were not published at the time, but some have leaked over the years. Olmert himself made it public in 2013, detailing his proposal for land exchange, ceding Israeli sovereignty over the Temple Mount, and the establishment of a committee that would include representatives of Saudi Arabia, Jordan, Palestine, Israel, and the US to oversee management of the "Holy Basin". Also, Olmert offered a (symbolic) return of 5,000 refugees to the State of Israel. The map presented to Abu Mazen planned for the settlement blocks to cover 6.5% of the West Bank, and was marked with the lands proposed to the Palestinians as compensation. This was the most generous proposal ever put forth to the Palestinians, even more so than the "Clinton Parameters" agreed to by the Israeli government in Taba during December 2000. Abu Mazen never responded to Olmert's offer, and the latter resigned in 2009 due to reasons unrelated to the diplomatic process.

So, what happened, and why? Explanations have been provided by various Palestinians, including Abu Mazen, but the real reasons were never revealed to the public.

Second Netanyahu Premiership (2009 until today)

This period begins on March 31, 2009 following the elections for the 18th Knesset. It is an ongoing period divided into three stages:

2009-2013 – Israel's 32nd government

2013-2015 – Israel's 33rd government

2015 – Israel's 34th government

The Likud Party was the major party in all three governments, and led by Benjamin Netanyahu, unquestionably its central figure. The governments were comprised of various coalitions of left/center, center, and right-wing parties. These included the Labor Party, Ha'Atzma'ut ("Independence") Party (after Ehud Barak and others seceded from the Labor Party), the Kadima ("Forward") Party for a brief time under Mofaz's leadership, Hatnuah ("The Movement") led by Tzipi Livni, Yesh Atid ("There is a Future"), and of course the right-wing parties – Habayit Hayehudi ("The Jewish Home") and Yisrael Beitenu ("Israel is Our Home"). The Haredi parties included in the 32nd and 34th governments habitually leaned to the right of the political map. **The current government – and its composition – is the most right-wing Israel has known in many years.**

It was during the early days of Netanyahu's career, and probably due to serious pressure from the US, that he took the two steps that show some measure of pragmatic policy and shift to the political center:

1. **The Bar-Ilan speech**, primarily the principle agreement to the establishment of a Palestinian state (with the following terms: demilitarization, recognition of Israel as the Jewish state, a unified Jerusalem as Israel's capital, and relinquishment of the Palestinian right of return).
2. Freezing Jewish construction in Judea and Samaria for a period of ten months.

In September 2010, the government (under Netanyahu's leadership, and with US mediation), began direct talks with the PA. These negotiations were unsuccessful and generated no progress in the diplomatic channel.

On March 18, 2013, the 33rd government of Israel (Netanyahu's third premiership) was formed, a government that included the political center (Lapid, Livni). This was a turbulent time marked by numerous security events – the kidnapping of the three boys from Gush Etzion (Operation Brother's Keeper), and Operation Protective Edge. The turmoil within the coalition, particularly in the right-wing parties during and after Operation Protective Edge, resulted in early elections to conclude this government's term.

During the 2015 election campaign, Netanyahu stated that the current climate does not allow for the establishment of a Palestinian state. He also promised that the government he would establish after elections would be formed of the Likud's "natural partners", meaning right-wing and Haredi parties.

The 34th government (Netanyahu's fourth) was sworn in on May 14, 2015. Its political composition, along with current public sentiment, will not allow Netanyahu to budge an inch from his statements of the eve of elections.

During this time the "Knife Intifada" also broke out, with Abu Mazen and the PA deliberately praising the stabbing attacks but, equally, also continuing security cooperation with Israel.

As for the Palestinians:

Abu Mazen faces difficulties on his home turf, both in his political position within the PA and the Fatah, and with the Hamas in the West Bank (a reality that becomes clearer during preparations for municipal elections in the West Bank).

The Hamas in Gaza is coping with difficulties on all fronts. The only external factor willing to help the Hamas on civilian matters is Turkey, a country also embroiled in domestic political problems, and whose actions are not always acceptable (to put it mildly) to Egypt under Sisi's leadership. Sisi and his security forces are openly hostile towards the Hamas.

A review of the current situation in relation to the clusters of barriers mentioned in Chapter 2 indicate the following:

Super-barriers – barriers that relate to and are rooted in core issues, and therefore remain unchanged.

Permanent barriers – the organizational culture, decision making and overall view across time reveal no changes.

Changing barriers – the (changeable) political factors dependent on the people involved in the process, changes of atmosphere and current attitudes.

On the Israeli side – barriers have intensified, and PM Netanyahu, whose fundamental ideology is itself a (permanent) barrier, is surrounded by more radically right-wing people, as well as public sentiment that is pressuring his party in the Knesset and government. Throughout, Netanyahu has no one within his political environment that may balance this position.

On the Palestinian side – Abu Mazen's position as the central decision maker is more difficult than ever before, and he must deal with strident and forceful incitement against Israel in West Bank media and social media.

Each side points to the **violence**, as they see it, of the other side:

Palestinian incitement – on the one hand, encourages young people to perpetrate terrorist attacks, and on the other – is used by **rejectionist factors** (both political and public) in Israel as an argument against any peace process.

House demolition – works as a powerful excuse/premise for the leadership and public of both sides. The Israelis make (internal) use of the demolition to prove resolve, while for the Palestinians it increases frustration and the sense of dependence on the Arab and international systems that at present have no real desire to help them.

It seems that the only "involved party" currently interested in international involvement is the Palestinians, while the Israeli government would prefer to be left to its own devices.

In the current conditions (as previously described), what may be expected from the international system?

1. All points presented in Chapter 7 of this paper (with all the highpoints).
2. The unyielding demand from the Palestinians to reduce the incitement level (including on social media), and thus put Israel (and its government) to the test.
3. Differential policy regarding the Jewish settlements, excluding those in the settlement blocks, thus also appealing to the Israel public. Address of the settlements beyond the blocks may be more forceful.
4. Making the same distinction in Jerusalem also.
5. Addressing interests of other powers in the region (and the limitations and contrasts between them).

Chapter 5 – Additional factors

The Arabs of Israel

In 1967 the Arabs of Israel were physically linked to their brothers in the West Bank and emotionally tied to the Palestinian cause, which had been (relatively) dormant throughout 1949-1967. Although Israeli Arabs have always been part of the Palestinian nationality and history, Palestinian leadership has generally accepted their unique situation and therefore, in all matters pertaining to active involvement in terrorism, considered they should not be subject to the same demands (some also maintain, with some reason, that they cannot always be trusted. This is evidenced in the terms used for them: "Arabs of the interior" or "the '48 Arabs"). In any case, the Arabs of Israel were supposed to fulfil some role in the struggle.

When the Oslo Accords were signed on September 1993, and with the formation of the PA a year later, the mainstream of Israeli Arabs (including their central institutions and the Hadash⁵¹/Communist Party as their primary political entity) accepted these developments gladly.

However, the peace process produced conflicting effects on the political orientation of Israel's Arabs. On the one hand, the process did reflect (partially or fully) their national Palestinian platform. On the other, the PA – although maintaining some ties with them and their leadership – made sure to downplay the issue of Israel's Arabs and dismissed them from peace negotiations. In fact, PA leadership and that of the "territories" dismissed the issue of the Israeli Arabs entirely.⁵² The State of Israel was certainly willing and even eager not to tie the two issues together. But these were the circumstances only during the early stages of the process. It was clear that the two Arab factions – the fundamentalists (primarily the Islamic Movement) and the radicals (currently the Balad Party) would never allow the issue of the Arabs of Israel to be excluded from the final conflict resolution.

51 An acronym for HaHazit HaDemokratit LeShalom uLeShivion, lit. The Democratic Front for Peace and Equality.

52 "The Arab Society in Israel – Information File. The Third Period 1993-2000". The Abraham Fund Initiative, May 2009 (in Hebrew).

The peace process signaled the start of increasing unity among Israeli Arabs, and examination of their civil and national status within Israel, but it also raised the issue then termed the "opening of the '48 files".⁵³ The content of those files was national in nature. The peace process blurred the boundaries between their Palestinian and Israeli identities, but did not resolve the inherent tension in this internal conflict. "Palestinianization" did not address their national needs, and "Israelization" rejected their civil needs. This situation paved the way for the "localization of the national struggle", meaning instilling Palestinian, national, Arab content into a civil identity that was fundamentally Israeli.⁵⁴

That point in time began a process of gaining civil rights for themselves, some seeing it as a purely civil matter, while others considering it the step towards national achievements.

The Al-Aqsa issue (al-Haram ash-Sharif) is very significant to all Arabs of Israel, and will continue to link them to the Palestinian cause, along with the difficulty of accepting the definition of Israel as the Jewish state and the ability to identify with its symbols.

The management of their daily lives is also an issue in its own right, greatly dependent on the attitude and wisdom of the State of Israel, but the role of Israel's Arabs in Palestinian reality may prove to be a weighty factor influencing any Palestinian leader when the final and permanent agreement must be signed. Israel's Arabs are a central part of the conflicts core problems.

External factors

The external factors to the process – Arab and Muslim – do not function as a single unit. These include countries and powers that are often in conflict, even to the point of hostility:

- Countries that have signed peace agreements with Israel (Egypt and Jordan) – Egypt was the first to "lay the cornerstone" for the Oslo Accords when it agreed to peace with Israel in the 1978 Camp David Summit.
 - President Mubarak, having replaced Sadat after his assassination in 1981, upheld his commitment to the peace process, and can be viewed as the central anchor of the Arab world that supported Yasser Arafat during the Oslo process. It may be that his absence during pivotal moments in Camp David was detrimental to the process (although it is impossible to prove whether his involvement would have produced a dramatic shift or other outcomes).
 - As for Jordan, whose relations with Arafat and the Palestinian cause have been complicated, and whose real interests regarding the holy sites (Al-Aqsa) do not necessarily match those of the Palestinians, it

has been a balancing and facilitating factor, certainly during the reign of King Hussein.

- The Gulf states
 - Saudi Arabia, a country that disagreed at the time with Sadat's historic visit to Jerusalem in 1977 and the Israel-Egypt peace agreement, has been looking for a regional resolution to the Israeli-Palestinian conflict for years now. It does so purely for its own interests.
 - Qatar, due to its leader's policy, tends to support the Hamas, but has failed over the years to become a significant factor influencing the process.
- Syria – having supported the Palestinian rejectionist organizations for many years, is currently not a state that has any influence over the process. In the past, Syria may have constituted an indirect factor by supporting Palestinian rejectionists and the Hamas. However, concurrent to the Oslo process, Syria also tried and failed to establish peace with Israel.
- Turkey and Iran – two Muslim regional superpowers that maintain a profound religious rivalry between them. Turkey tried to make its stand in the region, but was rebuffed by Egypt and Syria, and maintains very tense political ties with them as a state. During the '90s, Turkey and Israel did enjoy a diplomatic and security "honeymoon period", with both greatly invested in the Palestinian issue and the peace process. Then Erdoğan made a shift that benefits the Hamas, with Turkey becoming the base for several of its key agents. Since Morsi was removed from power in Egypt, Turkey has struggled to actively support the Hamas.
- ISIS – its ideology constitutes a potential barrier to the entire peace process in the region, although this has yet to become evident.
- Hamas and Islamic Jihad – both in the West Bank and in Gaza, these two organizations were and remain a risk factor to the PA and the peace process. In the past, Arafat preferred to avoid confrontation with them (resulting in great waves of terrorist attacks), doing so only when their actions endangered PA security. As security cooperation improved, security forces learned to deal with them, even conducting operations to fight against them. The power of these organizations is based solely on public support, a support that may depend on the economic situation and political horizon.
- Hezbollah – a potential opposer to any kind of peace process in our region. However, this organization was not, and certainly is not today, of any direct impact on the process. It may certainly have some indirect influence (now and then inspired by Iran) if and when it decides to "heat up" the area to incite an Israeli reaction, which in turn will destabilize the situation for the Palestinians, as well as the Hamas and Islamic Jihad – a series of events that may disrupt the process, at least momentarily.

53 Eli Reches. "Reopening of the 1948 File", Haaretz newspaper, July 22, 2011.

54 "The Arab Society in Israel – Information File", *ibid*, p. 16.

Chapter 6 – Barriers until now and in the future

I have reviewed the Oslo process in its various stages so that the facts, in their chronological order, may allow us to systematically examine the difficulties and obstacles that caused the process to fail. These facts will be examined in the following division of time periods:

1993-1996

This stage is considered the "honeymoon period" of the peace process for three primary reasons:

- The process was still in its infancy and unfolding with a great sense of historic drama: Rabin and Arafat shook hands, they signed the Declaration of Principles, and there was mutual recognition between the State of Israel and the PLO.
- This was still an interim stage far from actual historical resolutions, certainly those pertaining to core issues, as these were planned to be dealt with later in the process.
- The leaders of the process, Yitzhak Rabin and Shimon Peres, were completely committed to it.

But was the honeymoon period really so sweet? Were there no signs of the impediments, obstacles and other influencing factors even then? From the Israeli perspective, this was merely an interim period (the advantage of the Oslo process), and it is doubtful whether Israeli leadership made it clear (to itself or the Israeli and Palestinian publics) what the final destination would be. The idea of the two-state solution was never even mentioned as an end goal.⁵⁵ It seems even Rabin and Peres did not fully agree on the desired final outcome⁵⁶. The fact that Israeli leaders of the time, although unquestionably committed to the process, still left the destination unclear (an issue that arose again during Barak's time) caused confusion among their subordinates, and made all options seem possible.⁵⁷ Even during this period the construction of Jewish settlement continued in earnest, creating distrust among the Palestinians as to Israel's true intentions.

From the Palestinian perspective – Arafat never made the mental shift from thinking in terms of a military struggle to using diplomacy and statecraft,⁵⁸ a fact made clear even during this early stage. He was also insensitive to the (justified) concern among the Israeli public regarding matters of personal and public security. He preferred dealing with the Hamas through talks, and avoided conflict. In November of 1994, his agents killed 19 Hamas operatives in Gaza only after Arafat finally understood they were acting to undermine his rule – and not to thwart any terrorist attacks in Israel.

55 "Twenty Years After Oslo: A personal and historical perspective", by Ron Pundak. S. Daniel Abraham Center for Strategic Dialogue and Tami Steinmetz Center for Peace Research, 2014.

56 Interview with Yair Hirschfeld.

57 Pundak, *ibid.*

58 *Ibid.*

Arafat also used ambiguous terms in his speech on May 23, 1994 in Johannesburg before the Palestinians, comparing the Oslo Accords to the Treaty of Hudaibiyyah, signed with the Quraysh tribe. The prophet Muhammad later violated that agreement, opening the door to reconquer Mecca. This statement was made public, creating turmoil in the political system, and even more so among the Israeli public.

But even this did not sway public opinion in Israel. On June 1994, the general Peace Index was measured at 55.2%, continuing to rise in the following months and reaching 64.95% by September of that year. The Oslo Index at that time was around 51%, reaching its peak in August of that year with 54.5%, then gradually falling to 47.4% at the year's close.

Throughout 1995, the Peace Index ranged from 51% to 59.75%, and the Oslo Index ranged from 43.7% to 47%, a trend that lasted until October 1995. The assassination of Rabin boosted these numbers to its peak (Peace Index, 73%, and Oslo Index, 57.9%). Then, 1996 began with a drop in numbers, although they still remained high and stable. However, the terrible wave of terrorist attacks in February and March toppled the Oslo Index and belief in the peace process, eventually leading to the election of Benjamin Netanyahu to power. It should be noted that the Syria Index was also measured during that period, with results always significantly lower than both Peace and Oslo indexes. There are two possible reasons for this – either a general distrust of peace with Syria, or the perception that this peace was less urgent and important to the Israeli public.

When trying to point to the factors that obstructed progress to peace during this "honeymoon" period, **it appears that the most significant and dominant factor** (during this time) **was the suicide bombings**, a product of Hamas and Islamic Jihad policy in combination with Arafat's unwillingness/fear to confront those organizations and act forcefully to thwart them.

The other factors (the attitudes of both leaderships and Arafat's conduct) had marginal influence at this point and produced no substantive impact on the process. Additionally, regional players were not significant barriers at this time.

Even the continued construction of the Jewish settlements (not mentioned in the Declaration of Principles) did not play a central role during this period.

In contrast, the assassination of Rabin on November 4, 1995, an act of Jewish terrorism, was a destructive milestone in the process. But two points must be stated candidly in this matter – that it is impossible to predict how events would have unfolded if Rabin had lived, and that Israeli public opinion did not waver in its support of the process even after Rabin was murdered. Quite the opposite – public support increased after the assassination, and it was the wave of bombings that occurred later that unnerved the public and changed the Israeli electoral map.

All these may be put into professional terms – barriers that are strategic, psychological and organizational. Although I believe it was the wave of terrorist attacks that constituted the dominant factor influencing this stage of the process, it

can also be described in the terms mentioned here, as all these factors relate and intertwine in their impact on events.

1996-1999

Netanyahu served as prime minister during these years, the man who previously led the protests against the Oslo agreement, but then declared on the eve of elections that he would uphold it (safeguarding the principle of continuity). During the early days of his premiership, Netanyahu did keep his word, sending representatives to meet with Arafat and his aides, and appointing several senior members of the government who were known as supporters of the peace process. However, he was still weighed down, morally and electorally, by various ministers and government members from his own party, as well as members of his right-wing coalition, along with settler representatives (Yesha Council and Yesha Rabbinical Council). They believed Netanyahu owed them a moral debt that should not be violated. This was a delicate line to tread, especially when considering Netanyahu's ideological upbringing, and the increasing commitment of the US president to furthering the process, particularly after Rabin's assassination.

The pressure from the US (especially after the Western Wall Tunnel riots), the construction on Har Homa, and the continued expansion of Jewish settlements – all brought Netanyahu to vacillate back and forth, resulting in two major outcomes:

- Political instability of his government and coalition.
- Increasing distrust on the Palestinian side.

The Palestinians continued the suicide bombings, although on a much smaller scale, producing two effects: further undermining the trust of the Israeli public in the Oslo process (although the polls demonstrate they continued to score the general Peace Index highly), and providing more arguments/justifications for anyone opposing the process, including PM Netanyahu.

The Palestinians, with Arafat in the lead, remained obtuse to the incredible sensitivity of the Israeli public to personal security. Arafat, with no true comprehension of how Israelis viewed these bombings, failed to consider how they would react. With few options, Israel had no recourse but to institute a more severe security policy (arrests, curfews, roadblocks, blockades, and forbidding entrance into the country), a response that only aggravated the Palestinian public and worsened their situation, and was even more detrimental to the process.

In the times Netanyahu did try to push forward with the process, he favored pushing for a permanent agreement, in contrast to Arafat – who preferred (in fact, insisted) that all interim agreement conditions must first be met (the 3-stage IDF withdrawal). What were the interests of each party?

- Arafat – persisted in the view that "a bird in the hand is worth two in the bush", and was concerned the two parties were not ready for a real discussion regarding permanent terms (meaning resolving core issues).

- Netanyahu – feared agreeing to too many interim terms, including withdrawals and concessions, without any appropriate compensation from the Palestinians, so that when the time did come for permanent resolutions, he would have less resources to bargain with. One could also posit that he wanted to stall for time, for well-known reasons. It is impossible to determine which of these motivations were more important, but the two were surely interconnected.

At this point, the US was actively involved in the process, certainly more so than previously. It is possible that had the US pushed even harder for both parties to adhere to the "Oslo spirit", the chances of success would have been improved.

In contrast to the three previous years (1993-1996), where we point to the suicide bombings as the most dominant factor disrupting the process, during this time a combination of factors were more in play. Netanyahu's basic attitude, his lack of determined leadership in advancing the process, the lack of unity within Israeli leadership, heterogeneity of his coalition when Netanyahu still had to contend with the commitments he made to the electorate base that brought him to power – and conversely, Arafat's conduct and occasional tirades, and the unending series of terrorist attacks – all of which created an amalgamation of factors that cut short the process.

The motivations: strategic, psychological, and structural-organizational (of each party) are clearly evident in each of the arguments present in the above.

1999-2001

Under Ehud Barak's premiership, one could argue that attempts were made to amend all the (failed) actions taken up to that point. But it had to cope with all the old difficulties and frustrations, and unfortunately added also new difficulties into the mix.

Barak, probably because of his personal disposition, acted almost completely alone (although Gilead Sher disagrees with this assertion). From the outset, Barak declared his intention to take a different approach from Oslo, even going so far as to exclude those involved in Oslo from the process (at least until the later period of his premiership). Barak did not approve of the interim terms and (like his predecessor), tried to stall their implementation. This policy, along with his personality, generated even more distrust between him and Arafat, who was hoping for some leeway after Netanyahu's tougher attitude.

Barak made political mistakes, and struggled to maintain the stability of his coalition, which had many members that did not support the process. As they neared the pivotal moments of decision, he continued to lose the support of his political base. He held to the belief (logical, but also quite arrogant) that when he finally achieved a resolution, this would gain him back the popular and political support he had lost. This probably stemmed from his certitude that he could finalize an agreement with the Palestinians, and with Arafat, on his terms. However, Barak failed to read the political map, or the people involved in it, correctly. He could not see that dictating

a schedule for historic decisions, those that touch on the very heart of the Palestinian people, as well as the Muslim and Arab world, could never succeed under such conditions. But even this state of affairs cannot determine whether events would have developed differently. Had all the interim terms been met by Barak's government, or if better preparations (such as the Stockholm talks) had been made previously – would this truly have produced different outcomes? There is no way to ascertain what could have happened, and it is doubtful even the test of time will unravel this mystery.

Much has been said and written about the events during Camp David, and therefore there is no need to repeat them. The outcomes speak for themselves. The personalities of the involved leaders, the conduct of the US during negotiations, and President Clinton's trust in Barak's confidence and attitude – all contrived to push events as they did. Barak continued to lose political and public support, and Arafat continued in his obstinate policy, extending it beyond his legendary doggedness on core Palestinian issues to blatant contempt of any Jewish attachment to the Temple Mount. These barriers worked in tandem to create a sequence of events that spiraled out of control.

During the Taba talks, proposals were made to the Palestinians that Israel (and perhaps the US as well) considered impossible to refuse. But this event was not only impeded by the overwhelming forces already in play, it created new and immediate concerns. Barak and Clinton attempted to set a rigorous schedule for progress. But Arafat was riding the great wave of approval after the Intifada with massive popular support of the Palestinians, as well as many Arab states and a significant number of European states, and therefore could not accept the far-reaching terms presented to him.

The 2000s

The first decade of the 21st century was marked by difficult events in the Middle East and around the globe. The Second Intifada (beginning October 2000) slowly died down, and conditions for the Palestinian people in Gaza and West Bank deteriorated. In Israel, the prime ministers of this period were unequivocally right-wing, asserting in their past attitudes that could never be accepted by the Palestinians. Ironically, it was these men who took the process the farthest, and who initiated the most attempts at progress. Ariel Sharon decided on a unilateral withdrawal from the Gaza Strip and destruction of Gush Katif settlements, and Ehud Olmert extended a proposal to Abu Mazen in 2008 that in the view of the Israeli public went far beyond Israel's agreement in Taba in late 2000. This proposal, like all rest, was also rejected.

Netanyahu rose to power a second time in the 2009 elections, declaring his acceptance of the two-state solution. But the peace process did not progress, and even added several new impediments (that will not be discussed here).

Why did Abu Mazen refuse Olmert's 2008 proposal? It may be that Abu Mazen did not feel he could bear the brunt of

such weighty and historic decisions when facing the array of forces against him:

- Dealing with the **refugee** issue, while facing the Palestinian diasporas in Jordan, Kuwait, Lebanon and Syria.
- A determination regarding sovereignty over **Jerusalem**, while facing the Arab and Muslim world.
- **Recognition of the Jewish state**, while facing the Arabs of Israel.

Yasser Arafat, the historic figure who brought the Palestinians to the very gates of the "promised land", would have had to gain support from all three factors to finally resolve the conflict. Perhaps Arafat knew legitimacy from all fronts would not be achievable. For Abu Mazen, the task was almost impossible.

All of the above-mentioned barrier clusters played a role in the conflict between Israelis and Palestinians. These can be divided as follows:

- **Super-barriers**
- **Permanent barriers**
- **Changing barriers**

Super-barriers – those defined as core issues, set against the definition of the state of Israel as the Jewish state.

Permanent barriers – those that stand at the root of an organizational culture of decision making, of implementing decisions and commitments, addressing and presenting initiatives, and also providing counter-offers.

Changing barriers – those barriers dependent on the people involved in the process, (which, at least in democratic countries, is a changing factor), as well as the atmosphere and attitudes of the time.

The barriers that comprise these clusters may also be attributed to the Israeli-Palestinian conflict. As seen in this paper, there is no single barrier that can be pointed to as the one primary impediment to the process. Rather, it is usually a combination of several barriers working in conjunction at a given time. The only period in which one dominant factor played a central role (although even here several others were involved) was during the time of the massive series of terrorist attacks in the years 1993-1996, and this generated other barriers, particularly on the Israeli side. But even in this case, one could not claim it was the only factor tipping the scales against progress.

Chapter 7: How to extract ourselves from this predicament? Possible directions to take.

Working assumptions

1. The Israeli government, currently and in the foreseeable future, is a **right-wing government**.
2. The main issue that will always be of great concern to the Israeli public is **personal security**.

3. The segment of the **Israeli religious public** that believes the sanctity of the Holy Land supersedes any State decision flatly refuses to consider any concessions of ancestral lands.
4. The great public of **Jewish settlers** are not a single unit, and while some may agree to compromise, most would do so only after a democratic decision on the matter.
5. Jerusalem is important to the **entire Jewish public**, as it relates to the Jewish people's historical link to the Temple Mount (regardless of any state-made agreement). As for those of the **religious public who believe in "Greater Israel"** – Jerusalem is and will always remain Jewish.
6. The current Israeli government gives great weight to the **regional players of the Middle East** – Egypt, Jordan, and also Saudi Arabia (in relation to security, political, and even economic matters).
7. The **Palestinians** are apparently currently incapable of moving forward in the negotiations, and this probably will remain so in the near future. They hold to a dual policy – expressing understanding for the terrorist attacks due to internal constraints, while also meticulously continuing security cooperation with Israel.
8. It is doubtful the Arab states (including Egypt, Jordan and Saudi Arabia) consider the **Palestinian cause in and of itself** at the top of their list of priorities.
9. **Egypt** shares several national and security interests with Israel: the Gaza Strip (Hamas, Islamic Jihad, and dissident organizations), and the Sinai Peninsula (ISIS, Al-Qaeda). There is also a shared economic interest (gas). Egypt also has its **own reasons for wanting to keep the Palestinian issue and the matter of Jerusalem quiet**. The **Muslim Brotherhood** remain insistent in their attitude regarding Al-Aqsa, and their hostile attitude to Israel, and Egyptian public opinion is hostile to Israel, and its attitude regarding the Palestinians and Al-Aqsa is legendary. **These two factors put pressure on the Egyptian political system**.
10. **Jordan** shares national, security, and economic interests with Israel, yet is also aware of the enormous sensitivity of the Palestinian cause and the holy sites due to pressure from the "Islamic Block", Jordanian public opinion, and the Palestinians. Notably, Jordan has a personal stake in the issue of Jerusalem and Al-Aqsa.
11. **Saudi Arabia** – has strategic and security interest relevant to two issues: ISIS and Iran.
12. **The international community** is very interested in resolving the Palestinian problem, or at minimum calm the atmosphere enough to renew the diplomatic process.

Concluding Chapter: What is Necessary to Overcome the Devastating Effect of Spoilers?

It is evident that terror and other spoiler action cannot be overcome merely by military action. Nevertheless,

understanding security in its wider concept may help to identify necessary action and understand, where Israel can (and must) act alone, and where outside support is needed.

A comprehensive security approach needs to be based and developed by seeking optimal results to seven different but complementary criteria and understandings:

- I. Achieving internal societal cohesion;
- II. Obtaining optimal military capacities;
- III. Being fully aware of moral obligations and the limits of power and military action;
- IV. The need to obtain support from allies in the region and beyond;
- V. The necessity to stop or minimize violence by signing agreements;
- VI. The need to take care of essential interests and the well-being of the Palestinian people, and last but not least
- VII. Understanding that the status quo is not sustainable and a policy of mere crisis management; without a strategy showing the way ahead, the conflict will get worse.

My working assumption is that – if these six criteria are taken care of, each one in an optimal manner – it will be possible to minimize, not necessarily to eliminate, spoiler action. Based on these criteria, it is possible to define tasks for action of all relevant stakeholders:

1. Israel

a. *Achieving Internal Social Cohesion*

Most obviously, it is the task of the Israeli Government and civil society, to seek to achieve social cohesion and minimize emotional, religious-cultural, and political stumbling blocks. Superficially seen this would mean to take action to limit incitement of the Israeli radical right against the peace camp, while Israel's supporters of a two-state solution would have to be seen to refrain from seeking to impose substantial settlement evacuation on the settler community. However, in enabling a two-state solution, the issue is more complex and relates to the entire conceptual approach that has to be adopted. Israel's Center and the Peace Camp tend to support the call for a two-state solution, by seeking to implement the slogan: "We (Israelis) are here, and they (the Palestinians) are there"; supporters of Israel's right wing and settlers perceive this call as turning them into "outcasts".

As the majority of Israelis, including Israel's present Prime Minister, verbally and conceptually are committed to achieve a two-state solution, the task of the political leadership is to define an Israeli concept, how to achieve this goal, and gradually minimize fears and opposition. The task of civil society is to reach out to each other. In this context, the moral commitment of Israel, not to subdue the Palestinian people, and the religious understanding of Israel's right wing, that God has not merely ordained to settle the Land of Eretz Yisrael, but he has put the challenge to come to decent and moral

terms with the Palestinian inhabitants, offers an important basis for a strategy-oriented dialogue.

b. *Obtaining the optimal Military Capacity*

Here, the Israeli political leadership and civil society have two complementary tasks: To convince the wider public that Israel's military capacity cannot stand alone, but has to take full account of the four other criteria, defining a comprehensive security approach. As it is feared that losing security control over the West Bank and Arab Jerusalem will deteriorate Israel's security situation and open the door to terror attacks, this fear must be met by suggesting and defining a security approach that will minimize the potential for terror. In this context, maintaining and reinforcing security cooperation with the Palestinian Authority, as well as with Jordan, Egypt, and other Arab states, has become a most essential enabling condition for achieving a two state solution.

c. *Understanding the Limits of Military Power and Moral Obligations*

The most dangerous emotional stumbling block for achieving a two-state solution, is the desire for immediate and drastic revenge in return for any terror act or other act of aggression directed against Israel. This tendency is being amplified by religious argumentation that inclines to sanctify war, prohibits negotiations for giving up any part of Eretz Yisrael, asserts all too effective political pressure, and at times even legitimizes murder (see above).

In this context, an important but by no means a sufficient activity is to educate the public, optimally by Israel's political leadership, the media, academia, and civil society, to understand moral obligations of Israel and the limits of power in the modern world, particularly under conditions of asymmetric warfare that are imposed upon Israel by Hamas, Hezbollah and other radical militant Islamic state- and non-state actors. What is essential to obtain the commitment of Israel's religious leadership to a policy of military constraint. In this context, the emerging Jewish-Islamic religious dialogue (as described by Roie Ravitzky) is of decisive importance.

Dialectically, the criminal radicalization within extremist Islamic groups, and the criminal acts of Israeli youth influenced by radical rabbinical leadership created and important constructive backlash and an atmosphere for dialogue and cooperation.

d. *Seeking Allies in the Region and among the International Community*

Israel's political leadership at large, actually from wall-to-wall, definitely understands the need to build alliances in the region and beyond. However, the emotional and psychological stumbling block based largely on the collective historical experience of the Jewish people, as well as upon the personal experience of political leaders, is at best expressed by the sentence "The world is all against us, and we must demonstrate that we cannot be bullied by anyone, otherwise we lose our deterrence capacity". Israel's right wing leadership, Begin, Shamir and Netanyahu, have always been tempted to seek

refuge against external political pressure, by adopting this approach, and gaining hereby, as a rule, substantial majority support.

Yet, whenever these moments of populist action pass, the need for seeking allies in the region and beyond is fully understood. Under present conditions, this definitely opens important enabling conditions for moving towards a two state solution. The political statements of President el-Sisi of Egypt, and parallel statements of leading Saudi personalities, as for instance Prince Faisal al-Turki, have opened the way toward a supportive regional role for an ongoing Israel-Palestine, and wider Israeli-Egyptian-Jordanian-Saudi-UAE, negotiating process. Moreover, Israel's leadership understands perfectly well, that regional support cannot come instead of negotiations with the Palestinians, but must be centered on coordinated headway towards an agreed two-state solution.

e. *The Necessity to Stop or Minimize Violence by Signing Agreements*

Israel's experience in repeated wars with Egypt was of essential importance to reach at first partial agreements (in January 1974 on disengagement; on September 1, 1974 for an interim agreement providing for non-belligerency) and then sign a full Treaty of Peace (March, 1979). It was fully understood in Jerusalem that each and every Israeli military success, in fighting during the early fifties Fedayeen terror acts, in defeating Egypt in the Sinai Campaign of 1956, in the Six Day War of 1967, in the War of Attrition of 1968-1970, and in the Yom Kippur War of 1973, only led – after a time lap – to the escalation of violence and war. The only way to stop the escalating curve of violence was to sign a Treaty of Peace, and withdraw from the entire Sinai Peninsula; a move that was opposed by Israel's right wing, but has provided Israel, so far, with forty years of peace and quiet on the Egyptian front.

The problem is that in the Israeli-Palestinian context, the Israeli narrative of the experience is very different: following the signing of the Oslo I Agreement in September 1993, terror has risen, rather than decreased. This fact is even worsened, by the tendency of the international media, to adopt an "even-handed" approach and put the blame on both sides, even when the aggressive action clearly has been launched by the Palestinians, or other militant actors, such as Hezbollah, al-Qaeda, and others. This is a most serious stumbling block for any future attempt to renew negotiations and seek an agreement.

Recent history has provided us with an important counter-narrative: Since the summer of 2008, Israeli-Palestinian security cooperation was developed on the basis of what General Ashkenazi called "they do more, we do less", and clearly contributed to relative stability.

Maybe it is possible to learn from the Irish experience. After the conclusion of the Good Friday Agreement, in 1998, the "Real IRA" launched a devastating terror attack at Omeagh. In response all parties, joined together in demonstrations and actions against those criminal perpetrators and spoilers of the peace-building effort.

Seeking enabling conditions to reach a two-state solution, necessary understandings will have to be reached between the Israeli and Palestinian leadership, Egypt, Jordan, and other Arab states, and the international community, to condemn terror acts, and of equal importance, to take together effective action, which optimally will have to be substantially supported by the civil society on both sides of the Israeli-Palestinian divide and effectively echoed by the media.

f. *Taking Care of the Interests and the Well Being of the Palestinian People*

The good news is that Israel's Left and Center and possibly more important, Israel's professional echelons among the various Israeli security authorities, the senior professionals of the ministries of Foreign Affairs, Finance, Economy, Energy, Transport, Agriculture, and Environment are all aware of the need to create a win-win strategy that will serve both sides. However, in order to obtain right wing support, two difficulties have to be overcome: The first, is the tendency to belittle or even fully ignore, Palestinian suffering caused by occupation. The second tendency, is of a milder nature, but is not less devastating for the promotion of negotiations: it is the conviction (or at least the argument) that Israel, and particularly the Israeli settler movement, can take care of the well-being of their Palestinian neighbors, i.e. of the grass roots, but not of the Palestinian leadership and political establishment.

The murderous attack at Duma has become a watershed in the thinking of most right wing leaders, and has tended – at least for the time being – to end the argument of “no wrong doing”. The second argument is thus more dangerous. The way to overcome it is to develop a close dialogue between the Israeli and Palestinian ministries of Finance, Economy, Energy, Transport, Communications, Environment and Tourism and develop together agreed coordination and cooperation schemes in support of Palestinian state-building, creating hereby win-win concepts that are backed by both governments and can obtain substantial backing from the Arab world and the international community. The latest agreement concluded between the Israeli and Palestinian Ministries of Finance serves as an example of a first successful move in this direction.

In this context it would also make sense to develop a multi-annual plan for Palestinian state-building within the framework of the AHLC, by achieving cooperation between Israel's security apparatus, and the Ministry of Foreign Affairs with their Palestinian counterparts and the other leading members participating in the AHLC.

g. *Understanding the Danger Inherent in a Policy of Mere Crisis Management*

The status quo, per se, is not sustainable in the Israeli-Palestinian arena: the situation either improves or deteriorates. The Palestinian inhabitants of the West Bank and Gaza perceive the occupation as unbearable; worse, friction points in the territories all too easily lead to violent action. This again causes a deterioration of the security situation and increasing impediments on Palestinian economic activities,

causing a most dangerous vicious circle. The result tends to be deterioration in the Israeli-Palestinian security cooperation, growing Jordanian and Egyptian irritation leading often to a “war of words”. The “buck does not end there”. The general atmosphere in the region is poisoned, Israel's enemies gain ground in Europe and even in the United States and despair rules the day, which again tends to cause within Israel further friction and mutual accusations between Israel's radical right wing supporters and the advocates of a two state solution.

2. Palestine

I have described above (chapter two) the many stumbling blocks that make it difficult for the Palestinian leadership and society, to move forward toward an agreed two-state solution, in spite of the fact that this would really be fully in line with the collective interest of the Palestinian people. The list of stumbling blocks includes emotional opposition to reconciliation with Israel, the demand for justice, the understanding that the proposed deal is already based on a 78-22 compromise of territory, whereupon the Palestinian side receives only 22 % of former British Mandatory Palestine, and any further concession appears to be unfair and unjust. These stumbling blocks are exacerbated by the fear of being tricked by the Israeli side, the belief that the time factor works in favor of the Palestinian cause, the Islamic religious impediments to accept Jewish sovereignty over any part of Palestine; the commitment to achieve full control of Eastern Jerusalem and Haram ash-Sharif, and the sensed necessity to assure at least conceptually an agreement on the Right of Return of the Refugees and an official Israeli apology for having caused the Catastrophe of 1948.

Being fully aware that several of these demands are not achievable, the Palestinian leadership and people need three conditions to overcome these stumbling blocks:

- a. A clear strategic plan as how to build a better future with and besides Israel for its own people, under conditions that will lead to the creation of a prosperous and contiguous State of Palestine, while ending the Israeli occupation.
- b. Effective Arab (Egyptian, Jordanian, Saudi, UAE and Moroccan) political, financial and economic support in favor of the Palestinian state-building effort and
- c. International support.

As progress will be achieved, trust and legitimacy shall be regained and make it possible to seek compromise solutions with Israel. In order to achieve this, the Palestinian Authority needs to adopt a policy of outreach to Israel's society. The invitation of President Abbas to address the Israeli Knesset would be such an opportunity. A policy to stop incitement and support a strong civil society in Palestine to cooperate with Israeli counterparts would be similarly essential.

3. Egypt, Jordan, Saudi Arabia and other Arab States

Undoubtedly the role of Egypt and the other Arab states will be decisive in creating the supportive enabling conditions

aimed at reaching an Israeli-Palestinian two-state solution. The Arab states will have five most substantial tasks:

- a. Provide the political umbrella for negotiations offering legitimacy to both sides;
- b. Engaging in a comprehensive and effective regional effort to cooperate in joint struggle against incitement and all forms of terror;
- c. Developing with Israel and the Palestinians together a narrative looking to the future, rather than the past;
- d. Assisting the Palestinian leadership and people in their state-building effort, while offering adequate and fair *quid pro quos* to Israel and
- e. Working together with Palestine and Israel in order to develop agreed regional structures in support of stability, security and socio-economic development in the region.

4. Europe and Germany

It is essential that the European and German leadership and media will be fully aware of all the various stumbling blocks referred to above in chapter 2. Accordingly it is of similar importance to understand that there is no “ready-made” solution that can be put on paper, hereby solving the conflict for always and ever.

If Europe and Germany want to play a decisive contributing role in support of reaching a two-state solution, it will be necessary to understand and address the sensitivities of the Israeli public and refer to the deep historical, traditional, and emotional connection of the Jewish people to Jerusalem and the Land of Israel. It should be stressed that the Jewish people, as much as the Palestinian people have the right to self-determination in their homeland, and that any two-state solution has to be based on the recognition of the right of the other party.

It is similarly essential to understand that the future of events in the Middle East have existential ramifications on the very existence of Israel and its people, as well as for the maintenance of Europe’s identity and stability, a fact that necessitates a close, intense and open European-Israeli strategic dialogue. This dialogue must identify at first possible damage that can be caused by one side to the other and define codes of understanding to prevent a lose-lose situation, being aware that the potential nuisance effect of one side to the other is very substantial. Conversely, a mutual win-win approach can and has to be developed, by defining common interests, and action that reach substantially beyond the Israel-Palestine conflict. A joint struggle against Islamophobia and Anti-Semitism appears to be essential, cooperation to prevent refugees from Africa to reach Europe, coordination in regard to the flow of energy, cooperation on high-tech, and other economic stability building action in the Middle East and elsewhere, as well as committed coordinated action to struggle against terror and create regional and intra-regional security structures are part of an agenda that has to be discussed.

It is also essential to learn from mistakes made in the past. The outstanding example is the behavior of the international community during Israel’s disengagement from Gaza. For peace-building, it was at that time essential to hand over the non-movable assets of the settlement blocks in Gaza and the Northern West Bank in an orderly manner to the Palestinian Authority. During negotiations, Israel’s Vice Prime Minister Shimon Peres offered a transfer of all assets, with the exception of synagogues and Jewish cemeteries. The Palestinian side, represented by Mahmoud Dahlan, rejected the transfer, on the grounds that settlement construction was illegal and thus these assets had to be destroyed. The international community, represented by Mr. James Wolfensohn as the Quartet Coordinator, instead of rejecting this argument, obliged Israel to carry out the destruction of these assets. This was done, in spite of the fact that the argument itself was faulted; according to the Oslo Agreements Israel has been given by the PLO and the PA legitimate responsibility over the settlements, and in Permanent Status Negotiations, both sides are committed to deal with the settlement issue. These agreements committed to by both parties, Israel and the PLO, clearly overrule the legal concept, that settlements in occupied territories are illegal. Worse, demanding the destruction of assets in the value of about 4 billion US \$, in effect meant to waste the tax payers money of the donor countries, who committed larger sums to the Palestinian Authority. Worse, associating headway in the peace process with destruction, instead of using the assets as a potential accelerator of investment and economic development, had a devastating effect on the narrative of both parties, and the capability to prepare for further settlement relocation.

Furthermore, the policy, particularly of Sweden, Ireland, Malta and Slovenia, to a priori accusing Israel of every deadlock is counter-productive on all accounts. It keeps the Palestinian and Israeli leadership in a dangerous comfort zone; allowing the Palestinian leadership to avoid essential political decisions, and allowing the Israeli leadership to argue that “anyhow, the world is all against us” (see also above).

Presently Europe, Germany and the other European states, are fully occupied with internal problems: the challenge to deal with the flow of refugees and the impact of BREXIT. This tends to create another problem: to refrain from dealing with the Israeli-Palestinian issue. This approach may be politically useful at the moment, however, strategically I would argue that it is asking for a disaster.

Undoubtedly Europe and Germany should be advised to intensify the strategic dialogue with Israel on two levels: on the official political level, as well as on the civil society level. The international community should seek to understand what an Israeli proposal and strategy for reaching a two-state solution can be, on the basis of a sufficient majority in Israel, and work from there. A dialogue and joint planning will not prevent misunderstandings, friction and setbacks. However, refraining from engaging in a strategic dialogue and planning will undoubtedly provoke disaster.

Heshbon Nefesh: Civil Society Seeking a Two-State Majority

Ned Lazarus

Introduction

This volume aims to identify enabling conditions to facilitate Israeli society's support for a peaceful Israel-Palestine two-state solution. This essay aims to discuss the challenge of civil society activists to achieve this goal. In reference to the two-state concept, we see Israeli society divided into three major groups: Those who are convinced and pro-actively support the two-state solution, those who are ambivalent, risk-averse and passive, and those who oppose the idea in principle. The task of civil society work today is to convince as many as possible of the second and the third group to join the supporters of a peaceful two-state solution. This is easier said than done as there are concerns that have to be addressed in each one of those three groups.

Peace Activists: This group feels strongly about the devastating effects of occupation. For them two propositions appear to be indisputable. First, June 2017 will mark a full half-century of Israeli military rule over the West Bank and its stateless Palestinian population; second, there is little indication in Israeli (or Palestinian) politics that a change in this reality will occur in the months ahead. Thus, longtime advocates of "two states for two peoples" in Israel and abroad, will no doubt mark fifty years of occupation with anguish and protest — modern echoes of biblical prophets donning sackcloth and ashes to denounce the rulers of the day and the ruin promised by their defiance of sacred principle. For this group, the anomaly of the democratic state of Israel denying fundamental rights to millions of Palestinians is an injustice that conscience cannot abide — certainly not for five decades with no end in sight.

Ambivalent Majority: Unfortunately, five decades is also long enough to recognize that the stand alone moral dimension is not sufficient to mobilize the critical mass of Israelis, who frame the issue in pragmatic terms and do not share the same depth of conviction. This "silent majority" tends to support the concept of "two states for two peoples" in the abstract. However, they are convinced that the present turmoil in the Middle East does not allow — for the time being — to take concrete steps toward a two-state solution. They are justifiably concerned about the economic, political and security ramifications of dramatic change, and above all afraid of military withdrawal creating the conditions for a civil war situation. The undeniable injustice of the occupation is not sufficient to motivate this group to advocate the two-state approach. A majority will oppose externally-imposed pressure with respect to issues they comprehend as being of an existential nature for them, for their families and for Israeli society at large.

The Settler Community and ideological supporters: This group believes that they have much to lose by reaching a two-state solution. Many of them will have to leave their homes and resettle elsewhere; worse, for many — their belief system and their life's work is being challenged.

Thus, the task of civil society work becomes very complex: those already convinced of the need to end occupation must find ways to reach out to those who think differently, address the fears of those who are undecided, and respond to the practical, political and ideological concerns of the settler community as effectively as possible.

The current project seeks to identify necessary conditions to consolidate Israeli majority support for a two-state solution. The salient question is not, however, whether majority support exists for two states as an ideal future — the preponderance of opinion research suggests that it does (Eldar, 2016). Indeed, all four Prime Ministers Israelis have elected in the 21st century have gone on record opposing permanent Israeli rule over the Palestinians — despite having all spent their formative years in the Likud. The real issue is whether action is urgently demanded at present, to advance — or, as the recent Quartet report has it, at least preserve — any realistic prospect of a two-state future (Middle East Quartet, July 1, 2016). Although most Israeli Jews reject the annexationist agenda of the Right, they remain wary of withdrawal from the West Bank, in the aftermath of wars with Hamas and Hezbollah paramilitaries that seized control of de-occupied territories. A Centrist bloc is the new fulcrum of Israeli public opinion on the Palestinian issue; it tips the scales between the classic binary of Right and Left. It is the question of urgency — whether it is necessary to act now — that currently splits a potential Israeli two-state majority between the activist Left and the cautious Center.

This essay will draw on interviews with civil society activists and scholars, to consider how civil society can contribute to broadening support, particularly on the Center and pragmatic Right, for action to advance a two-state solution. As the primary non-electoral sphere in which citizens take organized action to shape the agenda and norms of public discourse, civil society is a perfect prism for examining what issues are, and are not, burning in the eyes of Israelis — and for proposing potential strategies to spark new fires on the pro-peace/anti-occupation front. Ultimately, I will argue that peace advocates must approach the fiftieth anniversary in the spirit of heshbon nefesh — a rigorous, internal "accounting of the soul" — acknowledging the roots of our current marginalization in Israeli society, and designing strategies to build broad and deep support for the struggle ahead.

Civil Society and Peace Advocacy: Marginalization and Perseverance

Israel is home to a vibrant "third sector" of more than 44,000 registered non-profit associations, among the world's largest in terms of organizations, employees and financial activity per capita (Civic Leadership, 2016). Civil society organizations (CSOs) span the country's famously fractious and fragmented social spectrum, in terms of communal affiliation and political orientation. In recent years, Israeli civil society advocates have garnered headlines, shaped political discourse and set legislative agendas through advocacy for social justice and economic equality – embodied by the mass demonstrations of summer 2011, the largest sustained protest movement in the country's history. A new generation of civic and parliamentary leaders and CSOs emerged from that summer's Israeli echo of the Arab Spring, advocating a broadly popular agenda of socioeconomic change, albeit with mixed results to date (Shaffir, 2016).

"Peace NGOs" form a small but prominent constellation within the larger civil society sector. The term is a homogenizing label for an eclectic cadre of civic and grassroots initiatives working to advocate for human rights and conflict resolution, to protest discrimination and occupation, to educate for peace and otherwise transform perceptions and relations between Israeli Jews and Arab-Palestinians, both within and across the "Green Line." Among at least 100 registered organizations working on the Israeli-Palestinian front are initiatives that integrate peacebuilding content into environmental protection, economic development, health and medicine, media, and sport alongside the classic peacebuilding approaches of advocacy, dialogue, multi-track diplomacy, peace education, and nonviolent protest. The field includes veteran organizations established in the first intifada and Oslo years alongside nascent start-up initiatives. It is an ideologically diverse sector, ranging from strategy development in dialogue with any government, to officially "apolitical," to militantly critical in terms of orientation toward the peace process, the occupation, and the state. Indeed, activists and initiatives may have little in common other than dedication to working across the conflict divide – which is enough, at present, to set them apart from the Israeli mainstream.

It is, to put it lightly, a hard time to be a "peace organization." Since the eruption of the second intifada in the year 2000, the official peace process has gone through a process of trial and error, alternated between episodes of failed negotiation, violent escalation and prolonged stagnation. With no "political horizon" to embody the value of working with "the other side," the field faces a chronic legitimacy crisis (CMM Field Study, 2014); joint work has been stigmatized as "normalization" in Palestine and effectively marginalized in Israel, prompting repeated eulogies in the media (Kalman, 2014). Every crisis – the second intifada, the second Lebanon War, asymmetric wars in Gaza with increasingly asymmetric casualty counts – takes a toll as planned joint programs are postponed, relations strained and hopes shattered amid renewed hostilities and fatalities.

In recent years, moreover, attacks on "Leftists" have become a cause célèbre for Israel's militant Right, whose own civil society wing has orchestrated a campaign of digital character assassination, organizational espionage, vandalism and street violence to stigmatize and intimidate Israeli advocates for peace and human rights. The assailants are buoyed by multiple ministers of the current government, who use their bully pulpits, bureaucratic prerogatives and legislative powers to defame, harass and otherwise undermine prominent Israeli CSOs that work to expose and oppose the systematic abuses of the occupation.

Yet rumors of the demise of "peace activism," as the saying goes, are greatly exaggerated – veteran organizations have adapted a variety of different and complementary strategies, persevered and in some cases even grown through the tumult of the 21st century. A survey of cross-conflict activity in July 2016 features a "Freedom March" of 800 Israelis and Palestinians at an Israeli army checkpoint in the West Bank, Palestinian and Israeli youth delegations attending multiple summer dialogue programs in the country and outside, a trend of interfaith "iftar" gatherings and "Ramadan Nights" gatherings in Arab cities in Israel, Israeli activists delivering water to Palestinian towns cut off by Israel's national water company, informational tours of the Separation Barrier and Palestinian East Jerusalem for Israelis and diaspora Jews, Knesset sessions featuring prominent NGO advocacy on anti-discrimination and peace process issues, bi-national backgammon tournaments in East and West Jerusalem, a documentary film screening on the Separation Barrier, a delegation of Israeli peace NGOs meeting in Ramallah with the PLO Committee on Interaction with Israeli Society, and outdoor, public Israeli-Palestinian dialogue and negotiation sessions in Tel Aviv – among numerous other events. Women Wage Peace, an Arab-Jewish women's activist movement formed in response to the Israel-Hamas war of summer 2014, has organized a greatly successful two-week long women's "March of Hope" in October 2016, culminating in a demonstration of 20,000 people in front of the Prime Minister's house on October 19, 2016. Probably most important, a major effort is underway, aimed at mobilizing "Israel's moderate majority", and several multi-track diplomacy efforts are being launched, aimed at rebuilding trust and paving the way for the renewal of Israeli-Palestinian peace negotiations, supported by regional powers and the international community at large. In a relentlessly challenging context, the field remains remarkably resilient.

In terms of political strategy, peace NGOs have responded to the legitimacy crisis in different ways – radical Left groups have focused on building legitimacy in Palestinian society, adopting frames of joint struggle or co-resistance, solidarity and nonviolent direct action against the occupation. In divergent fashion, other initiatives have moved to broaden legitimacy in Israeli society, by engaging with Israeli constituencies that have traditionally been alienated from or outright opposed to peace activism. This includes a groundbreaking series of programs engaging in inter-communal dialogues on peace involving Haredi, Russian, and Arab civil society leaders,

as well as rabbinical leaders of the settler movement. The latter trend reflects an understanding that building support beyond the traditional "peace camp" will be the decisive factor for mobilizing an active two-state majority in Israel – and that any such solution must recognize essential interests and obtain optimal support within the settler community, in order to diminish support for resistance from the rejectionist Right (Sher, 2016).

At the policy level, track-two advocates have advocated political concepts that would permit Israel and the Palestinian leadership to move ahead in the peace process on the basis of "what has been agreed upon shall be implemented," instead of the failed approach of "nothing is agreed upon until everything is agreed upon" (Hirschfeld, 2014), as well as outreach toward key regional players – particularly Egypt, Jordan and Saudi Arabia – in order to obtain wider legitimacy among Israelis and Palestinians for a well-phased peace-making process.

Boomerang from the Right: A Moderate Counter-Mobilization

Escalations of extreme Right racism and violence in recent years – particularly waves of hate crimes targeting Palestinians and Israeli peace activists – seem to reliably generate counter-mobilization. Israeli and international activists now organize annually to join Palestinian farmers for the West Bank olive harvest, to oppose violent harassment by militant "hilltop youth" settlers. The "Price Tag" campaign of vandalism and violence generated the inter-religious, anti-racist "Light Tag" ("Tag Meir") movement and the CSO Coalition against Racism in Israel. In Jerusalem, grassroots groups have recently arisen to prevent disruption of Christian holy sites on Mount Zion, and to remove racist graffiti defacing Arabic language on public signs – the latter one of ten new initiatives of the "Jerusalem Tolerance Forum," recently awarded NIS 200,000 to expand their work by the Jerusalem municipality (Biton, 2016).

This grant, from a municipality not known as a bastion of political Leftism, is emblematic of a reactive embrace of certain forms of anti-racist and "shared society" activism. The epidemic of extreme Right racism in Israel has done something that decades of anti-occupation campaigns did not: it has motivated some moderate religious and Center-Right figures, not associated with the classic "peace camp," to become outspoken advocates of dialogue, humanization of the other and liberal democracy – all commonly considered in Israel to be "Leftist" values.

A prominent example in Orthodox religious circles is Rabbi Binyamin Lau, a nephew of Israel's former Chief Rabbi raised in the B'nei Akiva religious Zionist youth movement and educated in the Gush Etzion yeshiva in the West Bank. While maintaining his position as a congregational rabbi in Jerusalem, Lau has emerged in recent years as a mainstay of the "Light Tag" movement and an outspoken opponent of racism and religious extremism – recently assuming directorship of the "Judaism and Human Rights" initiative of

the Israel Democracy Institute (Kamin, 2013). In the ultra-Orthodox sector, Adina Bar-Shalom – founder of the Haredi College and daughter of the late former Chief Rabbi Ovadia Yosef, spiritual leader of the Shas party – is renowned for her revolutionary advocacy of higher education for women and greater integration of her community into Israeli economy and society. Less known, but no less remarkable, have been her integration of conflict resolution and dialogue courses into the college curriculum, and public advocacy of peace and humanization of the Palestinians – in tacit contradiction of some of her late father's remarks (Miller, 2016).

Dialogues with religious leaders have aided in mitigating tensions surrounding contested holy sites. Right wing rabbinical leaders engaged in the Siakh Shalom (Talking Peace) initiative released public statements recognizing the authority of the Islamic Waqf administration on the Haram A-Sharif/Temple Mount. The Mosaic organization, led by Rabbi Michael Melchior has pro-actively established a dialogue with Muslim dignitaries which played a major role in decreasing tension with respect to Jerusalem's Holy Places (Maltz, 2016). Referring to a political solution, former National Security Advisor General Yaakov Amidror – who is recognized by the rabbinical leadership as a guide on security and political affairs – has publicly opposed the idea of annexing area C or building new settlements, and advocated taking steps to advance negotiations with the Palestinians (Amidror, 2016).

On the secular Right, a host of longtime Likud stalwarts have publicly denounced the tide of racism in their party. Israel's President Reuven (Ruby) Rivlin is most prominent among these territorial maximalists turned, however incongruously, into champions of civic equality, the rule of law, human rights, and respect for the mosaic of identities comprising Israeli society – a thoroughly liberal-democratic, multi-cultural paradigm (Hecht, 2016). Rivlin's outspoken advocacy, including public visits to Arab victims of attacks and condemnations of racism, has turned him into a target of Right-wing trolls on social media – yet he appears quite undaunted (Lior, 2015).

These contemporary ideological currents collided in a November 2014 arson attack on Jerusalem's only fully integrated, bilingual Arab-Jewish school, where extremist vandals used the cover of night to burn a first grade classroom and spray racist slogans. It proved a watershed moment in terms of public response – rather than intimidate or stigmatize, the attack provoked an outpouring of unprecedented support for the school from diverse quarters of Israeli society. This was capped by a pair of visits from President Rivlin, who provided official legitimacy for a previously controversial educational model (Lazarus, 2015).

The Hand-in-Hand CSO's network of integrated, bilingual schools has expanded steadily in recent years, with 1,285 students now enrolled at six growing regional campuses. In fact, according to Resource Development Director Rebecca Bardach, Hand-in-Hand cannot keep up with surging demand – waiting lists at existing schools now include hundreds of families, and the organization has received requests to establish programs at eight additional locations (Bardach,

2016). In the same period, a pair of other Arab-Jewish civil society initiatives has successfully implemented a more modest strategy for educational integration – placing of hundreds of Arab teachers at mainstream Jewish schools. These programs, piloted by The Abraham Fund Initiatives and Merchavim CSOs, have been adopted by the Ministry of Education at district levels, "scaling" up their models in a manner all too rarely achieved by Arab-Jewish interventions (Maor, 2016). In a recent Presidential address, Rivlin reiterated his support for the ethos of integrated education, stating that, "We cannot continue to perpetuate the status quo, and raise our children in the darkness of mutual ignorance, with suspicion and alienation, children who do not speak Hebrew and Arabic, and cannot talk to one another and understand each other... We must not give up on education for partnership" (Rivlin, *A Shared Israeli Hope: Vision or Dream?*, 2016).

These small but meaningful changes have been accompanied by a new emphasis, in official policy and rhetoric, on the economic integration of Arab citizens as an Israeli national interest. Rivlin encapsulated this idea in his seminal 2015 speech at the Herzliya Conference, stating that "From an economic viewpoint, the current reality is not viable. The math is simple, any child can see it. If we do not reduce current gaps in the work force participation and salary levels of the Arab and Haredi populations... Israel will not continue to be a developed economy" (Rivlin, 2015). More important, the current government – self-proclaimed as the most right-wing in Israeli history – passed an historic decision in December 2015 to equalize resource allocation to the Arab sector in the state budget, including investments of more than 15 billion shekels toward infrastructure and economic development in the Arab sector (Prime Minister's Office, 2015).¹ This breakthrough was enabled through years of civil society work – advocacy, coalition building, program development, research, lobbying – led by joint Arab-Jewish CSOs such as Sikkuy alongside the civil society and political leaders of Israel's Palestinian citizens (Inter-Agency Task Force on Israeli Arab Issues, 2016). Their work testifies to the potential for strategic, sustained civil society campaigns to effect positive change even in present political circumstances.

Left in the Closet: Civil Society and the Politics of "Peace"

The field of Arab-Jewish and Israeli-Palestinian "peace organizations" has thus endured against a formidable array of opposing forces, remaining a vital microcosm of Israeli civil society – if still too micro. The educational branches of the field have developed proven models for humanizing perceptions and achieving profound impact at individual, inter-personal, and small-group levels (Lazarus & Ross, 2015). Nonetheless, broader impacts and policy breakthroughs remain few, far between, and often exclusive to Arab-Jewish relations within Israel rather than peace with the Palestinians.

¹ <http://www.pmo.gov.il/Secretary/GovDecisions/2015/Pages/des922.aspx>

Where the Israeli-Palestinian conflict and Palestinian human rights are concerned, civil society activism remains firmly perceived by Israelis as the exclusive province of the stereotypical "peace camp" demographic – secular, Ashkenazi, highly educated Leftist elite. The leadership of the CSO peace community is aware of this limitation; there is much discussion of how to break out of this ethnic and socioeconomic enclave. As noted above, recent years have seen innovative efforts to empower peace-oriented leadership among religious Zionist, Haredi and Russian-speaking communities – but these are still nascent and aimed at elite individuals rather than the grassroots (Leibowitz-Schmidt, 2015).

While militant opposition, political stagnation and delegitimization have not erased peace activism from the Israeli civil society landscape, they have, to date, effectively confined it to enclaves of the population already receptive to the message. In broader Israeli societal contexts, it has been long considered "political" and "divisive" to raise the Palestinian issue. Hence, the leaders of social justice protests consciously excluded the occupation and the peace process from their agenda and deliberately downplayed their own previous activism and Leftist views on the conflict (Shultziner, 2016).

Lior Finkel-Perl is the executive director of Civic Leadership (Manhigut Ezrakhit), an umbrella organization for Israel's "third sector" that counts hundreds of charities and CSOs among its members. Herself a graduate of the Seeds of Peace youth dialogue program, former director of the Israeli-Palestinian Peace NGO Forum and activist in the 2011 movement, she is uniquely able to assess the contributions, and limitations, of civil society peacebuilding.

Finkel-Perl is thoroughly conscious of the value of Israeli-Palestinian engagement; she unequivocally attributes her path to adult activism to her participation in dialogue at age 15: "This was the first brick upon which I have built my life journey, from a relatively uninvolved, sheltered—perhaps even naive—young girl, who went to Seeds of Peace in Maine in 1996, to the peace activist I am today. My [dialogue] experience was one of those times that everything connected for me and suddenly my life path became very clear... in hindsight, this is the moment that started it all" (Lazarus & Ross 2015). She spent several years working with the Israeli-Palestinian Peace NGOs Forum, and is equally aware of the challenges facing the field.

During the 2011 social protest, Finkel-Perl recalls struggling to include a political solution to the conflict on the movement agenda. The top leadership of the social protest movement included anti-occupation activists and graduates of peace education programs, yet they sought assiduously to downplay these views and ties. Finkel-Perl, for her part, refused to keep her peace activism in the closet: "I went during the protest with a shirt that said there's no social justice without a peace agreement," she recalled, "and people told me that is divisive, it generates antagonism" (Finkel-Perl, 2016).

From her current vantage point, she grasps the logic of censoring "peace" during the 2011 movement: "You don't

want to lose people on controversial issues. When you are going macro, you go to the lowest common denominator... Today at Civic Leadership, when I raise the persecution of human rights organizations by the government, I lose a lot of people." Finkel-Perl illustrates the point with reference to the government's recent "transparency law" that singles out organizations receiving a majority of their funds from international governments, widely interpreted as designed to de-legitimize peace and human rights CSOs: "Our executive committee opposed this law, but on a professional level, not political... But some CSOs said we shouldn't have gotten involved, because the whole thing was a political football – and Left organizations felt abandoned because we didn't say this was political persecution".

Finkel-Perl ultimately lauds the work of "peace NGOs" – but is acutely aware of their limited reach: "These are a few organizations – they do work that has incredible value, they are influential and important. They represent voices of a group in Israeli society, with clarity, values – but it's a voice that is shrinking... They don't represent the voice of civil society in Israel." The question, then, is why. In her opinion, the civil society peace advocacy community has yet to adapt to profound shifts in Israel and the surrounding region: "We live in a context – we can't send the same messages, and expect that they will suddenly be received differently. The narrative has changed inside Israeli society. And the Middle East has changed too."

The Status Quo Option: Peace and the Palestinians in Israeli Public Opinion

For veteran advocates of "two states for two peoples," recent opinion research makes for sobering reading. In anticipation of the upcoming 50th anniversary of the 1967 War, the "Peace Index" polling series dedicated its June 2016 edition to gauging opinion on the past, present and future of the occupied West Bank. In the (expected) absence of any peace agreement, the majority of Israeli Jewish respondents preferred either annexation of the West Bank (32%) or continuing the status quo (23%) over either an internationally imposed solution (12%) or granting equal rights to the Palestinians (19%). Even in the context of a peace agreement with the Palestinians, 46% of Jews opposed withdrawal from the settlements, versus 43% in support. Moreover, while 58% of Jewish respondents expressed support for negotiations with the Palestinians, only 20% expected these to result in an actual agreement (Yaar & Hermann, 2016).

Shortly thereafter, the MITVIM Regional Foreign Policy Institute published findings of a poll of Israeli attitudes toward the relative importance of cooperation with four Arab states – Egypt, Jordan, Morocco, Saudi Arabia – and the Palestinian Authority (PA). Overall rankings varied according to the political affiliations of Israeli respondents, in regard to the Palestinians. Supporters of all parties in the current governing coalition made the PA a low priority, often last on their list. As Dr. Elie Podeh explained, "the bad news... is that more than half

the public attaches little importance, if at all, to cooperation with the Palestinian Authority," despite the fact that security cooperation with the PA arguably has much greater direct impact on the daily lives of Israelis than diplomatic relations with neighboring states (MITVIM, 2016).

Both sets of findings echo trends observed by opinion researcher and political strategist Dahlia Scheindlin, who asserts that, "If you ask one state versus two states, [the majority of Israeli Jews] will always choose two states" – a sentiment recently confirmed to the tune of 60% versus 8%, according to a June 2016 poll (Eldar 2016). "But if the choice is the status quo versus withdrawal now," Scheindlin explains, "my occasional tracking polling shows that roughly 60%, or slightly more, will take the status quo option" (Scheindlin, 2016).

These sentiments seem to resonate perfectly with Netanyahu's policy priorities – both his recent emphasis on contacts with Sunni Arab states – possibly at the expense of the Palestinians, and his trademark strategy of rebuffing international initiatives on the peace process – what Natan Sachs has aptly labeled "anti-solutionism" (Sachs, 2015). As Scheindlin explains, "For over a decade, data shows that resolving the conflict is a significantly lower priority than other major issues. Probing Israelis on this leads me to the conclusion that [the majority] don't think it can be [resolved], and they don't think it needs to be, it's not worth the concessions. The leadership reinforces that constantly." This despite years of dire warnings, from the international community and the Israeli Left, that Palestinians will soon constitute a majority of inhabitants between the river and the sea, that the window for a two-state solution is closing, and that Israel must act now to preserve its character as a Jewish and democratic state.

An alternative interpretation is certainly possible. If Netanyahu genuinely perceives a rapprochement with Sunni Arab states to be a strategic security interest of the State of Israel, we can imagine that Arab (Egyptian, Jordanian, Saudi) insistence on maintaining essential Palestinian national rights oblige Netanyahu sooner or later to seek an understanding with the support of the Arab states, and the Palestinians — as recently argued by General Amidror in Netanyahu's favorite daily, Israel HaYom (Amidror 2016)

The difficulty is — as the June 2016 Peace Index suggests – that much of the Israeli Jewish public lacks the basic knowledge necessary in order to hold an informed opinion on the issue. 52% of Jewish respondents did not know that the term "Green Line" refers to the pre-1967 border; only 15% knew the correct answer with certitude. Crucially, 50% significantly underestimated the Palestinian population of the occupied West Bank, while 27% admitted they do not know the answer; only 13% cited the correct estimate of 2-3 million in the West Bank, and 1.8 million in the Gaza Strip, as well as 1.8 million Israeli Palestinians (Peace Index 2016). Hence, a majority of the Jewish public lacks rudimentary information necessary to comprehend the "demographic" argument that is the primary interest-based rationale for urgent action on the two-state solution.

In order to mobilize a sufficient number of Israelis to support the policy changes required to support the emergence of a viable Palestinian state, it will apparently be necessary to broaden awareness of the actual demographic arithmetic in the West Bank and other important facts. The school system cannot be expected to address the problem, as ignorance of these issues serves the interests of the party in control the Ministry of Education, the pro-settlement Jewish Home, as well as the annexationist wing within Likud. With official channels essentially blocked, civil society is the public sphere in which this informational battle can be waged.

Fortunately, the upcoming fiftieth anniversary promises myriad "teachable moments" on the realities of the occupied territories. Some on the Left have proposed using the jubilee to advocate a referendum, in the vein of recent Brexit and Scottish independence votes, on the future of the West Bank (Braun, 2016). While the findings detailed above might incline against holding a binding vote at this time, sparking public debates over the issue could provide an ideal forum for emphasizing the basic demographics – one can envision a campaign entitled "Uvdot ba-Shetakh" in Hebrew, or in English – "Just the Facts." The crucial question is how, given current public opinion and political context, to frame "fifty year" conversations in a manner that will not be immediately screened out by the Spam filters of mainstream Israeli inboxes. A recent scholarly analysis, based on years of listening to how Israelis talk about the occupation, provides a useful frame of reference.

Fifty Years, Four Discourses

To mobilize a two-state majority, closing information gaps will no doubt be necessary – but far from sufficient. We know from decades of social psychological research that people often ignore or distrust information that appears incompatible with core convictions or pillars of social identity – especially in situations of polarizing political conflict (Kelman, 1999). Israeli social psychologist Daniel Bar-Tal has made profound contributions to the literature, cataloguing the "shared societal beliefs" that make up what he calls the Israeli "ethos of conflict" – the perceptual prisms through which Israelis interpret information regarding the conflict with the Palestinians (Bar-Tal, Sociopsychological Foundations of Intractable Conflicts, 2007).

In their 2014 book *Impacts of Lasting Occupation*, Bar-Tal and Izhak Schnell identify four categories of discourse in Israeli society regarding the 1967 territories (Bar-Tal & Schnell, 2014). The first, "damaging occupation," sees prolonged occupation as a priori unacceptable on the grounds of democratic principles and human rights, and ethically corrosive to Israeli society – as embodied by the longtime Peace Now slogan, "the occupation corrupts." The territories, in this vision, are fraught with negative associations – a source of conflict and violence, a stain on Israel's international reputation and a drain on scarce resources. The authors clearly identify with this approach – they are promoting an initiative entitled "Save

Israel – Stop Occupation" in advance of the upcoming fiftieth anniversary (Bar-Tal & Schnell, 2016).

At the other pole, a discourse of occupation-denial insists that the territorial conquests of 1967 represented solely the "liberation of a homeland, in a war that was forced upon us." For a time, this discourse seemed to have largely receded to the religious Right constituency for whom "Judea and Samaria" represent the sacred heartland of Eretz Yisrael. It has been revived, however, by a new generation of Likud lawmakers espousing unequivocal territorial maximalism in ethno-nationalist terms – such as Likud MK Dr. Anat Berko, an Israeli Anne Coulter who mocks the term "West Bank" as a Leftist invention, and Deputy Foreign Minister Tzipi Hotovely, who upon taking office, instructed Israeli diplomats that "it's important to say – the entire Land is ours. We didn't come here to apologize for that" (Pileggi, 2015).

These discourses, anchored in holistic ethical/ideological value systems, are the provinces of already mobilized factions – sectors of Israeli society who know what they think. Messages articulated in either of the above discourses are necessarily exercises in "preaching to the converted"; they can "rally the base," but carry little potential to "move the needle," i.e. to shift the balance of public opinion on policy. Rather than political context, these discourses focus on the nature of the occupation itself. "Damaging occupation" sees sustained military rule over the Palestinians as unacceptable in any circumstances, and "occupation-denial" sees Jewish sovereignty and settlement of the territory as justified – or imperative – in all circumstances.²

2 There is, to be sure, crucial peace-building work being done in these discursive realms. The anti-occupation sphere remains vital in both senses of the word - alive and important - as the ascendant Right uses the "fog of war" to expand settlements, legalize outposts and encroach ever further on Palestinian land, daily life and human rights. Local Talk (Sikhah Mekomit), the recently established Hebrew media source for this genre of activism, reports daily on the panoply of specialized initiatives now mitigate against specific practical or regional manifestations of the occupation – campaigning against daily abuses at IDF checkpoints, lobbying for Palestinian freedom of movement, emphasizing the human impacts of Israel's blockade of Gaza, publicizing the realities of Palestinian East Jerusalem in the shadow of the Separation Barrier, revealing the politics of archeology in and around the Old City, supporting the struggles of vulnerable Palestinian communities in the South Hebron Hills, among myriad other examples, complementing the human rights and whistleblowing organizations that the current government loves to hate (Rothman, 2016). In parallel, influential rabbinic and political figures in the settlement movement, who view Judea and Samaria as Israel's "liberated homeland," have been for the last decade involved in dialogue with Israel's peace camp. Confronted and largely shocked by the criminal behavior of extreme elements on the Right, particularly during the last two years, this dialogue has moved beyond the mutual effort to convince the other side of one's own opinion, toward an honest search to reach consensus and take action. Whereas full agreement in support of a two state solution appears to be an unrealistic goal, the dialogue itself permits the peace camp to obtain a deeper understanding, how to avoid internal confrontation, and obtain optimal support from a majority of settlers, who will gain, by reaching a territorial understanding with the Palestinian leadership.

Two other discursive paradigms – "Land for Peace," and "Security Zone," relate to the 1967 territories as an instrumental/pragmatic dilemma rather than an ethical/ideological imperative. The two pragmatic paradigms are primarily concerned with the circumstances rather than the nature of the occupation – the balance of cost and benefit, risk and opportunity, in a particular time-bound configuration of politics and security. These are the discursive domains of Israel's Centrist "silent majority"; the present configuration has led them to tell pollsters consistently that the occupation would be undesirable in ideal conditions, but appears the least risky option in current circumstances. In the absence of some exogenous shocks that reframe the issue, these are the "swing states" on the Israeli political map – the discursive realms that hold potential for change. It is important to note, at the same time, that as instrumental cost/benefit prisms, these can provide grounding for arguments in either direction.

From Camp David to Camp David: The Rise and Fall of Land for Peace

"Land for Peace" is the classic transactional formula of the Middle East peace process, applied successfully at the state level between Egypt and Israel, if not yet on the Syrian and Palestinian fronts. In this framing, the territories are framed opportunistically as a "bargaining chip," an asset to be held temporarily until they can be exchanged for "peace" – meaning at least the permanent cessation of hostilities, and ideally recognition, legitimation, normalization of relations and integration of Israel the Middle East. This is the classic language of the Israeli Labor Party, of US and international mediators of the peace process, and since 2002 the Arab League, as enshrined in the Arab Peace Initiative (API).

In the pre-Oslo years, the successful negotiation and implementation of the 1979 Camp David Accords between Israel and Egypt enabled "Land for Peace" to stand on firm ground in terms of historical precedent. The return of the vast Sinai Peninsula to Egypt via negotiated agreement vastly improved Israel's strategic position, transforming its most potent enemy into a security partner. Israel-Egypt relations remained a "cold peace" between states, as Egyptian society opposed popular normalization without a resolution to the Palestinian issue – but for years, that reticence was plausibly cast by the Israeli "peace camp" as further incentive to negotiate an end to Israeli rule over the Palestinians. As David Broza sang at the close of countless peace demonstrations, "Just get out of the territories, and it will all be good..."

Tragically, the "Land for Peace" concept has since proven necessary but not sufficient in the Palestinian case. In regards to Egypt, Israel negotiated with one of the world's ancient nations with functioning state institutions. On the Palestinian front, Israel negotiates with a revolutionary movement, the PLO, with which it is necessary to pursue a much more complicated state-building process while cultivating relations between the emerging State of Palestine, Israel and its other neighbors.

Ehud Barak's July 2000 Camp David sequel summit produced the first of multiple failures of the "nothing is agreed until everything is agreed" approach to negotiations. These repeated failures undermined the credibility that Camp David I and the Oslo Agreements — in spite of their limitations — had established. In the wake of Yasser Arafat's refusal to accept Barak's proposal at Camp David, and later the Clinton Parameters, two diametrically opposed narratives emerged that widened the gap between Israelis and Palestinians. The Israeli narrative, buoyed by President Clinton, indicated that Barak had made a far-reaching proposal to reach a two-state peace agreement with the Palestinians; Clinton described Arafat's position as "an error of historic proportions." In the same vein Barak famously declared that, "We have no Palestinian partner for peace," a sentiment echoed by the President (Clinton, 2004). The Palestinian narrative, by contrast, criticized Barak's conduct and asserted that he offered too little, too late – criticisms acknowledged in part by members of the American and Palestinian negotiation team (Agha & Malley, 2001).³ Matters were made far worse by the eruption of the second intifada, when "no partner" became a resurgent Right's antidote to international pressure to cease settlement-building and pave the way for Palestinian statehood.

The "no partner" meme has proven protean and durable, outlasting Arafat and evolving over time. The original version focused on Arafat's persona – his allegedly mendacious character and inability to make the transition from revolutionary to statesman (Ross, 2005). After Arafat's death in 2004, "no partner" became conversely associated with the purported impotence of his moderate successor Mahmoud Abbas, whom Ariel Sharon largely kept on the sidelines of Israel's 2005 "disengagement" from Gaza. Sharon at first permitted his Vice Prime Minister, Shimon Peres, to negotiate with the Palestinians the orderly transfer of immovable infrastructure to the Palestinian side. When the Palestinians rejected the Israeli offer, the Israeli military withdrawal was successfully coordinated with the Palestinian Security Forces. However, Sharon refused to accept the PA leader's request for the IDF to remain in the Gaza Strip temporarily after the evacuation of all settlements, until the PA could establish law and order (Hirschfeld 2014). Hamas obliged by inflicting humiliating defeats on Abbas' Fatah party in 2006 parliamentary elections, and in street battles during a hostile 2007 takeover of the Gaza Strip – hardening ideological and territorial divisions across a schizophrenic Palestinian policy, and adding another theme to the meme.

³ It is important to note that the Camp David II negotiations did lead to the publication of the Clinton Parameters, which provided unprecedented detail to the "land for peace" component of the process and proposed solutions for the Jerusalem and the refugee question. This was done, however, in disrespect of Arafat's suggestion to adopt a phased process: first, recognize the State of Palestine, while committing to negotiate outstanding core issues of conflict during the following two years. (Hirschfeld 2014). Three years later, in April 2003, the Quartet powers proposed the "Performance-Based Roadmap" which by and large adopted the phased approach.

The "no partner" concept was reinforced by the next failure of the "nothing is agreed until everything is agreed" approach, during the 2008 Olmert — Abbas negotiations (Hirschfeld 2014), and again by the post-2011 chaos engulfing the wider region. At the same time, a toxic combination of Palestinian "anti-normalization" pressures and Israeli-imposed movement restrictions have made it increasingly difficult for Palestinian peace activists to speak with Israeli audiences — creating a parallel "constrained partner" effect at the civil society level (Baskin, 2016).

At a deeper level, the trauma of the second intifada, the most lethal escalation of direct Israeli-Palestinian conflict since 1948, drove a sharp shift in Israeli public opinion that has only been reinforced by subsequent events (Bar Siman Tov, 2007). A decade after the wave of suicide bombings and shooting attacks, existential fears and deep-seated distrust of the Palestinians persist — the psychological counterpart of the sprawling Separation Barrier — and block out any positive overtures. Israeli Jews no longer believe that "peace" is possible at present — a disillusionment mirrored on the Palestinian side. Prominent international attempts to influence the Israeli public through incentives, such as the API, the Fayyad-era reform of the PA, or the EU offer of "special privileged partnership," are not rejected so much as they are invisible — broadcast on a "Land for Peace" frequency which most Israeli Jews have long since tuned out (MITVIM, 2016). Since the second intifada, security overrides opportunity on Israeli perceptions of the Palestinian issue — although not always in favor of continued occupation.

"Security Zone" Discourse: The Dilemma of De-Occupation

The "Security Zone" discourse represents the pessimistic side of the pragmatic coin — and in present conditions, the most prominent. In this framing, the occupation is above all a military question — whether control of the West Bank enhances or harms Israel's security. Like "Land for Peace," the issue is viewed through an instrumental cost/benefit prism, but one that emphasizes risk rather than opportunity. Yuval Rahamim, current Chair of the Peace NGOs Forum, explains the primacy of security in Israeli society as deeply rooted in collective trauma, past and present:

"Although objectively Israel today enjoys a high level of security, ironically Israelis share a collective experience of constant threat. The narratives of the exile, the Holocaust, anti-Semitism, wars, thousands of terrorist attacks and enemies calling for the destruction of the State of Israel, all maintain a mental state of victimhood, persecution and fear of annihilation. Over the years, Israel's basic need for security became a core value, rather than the infrastructure for realization of higher national and social aspirations" (Rahamim, *Peace-Obstructing Perceptions in Israeli Society*, 2016).

In the decades following the Six-Day War, security discourse was primarily invoked as a trump card by opponents of

"Land for Peace" on the Right. "Security hawks" of the Likud classically described the West Bank — on helicopter tours for visiting foreign dignitaries, for example — as providing "strategic depth" at Israel's "narrow waist" to withstand assaults from East of the Jordan River, such as occurred in 1948, 1967 and 1973 (BICOM, 2016).

The "security zone" framing was originally deployed to justify the Israeli occupation of southern Lebanon. Eventually, however, the argument of peace activists, demanding withdrawal from Lebanon, mainly in order to minimize casualties, obtained the upper hand and brought about the withdrawal in June 2000. The decision to withdraw from Gaza and evacuate all settlements from there and further five settlements from the Northern West Bank, was motivated rather by political considerations (Hirschfeld 2014). In both cases, mounting casualty tolls led security elites, and then decisive majorities of the Israeli public, to view the IDF presence beyond Israel's recognized borders as harming rather than enhancing security. CSOs played prominent roles in popularizing this framing, particularly a pair of initiatives led by bereaved parents — Four Mothers and the Parents Circle Families Forum (Levy, 2012). In both cases, the Prime Ministers ordering withdrawal — Ehud Barak and Ariel Sharon — were themselves former generals renowned for leading military strikes in the past — as, of course, was Yitzhak Rabin.

A genre of "security zone" discourse continues to be effectively deployed by the Center-Left. A parade of retired, and sometimes active, military leaders have been the most prominent, and sometimes most effective, domestic critics of Netanyahu's foreign policy agenda — publicly opposing a military strike on Iran and warning against inertia on the Palestinian front. As exemplified by CSOs like Ami Ayalon's National Census, Aharon Yariv's Peace and Security Association and the more recent Commanders for Israel's Security, the classic general's career path of "parachuting" from the IDF to the Knesset now may include a phase of civil society advocacy. Indeed, according to track-two experts who have worked with IDF leadership in recent years, the prevailing wind in the senior officer corps supports implementing confidence-building measures aimed at empowerment of the PA security forces, economic development and resuscitation of the negotiations.

Securitized discourse emphasizing the painful costs of prolonged occupation is thus well-established in Israeli civil society, and firmly associated with Gaza and Lebanon withdrawals in popular consciousness. Tragically, the aftermath of both cases has enabled opponents of Palestinian statehood to focus on the costs of de-occupation — arming them with perhaps their most effective discursive ammunition to date.

In 2000 and 2005, opponents of Gaza and Lebanon occupations presented their arguments on an essentially blank historical canvas. The only precedent for full evacuation of soldiers and settlers was Israel's 1982 withdrawal from the Sinai Peninsula, an area then synonymous with pleasant

beach vacations in the Israeli imaginary. In the summer of 2006, however, it became clear that Islamist paramilitaries had rapidly converted the de-occupied territories of Gaza and southern Lebanon into bases for a new blueprint of armed struggle against Israel. Hamas and Hezbollah launched parallel cross-border raids and rocket attacks against Israel's civilian population, triggering Israeli military retaliation that inflicted mass casualties and obliterated vital infrastructure, without achieving any decisive military or political result. The militant organizations used elaborate underground fortifications, deliberately constructed within areas of dense civilian population, as bases to store weapons, hold abducted IDF soldiers, and continued to launch missiles at Israeli cities for weeks before declaring victory against the backdrop of an internationally imposed cease-fire.

Conflicts with Hamas in Gaza have erupted in 2009, 2012, and 2014, costing thousands of Palestinian and dozens of Israeli lives, driving Israeli civilians into bomb shelters and leaving the world horrified by images of destitute Gazan children sifting through the rubble of entire neighborhoods. The destruction inflicted by the IDF in Gaza, in the name of deterrence, was condemned by international observers as disproportionate and resulted in parallel damage to Israel's international standing, notwithstanding affirmations of Hamas violations and Israel's right to self-defense. This legacy has scarred Israeli popular consciousness; withdrawal from occupied territory is now understood as creating power vacuums that set the stage for unwinnable asymmetric wars against Islamist militias.

A strand of Neo-Right revisionism conflates the Gaza and Lebanon cases with the IDF's 1990s redeployment in the West Bank via the Oslo Accords. In this version, the removal of IDF troops from Palestinian cities bears causal responsibility for subsequent waves of suicide bombings – in contrast to Leftist critiques citing Israel's failure to reach instead political understandings with the Palestinian leadership. In recent elections, Netanyahu has further resurrected the "narrow waist" and "strategic depth" arguments to powerful effect – warning that IDF withdrawal from the West Bank will create a second Gaza-style "Hamastan," from which terrorists will tunnel to Tel Aviv and fire rockets on Ben-Gurion airport. A grim picture indeed – yet it rings true to many Israelis, who find it a more authentic portrait of their contemporary reality than the optimistic visions that initially accompanied the peace process and the Arab Spring. In the harsh political geography of 2016, Sinai is a destination for jihadists, not Israeli tourists.

The events of the 21st century have thus, for the moment, undermined the pillars of the pragmatic case for peace now – leaving two-state advocates standing, as it were, on one leg. The fear that withdrawal from the West Bank could result in a failed Palestinian state, providing fertile ground for attacks on Israel's coastal metropolis, looms large in the Israeli mind – and with reason. **It is not enough today to illustrate the injustice and untenability of the occupation and demand that it end – effective two-state advocacy**

must explain convincingly how the occupation can be ended securely, and most important, what arises in its place.

In this challenging landscape, there are promising track-two and civil society responses underway. Bilateral Israeli-Palestinian, tri-lateral Israeli-Palestinian-Jordanian and multilateral working groups have made important headway on security issues, with support from the EU, from NATO, and international think tanks. Many of the findings and proposed solutions are being discussed in a dialogue of non-governmental experts, with the participation of officials, who participate in workshops on a "personal" and "non-official" basis. Similar important work is carried out in regard to economic issues, where also important headway is being made in cooperation with official actors from both sides.

On the "no partner" front, for years before Netanyahu discovered the "regional" track in foreign policy, the MITVIM think tank has advocated building a supportive infrastructure for Israeli-Palestinian negotiations through enhanced regional ties – and engaged in vigorous track-two work to that effect. In parallel, the Israeli Peace Initiative group has advocated a positive, official Israeli response to the Arab Peace Initiative (API) – and marketed the idea in international and Israeli forums.

Some of these groups' key talking points have recently been adopted – though hopefully not co-opted – at the highest level. In June, Prime Minister Netanyahu responded to public overtures from Egyptian President Al-Sisi by mentioning favorably, for the first time, the API as a potential starting point for negotiations – before backpedaling at a Likud faction meeting (Gradstein, 2016). Recent polling released by the Israeli Initiative indicates that a regional framework significantly broadens Israeli support for the "painful concessions" necessary for a Palestinian agreement. According to their findings, 84% of Israelis surveyed either supported or "can live with" a two-state solution anchored in an official framework of normalized relations and security cooperation with the Sunni Arab states (Eldar, 2016).

In July, MITVIM drew an SRO crowd to the Knesset for the unveiling of an initiative of three MKs – from Labor, Yesh Atid, and Kulanu – to substantively advance the regional track to which the Prime Minister has devoted much lip service in recent months. At the session, MITVIM's Director Nimrod Goren echoed MK's, as well as Arab and international diplomats in attendance, emphasizing that the "regional" strategy is not a "bypass road"; meaningful progress on the Palestinian track remains a *sine qua non* to develop anything more than clandestine ties with the wider region. While MITVIM has long advocated such a strategy, the same sentiment was recently echoed by General Amidror of the Center-Right Begin-Sadat Center, formerly Netanyahu's National Security Advisor (Amidror, 2016).

On the security front, parallel groups of Israeli and American security experts released "two-state security" reports in June 2016, presenting realistic policy recommendations

for implementation under current conditions. The details of each proposal will no doubt be debated – but the frame of reference is indisputably a propos, as plainly stated by Michael Koplow of the US-based Israel Policy Forum in a supportive piece: "There will be no real movement toward two states until security is addressed in a comprehensive manner, and it belies the evidence to blithely assume that simply ending Israel's presence in the West Bank will bring quiet to Israelis... If you take two states seriously, then you must take security seriously" (Koplow, 2016).

Time will tell whether and how these efforts succeed in influencing policy; regardless, the reports are valuable resources for civil society peace advocates. This is true in terms of providing practical responses to security FAQs – but all the more as a model of genuine, public reckoning with current reality – which is a prerequisite for civil society peace advocates to achieve broader resonance in contemporary Israel.

Heshbon Nefesh

The Jewish concept of *heshbon nefesh* – literally, accounting of the soul – offers a resonant framing for public discourse surrounding the approaching fiftieth anniversary of the 1967 War. The term *heshbon nefesh* signifies a rigorous evaluation of one's ethical conduct in the world, associated above all with *Yom Kippur*, the sacred day of fasting, reflection, and atonement for failings. Much activity in the peace and human rights sphere is perennially aimed at inspiring such a conscientious accounting in Israeli society regarding the subjugation of the Palestinians and its impacts on the Palestinians, on Israeli society, and on the region into which Israel must integrate (Sher 2016). But pro-peace civil society can also model *heshbon nefesh*, by using the occasion to conduct our own internal reckoning. Fifty years of occupation is a chance to evaluate what has been established through decades of civil society work in incomparably challenging circumstances – but most important, to analyze who our efforts do not reach today, and to design strategies for building broad support for the two state agenda in contemporary Israeli society.

Prominent civil society voices are already encouraging such a process. Yuval Rahamim, recently appointed chair of the Israeli Peace NGOs Forum, the largest local umbrella organization for the field – speaks forcefully of the need to focus on Israeli society: "In the Israeli peace movement, for many years we focused on our partnerships with the Palestinian organizations, but neglected to develop partnerships in Israeli society. The Peace Camp gave up on leadership... we're [now] so small and weak, we don't even believe in our ability to lead" (Rahamim, 2016). A longtime activist in the Israeli-Palestinian Bereaved Families Forum, Rahamim is today spearheading a transformation of the Peace NGOs Forum, which has undergone significant changes in the wake of founding Director Ron Pundak's death from cancer in 2014.

The Peace NGO Forum worked for years as a joint umbrella for nearly 100 Palestinian and Israeli member organizations. In 2015, however, the Palestinian CSOs sought to more effectively rebut "anti-normalization" critiques by publicly aligning themselves with the Palestinian leadership (Salem, 2016); withdrawing from the Forum in order to operate under the aegis of the PLO Committee on Interaction with Israeli Society, led by Mohammed Madani (Rasgon, 2016). Rahamim, in parallel, has stepped in to lead the Israeli Forum with a vision of building coalitions and broadening legitimacy in Israeli society, while maintaining close ties with the Palestinians through the Madani Committee.

Rahamim is acutely aware of the limited reach of classic anti-occupation discourse – and critical of what he sees as a culture of protest for its own sake on the Left: "Protest speaks to a very small and shrinking group of Israelis, who read Haaretz, who have what to eat, secular, Tel Aviv – protest against the occupation speaks to them. This is not a strategy for change. I will not compromise my values, but I have to check my strategy". The new Forum's flagship initiative has been a seminar series on engagement with diverse sectors of Israeli society, the first of which included a group of young, female advocates of peace from the Haredi community. "The Haredi activists were the attraction," Rahamim recounts, "because no one had seen anything like that before. They said hard things – but something new started – and we hadn't even known they existed." He left profoundly encouraged, stating that "there is an opening, for a new discourse, for a new gathering. Instead of protest, let's connect to the Israeli society. Mizrachim, Russians, Haredim, Arabs, Ethiopians, traditional Jews, residents of the periphery – each group is different."

A similar transformation has occurred to another veteran two-state advocacy CSO. The One Voice movement traversed the country over a decade building Palestinian and Israeli grassroots networks advocating two states in parallel – gathering hundreds of thousands of signatures for a proposed agreement, assembling youth visions of their desired future, establishing a Knesset lobby for two states (which remains active) among numerous other projects. Before the 2015 elections, One Voice made a strategic decision to move to formal politics, converting its impressive organizing resources – seasoned and motivated campaigners, massive lists of signatories and supporters, and major international donors – into V15, an unprecedented Political Action Committee for the Left modeled on the famed "ground game" of President Obama's campaigns. The campaign helped inspire a surge of energy and momentum on the Center-Left, and to increase the Labor Party from 15 to 24 seats, but Netanyahu nonetheless emerged victorious, forming by all accounts the most Right-wing government in Israel's history.

For longtime One Voice/V15 campaigner Polly Bronstein, this clarified the need to focus their efforts on consolidating a "moderate" majority rather than playing into the Left/Right binary. To that effect, she and a group of colleagues have formed "Darkenu" – Our Way. As she writes, "Israelis on the

sensible, moderate Right-wing have much more in common with the Center-Left than they do with people on the radical Right wing fringes, and the equation also works the other way around. There is an Israeli moderate majority... if its members can unite as a 'civil society bloc' they can profoundly affect the direction the country takes at this critical moment." Their first steps have been organizing in the front-line communities of recent years, on the Gaza border: "We are going to knock on doors, hundreds of thousands of them, across the whole country... in the places where people may have traditionally voted for the Right, or been skeptical of the 'peace camp' but who now recognize that something is going wrong in Israel" (Bronstein, 2016).

Opinion researcher Dahlia Scheindlin, who writes for the unequivocally anti-occupation +972 blog – expresses a similar critique. Scheindlin laments that, "There isn't enough empathy [on the radical Left] for the Israeli Jewish mainstream narrative – that's wrong, it's a lack of integrity, and it's bad for the cause... strategically, if you don't internalize at least those arguments that reflect substantive problems, or respect the Jewish Israeli side, you won't be able to offer any solutions" (Scheindlin 2016). Scheindlin traces this phenomenon to a process of disillusionment of the far Left from attitudes within mainstream Israeli society, beginning during the second intifada, that led some in the activist camp to "give up on Israelis."

This trend, echoed in the writing of some prominent Haaretz and +972 columnists, has mirrored the Palestinian strategic turn away from engagement with Israel and Israelis, in favor of using international interventions – UN resolutions and the boycott campaign – as a *deus ex machina* to coerce Israel into ending the occupation. As Scheindlin explains, "There was an evolving decision on the part of [some in] civil society to go international, to speak internationally, to write in English... and advocate for international pressure in the belief that change would not come from within." This occurred not in a vacuum, of course, but amid a rising chorus of sometimes hyperbolic international condemnation of Israel, embodied by the Durban convention, the BDS movement, the Goldstone Report, the 2011 Flotilla crisis, and sporadic attempts to prosecute IDF officers and Israeli politicians in Europe.

According to Scheindlin, this international strategy had unintended consequences, providing a convenient narrative for smear campaigns from the Right, and eroding legitimacy among mainstream Israelis, who she describes as "allergic to moralizing" from the international community. The recent Peace Index poll illustrates this; while 43% of their Jewish respondents support withdrawal to the 1967 borders in the context of a peace agreement, only 12% prefer that "the international community forces Israel to withdraw" (Peace Index 2016). More to the point, this tendency to prioritize the international has eroded anti-occupation advocates' effectiveness in communicating effectively with Israeli society, precisely when the integrity of their advocacy is under unprecedented attack: "There's been a conscious

reticence regarding the Israeli public. There hasn't been *khugei bayit* [grassroots meetings], they're not in dialogue conceptually with the Israeli public, the Israeli discourse. You have to acknowledge and take seriously security, and the Israeli critiques."

Rahamim, Bronstein and Scheindlin are among numerous other civil society peace advocates articulating the spirit of *heshbon nefesh* – the consciousness is there. Yet how can this awareness be translated into a program that stands a chance of engaging the same public that has tuned out the two-states message – the skeptical Center, the demographics that don't identify with the "peace camp"?

Speaking Across Sectors: Ayman Odeh and Rubi Rivlin

In recent years, two promising examples have emerged of political leadership that has changed the civil society conversation in Israel – and from opposite ends of the political spectrum. Two figures have succeeded in embodying radically inclusive "big tent" approaches to Israel's incendiary identity politics – emphasizing human dignity, shared citizenship and cross-cutting societal solidarity, cognizant of complexity, respectful of difference – in short, all that the ruling coalition's rhetoric of hostile sectarianism is not. Both figures have succeeded in influencing public discourse and policy agendas, and inspiring reflection among audiences far beyond the speaker's own political camp. Their models are worthy of emulation – both what they are saying, and how they are saying it.

The first is President Rivlin, whose 2015 "Tribes of Israel" speech is the most – perhaps the only – influential set of remarks ever delivered by an occupant of his otherwise ceremonial office. Previously known as a Likud backbencher and advocate of Greater Israel, Rivlin used a usually perfunctory slot at the annual Herzliya policy conference to suddenly hold a mirror to sea changes in Israeli society, to electrifying effect. With a pair of pie charts, Rivlin introduced what he calls the "New Israeli Order" – by simply detailing the percentages of Israeli school children enrolled in the country's four sectorally divided school systems – National (secular Zionist); National Religious (Zionist Orthodox); Haredi (Ultra-Orthodox) and Arabic – in 1990, and (projected) in 2018. The trend was clear – once dominated by a secular Zionist majority, contemporary Israel is a society "in which there is no longer a clear majority, or minority groups," but rather "four principal 'tribes,' essentially different from one another, and growing closer in size" (Rivlin 2015).

In detailing the practical implications, Rivlin offered a sobering reality check – emphasizing the economic imperative of integrating the impoverished Arab and Haredi populations, and the impossibility of doing so without transcending the prevailing "inter-tribal zero sum game" in which politics serves as a sectoral competition over narrow policy agendas and parochial resource allocation. On a deeper level, Rivlin questioned the foundations of Israeli societal cohesion: "We

must ask ourselves honestly, what is common to all these population sectors? Do we have a shared civil language, a shared ethos? Do we share a common denominator of values with the power to link all these sectors together in the Jewish and democratic State of Israel?"

The "music" was as important as the details. Stating that "we are all here to stay," Rivlin invoked census data, yet critiqued the use of "demographics" in the service of division and exclusion; he used the framing of "tribes" to urge Israelis to transcend tribalism. The speech concluded with a call for cross-societal partnership based on pillars of dignity and security and respect for identity, shared responsibility, equity and equality. The speech inspired myriad responses and has set the tone for much academic, civil society and policy discussion since – as well as Rivlin's own subsequent plan of action. The President has gone on to "walk the walk" through public support for dialogue, condemnation of racist rhetoric, and visits to victims of extremist violence such as the Hand-in-Hand school in Jerusalem.

Dahlia Scheindlin credits Rivlin as being, "on the political level, the only person who's succeeded in cutting through the very binary thinking". That may be true in the Jewish population – but Ayman Odeh, the leading parliamentary voice of the country's Arab-Palestinian citizens, provides another example of successful "big tent" leadership and dialogical outreach across sectors. Ironically, Odeh indirectly owes his prominence on the national stage to Israel's Arab-baiting answer to Donald Trump, Avigdor Lieberman. During the previous Knesset, Lieberman championed legislation that raised the parliamentary vote threshold in a manner designed to exclude the small Arab parties that traditionally competed over a fraction of the total voting public. In response, the four leading Arab factions put aside their profound ideological differences – the sort that are matters of life and death in neighboring Syria – and united to form the Joint List, with a common platform emphasizing the shared struggle for civic equality and cultural autonomy, and against racism and discrimination.

Despite having never served a term in the Knesset, Odeh was elected chair of the new bloc and handed what appeared to many a mission impossible – uniting his own radical Left Hadash faction, Israel's Communist Party, with its traditional electoral competition – militant Arab nationalist and moderate Islamic factions. Odeh rose to the occasion and led a widely praised 2015 election campaign, increasing voter turnout, securing 13 seats and garnering accolades from the Israeli and international press for his skillful engagement with the mainstream public (Remnick, 2016). In one televised debate, Odeh famously got the better of Lieberman himself – remaining resolutely composed, substantive and sharp through the latter's attempts at bigoted name-calling and provocation. Odeh's open approach to Israeli Jews presents an equally sharp contrast with the hostile affect of his nationalist coalition partners from Balad, who Odeh has criticized for inflaming tensions rather than building coalitions for change. He has, by all accounts, walked this

political tightrope adeptly, maintaining sufficient factional unity while advancing Israel's largest-ever governmental investment of resources in the development of the Arab sector, during the most Right-wing administration in Israel's history (Gerlitz, 2016).

In analyzing Odeh's leadership, it is crucial to credit the civil society process that built the platform on which he stands. A decade before the emergence of the Joint List, a broad spectrum of the Arab civil society and political leadership in Israel convened an extended series of dialogues and drafting sessions culminating in the publication of joint statements known as the "Future Vision Documents" (Jamal, 2008). These documents articulated, for the first time, a shared narrative and a set of common principles and aspirations for the Palestinian minority in Israel. These triggered widespread responses in Israeli civil and political society – putting the collective identity and political perspectives of Israel's Arab-Palestinian citizens on the map in an unprecedented manner. The process of drafting the documents illuminated the common denominators that have served to unite the Joint List across factional differences, while the debates sparked by their publication, in many ways, prepared elements in the elite Jewish public to hear the nuance in Odeh's voice and understand the communal basis of his demands.

Neither of these two individuals are prominent advocates of the two-state solution; Rivlin was a longtime opponent before recently advocating a two-state federation (Haaretz, 2015). Yet two-state advocates can draw inspiration from their communication strategies and their inclusive discourse, in seeking to spark broad and deep public conversations regarding the occupation.

Conclusion

Under the headline of *Heshbon Nefesh*, leaders of the "peace camp" can use the 50th anniversary to engage in a "Future Vision" process of our own – to rebuild our own community, to assess our purpose and strategy, and above all to effectively engage the skeptical Center and broader society in the discussion. Key elements of such a process must include:

- 1) **Security**: The recent "two-state security" reports can serve as platforms for communal *Heshbon Nefesh* regarding the security dimensions of de-occupation. Such a discussion should train civil society peace advocates in understanding and clearly acknowledging the legacy of the second intifada, the wars with Hamas and Hezbollah, and the civil conflicts raging throughout the region. Any effective engagement with the wider Israeli public depends on legitimizing and effectively addressing genuine and well-grounded security concerns regarding the security implications of de-occupation in the West Bank.

In particular, we must effectively address the potential scenario of a failed Palestinian state, which would not prove unable to meet the needs of its population, nor maintain obligations undertaken in a peace agreement. Such a

scenario would cause renewed violence and most likely a re-occupation of the West Bank. Hence, supporting Palestinian institutional, social, economic and political state-building remains of the utmost importance. In this sphere the civil society peace movement should find substantial support from a wide coalition of the Israeli political spectrum and pro-active support from the professional class in numerous governmental institutions, including the security authorities, the Ministries of Finance, Transport, Energy and Foreign Affairs.

2) **Synergy:** In articulating the *raison d'être* of the Peace NGOs Forum, Yuval Rahamim explained that, "One of the things that must happen within the peace camp is tolerance of other organizations – that we aren't in possession of the sole truth. The essence of dialogue doesn't exist between us. We need to sit together and find out how we can work together to create social change, strategically." A *Heshbon Nefesh* process can serve as a forum to engage across differences and complementarities within the civil society peace/human rights/anti-occupation community: To acknowledge the contributions of diverse approaches, to identify widely shared problems and aspirations, and to build solidarity in contending with de-legitimization by the extreme Right – to build a "big tent" approach that will strengthen all the CSOs that are identified within Israeli society as "Left" or "Peace NGOs."

3) **Society:** This process should aim, once and for all, to break peace advocacy out of the demographic box – by empowering peace advocates rooted in diverse constituencies, and sparking dialogue with mainstream civil society leaders from all of Israel's "tribes." The goal must be to make two-states a cross-cutting issue – not the trademark of a single "peace camp" demographic, but an agenda championed by parallel "peace camps" within every demographic.

4) **Religious Outreach:** The work carried out by Rabbi Michael Melchior in reaching out to the most important Muslim religious dignitaries of Palestine, and elsewhere in the Middle East, is — in the long run — the most important legitimizing factor for peace. Parallel work with rabbinical leaders is similarly decisively important.

Ideally, it is necessary to design a strategy, coordinated to the degree possible, of different groups working to address different audiences: continued outreach to Palestinian society; effective advocacy to Israel's Centrist majority, addressing mainly the issues of security, economic growth, and Israel's international standing; and outreach to Israel's settler community, who will have a decisive say, in favor or against a two state solution, as they will be asked to pay a high price. It is crucial, if understandably controversial, to include dialogue with the settler community within the larger religious Zionist camp. Any movement forward toward a two state solution will require the relocation/evacuation of settlements in the heartland of Palestine; it is therefore essential to continue and expand successful models for solution-oriented dialogue with the rabbinical, the ideological and the municipal leadership of the settlers movement, with

the aim of marginalizing the most radical groups, who will violently oppose action in support of a two state solution (Zalzburg, 2014).

It is equally imperative to strengthen the Arab-Jewish "shared society" sphere – in which much important and successful CSO work is being done – and expand the legitimacy and potential for effective political alliances without which significant progress on peace is all but impossible. The educational, social and economic empowerment of Israel's Palestinian society creates the basis for effective joint Jewish-Arab action at the political level, as illustrated by Odeh and Rivlin's leadership and the multi-dimensional advocacy process that inspired government Decision 922 (Gerlitz 2016).⁴

In that vein, a *heshbon nefesh* process should include rethinking the framing of the two-state solution as "separation." Ehud Barak's statement "we are here and they (the Palestinians) are there," has in many ways increased Jewish-Arab alienation and opposition to a two-state solution, on either side of the Green Line – it should be replaced by Rivlin's acknowledgement that "we are all here to stay," and should strive to live in security, civic equality, and mutual respect. Moreover, a concept of hermetic separation echoes the vision of Israel as a beleaguered island in the Middle East, rather than a prosperous country pursuing integration in the region. Finally, harsh separation would increase the risk of state failure in Palestine, for whom Israel is a natural market and outlet to Europe and the United States. An alternative strategic emphasis on social, cultural and economic interdependence can in the long run enable Palestine to become a prosperous and successful neighbor of Israel.

Programmatically, a pair of landmark Rivlin-*style* speeches, framing moral and political imperatives through clear demographic arithmetic, could inaugurate this process. First, an "internal" speech, directed at the peace advocacy community, might use demographic data to emphasize the absolute necessity of engaging the critical mass of the Israeli Jewish public in order to achieve any progress toward a solution. An "external" speech, by contrast, would seek to present to the wider public the equally clear demographic writing on the wall regarding continued control of the West Bank, and the paths to *securely* ending the occupation and striving toward long-term conflict transformation. Ideally, this process would generate a comprehensive strategy for civil society peace advocates, and inspire parallel public conversations within all of Israel's diverse regional and "tribal" constituencies – to motivate the broadest possible cross-section of Israelis to recognize reality and take responsibility for securing a democratic future.

"Unsustainable" has become the international community's latest anodyne keyword to describe the post-1967 status quo between Israel and the Palestinians. Yet a glance

4 A companion essay in this volume presents a detailed approach to this issue, and advocates strengthening the Israeli Arab Palestinian identity and working together with Jewish partners for full civic equality.

through the catalogue of "frozen conflicts" spanning the globe, from Western Sahara to West Papua by way of Cyprus, Kashmir, Kurdistan, Nagorno/Karabakh and Tibet among numerous others – indicates that similar geopolitical situations can persist intractably if parties do not perceive a secure alternative, and that effective international solutions are rare (Haklai & Loizides, 2015). Conflict scholar John Paul

Lederach advises that it can take as much time to get out of a cycle of destructive conflict as it took to get in (Burgess, 2004). The process may be long, but there are no shortcuts around the work of broadening awareness, convincingly addressing security, and building diverse coalitions around a platform that resonates with 21st century Israeli society.

Bibliography

- Agha, H., & Malley, R. (2001, August 9). Camp David: The Tragedy of Errors. *New York Review of Books*.
- Amidor, Y. (2016, August 5). Brit Tzlalim (Shadow Alliance). *Yisrael Ha-Yom*.
- Bar Siman Tov, Y. (2007). *The Israeli-Palestinian Conflict: From Conflict Resolution to Conflict Management*. Jerusalem: Jerusalem Institute for Israel Studies.
- Bardach, R. (2016, July 18). (N. Lazarus, Interviewer)
- Bar-Tal, D. (2007, July). Sociopsychological Foundations of Intractable Conflicts. *American Behavioral Scientist*, 50(11), 1430-1453.
- Bar-Tal, D., & Schnell, I. (2014). *The Impacts of Lasting Occupation: Lessons from Israeli Society*. Oxford: Oxford University Press.
- Bar-Tal, D., & Schnell, I. (2016). After 50 Years: Save Israel, Stop the Occupation. *Palestine-Israel Journal of Politics, Economics and Culture*, 21(3).
- Baskin, G. (2016, July 20). Anti-Anti-Normalization. *Jerusalem Post*.
- BICOM . (2016, April 25). *Israel's Narrow Waistline*. Retrieved from BICOM: Britain-Israel Communications and Research Centre: <http://www.bicom.org.uk/map/israels-narrow-waistline/>
- Biton, M. (2016, June 17). Kidum Ha-Sovlanut Ba-Ir: Mimun Kaspi La-Yozmot (Promoting Tolerance in the City: Funding for Initiatives). *Kol Ha-Ir*.
- Braun, C. (2016, June 18). Livni: A referendum is needed now, to see if Israel is going in a two-state direction. *Jerusalem Post*.
- Bronstein, P. (2016, June 16). *Darkenu: keeping the dream of Israel alive*. Retrieved from Fathom: <http://fathomjournal.org/darkenu-keeping-the-dream-of-israel-alive/>
- Burgess, H. (2004). *Peace Processes*. Retrieved from Beyond Intractability: <http://www.beyondintractability.org/essay/peace-processes>
- Civic Leadership. (2016, July 1). *Siakh Meshatef Ba-Hevrah Ha-Ezrakhit (Shared Language in Civil Society)*. Retrieved from Civic Leadership: http://migzar3.org.il/files/2016/07/report-2016_web.pdf
- Clinton, B. (2004). *My Life: The Early Years*. New York: Alfred A. Knopf.
- Eldar, A. (2016, August 9). "Will Netanyahu Dare to Engage in Regional Settlement?". Retrieved from Al-Monitor: <http://www.al-monitor.com/pulse/files/live/sites/almonitor/files/documents/2016/IP1%20survey%20-%20key%20findings.pdf>
- Finkel-Perl, L. (2016, July 19). (N. Lazarus, Interviewer)
- Gerlitz, R. (2016, July 6). (N. Lazarus, Interviewer)
- Gradstein, L. (2016, June 18). Is the Arab Peace Initiative Back on the Table? *Jerusalem Post*.
- Haaretz. (2015, December 3). Rivlin: Confederation of Two States, Israeli and Palestinian, Is the Only Solution. *Haaretz*.
- Haklai, O., & Loizides, N. (2015). *Settlers in Contested Lands Territorial Disputes and Ethnic Conflicts*. Stanford: Stanford University Press.
- Hecht, R. (2016, June 21). President Rivlin is Israel's Only Opposition to Extremism. *Haaretz*.
- Hirschfeld, Y. (2014). *Track-Two Diplomacy Toward an Israeli-Palestinian Solution 1978-2014*. Baltimore, MD: Johns Hopkins University Press.
- Inter-Agency Task Force on Israeli Arab Issues. (2016, January 13). *Historic Economic Development Plan for Arab Sector: Overview and Key Allocation Areas*. Retrieved from Inter-Agency Task Force on Israeli Arab Issues/Activities/Updates: <http://www.iataskforce.org/activities/view/437>
- Jamal, A. (2008, Winter). The Political Ethos of the Palestinian Citizens of Israel: Critical Reading in the Future Vision Documents. *Israel Studies Forum*, 23(2), 3-28.
- Kalman, M. (2014, September 15). Will Seeds of Peace Ever Bloom? *Haaretz*.
- Kamin, D. (2013, July 16). The Bearable Lightness of Being Rav Benny. *The Times of Israel*.
- Kelman, H. (1999). The interdependence of Israeli and Palestinian national identities: The role of the other in existential conflicts . *Journal of Social Issues*, 55(3), 581-600.
- Koplow, M. J. (2016, June 3). *Two-State Security*. Retrieved from Israel Policy Forum: <https://www.ipforum.org/2016/06/03/two-state-security/>
- Lazarus, N. (2015). *Intractable Peacebuilding: Innovation and Perseverance in the Israeli-Palestinian Context*. George Mason University, School for Conflict Analysis and Resolution. Arlington, VA: School for Conflict Analysis and Resolution.
- Lazarus, N., & Ross, K. (2015). Tracing the Long-Term Impacts of a Generation of Israeli-Palestinian Encounters. *International Journal of Conflict Engagement and Resolution*, 3(2).
- Lazarus, N., Kadayifci-Orellana, A., Kahanoff, M., & Halloun, F. (2014). *Field Study USAID West Bank/Gaza People to People Reconciliation Annual Program Statement Grants*. United States Agency for International Development, Conflict Management and Mitigation. Washington, D.C.: USAID.
- Leibowitz-Schmidt, S. (2015, June 21). Peacemakers: Charedi Women Are Becoming Involved in Peacemaking. *Hidabrut Worldwide*.
- Levy, Y. (2012). *Israel's Death Hierarchy: Casualty Aversion in a Militarized Democracy*. New York: New York University Press.
- Lior, I. (2015, December 19). Thousands March in Tel Aviv in Protest of Incitement Against Rivlin, Leftist NGOs. *Haaretz*.
- Maltz, J. (2016, January 31). Rabbi Melchior Receives Prestigious International Peace Prize. *Haaretz*.
- Maor, R. (2016, July 19). (N. Lazarus, Interviewer)
- Middle East Quartet. (2016). *Report of the Middle East Quartet*. Brussels: Middle East Quartet.
- Miller, E. (2016, February 11). How Rabbi Ovadia Yosef's Daughter, Adina Bar-Shalom, Became Israel's Leading Ultra-Orthodox Iconoclast. *Tablet*.

- MITVIM. (2016, June). *A Special Privileged Partnership with the EU as an incentive for Israeli-Palestinian peace*. Retrieved from MITVIM: The Israeli Institute for Regional Foreign Policies: http://mitvim.org.il/images/A_Special_Privileged_Partnership_with_the_EU_as_an_incentive_for_peace_-_June_2016.pdf
- MITVIM. (2016, July 20). *Cooperation between Israel and the Arab World: Public Opinion Findings*. Retrieved from MITVIM: The Israeli Institute for Regional Foreign Policies: http://www.mitvim.org.il/images/English_-_Public_opinion_findings_on_cooperation_with_Arab_countries_-_July_2016.pdf
- Pileggi, T. (2015, May 21). Israel's top diplomat tells colleagues 'entire land is ours'. *The Times of Israel*.
- Prime Minister's Office. (2015, 31 12). *Pe'ilut Ha-Memshalah La-Pituakh Kalkali Ba-Okhlusyat Ha-Mi'utim 2016-2020 (Government Activity for Economic Development of the Minorities Sector 2016-2020)*. Retrieved from Prime Minister's Office: Government Decisions 2015: <http://www.pmo.gov.il/Secretary/GovDecisions/2015/Pages/des922.aspx>
- Rahamim, Y. (2016, July 14). (N. Lazarus, Interviewer)
- Rahamim, Y. (2016). *Peace-Obstructing Perceptions in Israeli Society*. Tel Aviv: Israeli Peace NGO's Forum.
- Rasgon, A. (2016, February 27). *PLO Committee meets with hundreds of Israelis*. Retrieved from Plus61J: Broadening the Conversation: <http://plus61j.net.au/plus61j-articles/plo-committee-meets-with-hundreds-of-israelis/>
- Remnick, D. (2016, January 25). Seeds of Peace: Ayman Odeh's Unlikely Crusade. *The New Yorker*.
- Rivlin, R. (2015, June 7). *President's Address to the 2015 Herzliyah Conference*. Retrieved from President of the State of Israel Reuven (Ruvi) Rivlin: Main Speeches: http://www.president.gov.il/English/ThePresident/Speeches/Pages/news_070615_01.aspx
- Rivlin, R. (2016, June 14). *A Shared Israeli Hope: Vision or Dream?* Retrieved from President of the State of Israel Reuven (Ruvi) Rivlin: Press Releases: http://www.president.gov.il/English/Presidential_Activities/Press_Releases/Pages/news_140616_05.aspx
- Ross, D. (2005). *The Missing Peace: The Inside Story of the Fight for Middle East Peace*. New York: Farrar, Straus and Giroux.
- Rothman, M. (2016, July 18). (N. Lazarus, Interviewer)
- Sachs, N. (2015, November/December). Why Israel Waits: Anti-Solutionism as a Strategy. *Foreign Affairs*.
- Salem, W. (2016, July 18). (N. Lazarus, Interviewer)
- Scheindlin, D. (2016, July 19). (N. Lazarus, Interviewer)
- Shaffir, S. (2016, July 14). Israel's Generation of Tent-Dwellers is Cringing with Shame. *Haaretz*.
- Sher, G. (2016). *Ha-Krav al Ha-Bayit*. Tel Aviv: Yediot Books.
- Shultziner, D. (2016, July 17). (N. Lazarus, Interviewer)
- Yaar, E., & Hermann, T. (2016, July 4). *Peace Index: June 2016*. Retrieved from Peace Index: <http://www.peaceindex.org/indexMonthEng.asp?num=306&monthname=June>
- Zalberg, O. (2014). *Israel's National-Religious Jews and the quest for peace*. Retrieved from Fathom: <http://fathomjournal.org/israels-national-religious-jews-and-the-quest-for-peace/>

The National-Religious Public and the Prospects of Peace with the Palestinians – Between Scuttling and Leading

Roie Ravitzky

The national tension on both sides of the Israeli-Palestinian conflict is rooted in matters that draw on religious tradition – philosophy, thought and religious law. Among large parts of the Jewish and Muslim public, policy positions are intertwined with duties imposed on the religious believer by the sanctity of the land, and with how their sacred scriptures relate to the stranger and the other. But despite the centrality of these issues on both sides, they are largely absent from the efforts at rapprochement and finding solutions that have become known as the “peace process.”

First, the preference of most of the politicians and policymakers is to complete the negotiation of a settlement with the Palestinians before anything else. The political leaders must first hammer out the details of the agreement, then determine the institutions and borders, after which the legal aspects and security arrangements will be signed and sealed. Only once a state of non-belligerence has been reached, only after the conflict has been resolved, will it be possible to address the enmity between the peoples and gradually try to dispel it. Consequently, so they believe, any current public discussion of the tensions related to identity, culture and religion would only undermine the political negotiations and compromise the diplomatic efforts to thaw the relations between the peoples. Let’s cross that bridge when we come to it, they say, when the circumstances are ripe, because how can we hold a fundamental theological debate at a time when bloodshed is raging.

Second, many fear that the conflict would intensify were it to move from its status as a political struggle to become a religious clash. As long as the disagreement focuses on practical interests, or even on historical accounts, a compromise is feasible. This is not the case where competing belief systems are involved: Conflicts of this kind cannot be resolved and the metaphysical tension that underlies them cannot be alleviated. “Theocratization” of the Israeli-Palestinian conflict, it is believed, would make it all embracing, eternal and irresolvable.¹

For these reasons and others, the religious populations of both nations played almost no role in shaping the sought-after peace agreement, their leaders were not included in the negotiations and their philosophy and outlook were not taken into account at the negotiating table.

1 See Aviezer Ravitzky, “The Jewish people and the clash of civilizations,” in Ravitzky and Stern (eds.), *The Jewishness of Israel*, Israel Democracy Institute: Jerusalem 2007, pp. 725-726 [This and all the sources that follow are in Hebrew].

The repeated failures of the negotiations between the political leaderships led many to realize that peace will never be achieved unless additional individuals, groups and worldviews are included in it. Hamas’s victory in the Palestinian elections in Gaza in 2006, and in a different vein, the burgeoning political power wielded by religious Zionism in Israeli politics (both as an independent party as well as within the ruling party), serve as an incentive to reconsider the importance of religious motivations for solving the Israeli-Palestinian conflict. Alongside the academic study of the unique positions taken by the religious communities towards a solution, and the complexities that derive from the religious aspects of the conflict,² activities involving “interreligious dialogue” began to gain momentum, because this type of dialogue was viewed as a means to pursue peace. The involvement of religious leaders, it was claimed, can prepare the hearts and minds of the people to make a future peace acceptable to the entirety of the two societies – if those leaders are able to openly discuss the way in which their holy scriptures enable them to live in peace with the other. In this article, I will discuss the importance and utility of this process, describe the conditions of its feasibility, address its challenges and warn of its cost.

“The Palestinians are just an excuse to dismantle the Jewish state” – The peace process and forging Israel’s inner character

Recent decades have seen a significant increase in the presence of the religious population in Israel’s political, military and ideological centers of power and decision-making. This has accordingly increased the influence of religious politicians and actors on the official stances taken by the state with regard to the future of Israel’s relations with the Palestinians, affecting both the nature of the solution to the conflict, and the activities on the ground, especially as it relates to the settlement enterprise. Given this increasing salience, it is surprising to discover that efforts to find a solution to the Israeli-Palestinian conflict rarely figure on the agendas of the leaders and opinion makers of the religious public in Israel. They invest a great deal of effort in dismissing and attacking the solutions promoted by their political opponents, but the

2 See Yitzhak Reiter, “Religion as a barrier to compromise in the Israeli-Palestinian conflict,” in Yaakov Bar-Siman-Tov (ed.), *Barriers to Peace in the Israeli-Palestinian Conflict*, Jerusalem Institute for Israel Studies, Jerusalem, 2010, pp. 294-318; Dotan Halevi, “Who will ascend to God’s mountain?: The religious-political debate in the Arab world around the ‘Ziyārah’ (pilgrimage) to Jerusalem,” *Jamaah*, Vol. 22, 2016, pp. 23-54.

question of a satisfactory solution, whether by modifying an existing one or offering an alternative, has been pursued by no more than a handful. The vast majority of the religious public's leaders consider a peace agreement with Palestinians a threat, and believe that it is their duty to thwart such an agreement and prevent it from coming to fruition.

The most common explanation for this lies in the price that Israel can be expected to pay for a peace agreement with the Palestinians: The various proposals involve Israel relinquishing sovereignty over part of the Land of Israel, thereby reversing the achievements of the settlement enterprise, a central element in the Zionist-redemptive vision of the students of Rabbi Zvi Yehuda Kook. But from conversations held with prominent rabbis, I have learned that the decisive element, the one that causes them to resist any proposed agreement – and as public leaders to neglect the issue of settling the conflict – is specifically related to Israel's inner character.

Among Israeli Jews – and among Muslims in all the countries of the region – an ongoing debate is raging about the influence of religion on politics. In the Israeli case, we tend to classify the legal aspects of this issue under the heading of “religion and state,” but it encompasses further tensions between the Jewish and civil character of the state, between conservatives and liberals and between the particular and the universal. All these are important arguments that reflect legitimate differences, and an in-depth internal debate within each society will be required to determine how religious or secular the institutions of each country in the region will be. Yet, politicians and public leaders have often tried to combine two areas of dispute, with the efforts to attain peace between Israel and its neighbors also being relegated to the tension between secularism and tradition. Peace has been presented and justified as a secular project, or even a project aimed at secularization.³ in the context of which the establishment of an independent Palestinian state would also involve a change in the character of Israel itself and the constitution of a democratic-neutral public space to replace the Jewish one. It is this formulation that has led most religious people in Israel (not unlike what happened in the Palestinian Islamic movements too) to vehemently oppose any attempt at rapprochement, fearing that it would lead to a “loss” of their religious identity, and to their defeat in the other, internal battle being waged. Thus, when the campaign to secularize society goes hand in hand with the peace efforts, attitudes toward peace parallel positions regarding the desirable religious character of the states and their political institutions. It is not only the anticipated price of peace that deters rabbis and community leaders from supporting it, but also, and even more intensely so, what appears to be its hidden agenda – to void the state's Jewishness of all content, and to thereby gain a victory in the battle between the competing elites in Israeli society, which have adopted the Palestinian issue as a watershed.

3 See, for example, “The national religious public and the Israeli-Palestinian conflict,” Report of the International *Crisis Group* No 147, November 2013, p. 35.

We hear the perspective described here repeated again and again by national-religious rabbis and public-opinion leaders. “The Palestinians,” says a leading yeshiva head in Samaria,⁴ “are just an excuse to dismantle the Jewish state. The left dreams of turning Israel into yet another European country, a country with no purpose and no unique character. And harming the settlements is the means to get to that point. After all, the commandment to settle the Land of Israel isn't appropriate for ‘a state of all its citizens.’” The rabbi of a settlement in the Binyamin region described the mission of the settlement enterprise as follows: “We keep Israel from becoming ordinary, from decline, from the danger of becoming the nation like all nations. This is the real reason the left feels such hostility for us – we are a constant annoying reminder of the Jewish mission, of the fact that Israel is not just another country”.⁵

The remarks of the various rabbis reveal their suspicions regarding the purity of the intentions of the architects of peace. When they analyze what drives their political rivals on the left, they find that the issue of Israel's military control over the Palestinians appears to be only a secondary consideration, or perhaps merely an excuse. This built-in suspicion against the consequences of the agreement has deterred religious people on both sides from becoming involved in finding a solution, causing them to withdraw, isolate themselves and radicalize their positions. Very few have found it possible to rise above their fear to deal directly with the halakhic and theological challenges that finding a political solution to the conflict poses – to find a shared path where the worshippers of both Hashem and Allah can coexist without feeling that they are rebelling against Him.

An unmediated dialogue held between religious leaders on the details and justifications of a possible peace agreement may help to overcome this hurdle. Were the professional negotiators to disappear from the negotiating table – temporarily – it might enable rabbis from various streams to address the most burning questions on their own terms and in their own language. In the current situation, they are forced to constantly calibrate their positions against those of their internal rivals. A new discussion setting with religious underpinnings might enable them to step out of their defensive positions and thus more freely explore the relevant issues.

“Does the Palestinian Authority even have the power?” – The sustainability of an Israeli-Palestinian peace agreement in an era of Islamic awakening

Whenever the possibility of signing of a peace agreement is raised, there are those who wonder who the potential signatories actually represent and who has been left out

4 Interview, Jerusalem, December 2015 [This and the interviews that follow were conducted in Hebrew].

5 Interview, Binyamin Regional Council, April 2016.

of the negotiations and thus can be expected not to honor the agreement. The rifts and divisions among the various factions of Palestinian society heighten the concern that signing understandings with one faction will only herald the start of fighting with another. The Fatah leadership, many Israelis believe, cannot guarantee that the other Palestinian organizations will also carry out the agreements. This may partly explain why public opinion surveys have repeatedly demonstrated a significant gap, both in Israel and among the Palestinians, between the percentage of people that support a peace agreement and the percentage of those who believe that such an agreement is feasible.⁶ Do those sitting across the negotiating table also speak for their rivals in the field? With whom, if anyone, can we sign a sustainable agreement?

One possible answer lies in the Arab peace initiative, which includes a proposal to the Israeli public to view a peace agreement with the Palestinians as a step whose significance goes beyond the relations between the two peoples, and that would lead to full regional normalization, which would change Israel's broad geopolitical status in the Arab expanse and Middle East as a whole. However, given the changes in our region, tying the Palestinian issue to the Arab region as a whole would likely have the opposite effect on Israelis. The transition from the hope of the Arab Spring to what commentators and columnists now call the "Islamic Winter" has reversed the impact of the regional prism, and instead of offering the promise of guarantees, it confirms our fears. The fear that Islamic organizations will take over Palestinian politics the day after an agreement is signed appears to be supported by the regional trend, whereby state power is undermined by radical religious movements.

Doubts about the stability of the states in the region shift the focus from the Arab League to Islam, from the region to the religion. Those who seek to enlist support in Israel for a peace agreement would do well to recognize the challenges they face – not just to get Israelis to trust that the Palestinian leadership sincerely desires peace, but also to have confidence in the ability and willingness of political Islam to support this peace, or at the very least, to enable it. As a senior Yesha Council official put it: "Abu Mazen is not the story. Let's assume that he indeed intends to establish a friendly neighboring country that will live alongside Israel in peace and cooperation. Why assume that the Palestinian Authority even has the power? The real power, from Gaza to Qatar and Saudi Arabia, is in the hands of the Islamists [...] You want to know what awaits us? Go see what they're teaching in the mosques, and not just here, but in all the Arab countries. All the talk about peace is a fantasy, as long as the Arabs remain unwilling to accept a Jewish state in

6 See „The peoples survey – the joint Palestinian-Israeli poll“ by the Israel Democracy Institute and Palestinian Center for Policy and Survey Research, June 2016: <http://www.idi.org.il/media/4753319/ממצאי-סקר-משאל-עמי>

Israel. And they will never be able to, because their religion does not allow it.”⁷

If it is at all possible to increase the belief in the possibility of peace among the Israeli public, it is only by refuting this essentialist view of Islam as a monolithic, unchanging, violent and intolerant culture. Significant processes involving reflection and interpretation by the most important religious leaders, Muslims in Palestinian society as well as from the wider Islamic world,⁸ along with Jews from Israel may vitiate the presumption that an insurmountable religious barrier renders all the diplomatic efforts futile. When those who are generally considered opponents of conciliation become allies and take responsibility for its success, a new degree of trust becomes possible.

“Ask me what God wants of me, not where the borders should be” – What religious language can offer

Situated in the heart of Jerusalem – as well as at the heart of the conflict – the Temple Mount – or al-Haram al-Sharif – is the focus of aspirations, dreams and desires, as well as tensions, hostility and the potential for escalation. While most arbiters of Jewish law prohibit Jews from ascending to the Temple Mount at this time, there are those that allow, recommend and even mandate it. The eyes of the Arab world and Israel's Muslim minority are on this small group and scrutinize its actions, which are often interpreted as a challenge to the very right of Muslims to worship on the holy mountain.

What do those Jews who focus their political-religious activities on the Temple Mount really want, and how can they fulfill their yearning for it? Different religious leaders will give different answers to this question. Some wish to visit the Temple Mount, to be allowed to pray there freely and hold Jewish ceremonies. Others seek to rebuild the temple atop the mountain – some to actually build it with their own hands and in the foreseeable future, and others by means of indirect endeavors at some hoped-for eschatological time that lies ahead. Another group wants the Muslims on the Mount to recognize that it was once the site of the Jewish temple, and that it is the source of its sanctity. Very few would consider their intense religious longings fulfilled by the fact that the secular State of Israel enjoys legal sovereignty over a piece of land.⁹ Nevertheless, a considerable part of

7 Interview, Gush Etzion, June 2016.

8 Another aspect of the religious perspective is the lack of importance of internal borders within the Islamic “Ummah.” As noted by a prominent sheikh, a member of the Islamic Movement in Israel (interview, Umm al-Fahm, February 2016): “We do not have states, we have one Ummah (nation), and the arbiters of religious law in Palestine do not decide on their own. We speak first because we live here and are familiar with the complexity of living among Jews, but it is a matter for all Muslims, not just for us.”

9 Although some religious groups consider the secular institutions of the State of Israel to contain an inherent sanctity, there is little overlap between them and those who ascend to the Temple Mount.

the public debate boils down to one question – Who has sovereignty over the Temple Mount and who will hold it in the context of a future agreement?

Why is this so?

The issue of sovereignty appears to stir the hearts and minds of so many not because of something intrinsic to it, but rather because of the assumption that it is a prerequisite for the realization of all other hopes. Legal sovereignty over the territory functions as a kind of “finger in the dike” without which all other aspirations will be washed away, preventing action of any kind in the desired direction – because the ability to operate in the Temple Mount compound is directly dependent on who controls it.

Is this a foregone conclusion? According to a prominent Jerusalem sheikh: “There is no problem with Jews coming to pray in the mosques esplanade. They can even build themselves a synagogue there and worship Allah in their own way. But this cannot be said aloud, because right now, it is not a question of religious law that we are discussing, but rather the less important and more urgent one of who the proprietor is. As long as the Jews do not come to pray, but rather to demonstrate ownership and continue the occupation, we cannot give them a foothold.”¹⁰ The sheikh offers a different paradigm from the one we have become accustomed to, and according to his words and philosophy, there is an inverse relationship between Israel’s sovereignty and control over the Temple Mount and the freedom of Jews to worship on it. It would be intriguing to see what certain religious groups would decide were there a choice between the current situation, in which Israel has sovereignty, but is limited in its ability to operate on the ground, and a hypothetical one, in which Israel gives up its sovereignty, thereby creating a situation that actually increases the capacity of Jews to fulfill their religious aspirations.

Public debate does not often directly deal with religious motivations, but rather with the concrete diplomatic solutions that may serve those same motivations. The challenge is to gain an in-depth understanding of religious thought and motivation, and to try to integrate them into the desired and available diplomatic solutions. The constant need on the part of religious populations to translate their innermost desires and needs into a language that is intelligible to those who do not share their religious premises leads them to adhere stubbornly to a single possible course of action, of which they become the standard bearer as if it itself is the achievement, hope and fulfillment. The way to uncover alternative, less dichotomous solutions that may simultaneously fulfill the hopes of both peoples lies in unpeeling the layers of translation to pursue the religious desires themselves. This approach does not force the sides to relinquish the possibility of continuing to advance their religious aspirations for the sake of the coveted peace, but rather paves a path that

¹⁰ Interview, Jerusalem, August 2015. See also in “How to maintain the fragile calm on the Temple Mount,” *Debriefing of the International Crisis Group*, no. 48, April 2016, footnote 80.

enables those aspirations to coexist. An effort of this kind is still in its infancy, due to the absence of a platform for direct negotiations where religious sentiment can be expressed alongside the material interests of the parties. However, by way of illustration, I will cite a number of leaders who are currently involved in breaking down core issues to their religious components, thereby placing them in a new light.

Recognition of Israel as a legitimate state presents a religious challenge to Muslims, because of their perception that the whole of Palestine is sacred *Waqf* land and that the entire region must be part of a long-awaited Islamic caliphate. Based on this position, not only is the existence of a sovereign Jewish state in the Arab expanse intolerable, so is the division of the region’s land into separate Arab nation-states, which is a legacy of European colonialism. In order to realize the Israeli hope of normalization in the Arab expanse, the Muslims must seemingly abandon all aspirations to constitute a caliphate, completely secularize their political thinking and learn to take an instrumental approach to the land. Only in that way, so it seems, will Muslims ever be able to sign a viable peace agreement with Israel and accept its existence.

A possible alternative may emerge by moving away from the proposed solution – in this case, the dismantling of all state borders and the repudiation of any non-Muslim sovereignty – towards uncovering the religious motivation driving it. A prominent religious authority in the Islamic Movement in Israel maintains that the anticipation of an Islamic caliphate does not necessarily conflict with recognition of an independent Jewish state: “Suppose a caliphate is established and Jews remain living in it. After all, under Islamic law, they are entitled to live, manage their affairs on their own, reside in their own community, with their own legal system. What prohibits them from doing it as a collective and calling it a state?”¹¹

The presence of an Arab collective presents a religious challenge to Jews too, because some of them perceive the Zionist movement as the realization of the anticipated return to Zion, the harbinger of redemption and a renewal of the commandment to inherit the Promised Land. Those who maintain this perspective will find it difficult to accept the existence of a polity belonging to another people in part of the Land of Israel. To hope for the members of the national-religious community in Israel to support Palestinian independence, therefore, seemingly means to hope that they also relinquish their redemptive-messianic perspective, completely divorce Israeli politics from theology and to take a purely material approach to the history of the Zionist movement. Only in such a context, so it seems, would religious Jews be able to sign a lasting peace agreement with the Palestinian people and accept the establishment of its sovereign state.

Here, too, an alternative may be possible if the solution is replaced by the desire underlying it. These are the words of a Jerusalem rabbi: “If we as Jews believe that our return to the Holy Land to establish a state in it is part of the divine

¹¹ Interview, Kafr Qassem, May 2015.

plan and the fulfillment of the prophecy, then we must also believe that the presence of another people in that land is part of the same divine plan. On the basis of this belief, it is clear to me that we must resolve the conflict between us, not because fate has decreed that we must live here together, but because we are fortunate that fate has destined us to live here together and fulfill God's will."¹²

The positions cited here are not those of the mainstream of the various religious groups. Nevertheless, they are an example of the need for a paradigm shift in the public debate. Conventional wisdom has it that when a discourse is founded on interests, it is possible to reach an outcome that faithfully serves the interests of both sides. It is further assumed, however, that the dichotomous language of religion dictates a zero-sum attitude to political disputes. This is indeed the case when the religious believers are unable to express what they want to say in their own language and are forced to participate in a public discourse based on instrumental assumptions. As a result, religious positions become unhappily associated with certain policy proposals – policies that do not fundamentally need to be pursued – giving those proposals an aura of religious sanctity. Creative solutions may emerge when religious leaders talk to one another, and the terminology of faith becomes a legitimate language of negotiations. In the words of the head of a yeshiva in southern Israel: "I can argue about politics in the language of the newspaper, but in that conversation, there is no advantage to my role as a rabbi. But perhaps there is another language. Ask me what God wants of me, not where the borders should be. Perhaps if we pay attention to what the Torah has to say on this matter, we can learn a few new things together about the borders too."¹³ In this way, when the religious populations are able to approach the fundamentals of the conflict in their own language and based on their own worldview, core beliefs rooted in religious traditions may serve as motivation to achieve peace, as justification for agreement to reconciliation and a desire to take joint responsibility to stop the bloodshed.

“A country without Judea, in what way would it be Jewish?” – The price of peace and those who pay it

Speeches delivered by Ehud Barak and Ariel Sharon when serving as prime ministers turned the phrase “painful concessions,” used to describe the anticipated cost of an Israeli-Palestinian peace agreement, and especially the evacuation of settlements, into a cliché. But who in Israeli society would feel the pain of these concessions?

The word “occupation,” used to describe the Israeli control of Judea and Samaria, can be understood in two ways. One describes the holding of the territory, and the other the regime under which the population lives. However, in the minds of

large parts of the Israeli public, the two are intertwined. The slogan of the religious right, “A nation cannot be an occupier in its own land,” which is rooted in the bond that the Jewish people has to the land of Israel, is used to refute accusations coming from the field of international law. However, it is also frequently used to respond to moral arguments, and to deny as a matter of principle the injustices perpetrated against the civilian population in Judea and Samaria. On the other hand, the outrage sparked among parts of the Israeli public by the fact of Israel's military control of millions of Palestinians, subsequently led to those Israelis becoming alienated from those parts of the land where the Palestinians live, undoing their sense of belonging to them. “The question is not whether we are prepared to give the Palestinians these territories out of the goodness of our hearts to reach peace,” said a Knesset member from a leftist party, “but rather when we will finally understand that they were not ours to begin with.”¹⁴ When asked what price she would feel she was paying in the context of an agreement, a high-ranking director of a peace NGO replied: “If you're asking whether I'll miss Bet El, then I'm sorry to disappoint you.”¹⁵

The camp that currently fiercely opposes a peace agreement is the one that will end up paying for it with the total eradication of its lifework when the time comes, while the camp that is proudly leading peace efforts will end up paying nothing at all. In this situation, the political debate in Israel has ceased to be a mere dispute about necessary policy measures. When those that stress the importance of compromise do not themselves have to make any concessions, any victory for them would mean overwhelming defeat for an entire political and ideological camp. Those who seek to increase support for an agreement should ask themselves what price its supporters may have to pay, and how its opponents might benefit from it?

Conversations with various prominent religious-Zionist rabbis reveal that in their minds, support for the establishment of a Palestinian state casts doubt on the future Jewishness of the State of Israel, and thus offers compelling evidence of malicious intent. A particular channel that might allay their concerns in this area involves “compensation” in the form of an increased emphasis on the Jewishness of the state in other areas.

The rabbi of a settlement in the Hebron Hills maintains that increasing Jewish education in the non-religious public school system would make territorial concessions easier for him and his following to swallow: “If you want to take away my home, promise that you'll let me into yours. I'll bring a backpack filled with the Talmud, and if you pledge that we will sit down together, the whole family, to learn in your living room – then I'll consider agreeing to pack my bags. Otherwise, a country without Judea, in what way would it be Jewish?”¹⁶

¹² Interview, Jerusalem, April 2016.

¹³ Interview, southern Israel, June 2016.

¹⁴ Interview, Tel Aviv, July 2016.

¹⁵ Rishon Letzion, January, 2016.

¹⁶ Interview, Hebron Hills Regional Council, March 2016.

A rabbi in a yeshiva in Samaria discussed the importance of the Jewish public sphere on the Israeli street, and how it could impact his willingness to evacuate: “Elkana will be less necessary the more Tel Aviv resembles Elkana.”¹⁷ All this can be summed up in the words a prominent religious-Zionist rabbi: “The vision is the Land of Israel for the people of Israel, according to the Torah of Israel. This is the foundation of religious Zionism; it is the destination we wish to advance toward, and we have no right to retreat from it. Anyone who believes, for whatever reason, that it is necessary to retreat in order to advance in the context of ‘the Land of Israel for the people of Israel’ should toil in the context of ‘the people of Israel according to the Torah of Israel’ so that there will be no overall diminution of sanctity.”¹⁸

Enhancement of the Jewish character of the state in its public sphere, institutions and education system may in some way compensate for the evacuation of the settlements in Judea and Samaria. This might prevent such a solution from being perceived as a lethal blow to religious Zionism’s vision, one delivered by those whose beliefs and passions are not at risk.¹⁹ The above remarks should not be interpreted in praise of these measures in of themselves, but rather only to point out their persuasive power. Those investigating the value of peace initiatives should first measure their ability to increase the number of people interested in it.

“They’re looking for horses for a runaway wagon” – on an ineffectual inter-religious dialogue

A measured “theocratization” of the peace process could, as noted, bring about a positive turnaround on several levels and improve the prospects of ending the conflict. However, certain common types of interreligious dialogue are of little benefit and make only a questionable contribution.

Numerous organizations and countless initiatives bring Jews and Muslims together for an open discussion about both religions. At these meetings, the sides discuss the similarities and differences between their various beliefs, traditions, legal systems, holidays and customs. These meetings enable people who do not normally meet to get to know one another and help to diminish the alienation, hatred and suspicion. However, the central message of this kind of dialogue, which declares that “we are all the same,” ignores the elephant in the room, along with the obvious differences in living conditions, personal status and political context between Jews and Muslims on both sides of the conflict. The focus on common values creates a false

17 Interview, Petah Tikva, November 2015.

18 Interview, Jerusalem, March 2016.

19 Should an evacuation of this kind become necessary or desirable in the context of a peace agreement. This issue itself could be addressed in different ways if the basic religious assumptions, both Jewish and Muslim, are added to the diplomatic terminology.

symmetry, serving only to distract from the conflictual issues underlying the meeting.²⁰

In other cases, the sessions engage directly in the pursuit of the political challenge, in an attempt to enlist the support of religious leaders for an existing, fixed, formulated and detailed political solution. The rabbis and Muslim leaders are considered public-opinion makers with broad and influential networks who can convince their flocks on the advisability of a peace agreement. However, they are not perceived as people able to offer new, pathbreaking insights as to what form that peace agreement should take. Rabbis are viewed as architects of the dissemination of the peace process but not of its content or form.²¹

Only a small part of the religious work related to Israeli-Palestinian conflict directly addresses religious leaders in order to investigate the contribution they might be able to make in shaping the sought-after peace agreement. But even among these initiatives, most restrict themselves to working with the most moderate, pragmatic and liberal religious leaders, those who believe that peace is a paramount commandment and do not need to engage in meetings as part of a transformative thinking process, but rather only in order to work for a common goal. It is not from these leaders that the desired new voices and insights will come. The vast majority of the public debate on peace is held in an echo chamber of the converted, religious and secular both. In order to move outside this circle, the voices of prominent rabbis and Muslim clerics must be heard, even those perceived as radicals who wish to scuttle the peace process. They are the only ones who can chart a path to peace that doesn’t compromise the Torah – but fulfills it.

Summary and conclusion

Courageous leaders who suddenly arise and decide to sign an agreement will not be able to set about implementing it on the ground and in the hearts and minds of their people’s if the agreement is disconnected to one degree or another from the prevalent narratives among both peoples. The trust between the sides is at such a low ebb that the signing of an agreement would only be a starting point in the race towards mutual recriminations regarding its violation. Those seeking to end the Israeli-Palestinian conflict do not lack for proposals and declarations of principles, but rather for trust and motivation. Most of the outstanding questions in the framework of an agreement are a function of the degree of trust between the parties. Confederative elements, open borders to a greater or lesser degree, the return of merely a

20 Encounters of this kind are also liable to quickly encounter resistance on the part of Palestinians who oppose normalization with Israel.

21 In order to refrain from making this mistake, this article does not enumerate the various religious challenges to resolving the conflict and the possible ways of addressing them, or the concrete alternatives to the political proposals that may emerge as a result of striving for peace from a religious perspective. Recommendations such as these must arise from an unmediated discourse between religious leaders from both peoples.

few or many refugees, the feasibility of allowing the settlers in Judea and Samaria to remain in their communities – the resolution of all these issues is contingent on breaking the dichotomy between the welfare of Israelis and that of Palestinians and ending the zero-sum game approach. Only when “pro-Palestinian” no longer means “anti-Israel,” and vice versa, can we start to grow solutions.

But as long as important elements of both Israeli and Palestinian societies remain outside the decision-making process, the exclusion of their identity from the discussion of peace will continue to cause them to exclude themselves from believing peace is possible. The inclusion of religious figures from both nations in a joint effort to find a way out of the conflict will enable them to work together for the benefit of a common future, and to support a political solution that addresses the religious aspirations and self-determination of both peoples.

Israeli national-religious society is founded on a depth of historical consciousness that carefully intertwines the annals

of Zionism with the history of the Jewish people over the generations. It is precisely from this perspective that we can see the depth of that change that religious civilizations are undergoing in their attitudes to one another. The Christian church, that for years tormented the Jews living in Christian countries and encouraged or permitted their persecution, took a revolutionary step in the 20th century in its attitude toward the Jews, based on a re-interpretation of the scriptures. It is this marked change in approach that has led to the prevalent discussion these days of a shared Judeo-Christian heritage. Hence, when considering the relations between Jews and Muslims in the Middle East, we should do so with humility. The Jewish nation is taking its first steps in political sovereignty, and Muslims are taking their first steps both as minorities in non-Muslim countries and as democracies. The patient, religious hope that both sides will be wise enough to learn to walk steadily and confidently is the hope of mending the world in the kingdom of God.

About the Authors

Dr. Yair Hirschfeld

Dr. Hirschfeld, Academic Director of the S. Daniel Abraham Center for Strategic Dialogue is world-known due to his leading role in preparing and negotiating the Oslo Accord between Israel and the PLO, of September 13, 1993. In the early 1980s, Hirschfeld organized the confidential dialogue between Shimon Peres and Yossi Beilin with the Palestinian leadership from the West Bank and Gaza. In 1991 he prepared a strategic study which defined the principles and structure of what would become the Oslo Accord and in January 1993 Hirschfeld led the track-two negotiations with the Palestinian leadership, and later became an official member of the Israeli negotiating team with the PLO. Dr. Hirschfeld has founded, together with Dr. Beilin the Economic Cooperation Foundation, which has served all Israeli governments and prepared strategy concepts for promoting the Israeli-Palestinian and the wider Israeli-Arab peace-finding process. Dr. Hirschfeld is a professor of Middle Eastern History, and a leading expert on Conflict Resolution and the technique of track-two negotiations.

Ms. Anat Kaufmann

Anat Kaufmann is a Project Director at the Economic Cooperation Foundation (ECF). Her work focuses on cross-border trade and Israeli-Palestinian economic ventures, as well as related policy-planning issues and non-trade barriers in the West Bank. As part of her work, Anat meets with Israeli, Palestinian and international officials and former officials on the relevant issues. Her background is in political science and development; she holds a BA (Cum Laude) in Politics from the University of London, MSc in NGOs and Development from the London School of Economics & Political Science (LSE), and has worked as a researcher for several London-based development organizations.

Dr. Ned Lazarus

Ned Lazarus is Visiting Professor of International Affairs at The George Washington University's Elliott School and an Israel Institute Teaching Fellow. A Conflict Resolution scholar, practitioner and evaluator, Ned has evaluated Israeli-Palestinian peacebuilding initiatives on behalf of USAID, USIP and the European Union; he serves as Research Director for the Alliance for Middle East Peace. Ned's research has been published in *Peace and Change*, *International Journal of Conflict Engagement and Resolution*, *Journal of Peacebuilding and Development*, *Palestine-Israel Journal*, and *Israel Studies Review*. Ned earned his doctorate from American University's School of International Service in 2011; his dissertation traces the long-term impact of peace education participation among more than 800 Israeli and

Palestinian Seeds of Peace participants from adolescence through adulthood. Before entering the academic field, Ned served as Middle East Program Director for Seeds of Peace, based in Jerusalem, from 1996-2004.

Mr. Roie Ravitzky

Roie Ravitzky is Director of the Mosaica Religious Peace Initiative, which brings together Jewish and Muslim religious leaders in an effort to find a way out of the Israeli-Palestinian conflict, while abandoning the notion that peace need be a means of secularization. An active member of various groups for social change and intercultural cooperation, Roie is a rabbinical student, a graduate student of Jewish Thought in the Hebrew University of Jerusalem and teaches in a variety of venues.

Col. (ret.) Ron Shatzberg

Col. (ret.) Shatzberg has been a Senior Advisor and part of the policy planning team at the ECF (Economic Cooperation Foundation) since 1999. In his current capacity he deals with security border regime, cross border cooperation strategies as well as Jordanian Israeli relations. In addition, Ron leads all the ECF crisis management activities. He holds a B.A in journalism and political science, and M.A in conflict resolution both at the Hebrew University. Ron is an external adviser for the International Community of the Red Cross (ICRC) on International Humanitarian Law (IHL) and Laws of Armed Conflict (LoAC) dissemination in the Israel Defense Force (IDF). In his reserve duty at the IDF, Ron is a Chief of Staff of an Infantry Brigade, ranking Colonel.

Brig. Gen. (ret.) Baruch Spiegel

Baruch Spiegel performed his compulsory military service in the reconnaissance unit of the Golani Brigade (1966-1969). He served as Chief Commander of the Golani Brigade (1988-1990). He was promoted to the rank of Brigadier General (1992), becoming the Head of the IDF Liaison Unit where he was responsible for security relations between Israeli and Arab forces, as well as with the peacekeeping forces in the region. In this capacity, Baruch Spiegel was also responsible for peace and security negotiations with Jordan leading up to the peace treaty between Israel and Jordan in 1994.

In 1995 Spiegel was appointed Deputy Coordinator of Government Activities in the West Bank and Gaza (COGAT), dealing extensively with all civil and security issues related to the Israeli-Palestinian conflict. Since then, he has been the principal consultant on all security-related issues to the S. Daniel Abraham Center for Strategic Dialogue and the Economic Cooperation Foundation (ECF). Between 2004 to November 2006 he was a special consultant to the Minister

of Defense dealing mostly with 'fabric of life', humanitarian, economic, and security issues related to Israeli Palestinian relations

Yossi Hen

Yossi Hen was born in 1948. He served in the IDF for four years.

Hen holds a Bachelor's degree in Middle Eastern History, from Haifa University (1975) and a Master's degree in Business Administration from Ben Gurion University (2000).

The subject of his Masters Degree thesis was "West Bank Barrier - Obstacle or Border" (2007).

Hen served over 30 years in the Israeli Security Agency (ISA), including senior positions, during which he dealt with topics relevant to Arabs of Israel and in Lebanon.

Hen operated, under the ECF and other frameworks, for the erection of the West Bank Barrier and the strive for a two states solution – Jewish Democratic and Arab Palestinian.

Kamal Hassan

Kamal Hassan is a Board Member at **Mitvim - The Israeli Institute for Regional Foreign Policies** and a lecturer at the Open University, and a Ph.D. candidate in Middle Eastern Studies at Tel Aviv University. His areas of expertise are: Islam, Democracy and Civil Society; think tanks, and Arab society in Israel. Mr. Hassan has a Master's in Middle Eastern Studies from Ben Gurion University and a Master's in Public Administration from the University of Haifa. In 2010, he was selected by the U.S. Embassy in Israel to participate in the Civic Education and Leadership in the Middle East Fellows Program at The Maxwell School of Citizenship and Public Affairs, Syracuse University. Mr. Hassan also teaches History and Citizenship Education in high schools, has served as a Board Member of the organization "Peace Children," was the Arab sector representative in the organization "Peace Generation," the President of the Students' Union for Higher Education in Tamra, and the Vice-President of The Western Galilee College's Students' Union.

Developing an Israeli Grand Strategy toward a Peaceful Two-State Solution

**S. Daniel Abraham Center for Strategic Dialogue
Netanya Academic College**

Tel: +972-9-860-7400 Fax: +972-9-860-7401
1 University Street, Kiriat Yitzhak Rabin, Netanya 4223587
Mail: strategic-dialogue@netanya.ac.il
Web: www.netanya.ac.il

Graphic Design and print: Merav-Dascalu publishing Ltd.

978-965-92408-5-2



**FRIEDRICH
EBERT
STIFTUNG**

ISBN 978-965-92408-5-2

