THE JAMES A. BAKER III INSTITUTE FOR PUBLIC POLICY
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WHEN YOU HAVE NOT DECIDED WHERE TO GO, NO WIND CAN TAKE YOU THERE:

A STRATEGY TO ACHIEVE A COMPREHENSIVE ISRAELI-ARAB PEACE

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A Strategy to Achieve a Comprehensive Israeli-Arab Peace

ACKNOWLEDGMENTS

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EXECUTIVE SUMMARY

The aim of this study is to influence US strategic thinking in regard to the Middle East towards the development of a strategic framework for a comprehensive Israeli-Arab peace. In doing so, this study is divided into two parts: the first part details the suggested strategic framework to achieve an Israeli-Arab peace. The proposed strategy does not seek to present a ready-made recipe for policy-making that decision-makers are expected to accept or reject in full; the intention is rather to demonstrate that a constructive peace-making process is feasible, and provide guidelines and ideas, that should assist decision-makers in Washington, Europe and in the Middle East in discussing and developing a commonly accepted working concept.

The second part discusses the historical progression of the Israeli-Arab peace process. In researching and writing this historical account, the intention was not to provide another new narrative, but rather to focus on the identification of lessons learned and draw practical policy conclusions, hoping to provide decision-makers and strategists with the necessary empirical and analytical tools, which should help to guide the discussions towards the development of a commonly accepted strategic framework.

The core of this study may be summed up, in the form of seven policy recommendations, which should be viewed in their entirety.

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Recommendation No. 1*:* Policies of the Cold War Era Have to be Adapted to New Circumstances

Since the Six Day War of June 1967, consecutive US administrations pursued engagement in the ongoing Israeli-Arab peace process. In doing so, three tendencies prevailed: first, practical peace-initiatives were left by and large to the party themselves; second, each new administration would adopt a different approach; and third, the decision to engage was, as a rule, judged not by the strategic necessity, but rather by the evaluation of whether success was feasible in the short term or not.

During the Cold War, this approach made sense. The global competition between Washington and Moscow both limited the possibilities of peace-making, as a US brokered peace threatened to diminish Soviet influence, and limited the possibilities of escalating violence, as both superpowers possessed the power and the determination to contain violence.

In a global setting of an ongoing confrontation between the "West" and militant Islam, threatening moderate and pragmatic Arab and Islamic regimes and societies, and the international community at large, the limitations of the Cold War reality do not exist anymore. Possibilities of peace-making can be now sustained by a wide coalition of global and regional

powers, but the danger of an unlimited and perpetual escalation of violence, has become far more imminent.

Accordingly, an effective peace-building strategy has become a vital necessity. Neither Israel, nor the pragmatic Arab regimes in the Middle East can face the challenge of militant Islam on their own. Therefore, any US decision, to condition US involvement in the Middle Eastern peace-making, upon its immediate chances of success, becomes essentially self-defeating. Without substantial and fully coordinated strategic support, any effort is doomed to failure.

In order to strengthen the moderate and pro-Western forces in the Arab world, substantial headway in the Israeli-Arab peace process is necessary. This, however, will not make the threat of militant radical Islam recurrent terrorism disappear. Only a common Israeli-Arab state of mind supported by the international community will make it possible to sustain stability, peace and prosperity. As it takes time to develop such, "a common Arab-Israeli state of mind," and as the confrontation with radical militant Islam will take time (as with the Cold War), a long term strategy has to be developed. As such, any US administration, elected every four to eight years, can not adopt a new approach to the Middle East each time domestic politics changes. Rather, a sound strategy of continuity is of vital importance.

Recommendation No. 2: The Need for an Endgame and a Three Stage Strategy to Get There

Studying the unfolding of the Israeli-Arab Peace Process since 1967 permits a simple observation: the beginning of negotiations necessarily creates expectations of their successful conclusion. Any breakdown of negotiations will tend to cause dangerous radicalization. What is necessary is a clear understanding of the end-game of a comprehensive Israeli-Arab Peace, and a commitment to stay on course, going through three stages: stability building; capacity building to sustain long-term change, and; concluding and sustaining peace. As such, the components of the suggested Strategic Design Framework in part one unfolding according to this staged process.

Recommendation No. 3: Suggested trade-offs

In developing a comprehensive conflict resolution approach, the concerned parties will have to accept basic trade-offs:

1. Israel will oblige itself to an agreed end-game ahead of time, and consent to a process of US bridging proposals, which if not accepted by consensus, will lead to US arbitration. In return, the Palestinians and other Arab governments must agree to pursue a staged and performance-based process, which will lead from a comprehensive stability building effort, via a process of change-oriented shifts in stage two, to the conclusion of treaties of peace, in stage three;

2. Whereas Israel will have to take risks to enable headway in the conflict resolution process under conditions of high uncertainty, the international community will have to be obliged to offer Israel guarantees regarding possible worst-case scenarios;

3. Before entering peace negotiations with Israel, Syria will be asked to make a visible and substantial stability-building contribution towards the situation in Iraq and Lebanon, and stop support for Palestinian terror organizations and war-lords. In doing so, Syria will be asked to join a united alliance in containing Iran. In return the US and Israel will have to agree to a clearly prescribed end-game;

4. A common effort to contain Iran will provide America's Arab and Muslim allies with a sense of security against Iranian provocations. As part of the same effort, they will be invited to become involved in a collective global-regional effort in Israeli-Palestinian stability building. In stage two, through the renewal of the Madrid Process, they will be asked to participate pro-actively in a continuing common peace-building effort.

Recommendation No. 4: Suggested Preparatory Steps

In the preparatory stage, US policy planners will have to prepare the conceptual approach and coordinate the proposed approach to achieve a comprehensive Israeli-Arab peace, with other arenas of America's foreign policy. Part of developing a detailed strategy approach will have to be built on intense consultations particularly with the Government of Israel, PA President Abu Mazen, and the Government of Lebanon. We also recommend restructuring the American Middle East team through the nomination of an American Peace Envoy, who will be given the authority to direct the work of the US embassy, consulate and US agencies in the region (including the CIA, USAID), who will all work under their guidance.

Getting Everybody on Board:

In order to mobilize international and regional support we suggest passing a new UN SC resolution that should refer to resolution 1515, committing all parties to Roadmap implementation. The new resolution should create the framework for an enlarged Roadmap towards a comprehensive Israeli-Arab Peace, drawing upon the guidelines laid down in the Camp David Accords of 1978. Stage one will be dedicated to stability building; stage two will aim at creating the sustainability of peace as an important pre-condition to permit all the concerned parties to move, in stage three, towards concluding peace and fully implementing it. Reference will have to be made to the suggested mode of progress, offering time-awards for non-violence and the prolongation of the process, in case violence occurs, in order to be able to put an end to violence, already during the first stage.

The UN SC resolution should assist US diplomacy to build a strong managerial support structure, which should be based on three different complementary layers. In order to create a wide supportive coalition for implementation, the Quartet should be employed to offer the necessary political support. It is also suggested that each of the Quartet members, the EU, Russia and the UN, follow the American example, and nominate a Peace Envoy to the Middle East. Under the leadership of the US Peace Envoy, the other Quartet members should be involved on a daily basis to support the envisaged conflict management and resolution approach.

Complementary to the Quartet, international organizations, the UN, OECD, NATO, the G8, the World Bank and the IMF, should be actively involved in providing necessary support, in case of positive progress, as well as under conditions of possible bad case scenarios.

Finally, a regional Consultative Support Group, composed of representatives from Turkey, Egypt, Jordan, and Saudi Arabia should be involved, particularly in the effort of stability building in Lebanon. In regard to the Israeli-Palestinian question, the US Peace Envoy should discuss in depth the Arab Peace Initiative with Saudi Arabia, Egypt and Jordan, identify common ground, encourage a confidential dialogue between these states and Israel, in order to turn introduce confidence building measures into the Arab Peace Initiative.

Recommendation No. 5: Introducing a Stability Building Program

In terms of practical policies, it is suggested that a major effort will be made to achieve a Palestinian-Israeli cease-fire that has to be fully coordinated, but not necessarily concluded with a bilateral cease-fire agreement; similar policies are suggested to stabilize the Israeli-Lebanese cease-fire, and prevent Hizbollah from provoking renewed violence.

In a wider stability building effort, the following approach is suggested:

- To strengthen the governments of Lebanon, the PA (to be led by a National Unity Government), and Syria in order to enable them to create a wide as possible coalition for stability building;
- To develop between Israel and President Abbas understandings in principle that relate to a commonly accepted political horizon, aiming to end occupation;
- To agree on negotiating an, "end of occupation" in the Gaza Strip, including improving movement from Gaza via Israel to the West Bank, and connecting the Gaza Strip and the West Bank more effectively with its Arab neighbors, Egypt and Jordan;
- To develop capacities of the security apparatuses of each government to maintain order and prevent any violent action of non-state actors;
- To assist to developing security coordination between Israeli and Palestinian security forces, necessary to enable the movement of people, services and goods;
- International support for border management between Gaza, the West Bank and Israel, and between Israel and Lebanon;
- To create the necessary conditions for economic rehabilitation, growth and development.

Recommendation No. 6: Recreating the Madrid Process

The renewal of the Madrid Process should not stand alone, but should be an integral part of the wider Strategic Design Framework. It will also be necessary to adapt the Madrid Process to changing realities and agree on new rules of engagement. Whereas the original Madrid Process was open-ended and failed to reach progress, seemingly without any consequences to the concerned parties, the proposed strategy will lead under agreed conditions to an endgame, which will have to be negotiated on the basis of clear guidelines, known to each party, ahead of time. In

case of non-agreement, the participants in the Madrid Process will be obliged to consider US bridging proposals, and if this should not lead to agreement, commit US arbitration ahead of time. Accordingly, participation in a new conference will necessitate participants to fully accept the proposed strategy design, the prescriptions of the suggested UN SC resolution and similarly important, have implemented its stability building obligations.

Moreover, a new approach is necessary regarding multilateral negotiations, as some of the solutions of outstanding issues, will have to be reached through multilateral understandings. Seeking to achieve a viable Palestinian state, to live in peaceful relations with Israel, will necessitate creating multilateral solutions regarding security, economic development and political understandings. To do so, we suggest organizing negotiations in the Israeli-Palestinian arena in seven different clusters:

- The First Cluster will deal with the territorial and settlement issues on an exclusively bilateral basis; it will also deal with issues of security coordination and providing for a smooth and mutually profitable transfer of assets. In this context we suggest two alternative negotiation approaches, to be tested with the concerned parties:

    Option Number One: To negotiate an Israeli withdrawal and settlement evacuation from 87% of the West Bank territory and a commensurate building of the infrastructure of a Palestinian state, leaving negotiations for regarding permanent borders, including territorial swaps, to the third phase;

    Option Number Two: To negotiate immediately the final territorial agreement between Israel and the PA, and deal with the residual issues regarding Jerusalem and Refugees in the third phase.

    It is our working assumption, that an understanding on the territorial issue, will create the necessary pre-conditions to deal in a more effective and decisive manner with the security issue. Having made it evident that an "end of occupation" is in the making, it will be possible and necessary to build a comprehensive security structure.

- The Second Cluster, will deal with state-to-state relations, including:

    - A dialogue between the PA and NATO to develop a Palestinian National Security Doctrine, complimentary to Israel's;
    - A dialogue between Israel and NATO to develop a parallel approach, as well as other understandings that should relate to possible other security threats against Israel;
    - Two trilateral negotiating channels to establish two parallel and complementary Israeli-Palestinian-Egyptian and Israeli-Palestinian-Jordanian security regimes. The same trilateral channels will deal with economic issues, and aim to decrease Palestinian economic dependence upon Israel and replace it by a more equal interdependent regional relationship;
    - A bilateral Israeli-Palestinian negotiating channel will conclude an up-dated Israeli-Palestinian Trade Agreement; and

- A multilateral negotiating structure between the Palestinians and the donor community to develop a framework for a Ten Year Economic Development Plan for Palestine;

- The Third Cluster, will deal with Jerusalem, seeking to: Achieve agreement on the establishment of a Palestinian municipality of al-Quds; negotiate a 10 year development plan for the Greater Metropolitan Area of Jerusalem; create security coordination for Jerusalem, and; oversee in an agreed and coordinated manner, freedom of worship for Christians, Jews and Muslims in their respective holy places;

- The Fourth Cluster, shall deal with the refugee issues, and shall enable the Palestinians to prepare in cooperation with the international community a comprehensive program for poverty alleviation in the West Bank and Gaza that shall enable the PA to take full control over the Palestinian refugee community and start a process of rehabilitation;

- The Fifth Cluster will prepare for stage three and will provide for a trilateral US-Israeli-Palestinian negotiating setting.

In the Israeli-Syrian arena, Syrian compliance to the stability building demands of phase one, should enable a continuation of negotiations were they stopped, and hence prepare the way for the conclusion of an Israeli-Syrian Treaty of Peace. Parallel hereto, Israeli-Lebanese peace negotiations should be launched within the renewed Madrid Process framework; permitting an agreement in both negotiating channels at about the same time.

Seeking to counter-act al-Qaeda terrorism and Iranian aspirations for regional hegemony, the multilateral negotiations should be planned in a more extensive manner, as has been the case, in the early 1990's. Here, a number of multilateral working groups should be established, according to geographical areas:

- The US and the EU should form a joint working group with the Arab Gulf states to monitor Iranian security and economic infiltration of the Arab Gulf area and develop coordinated counter-measures;
- A multilateral working group, including the G 8 powers, all Arab Gulf States, should study possibilities to economically connect the Arab Gulf area with the south eastern coast of the Mediterranean and reach understandings with Jordan, the PA, Israel and Egypt;
- A similar multilateral working group should coordinate intelligence work to counteract al-Qaeda or Iranian financed terrorism;
- Trilateral Jordanian-Palestinian-Israeli and Egyptian-Palestinian-Israeli understandings should be discussed in wider regional multilateral negotiating groups in order to achieve common regional development approaches.

Recommendation No. 7: Preparing to Conclude and Sustain a Comprehensive Israeli-Arab Peace

The aim of the suggested US strategy approach from the very beginning has to be the achievement and sustainability of a comprehensive Israeli-Arab Peace. It is important to understand that this is a long-term strategy and will not be achieved in one, and not even in two presidential terms. Accordingly, the sequence of headway will have to be dealt with in a flexible manner. Looking at the issues of substance it would make sense to assume, that the conclusion of an Israeli-Syrian and an Israeli-Lebanese Treaty of Peace, will pre-date, the conclusion of an Israeli-Palestinian Permanent Status and Peace Agreement. Yet, US policy-makers should also be open to support a reverse order.

In order to conclude and sustain a comprehensive Israeli-Arab Peace, in fulfillment of the spirit of the Camp David Accords of September 17, 1978, it is important to pursue two further aims:

First, the conclusion of Peace Agreements between Israel and Palestine, Israel and Syria and Israel and Lebanon, will have to be followed up by the conclusion of Friendship Treaties between Israel and all Arab states.

Second, it is important to note, that the task of the Strategic Design Framework will not have come to an end by the act of signing those agreements. The challenge will be to create an effective construct to oversee its implementation.

INTRODUCTION

When I become a Fellow at the *James A. Baker III Institute for Public Policy* in the summer of 2005, I was given the assignment to prepare two inter-dependent studies: A historical review of the Oslo Process, with an emphasis on lessons learned, and a political review of strategic options to achieve headway towards the conclusion of an Israeli-Palestinian Peace Treaty.

The idea was to put the peace process into its historical context, and draw practical policy conclusions, that would serve policy and decision makers in the United States, Israel and the Palestinian territories.

The time chosen to pursue these two studies appeared to be very appropriate.

Looking then at the Oslo process, twelve years had passed since September 13 1993 and the signing of the Israeli-PLO Declaration of Principles on the White House Lawn. For a historian, the historical perspective may not have been long enough, but for analytical purposes, enough time had passed, allowing one to draw analytical lessons from the experience.

The study of strategic options aimed at achieving headway in the Israeli-Palestinian peace process, appeared to be extremely relevant. Israel's disengagement from the Gaza Strip and areas of the northern West Bank, offered a sense of optimism and hope. In Israel, a conceptual sea change in political thinking was taking place. Whereas during the 1980's and 1990's, Israeli settlement activities in the occupied territories were seen as an asset, by 2000, the Israeli body politic and a majority of the population were beginning to see most settlements more and more as a liability. In other words, geographic concerns with strategic depth were being outweighed during the time of Prime Minister Sharon's leadership by demographic concerns of losing a Jewish majority and maintaining Israel as a Jewish and democratic state.

In line herewith, it was expected that disengagement, having brought about the evacuation of 25 settlements, would be followed by a similar, even bigger move towards the evacuation of settlements from further West Bank territories. As a matter of fact, Knesset elections in March 2006, proved this expectation to be accurate, as a center-left wing government was voted into power, which declared to the Israeli electorate in advance, that it intended to relocate roughly 60,000 settlers from the West Bank, in what was called, "The Convergence Plan," and later changed to, "The Realignment Plan."

At first sight, Israel's intention to withdrawal not only from the Gaza Strip, but from large areas of the West Bank, fitted, like hand in glove, the provisions of the Roadmap for Israeli-Palestinian Peace, that the United States had developed in conjunction with the Quartet on the basis of President Bush's vision for Israeli-Palestinian peace, announced in June 2002. The Roadmap related to the need to establish, in the second phase of its three phased process, a Palestinian State with Provisional Borders (PSPB). Hence an Israeli inspired withdrawal including settlement evacuations, leaving about 90% of West Bank territory exclusively to Palestinian control, would in effect, lead towards the establishment of a PSPB.

The challenge of the study was to put all of this into a political framework that could be led by the United States and agreed upon by Israel, the PA and the international community at large.

At that time, it also appeared possible to obtain full Palestinian support for a common endeavor of peace-building. As co-founder and General-Director of the ECF (Economic Cooperation Foundation), a small Israeli non-governmental organization, my organization and I had been involved, on a track two basis, in three activities which gave us hope.

Behind the scenes, we prepared a plan for Israeli-Palestinian security coordination before and during Israel's disengagement. We contracted an Israeli security expert, who prepared a paper detailing what would be necessary for security coordination to work. We ourselves had many discussions with Israeli and Palestinian counterparts, before we asked former Israeli Chief of Staff, Lieutenant-General Amnon Lipkin Shachak (1995-1998), to step in and convince (his former sub-ordinate) Israeli Minister of Defense, Shaul Mofaz, the Palestinian Minister of Internal Affairs, Nasr Yussuf, and President Abu Mazen to pursue a common approach. As a matter of fact, the concept was successfully taken over by government actors, and security coordination worked relatively well, until law and order broke down in Gaza, following the assassination of former head of Military Intelligence and the National Security forces in Gaza, Musa Arafat, (most likely by rival security forces) on September 7th.

Also behind the scenes, we prepared for an orderly transfer of the Gaza settlers' greenhouses to the PA. With the considerable help of the Quartet's Special Economic Envoy, James Wolfensohn, who raised $14,000,000 from private Jewish donors making the transfer possible, the provision of the greenhouses to the Palestinians saved thousands of Palestinian work places and created the potential for additional employment opportunities.

Under the auspices of the Baker Institute and in cooperation with the ECF, we organized a quadrilateral meeting in Sharm el-Sheikh in mid September 2005, hosting senior delegations from the US, Egypt, the PA and Israel. This meeting focused on issues of common interest, covering political, security and economic ground, creating the sense that serious headway in the Israeli-Palestinian peace process was feasible.

However, matters turned from good to bad and from bad to worse. Whereas a sense of optimism in the Palestinian territories was reflected during spring and summer of 2005, by a steady rise of the value of shares on the Palestinian stock exchange, the break down of law and order in Gaza, after September 2005, had a significantly negative effect on the Palestinian economy, security apparatus and political system, creating a self-perpetuating sense of increasing pessimism.

On January 25, 2006, the Hamas movement, which denies the State of Israel's right of existence, and does not recognize agreements signed between Israel and the PA, won the elections to the Palestinian Legislative Council with an absolute majority, leading to the formation of a Hamas controlled PA Government. Since then, an open confrontation between the Hamas government, on one side, the Government of Israel (GoI), the US and the other Quartet powers on the other side, has dominated the political scene and led to violence, a complete stagnation of any political process and the growing pauperization of the Palestinian population, leading eventually to the breakdown of any remnant of government and law and order. Violence increased with the

launching of rockets from Gaza into southern Israel, and on June 25, Hamas participated in a raid on an Israeli post at the Kerem Shalom crossing in southern Gaza, leading to the kidnapping of Israeli soldier, Gilad Shalit.

However the worse was yet to come: on July 12, the Lebanese Hizbollah kidnapped two Israeli soldiers and killed eight, all on sovereign Israeli territory, unleashing a war and causing tremendous damage to Lebanese and Israeli civilian populations. Worst, Iranian public announcements calling for the need to wipe Israel off the map, the offering of Iranian arms, training and financial support to Lebanese and Palestinian terror organizations, the supply of rockets to the Hizbollah with a capacity of reaching nearly all of Israel's major population centers, and the build up of an Iranian nuclear capacity—in spite of international opposition— has created a threat-level of unprecedented intensity.

Under these circumstances sticking to the original assignment did not seem to make sense. Hence, the decision was taken to expand the scope of the two studies: instead of studying the historical lessons that could be learned from the Oslo process, it made sense to look at the wider process of Israeli-Arab peace-making, its ups and downs, its successes and its failures, since 1967, attempting to understand the political processes at work and draw lessons from this experience. Instead of looking at the narrower spectrum of Israeli-Palestinian peace making, it made sense to look at the wider spectrum of Israeli-Arab relations.

Whereas at the beginning of this study there was a clear sense of optimism, at the time this study is being presented, January 2007, a sense of pessimism clearly overshadows the Middle East, and by and large, the relationship between the United States and the Middle East.

Paradoxically enough, I am convinced that the sense of pessimism, has made this study more relevant and more timely. In times of hardship, the need to lean back and review the entire historical process, and not simply the events of the day, becomes more urgent, and may offer insights that should be useful and relevant not only to decision-makers, but similarly to any interested reader. Possibly even more important, it should be understood, that as a rule, peace is not concluded out of hope, but rather out of fear. The need for high-intensity investment and involvement of a super-power, like the United States, increases, when the threat of non-involvement is perceived as overwhelming.

The finding of this study is that the threat now is indeed overwhelming. Business as usual may lead to disastrous results, which appear to be close to certain (Although, it should be stated, that the time factor is hardly predictable). Worse, if threats are sensed to be imminent, and the situation does not rapidly deteriorate, human nature tends to believe that the threat has subsided, and no specific action appears necessary. This probably is the most dangerous of moments.

The purpose of this study is to provoke a serious discussion among policy-makers, strategists and analysts, in order to deal effectively and rationally with the emerging situation.

The Structure of the Paper

The aim of this study is to influence US strategic thinking in regard to the Middle East. In the first part of this study, a strategic framework to achieve a comprehensive Israeli-Arab peace, is being laid out in both a descriptive and prescriptive manner. The second part of the study offers an analytical historical review of the ups and downs of the peace process and relates to lessons learned. From the point of view of an historian, the order of matters would have been the other way round. The study of lessons learned from history provides not only a better understanding of the opportunities, difficulties and threats inherent in the political process of peace finding, but actually assists to define guidelines of what and how an effective policy can be planned and implemented.

After some colleagues and friends read the original manuscript, it became apparent that all attention was being focused on the historical account and not on the strategy proposal. As the intention of this study is to focus the attention of the reader on the strategy proposal, rather than on the historical account , the decision has been taken to place the strategic concept at the beginning as part one, and permit the reader, interested in a more historical approach, to direct his attention also to part two.

The strategy framework, as well as the historical review, are both set in the context of America's war on terror, and the wider confrontation with militant radical Islam.

Although this wider context is not left out of sight, this study is focused on dealing exclusively with the past, present and future problems and dilemmas of the Israeli-Arab peace making process. The Strategy Design Framework suggested relates to the need for, and the endeavor to promote, a comprehensive Israeli-Arab Peace Process. It does not deal with other aspects that will have to be dealt with in a Grand Strategy Design for America's war on terror. In the entire study there is almost no mentioning of Iraq, it does not relate to the need to develop a politically more cost-effective energy policy which would diminish America's and other power's exposure to militant Islamic blackmail and it has also not related to the need to develop more effective public diplomacy in fighting the war on terror.

However, I have attempted to discuss the inter-relationship between the struggle for a comprehensive Israeli-Arab Peace and the war on terror. My understanding of the historical process that unfolded since 1967, indicates that the basic confrontation, determining world history, is a struggle between Arab pragmatism, led in the 1970's by President Sadat, and Islamic militant fundamentalism, which was led at about the same time by Ayatollah Khomeini of Iran. In essence those leaders, their ideas and their followers, have been and are the prime movers of this struggle, moving the ship of history in one or the other direction. President Sadat laid the foundations for a comprehensive Israeli-Arab Peace, not because of love of Israel, but because it was a pre-condition to open-up, or connect with the West, and permit Egypt and the entire Middle East to become part of the, "global village." Ayatollah Khomeini, his successors, and other Islamic militant fundamentalists opposed Western ideas and values, viewing them as a threat to traditional Islamic society, and are fighting against those ideas and values. Not

necessarily out of hate against Israel, but hoping to mobilize Arabs and Muslims against the West, Israel has become a central target.

At first sight, the logic deriving from this argument, is and would be, to make an attempt to conclude a comprehensive Israeli-Arab peace process, and take Arab-Israeli enmity out of the equation, in a massive regional stability building effort.

On second sight, however, permitting the US to enforce, or encourage the Israeli government to agree to withdraw from territories occupied, in the face of terror and violence, might only encourage further extremism, as Israel's unilateral withdrawal from Lebanon in May 2000 and from Gaza and areas of the northern West Bank in September 2005, seems to indicate, empirically is indeed the case.

Thus, this study deals with this dilemma, and makes an effort to come up with a workable answer, which is by and large based on four premises:

- *First*, the process towards a comprehensive Israeli-Arab Peace has to be renewed and continued until peace between Israel and all its neighbors has been concluded;

- *Second*, no serious negotiation process is possible without a detailed effort of prior stability building;

- *Third*, in order to move from stability building to the conclusion of peace, causes of hostility have to be dealt with in creating, "change-oriented shifts," laying the foundations for the sustainability of peace;

- *Fourth*, a tightly managed, Strategic Design Framework, where the end-game is clear from the beginning, is needed to permit the parties to move through these conflict-management and conflict resolution processes.

This is what this study is all about.

The Methodological Approach

It appears that some more remarks on the methodology applied would be of assistance.
In preparing the strategic framework my instinctive approach as a historian is to study first the historical background and attempt to learn appropriate lessons. I have studied in depth the existing historical secondary literature, and I have – partly due to studies carried out earlier by me – consulted the archives of Israel's left-wing parties, the Israeli Labor Party, Mapam and Ahduth Ahavoda. I have used these materials very sparsely, but they have given me important insights, regarding the earlier days of the peace process, mainly between 1967 and 1978. I have relied on secondary literature regarding negotiation theory, and studies regarding peace-making, peace-building and peace-enforcement, as well as on third party involvement.

Another source influencing my historical account is to be found in my private archive, which includes various documents regarding the unfolding of the Israeli-Palestinian dialogue, since the early 1980's. My personal involvement in this dialogue dates back to 1979, when following a dialogue between Austria's Chancellor, Bruno Kreisky and myself, the idea emerged to offer economic assistance to the Palestinians of the West Bank and the Gaza Strip. Although my early attempts at such endeavors failed, the basic ideas appealed to Shimon Peres, who then was chairman of the Labor Party, and to Yossi Beilin, who then was his right-hand man. I was asked to organize for Peres confidential talks with Palestinian leaders from 1982 onwards, which eventually permitted me to start the Oslo negotiations in January 1993, and remain part of the official team, until the conclusion of the Israeli-PL0 Declaration of Principles in September 1993. Since, then, I have remained in steady contact with senior and other Palestinian policy makers, and minutes of meetings stemming from these periods have been used for this study.

Regarding the preparation of the strategic framework, I have relied largely on project work that has been carried out by the Economic Cooperation Foundation. This work is based on a steady dialogue with three major groups: representatives from Israel's government authorities, members of the international community involved in the area, and Palestinian, Jordanian and Egyptian interlocutors. This dialogue has been based on the attempt to identify key issues and goals, common ground, diverging interests, and repeated attempts to test various suggestions for possible solutions. This is essentially dynamic, where the process of analysis, dialogue and concept development are constantly evolving according to the chart below.

ECF concept development

Presentation and promotion of ideas

Outside feedback and input

ECF evaluation and refinement of concepts
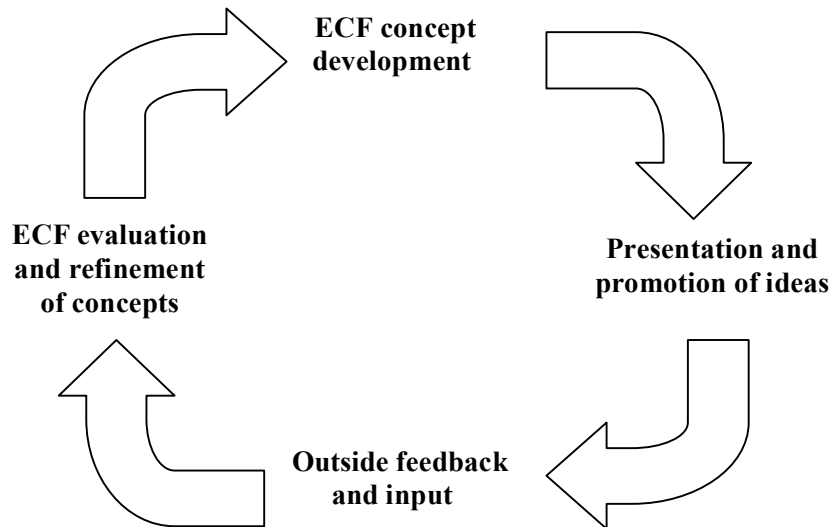
Having gone through this process, the details outlined in suggesting practical strategic work items, are not simple, writing desk ideas, but are concepts that have been largely and widely tested, with concerned actors.

Whereas I have drawn on the work of many people, and consulted with many others, the responsibility for what is being said, for all possible mistakes, and other shortcomings, lies exclusively with me.

PART ONE: DEVELOPING A STRATEGY TO ACHIEVE A COMPREHENSIVE ISRAELI-ARAB PEACE

Since the Six Day War of June 1967, consecutive US administrations pursued engagement in the ongoing Israeli-Arab peace process. In doing so, three tendencies prevailed: first, as a rule, practical peace-initiatives were left by and large to the parties themselves; second, each new administration would adopt a different approach; and third, the decision to engage was as a rule, judged, not by strategic necessity, but rather by the evaluation of whether success was feasible in the short term, or not.

Looking back at the experience of the last forty years in a global setting, when the Cold War dictated policies, this approach made sense. The global competition between Washington and Moscow did both: it limited the possibilities of peace-making on the one hand, as a US brokered peace threatened to diminish Soviet influence; however, on the other hand, it also limited the possibilities of escalation of violence, as both superpowers possessed the power and the determination to contain violence.

In a global setting of an ongoing confrontation between the "West" and militant Islam, threatening moderate and pragmatic Arab and Islamic regimes and societies, and the international community at large, the limitations of the Cold War reality do not exist anymore. Possibilities of peace-making can be now sustained by a wide coalition of global and regional powers, but the danger of an unlimited escalation of violence, has become far more imminent. Under these circumstances, "new wine in old bottles" is not good enough. An effective peace-building strategy has become a vital necessity in an increasingly complex world. To believe that the onus of peace-making can be put on the shoulders of the concerned parties is to vastly underestimate the challenge. Neither Israel, nor the pragmatic Arab regimes in the Middle East can face the challenge of militant Islam on their own. Therefore, any US decision, to condition US involvement in Middle Eastern peace-making, upon its immediate chances for success, becomes in essence, self-defeating. Without substantial and fully coordinated strategic support, any effort is doomed to failure. Israeli-Arab peace-making is linked to the global war on terror and the struggle with militant Islam. A US administration, elected every four to eight years, can not adopt a new approach to the Middle East each time domestic politics changes. Rather, a sound strategy of continuity is of vital importance.

A historical review of the last forty years, and the resulting analytical understanding of the present situation, offers insight, regarding other limitations for possible US policies (see part two: Historical Setting). An all-out war against militant Islam, would most likely mobilize substantial numbers of the world's one billion Muslims against the United States and the West and would lay the foundations for more terror and a later war. In contrast, multilateral military intervention, in peace-enforcing missions, connected to efforts of reconstruction and peace-building, may well be necessary.

Similarly problematic would be a policy of coercive diplomacy, in imposing a ready-made peace agreement on either side. The experience made by the Clinton administration in the

summer of 2000, clearly shows, that policies imposed upon the Palestinians, do not last, and tend to provoke an outbreak of violence. Imposing a peace agreement on Israel, would be read in the Arab and Islamic world, as US (and/or Israeli) giving in to threats of violence and would provoke further violence down the road.

The Need to Identify an Innovative Approach

History is not only made by leaders and by various political, social, economic and cultural processes, but similarly by converging or diverging national interests of different actors; by the impact on internal policies on foreign policy making, and by the diverging interests of various government and non-government institutions, on policy making. Diverging interests, varying policy motivations and conflicting tasks of various governmental institutions and actors, will make it a very difficult task, to create a coherent strategy over a sustained period of time.

However, exactly such a coherent strategy, led by the United States and supported by a wide coalition of global and regional actors over a sustained period of time will be necessary.

1. Ten Questions to be asked in the Effort toward Strategy Development

Developing an effective strategy is no small challenge in any context; attempting to develop a strategy for peace in the Middle East with all its complexities and the heavy historical baggage all concerned parties have to carry, is a challenge of major dimensions. B.H. Liddell Hart, one of the most important military theoreticians of the 20th century, argued that any successful strategy depended on, first and foremost, a sound calculation and coordination of the ends and the means, adding, "the better your strategy, the easier you will gain the upper hand, and the less it will cost you," and concluded that the direction of any strategy was a cognitive process.[1] Any strategy development would have to proceed through three stages: first its conception; second, developing a supportive coalition to create additional means and actors to the conceived purpose; and third, seeing it through with all coalition partners on board, in a fully coordinated and disciplined manner, in spite of all the difficulties that may emerge on the way.

As strategy development and implementation is in essence a cognitive exercise, it demands a focused and disciplined thinking process which would include the capability to ask accurate and relevant questions at each stage of strategy development. At the early stage of conceptualizing the strategy, I suggest asking the following four questions:

- *Question Number One*, has to relate to the core purpose or the essence of what has to be achieved (we shall discuss the suggested answer under the heading: 'The Great Divide,' which in simpler terms has been titled, 'The War on Terror,' however, we shall attempt to add a somewhat more complex understanding of the issues involved);

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[1] Liddell Hart, *Strategy* (New York: Plume, 1991), 322 & 356.

- *Question Number Two*, will ask, how, conceptually, to create the most comprehensive coalition for the suggested US strategy;

- *Question Number Three*, will again, in the conceptual sphere, question what has been called in the literature of negotiations, the target points, or the primary stages needed to develop the strategy[2];

- *Question Number four*, will ask how to create a "strategic design framework" which will provide a short, medium, and long term approach, for strategy implementation.[3]

The subsequent two questions deal with the challenge of getting each and every partner of the envisaged coalition on board. As achieving this demands a time-consuming effort at the most senior echelons of the US government, the likelihood of success of such an American diplomatic effort has to be evaluated ahead of time. Accordingly:

- *Question Number Five*, will test the issue of timing: how urgent is it for potential partners of the US to join in, and of course, how urgent is it to confront America's opponents;

- *Question Number Six*, examines how, within the United States, an agreed bi-partisan, long-term approach can be agreed upon and carried through, under conditions that can continue to be implemented even under a new administration (which will come to power in January 2009).

The remaining questions relate to the implementation of the proposed strategy:

- *Question Number Seven*, asks how to create the necessary conditions of stability, to permit initial progress and prevent coalition partners from being pulled away by opponents;

- *Question Number Eight*, investigates how to break cohesion among your opponents, and rally former enemies to your side;

- *Question Number Nine*, asks how to prepare for the sustainability of peace-making and;

- *Question Number Ten*, asks how to conclude, implement and sustain the peace.

2. Developing the Strategic Concept

2.1. The "Great Divide," or, "What it is all About"

The United States today leads a wide global and regional (Middle Eastern) coalition of states and societies committed to pursuing stability, prosperity and peace, democracy, human and

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[2] For the term, 'Target Points,' see: Leigh L. Thompson, *The Mind and Heart of the Negotiator* (third edition). (New Jersey: Pearson Education, Inc., 2005), 14-15.
[3] Lederach, "Civil Society and Reconciliation," p. 845.

constitutional rights, within an all-inclusive international order which spans and connects peoples and continents. Additionally, this all takes place within a world which is rapidly turning into one, "global village," were mutual dependencies create mutual bonds and commitments.

In Part Two, the section, "The Wider Conflict," we shall describe how this concept of a modern, inter-dependent global society is by no means shared by everybody. Islamic militant radicalism, denying the international order as it exists, intend to challenge this structure and fight it with all means available, including a time-sustained effort at global violence. This position is justified by construing the modern world as a threat to their own traditional society, values and culture, and decrying Western states and societies as illegal intruders into the Middle East. Based on traditional Islamic doctrine, the world is divided into two areas: *Dar al-Islam*, the area of Islam, and *Dar al-Harb*, the area of war. The potential capability of uniting the world's one billion Muslims under their banner of radicalism has turned militant Islam into a major global threat. Besides threatening the entire, "global village" in Asia, Europe, the Americas and Australia, militant radical Islam views pragmatist Arabs, Islamic regimes and moderate political Islamists who want to maintain their own politically, culturally and socially distinct identities in a global world which aspires to combine mutual dependence and connectedness of each community and nation, as an internal enemy.

The, "War on Terror," as it is called in simplified terms, or the confrontation with militant radical Islam, cannot be avoided. However, it can be managed in a sophisticated and cost-effective manner: *Working to achieve a just solution to the Arab-Israeli conflict in all its components though the proposed strategy for peace in the Middle East is a pivotal and important component in this struggle.* This will deny the radical Islamists one of the most common and pervasive pretexts/excuses to rally the world's Muslims to their cause.

2.2. The "Unifying Function" of al-Qaeda and Iran: The Common Quest for a Policy of Isolating al-Qaeda and Containing Iran

In seeking the most cost-effective way to combine US aims and means, the US must test potential partners that can be brought on board. In the struggle against radical militant Islam it is not a too complicated challenge to rally a wide-based supportive coalition. By and large, the enemy does the job in uniting a wide global and Middle Eastern coalition in support of the suggested US strategy. Almost like the Soviet Union created in the late 1940's and the 1950's a common unity of purpose between the United States, all Western European nations, Turkey, Iran (at that time), Japan, Canada, Australia and New Zealand, today al-Qaeda and Iran have potentially a similar unifying function, even if they do not intend to do so.

Al-Qaeda terrorism has threatened the entire globe: from the Pentagon in Washington; the World Trade Center in New York; commuter trains in Madrid; public transportation in London; night clubs in Bali, Indonesia; residential areas and oil refineries in Saudi Arabia; tourist centers in Egypt; hotels and tourist sites in Jordan and; public squares and buildings in Turkey. Whereas the US military struggle against al-Qaeda to date has only produced limited results due to substantial popular support from within Islamic societies, a supportive political

strategy to isolate al-Qaeda will be able to count on a wide range of state support, particularly from Arab and Islamic nations.

More complex, threatening and demanding is the need to confront Iran. Yet, also here, the potential coalition interested in containing Iran (similar to the way the Soviet Union was contained), is very broad. Of all nations in the Middle East, Saudi Arabia and the Arab Gulf States are extremely concerned about the growing military, political and economic power of Iran, and fear Tehran's aspirations to achieve regional hegemony. Egypt, Jordan, and Turkey similarly fear Iranian expansionism.[4] Israel has probably the most to fear from an Iranian regime, who, in a genocidal manner, combines the verbal demand to wipe Israel off the map, supports terrorism against Israeli targets aimed at provoking military response that can help mobilize the Muslim public opinion behind Iranian leadership, and prepares for further escalation through the build up of arms and rockets and the development of nuclear capacities. As a matter of fact, the entire world has to fear Iran's aggressive posture. Whereas no power wants an all-out war with Iran, the policy of effective containment is a commonly felt global and regional necessity.

2.3. The Necessary Stages, or Target Points, in Containing Iran and Isolating al-Qaeda

Containing Iran will have, by necessity, to be carried out in four stages:

a. The first stage has to be, from a political point of view, defensive: The global US coalition has to diminish, as far as possible, Iran's capability to exploit the Israeli-Palestinian conflict and possible Israeli-Lebanese friction in Tehran's drive to establish regional hegemony. This will necessitate, as shall be described below in more detail, a comprehensive effort in Israeli-Palestinian stability building and a parallel international and regional effort to strengthen the Lebanese government and fully implement Security Council Resolutions 1559 and 1701.

In theoretical terms, this stage will aim at stabilizing the global and regional coalition necessary for the proposed US comprehensive strategy for peace in the Middle East. Evidently in pursuing this goal, the United States, and the global community at large, will have to be careful to take care of Israeli, Palestinian and Lebanese needs, fears and internal limitations, as otherwise, a necessary but fragile coalition will not be able to remain united.

b. The second stage will aim at driving a wedge into the Iranian led coalition of militancy and radicalism. Or in other words, it will aim to win Syria over to the peace front. There is a common interest of the global community and all the above regional powers, including Israel and the various Arab regimes, to cut Syria out of what King Abdullah has

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[4] khsan Al- Trabulsi, "Iran akhtar a'layna min israi'l," ("Iran is more dangers for us then Israel") [Arabic], 18 December 2004, http://www.elaph.com/ElaphWriter/2004/12/28337.htm

coined, "the Shi'ite Crescent." [5] This, however, will have to be done with no illusions about the difficulty of the envisaged task. The regional powers, Saudi Arabia before all the others, Turkey, Egypt, Jordan, and the Arab Gulf States, as well as Israel, understand perfectly well, that the Syrian regime will make a major effort, "to have their cake and eat it too," i.e. force Israel into a negotiating move where the end is clear from the start, while maintaining throughout the process all the existing connections with Iran and Hizbollah, keep weapons of mass destruction and their capability to finance and support terror groups.

Whereas the power of a wide Arab and Turkish coalition to influence Damascus constructively should not be under-estimated, it will not be enough to convince the Syrian leadership to turn their back on Tehran. A well conceived US-Syrian dialogue, that will have to be seconded by regional inputs, will need to be pursued. In developing a necessary carrot-and-stick strategy, it must be evident that, on one hand, enticements to move ahead are serious and credible, and on the other hand, confrontational policies are supported by the entire global and regional coalition, and carried out with full discipline in order to make it clear to Damascus that the price for a continuing double-game policy will be very high. [6]

c. The third stage, will aim at recreating the institutional structure for a comprehensive peace strategy for the Middle East that will permit Israel to negotiate peace with the PLO, with Syria and with Lebanon under stable conditions. Simultaneously during this stage, the sustainability of possible peace agreements shall be prepared in each area, whereas at the same time, multilateral negotiations for a secure, stable, and prosperous Middle East shall create practical progress towards regional understandings, coordination and cooperation.

d. The forth stage, will aim at concluding peace agreements, which will likely proceed, first between Israel and Syria, then Israel and Lebanon, and finally Israel and Palestine; combined with concerted efforts at implementing those agreements.

3. How to Create a "Strategic Design Framework"

The above outlined four stages approach is essentially conceptual and does not define practical time spans. As a matter of fact, some of the stages may overlap in one form or the other, largely dependent on the cohesion and discipline of the supportive coalition the US will succeed to mobilize, as well as the willingness of Syria to make a clear decision in favor of peace-making, and give up any attempt to play it's double game.

However, it will have to be understood, by US strategy planners, that the craftsmanship of peace making, particularly in solving protracted conflicts, is an effort that takes a

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[5] Robin Wright and Peter Baker, *Washington Post*, "Iraq, Jordan see Threat to Election from Iran," 8 December 2004.
[6] Author's interview with Turkish Ambassador to Israel, 31 August, 2006; Author's interview with Yaki Dayan, 31 August 31, 2006.

considerable amount of time. In this context, it is useful to read what theoreticians are saying. We have already quoted Paul Lederach's demand for what he calls a, "Strategic Design Framework." In relation to this concept, Lederach argues as follows:

> "In settings that have experienced long-term destructive conflict, people often mark their history by the ebb and flow of crises. Each new day brings the possibility of some new twist in the cycles of violence that will rivet attention on an urgent, often life-or-death-crisis…We discover too late that most settings of protracted, violent conflict are wrapped up in a permanently emerging crisis…
>
> "I have suggested that a critical shift in our thinking, one that is readily apparent in peace processes that have sustained themselves over time, is the capacity to develop a strategic design framework. Such a framework provides a space for envisioning a desired future and pushes us to reflect critically about the nature of changed processes required to move from immediate crisis to longer-term hope. It is only within a framework that thinks ahead that we are able to shift from being crisis driven to being crisis responsive…Being crisis responsive changes how we ask questions. We move from the simpler question – *How do we solve the crisis? – to the more complex dilemma formulation – How do we respond to the immediate crisis and at the same time build capacities and relationships that will be needed for longer-term change we hope to create?* [Italics added]"[7]

Developing an effective Strategic Design Framework for a comprehensive Israeli-Arab peace is again no small challenge. In doing so, it appears to be useful to draw lessons from the "Performance Based Roadmap to a Permanent Two-State Solution to the Israeli Palestinian Conflict,"[8] which in its essence has been an attempt to create a strategic design framework.

In this regard, the Roadmap obtained some important conceptual, diplomatic and practical achievements. On the conceptual level, the three phases provided for in the Roadmap have made much sense: Phase One aimed at creating the conditions for bilateral negotiations, by creating the necessary stability and the legitimacy of each side to move ahead; Phase Two aimed at creating the sustainability of a possible agreement ahead of time and; Phase Three aimed at moving towards Permanent Status and implementing the agreement in full. By and large, the same pattern of thinking should be adopted in a comprehensive approach to Israeli-Arab peace making.

On the diplomatic level, three very important achievements were made. First, during the winter of 2002 and the spring of 2003, the concept of the Roadmap was successfully discussed—rather than negotiated—and accepted by the Quartet powers (the US, the EU, Russia and the UN), whereas the concerned parties passively committed themselves, with reservations, to its implementation. The second achievement is the fact that the Quartet powers remained united in promoting the Roadmap throughout a protracted, and tumultuous, period of time. The third achievement went beyond this, with the Security Council voting

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[7] Lederach, 845.
[8] "A Performance Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict," United States State Department, 30 April 2003, http://www.state.gov/r/pa/prs/ps/2003/20062.htm

unanimously in favor of Resolution 1515, committing the entire international community and the concerned parties, to Roadmap implementation.[9]

The practical achievements, though less impressive, should not be underestimated. As part of Roadmap implementation, the Quartet appointed an economic envoy, James Wolfensohn, who, with his team, targeted important strategic issues in the economic sphere and prepared the ground for the conclusion of the November 2005, "Agreement on Movement and Access,"[10] which was, in the end, brokered by US Secretary of State, Condoleezza Rice. The US security envoys, Lt. Generals William Ward and Keith W. Dayton were also appointed in this framework and have created some impact on Palestinian security reform, playing an important role in coordinating Israeli-Palestinian security coordination towards Israel's disengagement from the Gaza Strip and in improving the capacities of the Palestinian Presidential Guard in assuming security responsibility at the Rafah crossing in southern Gaza. In practical terms, it may also be possible to partly attribute Israel's disengagement from Gaza and the northern West Bank to Roadmap influence.[11]

For developing an effective Strategic Design Framework the shortcomings of the Roadmap are not less important:

Conceptually there were three major flaws:

First, in its preparation, it was a concept that was negotiated between the Quartet powers. Accordingly a variety of obligations were imposed on the concerned parties—the GoI, and the PA—without permitting them to become equal partners in designing the Roadmap. As a consequence, this diminished the commitment of the parties to this effort, although the implementation of Roadmap demands was put almost exclusively upon the shoulders (and the responsibility) of the GoI and the PA. In a way, unintentionally, this approach became a logical predecessor to unilateralism. Demanding from both concerned parties to carry out well defined obligations without negotiating these demands with them, in substance, purported that each side could carry out the demands unilaterally, even if the Roadmap demand some degree of reciprocity. Prime Minister Sharon, in devising unilateral disengagement from Gaza and the northern West Bank, actually complied largely with many of the Roadmap obligations, and on the issue of settlement evacuation, went far beyond it. However, having the knowledge of hindsight, this contributed to a process of de-legitimizing the Palestinian moderate leadership.

Second, the timeline prepared was completely unrealistic and was also contradicted by its demand for performance-based progress. Although performance-based progress makes a lot

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[9] "United Nations Security Council Resolution 1515," Adopted by the Security Council at its 4862nd meeting, on 19 November 2003, United Nations, Security Council, Resolutions, 2003, http://www.un.org/Docs/sc/unsc_resolutions03.html

[10] "The Agreement on Movement an Access," 15 November 2005, Documents of the Israeli Ministry of Foreign Affairs, www.mfa.gov.il or; the PLO Negotiation Affairs Department, News and Updates, http://www.nad-plo.org/

[11] For a analysis of the impact of the Roadmap on Sharon's thinking in devising the Disengagement Plan, see: "Disengagement and After: What's Next for Sharon and the Likud." *International Crisis Group*, Middle East Report No. 36, 1 March 2005.

of sense, and was also motivated from lessons learned in the Balkans, it is of great importance to draw up a realistic time-line that the parties can adhere to.

Third, no strings were attached to the Roadmap, obliging the parties to implement its provisions.

Diplomatically, no real unity of purpose within the international community was created. Rather, the opposite happened: the diversity of the diplomatic community caused each big and small actor to maintain and develop their own little fiefdoms, particularly among the Palestinian elite, and contributed to Palestinian dependency of foreign actors and aid, and worse, to an ongoing process of Palestinian divisiveness.

In practical terms, the Roadmap may have provided an important learning experience and prepared some important understandings, however, this did not produce any visible achievements to speak off.

In developing the Strategy Design Framework for peace-building and peace-making in the current situation, lessons learnt from the Roadmap have lead to the following conclusions:

- The three stage approach of stability building—preparing for the sustainability of peace and negotiating peace and assisting in its implementation—should be maintained, but fully adapted in time and concept, with each of the concerned parties;

- In developing the three stage approach on the Israeli-Palestinian, the Israeli-Syrian and the Israeli-Lebanese channel, the desires of each party should be fully taken into account. In case there will be—not unexpectedly—a gap in vision, the parties should agree ahead of time to US arbitration in drawing up the staged approach. It will be of great importance to have a realistic appreciation of the time-table and to create a structure that will offer time and other rewards for non-violence, and will prolong the process, in case, acts of violence will occur;

- A cohesive international support structure will have to be established to oversee, monitor and assist in the implementation of the agreed Strategy Design Framework;

- The concerned parties will have to be co-signers of the Strategy Design Framework and thereby fully share responsibility for its implementation. In order to convince the parties to co-sign the Strategy Design Framework, it may be necessary to sign on in very general terms to the three stage approach at the outset, later signing on in detail to each stage at the relevant time.

So far, we have related to the first four of the strategic questions listed above: first, the main essence of the suggested strategy, "the Great Divide"; second, the necessary approach to build a wide sustainable supportive coalition, by isolating al-Qaeda and containing Iran; third, defining on the basis of the common interest of all coalition partners, the necessary stages (or target points) in moving ahead regarding the containment of Iran, and fourth, preparing the concept of a Strategic Design Framework in reference to lessons learned from

the Roadmap, that will commit by signature, all concerned parties to an agreed stage by stage action program, conclude the first stage of conceptual preparation of the proposed comprehensive strategy, and permit the US to prepare for negotiations with all potential coalition partners, and finally, to get each of them on board, under sustainable conditions.

4. Preparing to Get the Concerned Parties on Board

In examining questions five and six (related to the issue of timing and achieving the proper bi-partisan domestic support structure), US senior decision-makers will want to have an in-depth understanding of the anticipated positions of all concerned parties who will have to be brought on board, in order to make the strategy work before taking the decision to engage in a major diplomatic effort. In order to be able to evaluate the probability for success, the US will have to test whether the timing for taking a strategic initiative is optimal, compared to the damage that a policy of non-action or, "business as usual," may purport. Another important preparatory step in making the suggested US strategy for comprehensive Israel-Arab peace workable will be an internal agreement on a commonly accepted bipartisan approach.

4.1. The Issue of Timing

Saadia Touval and William Zartman have worked out the theory of timing in regard to conflict resolution and peace mediation. They argue that the best timing for pro-active mediation is the moment that parties perceive that they have reached an intolerable situation and that without major diplomatic action the prevailing deadlock cannot be overcome.[12]

In the following section I shall elaborate on each parties concerns regarding the issue of timing, including the domestic scene in the United States, and we shall argue that timing considerations, for almost all concerned parties, with the exception of Syria, tend to be extremely urgent, and accordingly, our suggested working assumption, is that William Zartman's and Saadia Touval's conditions for a successful initiative have already matured.

a. *The United States of America*

After the Democratic victory in the November 2006 mid-term elections in both the House of Representatives and the Senate, the Bush Administration will have to prepare—preferably on the basis of bi-partisan support—for an orderly decrease of the US presence, or a complete exit, from Iraq. It is not an overstatement to argue that US policy in Iraq has reached a complete deadlock, or has come very close to it. US military presence in Iraq is becoming a growing liability domestically. In face of possible increasing terrorist activity in Iraq against the American presence, further domestic opposition may be expected and a weakened Iraqi

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[12] Saadia Touval and I. William Zartman, "International Mediation in the Post-Cold War Era" in: Crocker, Hampson and Aall, 427-443; I. William Zartman, *Ripe for Resolution New York* (Oxford: Oxford University Press 1989).

government may look for new solutions that would tend to strengthen Iran and isolate the US in the Middle East even more.

One theoretical possibility for action, particularly in face of growing Iranian provocations, would be to take military action. Such a move would most probably cause rising popular outrage against the US among many Muslim communities all over the world and might lead to an irrational and uncontrollable escalation of violence, with unforeseeable consequences. It may even be assumed, that a forceful military attack on Iran will lead to a future war of mutual destruction.

The other option open to US policy makers, would be to adopt the strategy we are proposing, and make a major—well grounded effort—to gather a strong global and regional coalition, in the struggle against Iran and al-Qaeda. Gaining an ongoing working coalition with most of the Sunni Arab states of the Middle East, taking Syria gradually out of the Iran-led coalition, will substantially change the basic political and military equation in Iraq, in favor of US interests. Evidently, the US could also attempt to pursue a policy of, "muddling through" and leave the decision-making for a future administration, with the risk of facing not only a self-perpetuating crisis, but a similarly unpredictable escalation of violence.

Thus, the viable policy option out of the present stalemate, would be to utilize the suggested comprehensive Israeli-Arab Peace Initiative, bringing US Arab allies, the Palestinians, Israel and eventually also Syria, to the negotiating table, and thus transferring the struggle for change from urban battlegrounds to the conference room, where a well-thought out negotiating strategy may unfold under US leadership.

Regarding timing, it appears that the moment for professional preparation is now. The electoral victory of the democrats has been a clear indication of the growing domestic displeasure with the American presence in Iraq and will defiantly lead to sustained public and congressional pressure on the Bush Administration to change course in Iraq and begin to prepare for a withdrawal of American troops. This will require increased engagement in the Middle East peace process in order to prevent the American withdrawal from creating a further opening for Iranian and al-Qaeda influence in the region. Hence, diplomatic action should begin immediately after the November 2006, American Congressional elections.

b. Israel

During the past years, and particularly in the aftermath of the war between Israel and Hizbollah in the summer of 2006, a sea-change in strategic thinking has been unfolding. Israel's top decision-makers and strategists are becoming more and more aware that the triple threat of demography, Islamic militancy, and threats emerging from short, medium, and long range rockets, and possibly even non-conventional military capacities cannot be met by old policies.

The demographic threat of losing the Jewish and democratic identity of the State of Israel through a continued Israeli presence in the West Bank and the Gaza Strip, was central in the

last elections (March 2006), resulting in the rise of Kadima and the Labor Party to power, both advocating the evacuation of settlements and a withdrawal from 90% of the West Bank territory (this, after already having withdrawn from the Gaza Strip and areas of the northern West Bank). Whereas PM Olmert, considered moving unilaterally in withdrawing from West Bank territories, the idea of unilateralism has been strongly de-legitimized within Israeli society, due the negative experiences learned, both from Gaza and Lebanon. The Israeli government, weakened by public criticism during and after the war, will not be able to create a political initiative on its own. However, to keep the government intact and regain the support of the Israeli public, a political initiative, providing hope for a workable political process, is needed.

The alternative to a new political initiative, the Israeli government could support, would be a dangerous political and military stalemate. An Israeli military offensive policy, or, "business as usual" may at best help in a, "muddling through" approach, but by no means would it alleviate the prevailing major threats. Rather, traditional strategies might tend to aggravate matters. The present Israeli government has not only a vital interest in the creation of a new political momentum, but will need to enter an intense dialogue with the United States, the EU, Russia, the UN and NATO, in order to obtain necessary support and risk-sharing from the international community, against the threat emerging from Iran, al-Qaeda, Hizbollah and other Islamic radical militant forces. The development of a US led strategy for comprehensive peace in the Middle East, would offer the opportunity to lead such a dialogue with each of the above partners, in return for Israel's willingness to pay a high price in a comprehensive regional stability building and peace-making effort.

Israel's time-table may be more urgent than the US time-table. In the aftermath of the war with the Hizbollah, Israel's government is working to defend itself from powerful internal criticism. Whereas the summer recess of the Knesset may provide the government with some temporary breathing space until mid-October, Prime Minister Ehud Olmert, Minister of Foreign Affairs Tzipi Livni, and Minister of Defense Amir Peretz will have to present the public with a coherent and workable strategic concept and a political initiative that will offer hope relatively soon.

   c. *Lebanon*

The recent war between the Hizbollah and Israel has caught the Government of Lebanon and its people in an untenable situation: On one hand, Lebanon is weary of a civil war that has lasted for decades, and desires more than anything else to maintain internal unity and cohesion, and thus, come to terms with Hizbollah and the almost forty percent of the Shi'ite population. On the other hand, being aware that Israel can by no means tolerate the combined aggression of Hizbollah, Syria and Iran, the Lebanese cannot permit its own territory to become the battle ground between militant Islamic forces and Israel.

More so, the implementation of UN SC Resolutions 1559 and 1701 appears, under present conditions, to be structurally flawed. The internal power relationship between the Government of Lebanon and Hizbollah does not permit the government to enforce the

implementation of UN SC Resolutions. To make matters worse, the international community in its seemingly self-serving short term interest (which contradicts their own medium and long term interests) does not appear to be offering the Lebanese Government enough political, military, economic and technical backing in order to confront and contain Hizbollah.

Being caught in this stalemate, which is in its very nature explosive, and can lead at any moment to the renewal of military engagements between Hizbollah and Israel, the Lebanese government urgently needs a regional comprehensive peace initiative, led by the US and supported by the EU, the UN, and Russia. Moreover, the Government of Lebanon has a vested interest to involve the Arab governments of Egypt, Jordan, and Saudi Arabia and some of the governments of the Arab Gulf states and of North Africa, as well as Turkey, in a stability building effort, which in its essence will have to be of a wider nature, and cannot focus only on the Lebanese situation, detached from the Israeli-Palestinian and the Israeli-Syrian conflict.

The Lebanese time-table is probably the most urgent of all.

d. *Jordan, Egypt, Saudi Arabia and other pro-Western Arab states*

These pragmatic pro-Western states presently face two major challenges: the growing regional influence of Iran; and the herewith combined threat of militant Islamic Fundamentalism, which in its essence (as discussed below in part two), is directed against the governments of these countries.

The most complex threat its directed against Jordan. The Jordanians fear an emerging "Shi'ite Crescent," an escalating process of destabilization in Iraq, which could cause major illegal immigration of Iraqi refugees to Jordan, threatening stability there. Worse, first terror acts of militant Islamic fundamentalists already have hit and shaken the Jordanian capital Amman, and further terrorist intrusion is feared.[13] In addition, the proclaimed public relations success of Hizbollah may tend to incite and re-activate the militancy of the Jordanian Muslim Brethren movement and create new challenges to the moderate, pragmatic and pro-Western kingdom. Finally, continued unrest in the West Bank and the Gaza Strip and a possible renewed escalation of violence between Israel and the Palestinians, could inflame public opinion in Jordan questioning Jordan's security coordination with Israel.

The situation in Egypt may be less acute, but no less dangerous. Egypt faces the same challenges from al-Qaeda, Iran, and particularly from the growing power of the Egyptian Muslim Brethren organizations. President Mubarak's ageing and the question of succession makes Egypt particularly vulnerable to possible upheaval. In addition, Egyptian efforts, carried out throughout the last one and a half years, to mediate between President Abu

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[13] On November 9, 2005, 57 were killed and nearly 300 injured when bombs went off in three separate hotels in the Jordanian capital, Amman. Later on September 4, a terrorist opened fire on a group of British tourists in downtown Amman, killing one and wounding five, see: "3 Hotels Bombed in Jordan; At Least 57 Die," *New York Times*, 10 November 2005, and, "Gunman Fires on Jordanian Tourists," *BBC News Service*, 4 September 2006.

Mazen, Hamas, and Israel, have achieved little success and threaten to draw the Egyptians into the Israeli-Palestinian quagmire.

For Saudi Arabia, the Iranian threat and the threat of al-Qaeda terrorism, which has hit the Saudis several times already, are serious challenges. The Saudis, who have promoted the Arab Peace Initiative of March 2002 (which is referred to in the Roadmap[14]), have demonstrated their interest in a comprehensive peace effort, will have to be lead by the US government.

In promoting a US comprehensive strategy for peace in the Middle East, Jordan, Egypt and Saudi Arabia may have, each separately, different roles to play. It was King Abdullah II of Jordan, and his Minister of Foreign Affairs, Marwan Muasher, who convinced President George W. Bush, in the autumn of 2002, to translate the Bush Vision into the Roadmap.[15] Behind the scenes, the Jordanian leadership appears to be best equipped to fine-tune a US initiated peace strategy, with the American leadership on one side of the triangle, with Israel on the second side, and with the pragmatic pro-Western Arab governments on the third side. Egypt, as the most important and powerful Arab state, also due to its historical leadership in the Israeli-Arab peace process, and its commitment to the Camp David Accords of 1978, can play a pivotal role in the public promotion of a peace-building strategy. Saudi Arabia, will have a decisive role in getting other Arab states on board and in getting the Syrian leadership to agree to the proposed strategy under conditions that the US, France, Lebanon and Israel will also be able to accept.

e. The Palestinians

It appears that the Palestinians were the losers of the recent war between the Hizbollah and Israel. Suddenly the Palestinian quagmire disappeared from the television screens and thus evaded international attention. At the same time, the Quartet led policy to fully isolate Hamas, and Hamas' policy to outwit President Abu Mazen, has created a dangerous stalemate.

The stalemate can be best illustrated in a rectangular configuration. On one side of the rectangle, the Fatah movement, the entourage of President Abu Mazen, and Abu Mazen himself, are beginning to understand their inability to rule without Hamas consent;[16] on the

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[14] In the preamble, the Roadmap states, "The [negotiated] settlement [between Israel and the Palestinians] will resolve the Israel-Palestinian conflict, and end the occupation that began in 1967, based on the foundations of the Madrid Conference, the principle of land for peace, UNSCRs 242, 338 and 1397, agreements previously reached by the parties, and the initiative of Saudi Crown Prince Abdullah – endorsed by the Beirut Arab League Summit – calling for acceptance of Israel as a neighbor living in peace and security, in the context of a comprehensive settlement. This initiative is a vital element of international efforts to promote a comprehensive peace on all tracks, including the Syrian-Israeli and Lebanese-Israeli tracks."

[15] Efraim Halevy, 243. Jordan's former Minister of Foreign Affairs, who played an important role in convincing President Bush to adopt the Roadmap, Marwan Mu'asher, is presently writing his memoirs, which should be consulted, when published.

[16] "Palestinians, Israel and the Quartet: Pulling Back from the Brink," Middle East Report, *International Crisis Group*, No. 53, 13 June 2006.

second side of the rectangle, there is a desire on the part of the moderate wing of Hamas to govern, combined with the understanding that substantial concessions will be necessary in order to overcome international, regional and Israeli opposition; On the third side of the rectangle is the emerging understanding of the international community, that continued blocking of major budgetary funds to the PA, can cause not only a humanitarian disaster, but may cause a breakdown of the PA and further dangerous radicalization; on the fourth side of the rectangle , is the emerging understanding of the Israeli government, that unilateralism has failed and ways and means have to be found to work together with a functioning Palestinian Government.

On the face of it, understanding all components of a stalemate, and the common desire to overcome it, should be strong and effective enough to return towards a policy of negotiating Roadmap implementation, on a bilateral basis, with the US and supportive action from the other Quartet members. According to our analytical understanding, the belief that the sides will being able to return to policies of the *status quo ante* before the Hamas victory in the PLC, is a fallacy. The moderate wing of the Hamas is too weak to overcome policy dictates from the more radical Hamas leadership residing in Damascus; Abu Mazen is too weak to enforce any policy of reconciliation and stability building with Israel; Israel, even under conditions of a diminished threat of terrorism and reduced number of Qassam rockets being fired at Israel's south, is not capable of making the necessary concessions for such a strategy; and the international community is too constrained by internal division and a limited mandate for their actors (whether the UN, the US Dayton mission, the EUBAM (European Border Assistance Mission), the World Bank or others) in order to be able to make a substantial difference.[17]

 A comprehensive strategy framework will not offer a panacea to all these malaises. However, a conceptual framework creating a long-term political horizon, a short and medium term negotiation and action program, set in a wider global and regional negotiating structure, will enable all involved to work seriously and consistently on an agreed upon conflict management and resolution approach.

The time-frame for the Palestinian side is extremely urgent. What is happening *de-facto* on the ground, are three processes that create a sense of foreboding for worse to come: First, the Hamas government is quietly taking over the bureaucratic structures of the PA, and gradually diminishing the power of President Abu Mazen and of the more moderate forces within the Palestinian body politic.[18] Second, on the ground, Palestinian warlords are obtaining more control through an on-going break down of Abu Mazen's power over his security system, enhancing a state of lawlessness that could deteriorate to a Somalia-like situation, where splinter groups with guns control the street and control the supply of food to the population. Third, the misery of the population, particularly in Gaza, is growing and creating more radicalism, criminality and further religious fanaticism. Finally, the emigration of the professional layer of society, which is essential to the Palestinian state-building effort, necessary to reach a two-state solution, is a serious concern.

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[17] Ghazi Hamed; Israeli-Palestinian workshop, 11 September 2006.
[18] Arnon Regular, "The kidnapping of the Israeli soldier in the Gaza Strip and the Hamas' strategy of "running ahead," June 29th to July 7th, 2006, Newsletter No. 6, 30 June 2006.

The time factor in the Palestinian context may be complex to evaluate. For Abu Mazen a quick change is essential, however, not necessarily for the Hamas leadership. As they have to move together, a weird dance, combining political flexibility and strategic inflexibility, may be expected. The implications of this for US policy should be to exploit the flexibility, in order to strengthen the position of Abu Mazen.

f. The Syrians

On the surface, the Syrians have been the winners of the war between Hizbollah and Israel. Throughout the last six and a half years from March 2000 until today, Israel refused to renew negotiations with Syria; the Lebanese people with US, French and other international assistance, forced Syria to withdraw from Lebanon. A United Nations fact-finding mission investigated the involvement of the Syrian leadership in the assassination of the Lebanese leader and former Prime Minister Rafiq Hariri, indirectly implicating the involvement of Syrian Regime.[19]

 Now, following the recent conflict in Lebanon, key Israeli figures such as Defense Minister Peretz, Minister of Internal Security Avi Dichter, and Major General (Res.) Uri Sagie began publicly calling for renewed negotiations with Syria; Minister of Foreign Affairs Livni has nominated a, "project manager" to prepare a possible strategy for dealing with Syria (a move that was unintentionally leaked to the press).[20]

This is coming at a time when Syria is supplying weapons and rockets to Hizbollah, and when President Bashar al-Assad apparently intends to play a double-game. In a speech made by Assad he stated, "We are convinced the natural way to achieve peace is through negotiations… [But] we adhered to the choice of resistance as long as peace has not been realized…in other words, resistance and peace constitute one route rather than two."[21] All this tends to indicate, that Syria, by no means, views itself entangled in a stalemate where time is working against its interests. Rather on the contrary, the Syrian leadership appears to assume that they may continue to be a pro-active coalition partner with Iran, Hizbollah, Palestinian terrorist organizations, and Iraqi insurgent groups, while at the same time demanding that Israel acknowledge, ahead of negotiations, full Syrian sovereignty over the Golan Heights. Apparently the policy assumption in Damascus is that Syria, together with Iran and with other Arab support, has the capacity to hold out through resistance, until Israel is ready to accept Syrian demands.

A more analytical investigation of Syrian interests and dilemmas offers a more complex picture. Syria's alliance with Iran and Hizbollah, as time goes by, may become increasingly hazardous for Assad's regime. The threat of such a posture to other players, enhances the

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[19] "Report of the Fact-Finding Mission to Lebanon inquiring into the causes, circumstances and consequences of the assassination of former Prime Minister Rafiq Hariri," Report of the United Nations Fact-Finding Mission in Lebanon, 25 February—24 March, 2005, http://domino.un.org/unispal.NSF

[20] Gideon Alon, "Olmert tells Ministers to End Talk of Negotiations with Syria," *Ha'aretz*, 27 September 2006; Akiva Eldar, "FM Livni Appoints Envoy for Possible Syrian Talks," *Ha'aretz*, 20 August 2006.

[21] Assad speech to the Fourth Conference of the Syrian Journalists' Union, 15 August 2006, *MEMRI*, 22 August 2006.

likelihood of an outside supported effort for regime change. Moreover, the growing fear of Saudi Arabia, Egypt, Jordan, the Arab Gulf States and of Turkey towards Iranian regional aspirations, may increasingly isolate Syria in the Arab world; Syria's concern regarding Turkish military power to its north; American troops to Syria's east, the growing strength of international presence in Lebanon, to its West, create the danger of an encirclement. This may lead to three possible scenarios. Under one scenario, Syria could become more and more isolated on the regional and international scene. Under another scenario, Iran's and Hezbollah's militancy could all too easily entangle Syria in a war, it can neither want, nor win.

Seen from this angle, Syria may further maneuver itself into a dangerous stalemate, from where it sooner or later, will have to try to get out of, which provides hope for a third scenario, inducing Syria to join a, "Alliance of the Moderates"[22] and become a constructive partner in a comprehensive US led stability and peace-building process in the Middle East (see below, Section 5.3: The Syrian Arena).

g. *The EU, Russia and the UN*

The suggested US strategy for a comprehensive peace between Israel and its Arab neighbors dovetails largely, if not completely, with EU thinking; and therefore any timing should be appropriate to get the EU on board. EU involvement in the international peace keeping force in Lebanon, in pursuance of UN Security Council Resolution 1701, may add additional urgency to the suggested approach. The UN is not an independent player on its own, but responds to the policies of its member states. Here again, the suggested strategy, being very much in line with the demand for creating effective international involvement in stability and peace building, should be most welcome to and supported by the UN. In order to achieve strong global support for the Strategic Design Framework, the US should make a concerted effort to get Russia on board.

Summing up, the time is ripe for a comprehensive US lead strategy for peace in the Middle East. Any postponement may cause further entanglement, radicalization, and the threat of renewed war.

4.2. Developing a Commonly Accepted American Bipartisan Approach

A bi-partisan approach, which the President will be able to pursue with no serious opposition from either the House or the Senate, is a prerequisite for effective US leadership. The US administration will also have to re-evaluate US means of power and the resulting capability to most effectively assert US leadership towards a comprehensive Israeli-Arab peace, as well as the constraints.

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[22] This phrase was first used by US Secretary of State, Condoleezza Rice, on her trip to the region in October 2006 to describe the contrast between those who sought peace and stability, and the "alliance of extremists," Iran and Syria, who sought violence, "Rice to Propose 'create means' to bluster Abbas and Weaken Hamas," *Haaretz*, 1 October 2006.

US world leadership has been based on four complementary elements:

1. *First*, the prevalence of America's political, military, financial and economic power, and the willingness to employ US power in a global struggle for stability and peace. This includes the deployment of US military forces, its intelligence capacities and activities, and effective support to a majority of the relevant actors who will have to be involved in a US led peace strategy: In many ways, for decades, US political, military, financial and economic support has been one of the most important components in determining the political order in the Middle East (and elsewhere). Israel, Turkey, Jordan, Egypt, Saudi Arabia, the Arab Gulf States, the PLO led by President Abu Mazen, and the Lebanese government, will be averse to create friction with Washington and will permit US policy makers and diplomats to take leadership in the development of a suggested strategy for peace.

2. Whereas the first element of US leadership is based on US power capacities alone, the second element builds on the capacities of others. The US government enjoys the capability to build a variety of different coalitions under US leadership, similar to the conductor of a orchestra, who can have different melodies played by different groups of musicians and their instruments, all in a well concerted effort to create a wider and more comprehensive harmony. In the context of the Middle East, the US has in the past and present used different groups, or, "sections of the orchestra":

   - In promoting the Roadmap, the US relied on the Quartet to create a common action framework;

   - In dealing with economic issues and with the Iranian nuclear threat, the US has worked closely together with the G8 (US, Japan, Russia, Great Britain, France, Germany, Italy and Canada);

   - In the narrower Israeli-Palestinian context, other multilateral instruments have been created, the most important of them being, the AHLC (Ad Hoc Liaison Committee) dealing with economic assistance to the PA, which is chaired by Norway, or the TFPI (Task Force for Project Implementation) composed of USAID, the EU, the UN and Norway, responsible for the management of economic projects in the Palestinian territories;

   - In the sphere of peace-keeping the US has established and leads the MFO (Multinational Force of Observers), currently comprising Australia, Canada, Colombia, Fiji, France, Hungary, Italy, New Zealand, the United States, and Uruguay) which has successfully monitored the Israeli-Egyptian peace by liaising on a daily basis with and between the Egyptian and Israeli security forces, observing painstakingly the full implementation of the Israeli-Egyptian peace agreement of 1979, diffusing misunderstandings, and at times, carrying out effective crisis management.

- Now, in Lebanon, on the basis of UN SC Resolution 1701, the US government is relying on a reinforced version of UNIFIL (United Nations Interim Force in Lebanon).

Other important instruments of US policy have not yet been employed, although in a comprehensive strategy for peace building in the Middle East, the need may emerge. Most important in this context are two organizations:

- NATO (North Atlantic Treaty Organization) and the OECD (Organization for Economic Cooperation and Development). In order to create effective deterrence against spoilers, in the global war against terror, but similarly in a comprehensive strategy where peace-enforcement may become necessary, NATO, of all international organizations, is best equipped to do the job.

- The OECD comprising 30 of the worlds industrialized and developed states, may have to be involved for two purposes, which may be important components of the envisaged comprehensive peace strategy: a coordinated energy policy that will permit a decrease of the world economic dependence on oil, and simultaneously to develop an effective economic reconstruction program for Lebanon, Syria, Palestine and other areas of the Middle East.

3. *The Third* US instrument of power, is the capability to maintain a series of bilateral and multilateral alliances and networks, which adds another important power component to US policies in the Middle East. The US has established, as mentioned above, strategic alliances with Israel, Turkey, Jordan, Egypt, Saudi Arabia, the PLO leadership of Abu Mazen, the Arab Gulf States, Lebanon, and various North African states. Moreover, in the past, particularly in pursuing the Eisenhower Doctrine of the later 1950's, the US has encouraged multilateral regional alliance networks: in the northern Middle East, it supported the organization of the RCD (Regional Cooperation and Development, including Turkey, Iran and Pakistan); it supported the unfolding of an intense and effective network of relations among Israel, Iran, Turkey and Ethiopia, and more recently, during the 1990's, it supported a close relationship among Israel, the PA, Egypt and Jordan, and it supported the meeting of MENA countries (Middle East and North Africa).

4. *Fourth*, The US has been consistently willing to confront, deter, isolate, and if necessary, conduct military interventions against recognized spoilers.[23] During George W. Bush's presidency, the US has shown an increasing willingness to use this instrument of power, for the first time speaking of military preemption to protect its national interests.[24]

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[23] The Truman administration conducted a, "police action" in Korea to prevent communist expansion; the Kennedy administration prevented the introduction of missiles to Cuba, that were capable of carrying conventional or non-conventional warheads; the Kennedy, Johnson and Nixon administrations were involved in a struggle against perceived threats in Vietnam; the administration of Bush Sr. confronted Saddam Hussein's aggression against Kuwait in the first Persian Gulf War and Somalia; the Clinton administration intervened in Kosovo to end the fighting there; whereas the administration of George W. Bush militarily intervened in Afghanistan, and Iraq.
[24] In the 2006 National Security Strategy of the US, the Bush administration lays out in that, "the fight involves using military force and other instruments of national power to kill or capture the terrorists," and is prepared to, "act

Having developed a national security strategy with an increased reliance on this mode of power, the Bush administration conducted two military operations: one in Afghanistan in October 2001 following 9/11; and another in Iraq to topple the regime of Saddam Hussein in March 2003.

A pragmatic combination of these elements of power will have to play an important role in achieving the most cost-effective means of strategy implementation. In substance, the US leadership and the American people are united in their determination to contribute to stability and peace-making in the Middle East.

Internal division relate largely to the proper combination and balance between the above described four instruments of US policy in the Middle East. Criticism of the Bush-Administration from the Hill has focused primarily on the administration's perceived overemphasis on direct US military intervention. Lessons learned from Bosnia, Kosovo and Afghanistan have shown the usefulness of applying multilateral instruments of power. The struggle against militant Islamic radicalism has also indicated the need to diminish, as much as possible, direct US military intervention, as it tends to mobilize Muslim public opinion against the US and provides dangerous popular support to Iran, Hizbollah and other radical militant state and non-state actors.

Whereas the US struggle for democracy was, is and will remain a major feature of US policy world-wide, critics will argue, that it can and should be focused in such a way as to not weaken the US and the global war on terror. Accordingly, US policies may be adapted to the local circumstances, traditions, social patterns of behavior, cultural identities, and the evolutionary needs of continuity and change in the Middle East, permitting for a policy of connectedness, mutual dependencies and commitments, while maintaining the cultural, social and traditional identities, particularly of Washington's Arab and Islamic allies. In practical terms, this will necessitate rebuilding and reinforcing a close alliance with the pro-Western US partners in the Middle East—Egypt, Saudi Arabia, Jordan, Turkey, the Arab Gulf states, and Arab North African states—while not weakening its alliance with Israel.

Preparing for a possible US withdrawal from Iraq on the basis of a bi-partisan approach, will necessitate this nuanced approach to policy planning in the Middle East. Facing growing public criticism against the Bush Administration, the President will face a difficult political dilemma. Without achieving a common bi-partisan approach, the President and his administration may be seriously impeded in carrying out a constructive policy; negotiating and accepting a bi-partisan approach, will tend—in preparation of the presidential elections of November 2008—to permit the Democrats to highlight and exploit President Bush's earlier mistakes. The only feasible way out of that dilemma, is to enhance and promote a comprehensive US led strategy for stability and peace-making in the Middle East that can be continued by any subsequent president elected in 2008.

In many ways, the strategy for peace in the Middle East that we are proposing will ease the Bush-Administration's internal, "give and take" for a common bi-partisan policy. By

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preemptively," in fulfilling these goals, see: "The National Security Strategy of the United States of America," March 2006, http://www.whitehouse.gov/nsc/nss.pdf

addressing Israel's security needs, creating new multilateral support structures for security, conducting forward looking stability-building and peace-making efforts in the Middle East, and engaging pro-actively with US pro-Western allies, most of the concerns of the Democratic leadership and rank and file will be addressed. Accordingly it should not be too difficult, to obtain relatively wide-based, bi-partisan support.

5. Preparing for the First Stage of the Strategic Design Framework

The success of the proposed US strategy will depend largely on the capability of the US to get most of the suggested coalition partners on board, and commit them to disciplined and sustained participation in a common effort over a relatively long period of time. Whereas the entry point of endeavoring to isolate al-Qaeda and contain Iran will be welcomed by most parties, it will not be easy to achieve a continuing commitment from each party to stay the course. Accordingly, it will be important to have the major concerned parties sign on to the first stage of the Strategic Design Framework. To achieve this, a detailed understanding of how to develop stability, within the Israeli-Palestinian arena, towards the Lebanese Government, towards Syria and towards Iran, will be necessary.

In this context stability building will have to be understood not merely as achieving a temporary or even a prolonged cease-fire, but rather necessitating the regaining of confidence in, and legitimacy for, peace-making, lost during the process of "deepening the abyss," (see below, Part Two, Section 3). This will entail ending violence, rebuilding mutual confidence and assisting the Israeli, Palestinian and Lebanese pragmatic leaderships to regain the internal legitimacy to pursue a workable peace policy. We shall describe in some detail the proposed action items in each arena: the Israeli-Palestinian arena, the Lebanese arena, the Syrian and Iranian arenas. The most difficult component of developing stability building action programs is to identify common ground, in what each party can legitimately achieve and concede.

Whereas, in all these areas, the US has to be the driving force in planning for the first stage of the Strategic Design Framework, the other three Quartet powers, the EU, Russia and the UN should jointly underwrite the proposed and agreed action plan and take joint action to support the entire endeavor, involving, pro-actively, Egypt, Jordan, Saudi Arabia, other pragmatic Arab states and Turkey. In addition, Israel, Lebanon and President Abu Mazen should be encouraged to obtain bilateral assurances from the US and the other Quartet powers against the renewed outbreak of violence. The most important aim of the first stage of the Strategic Design Framework will be to create the enabling conditions and the legitimacy to move, without an interval, to the second stage of the planned Strategic Design Framework. The awareness of a continuing process, leading to peace agreements in the third stage, should be an important incentive in achieving the policy goals.

The United States, having done all the necessary preparatory work to pursue the policy of the Strategic Design Framework, might consider translating the ideas and the commitment to proceed in three performance based stages, into a UN Security Council Resolution, that would formalize the international commitment to the proposed strategy.

5.1. <u>The Israeli-Palestinian Arena:</u>

a. The Six Bilateral Components of the Action Plan

In the first stage of the Strategic Design Framework in the Israeli-Palestinian arena, the US should lead an international effort in creating an action plan that will provide the necessary practical and conceptual measures to create meaningful stability and confidence building, allowing for sustainable progress towards stages two and three of the framework. The proposed action plan should have six components:

- First, a five-point declaration of the Quartet powers, that should be fully endorsed by the GoI and the PLO (or preferably the Palestinian government; see immediately below, the second component), declaring:

  a. The ultimate goal of the political process is a two state solution that will lead to the creation of a free, independent, democratic, sovereign, viable, secure and continuous Palestinian state, living side by side with Israel in peace and security;

  b. Future Israeli withdrawals from the West Bank will be part of agreed Roadmap implementation and of a process ending the occupation;

  c. No progress in the political process is possible without mutual and reciprocal security for the Israeli and Palestinian peoples;

  d. Progress in the political process should include measures to provide for economic viability and independence for the Palestinian people;

  e. All outstanding issues related to the achievement of Permanent Status between Israel and the Palestinians, as Jerusalem, refugees, borders, cooperation with other neighbors and other issues of common interest will be determined by negotiations. (These will include agreed upon land swaps).

- The second component, should be an agreement between the Quartet powers and Israel to work together with a Palestinian National Unity Government, led by Ismail Haniyeh, based on the PA's recognition and adherence to all agreements signed by the PLO and the PA; committing the Palestinian government to implement a ceasefire, with its imposition, if necessary, on all Palestinian factions, and committing the Palestinian government to a two-state solution that shall be negotiated with Israel. We suggest, that in order to ease internal Palestinian agreement, the GoI will not give up but postpone the demand to achieve renewed recognition of the State of Israel. As a mater of fact, the recognition of signed agreements indirectly provides this recognition, were as the Hamas decision not to participate in PLC elections in 1996 was due to the fact that these were based on the Oslo agreement and these elections. There participation in the January 2006 elections, from a legal point of view, implies such recognition.

- The third component, linked to the second, will aim at achieving an important beginning towards, "mutual and reciprocal security for the Israeli and Palestinian peoples," and a similar renewed start on the road towards, "economic viability and independence for the Palestinian people." These shall include the renewal of international financial and economic support to the Palestinian government, Israeli-Palestinian negotiations on the full implementation of the Agreement on Movement and Access, and a greater international involvement in developing a mutually obliging structure for security cooperation (described in greater detail below, Point *b.*);

- The fourth component will provide for Israeli-Palestinian negotiations towards agreement on all necessary components to announce an, "end of occupation" of the Gaza Strip, in line with point two of the declaration, as a step on the way to further withdrawals and towards Permanent Status. This shall include: the lifting of Israeli restrictions in the area; the creation of agreed transit arrangements to the West Bank; the implementation of an economic development plan for the Gaza Strip; economically connecting Gaza fully to the West Bank, and via the West Bank to the Mashriq countries of the Arab East (Jordan, Saudi Arabia, the Arab Gulf States and Iraq); facilitating economic growth in the West Bank as well, and; connecting Gaza to Egypt, the Maghreb countries (Libya, Algeria, Tunisia, Morocco, and Mauretania) and Europe, in the West. It will also provide for the establishment of an international peace keeping force in the Gaza Strip. In its substance an Israeli-Palestinian agreement on an, "end of occupation" of the Gaza Strip, shall demonstrate that Israeli withdrawal from occupied territories does lead to stability and good neighborly relations, with the obligation that further withdrawal from the West Bank will follow.

- The fifth component will determine that Israeli-Palestinian negotiations will have to be concluded within a period of ten months, counted from the day Gilad Shalit will be safely returned home. The Israeli Palestinian agreement will have to provide for an, "end of occupation" over the Gaza Strip and a substantial change of the terms of engagement in the bilateral security and economic relationship. Not less important, the agreement will define accepted guidelines for stage two of the Strategic Design Framework. In case the terms of reference of no violent action will not have been kept, and negotiations will not have been concluded after ten months, both parties will accept ahead of time, in the form of arbitration, an American bridging proposal. Thus, final agreement should be reached, no later than twelve months, and will automatically lead to moving towards the later stages, while continuing to implement in full, obligations taken for stage one.

- The sixth component will determine Quartet action, in case of reoccurrence of violence. It is suggested that under such circumstances, a NATO like peace-enforcing mission, shall be dispatched to Gaza to make the continued implementation of the above components possible.

  b. *Three Practical Action Items: The Dayton Plan; Developing an Effective Palestinian Security Structure; and Making the Agreement on Movement and Access (AMA) work*

The Dayton Plan: Preparing for new rules of engagement, regarding the creation of mutual security, and progress towards Palestinian economic growth and independence, should start, with what has been coined, "The General Dayton Plan," describing in some detail, the creation of an autonomous Border Management Authority on the Palestinian side, enforcing, new mutually obliging security rules.

This concept follows in line with the Agreement on Movement and Access (AMA), where it states that, "the PA will establish, without delay, a unified system of border management."[25] To meet this requirement, the Palestinians should work to create an autonomous Border Management Authority (BMA) under the Office of the Presidency (OoP) working with international assistance/oversight. This BMA should incorporate the following elements:

a. <u>A Managing Board</u>: This board would control the BMA under the authority of the OoP, consisting of all the heads of the major departments of the authority as well as an observer from the EUBAM;

b. <u>A Security Department</u>: This department would be in charge of both perimeter and internal security supervision of the terminal, consisting of forces of the Presidential guard. For the Rafah crossing, this would also include the addition of the border police;

c. <u>A Logistics Department</u>: This department would organize and oversee such elements as: forklift operators, scanner operators, cargo inspectors, agricultural inspectors. For the Rafah crossing this would also include customs processing;

d. <u>A Finance and Administration</u>: This body would manage issues such as human resources, finance, administration, real property, contracts, maintenance administration and information technicians;

e. <u>A Liaison Department:</u> This department would work in coordination with the relevant government authorities on the following issues: creating a database on suppliers; the design of a agreed packing protocols; logistical operations and; Security coordination to prevent the smuggling of weapons and to neutralize terrorist threats;

f. <u>A International assistance and oversight</u>: The development of the BMA will relay significantly on the assistance and oversight from international actors such as EUBAM, the Dayton Security Mission and international donors.

With the creation of the BMA, Israel and the Palestinians will also include a series of mutually obligating security procedures regarding both the prevention of smuggling of weapons and explosives into the Palestinian territories and security cooperation to prevent and neutralize security threats to the terminal itself, with the active support of international monitors. These security measures will include:

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[25] "The Agreement on Movement and Access," Section 2: Crossing Points.

Enhanced Security Infrastructure: the upgrading and addition of security infrastructure such as: a security operations center; electronic link between Gaza and Israeli sides of terminal for rapid cargo information sharing; new scanners; isolated screening compartments; additional sliding crash entrance gates; additional perimeter fencing, gates and walls; improved lighting systems;

Security arrangements for the prevention of smuggling: In addition to the upgrading of security infrastructure, central security control rooms will be established on both sides of the terminal (on the Palestinian side, this will under the authority of the security department and overseen by EUBAM monitors) to coordinate intelligence information, in constant contact with the liaison department. Additionally, a liaison committee, consisting of Israeli and Palestinian operational liaison officers and Israeli, Palestinian and European security officers, holding weekly meetings and coordinating action regarding management and security issues.

Preventing and neutralizing attacks: The Israeli and Palestinian sides will create a security perimeter around the crossing terminal, creating a coordinated system and database for authorized suppliers, trucks and drivers, with international monitors overseeing the Palestinian security performance. In order to respond effectively to crisis management, a security protocol will be developed with the assistance of the Dayton Security Team detailing coordinated Israeli-Palestinian rapid response mechanisms and measures to be implemented in the case a threat occurs at the terminal. This will include security protocols for threats of tunnels suspected of being constructed under or near the terminal.

While the BMA should initially be established focused on the Karni crossing, this model will serve as a comprehensive authority to be expanded to all the relevant crossing points, including air and sea ports once these become operational.

Palestinian Security Structure: The gradual build up of an effective Palestinian security structure in the Gaza Strip and West Bank shall permit for Israeli-Palestinian understandings, leading to an Israeli redeployment from all urban areas, and gradually, towards the military positions held before September 28, 2000 (the outbreak of the al-Aqsa Intifada). The decisive factor in making this possible, will be the capability of the Palestinian government to control the various irregular forces, and create within the Palestinian security system, in each area, an effective unity and chain of command that will permit security forces in each region to coordinate a controlled move from Israeli security presence, to conditions in which the Palestinian security forces can impose law and order, and prevent any acts of violence.

In starting movement aiming at Israeli redeployment of security forces back to the positions held prior to September 28, 2000, we suggest a, "Nablus-First" approach, as the mutual benefit of progress there might be the greatest. From Israel's point of view, Nablus is the center of an intense Palestinian terrorist build up directed against Israel's population centers; from a Palestinian point of view, putting an end to Israeli security presence in the Nablus area would, due to the geographical location of Nablus, permit a serious revival of Palestinian economic activities throughout the West Bank, north of Jerusalem. An agreed and

coordinated move to permit Palestinian security forces to control and prevent a terrorist build-up from Nablus, would not only build mutual confidence, but would provide immediate economic benefits, and a model, as how to proceed, elsewhere. Controlled Israeli redeployment under conditions of a close and effective coordination between the Israeli and Palestinian security forces shall then make it possible to remove road-blocks and other impediments to the free movement of Palestinian people, goods and services.[26]

Agreement on Movement and Access: In its continuation, there will need to be a comprehensive proposal for negotiating and implementing the remaining issues related to the AMA. In pursuance of implementing the remaining components of the AMA, Israel and the Palestinians will have to reach mutual agreement on the following issues:

Crossing Points: Agreement on the improvement of operational procedures and structural upgrades in order to guarantee effective crossing operations, meeting the requirements of the agreement that stipulate, "The Passages will operate continuously," and that the Karni crossing will support the processing of 400 trucks per/day.[27] In order to meet these requirements, the following steps should be taken:

   a. Enlarged capacity: Four steps should be taken to improve the volume of goods able to be processed daily: first, expanding the hours of operation to 7:00 to 23:00; second, the instillation of the new scanners purchased by the US last year; third, Karni's agricultural processing should be improved, and finally; the creation of a rationalized database for the supervision of suppliers, traders and staff using the terminal.

   b. Closure limited to time and place: While closures will need to be imposed in the face of security threats, adjustments in this policy can be made to reduce their impact on the Palestinians capacity to export goods, including: the imposition of closures only when a direct threat to crossing occurs, and only for the duration needed to neutralize the threat; and the creation of agreed procedures for security cooperation to neutralize threats, including mechanism for crisis management through a liaison department;

   c. Alternative passage lanes in times of closure: The adverse impact of closures can be further minimalized through: the construction of a goods terminal at Erez as a back up alternative to Karni; the reorganization of terminals to avoid queuing and enable use of alternative lanes when a threat is detected in a specific section of the terminal.

Implementation of passage between Gaza and the West Bank: Regarding passage between the Gaza Strip and the West Bank, the bilateral Israeli-Palestinian committee with assistance from the Quartet, should be established to develop agreed procedures (logistics, operations and security) of bus and truck convoys as stipulated in the agreement. The issue here will be to guarantee that no arms and rockets will be moved from Gaza to the West Bank, in preparation of terrorist attacks from there against Israel.

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[26] "The Passage of Goods throughout the West Bank—A Proposal," ECF, January, 2006.
[27] "The Agreement on Movement and Access," Section 2: Crossing Points.

Increased access within the West Bank: With the anticipated completion of the separation barrier, improved security conditions should allow for the easing of travel restrictions within the West Bank. In line with the AMA, the US should establish a working team with Israel to, "develop a plan to reduce [obstacles in the West Bank] to the maximum extent possible."[28]

c. Unilateral Israeli and Palestinian Obligations

In addition to the six mutually obliging components of the suggested Stability Building approach, Israel and the Palestinians shall take upon themselves, two unilateral obligations.

Israel's unilateral obligations shall relate to the Security Barrier (Fence/Wall), and to settlement activities. Undoubtedly, the Israeli Government will make a major effort to complete the fence during the coming 12 months period. In order to demonstrate the security purpose of the fence, and its essentially temporary character, the GoI will have to take two unilateral actions:

- Wherever possible, the fence should be moved to the West, either directly on the, "green line," or as close as possible to it;[29]

- Wherever the fence will cause impediments on the daily life of the Palestinian population, living in the area, close to the fence, an utmost effort will have to be undertaken to minimize those impediments in line with the principle of, "proportionality," set by the Israeli Supreme Court, aiming at finding a fair balance between the need to defend Israel from terror attacks and prevent the loss of life, and the need to not adversely affect the living conditions of the Palestinian population.[30] Understood as an aim in itself, this also serves an important component in striving to achieve, "mutual and reciprocal security for the Israeli and the Palestinian peoples." (Although the building of the fence has been strongly attacked by the Palestinians and the international community it is important to draw their attention to four important positive effects the fence creates, not contradicting some of it's negative repercussions. The fence has statistically improved the security of Israelis and diminished the death toll from terrorism; from a security point of view, the fence makes it easier to redeploy Israeli security forces back to the lines of September 28, 2000. From a psychological point of view, the fence, tends to, "fence out" many Israeli settlements and thus underpins the need for their evacuation, and the fence, "fences in" Israel's Arab population, and gives them a greater sense of connection to Israeli society and economy.[31])

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[28] Ibid.

[29] For example, in the area West of Reihan and Shaked in the North of the West Bank, a first relocation of the fence, should be initiated, see: Shaul Arieli, 155.

[30] For further information regarding the concept of proportionality as it relates to the security barrier and the Israeli Supreme Court ruling, see: "CJ 2056/04, *Beit Sourik Village Council v. The Government of Israel*, The Supreme Court Sitting as the High Court of Justice," 2 May 2004.

[31] Sufian Kava', "The Influence of the, 'Separation Fence,' on the Arab Settlements in Wadi Ara," *The Institute for Peace Research*, March, 2005.

The second unilateral obligation of the GoI relates to settlement activities. In a commitment by Prime Minister Sharon to President Bush of June 2003 and, "The Dov Weissglass (Sharon's Bureau Chief) Letter" to Condoleezza Rice of April 2005, Israel committed itself, unilaterally, to a settlement freeze, "restrictions on settlement growth…and removal of unauthorized outposts." In addition, Israel has passed a law on evacuation and compensation, which guided the evacuation of settlements from the Gaza Strip and the northern West Bank during the summer of 2005. Whereas, a major settlement evacuation (as intended originally by the Olmert government), cannot be expected in the coming twelve months, voluntary agreed evacuation from isolated areas, should be guided by some improvements in the law, incorporating lessons learned. Evacuation will have to include removal of most of the illegal outposts, established after March 2001.

Moreover, the GoI will have to implement its obligation to effectively control all settlement activities and introduce a system of transparency, accountability and practicality, permitting for some settlement activities geographically close to the, "green line," and providing services in areas, which for the time being are not earmarked for evacuation. Neither the United States, nor the Palestinians shall be asked to legitimize such activities, nevertheless, US oversight control may differentiate in its acts of condemnation, and pre-emptive prevention, according to the geographical location of Israeli government legalized settlement activities. Evidently, in creating a workable policy equation in this context, the Israeli government control of illegal settlement activities, and the voluntary evacuation of isolated settlements, should offer a greater degree of flexibility to the US oversight role. What has to be kept in mind by all parties, is that Israel's government control of settlement activities, and suggested voluntary evacuations, will in the wider context of the Strategic Design Framework, be an important prelude, to a substantial settlement evacuation program, to be carried out, during the second stage. In preparing for the second stage, that should include the evacuation of about 70,000 settlers, the GoI will have to create a working relationship with the pragmatic settlers' leadership, that will permit an isolation of the radicals.

Palestinian unilateral obligations should comprise first, a comprehensive conceptual development of the legitimacy of the state (in contrast, to the legitimacy of a national liberation movement) and its practical implications in the building and structuring of Palestinian national institutions. This will necessitate serious internal discussions regarding the development and acceptance of a Palestinian national security doctrine. Important theoretical work in this context has been carried out by Hussein Agha and Ahmed Khalidi, who have written extensively about this subject.[32] Evidently, the Palestinian national security doctrine will have to spell out in some detail, what the Palestinian obligation to, "mutual and reciprocal security to the Israeli and Palestinian peoples" entails.

In preparing for the fourth component of this first stage of the Strategic Design Framework, agreement on an, "end of occupation" of the Gaza Strip, the Palestinian national security doctrine will be of great practical relevance and will have to relate to the question, whether an international peace keeping force, is requested (see below: 7.4.1, The Israeli-Palestinian Arena; Security).[33] President Abu Mazen has already expressed his support and so also has

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[32] Hussein Agha & Ahmad Khalidi, *A Framework for a Palestinian National Doctrine* (London: Chatham House, 2006).
[33] Ibid.

Prime Minister Ehud Olmert. Thus, in bilateral negotiations, the exact functions of the envisaged international peace keeping force, should be defined. Independently assurances and practical support for Palestinian security, from the United States, and bordering Arab states should be obtained to serve as an important prelude, to the second stage of the Strategic Design Framework.

In effectively structuring the legitimate national institutions of the state to come, we assume that a sustained National Unity Government will have the capacity to achieve much progress, which in essence will entail, starting to overcome many of the malaises Palestinian society is suffering from presently. The development and implementation of a widely supported National Reform Program, similar to what was planned for several years ago, will be necessary, and should include strengthening the state institutions, eliminating discriminatory economic systems, and creating an effective judicial system. Again here, a widely agreed conceptual approach and first steps towards implementation should be seen as an important prelude, to more comprehensive state-building activities, during stage two.

The second Palestinian unilateral obligation should comprise effective control mechanisms against anti-Israeli incitement. There is no question that control of incitement, cannot stand alone, simply as a Palestinian obligation to serve Israeli needs. Rather, the Palestinian internal effort to develop a nationally accepted doctrine regarding the legitimacy of the state, living side by side with Israel in peace and security, should in itself diminish the Israeli sensed incitement, substantially. Progress towards the implementation of the Five Point Declaration should cause a change of tone, and make a search towards a language of reconciliation, easier. The Palestinian Government and elites should bare in mind, that diminishing the language of incitement, will create a constructive circle of mutual confidence and legitimacy building that should substantially ease headway in almost all spheres. Evidently, it will also have to work the other way around: headway in all the above discussed items, will make the diminishment of incitement easier and more acceptable to the Palestinian public. We are convinced that the six bilateral components, the three action items and the unilateral obligations of each side, together with the mutual obligation to move to stage two, and afterwards to stage three, provides for a comprehensive stability building program, all sides can commit to. Even if it is unlikely that full implementation could be achieved within ten months, substantial progress should lead to stage two, insisting that stability building measures, which will not have been completed, will be implemented thereafter.

5.2. The Lebanese Arena

Over the last three and a half decades, Lebanon has been taken captive—first by the PLO, later by Syria and Israel, and finally by Iran and the Hizbollah. The Lebanese people have paid a high price for this. The interest of the Lebanese government, backed by all Arab states, with the exception of Syria, is to rebuild Lebanese statehood, its sovereignty and defend it against any infringements.

The difficulty in achieving this aim derives not only from external infringement, particularly from Iran and Syria, and in reaction hereto from Israel, but derives also from internal factors. The Lebanese state is composed of a fragile structure of constitutional, political and economic arrangements agreed upon between various ethnic minorities that include Sunni, Druze, Christian Maronite (Catholic), Christian Greek Orthodox, and Shi'ite communities. Tensions among these ethnic communities are older than the Lebanese state, and the drive to achieve collective security amongst each ethnic community, as a rule, overrides the awareness of a more theoretical Lebanese identity. In the past, the insecurity of each ethnic community has encouraged them to search for external allies. Since the 17th century, the Maronite community has developed strong links with France, the Sunni community has long understood itself as an important part of the Arab Sunni majority of the Arab East, and the Shi'ite community has entertained close links to Iran and particularly to the Shi'ite clergy, residing in Iran and in the holy Shi'ite cities of Najaf and Karbala, situated in present day, Iraq. Also the former Iranian regime of the Pahlavi dynasty (1925-1979) cherished a supportive relationship with Lebanon's Shi'ite community.

Any serious stability building plan for Lebanon will have to take this historical and political luggage into account. Accordingly, we suggest planning for three phases of stability building, while simultaneously preparing for a worst case scenario.

a. *Phase One: Stabilizing the Ceasefire Between Lebanon and Israel*

UN Security Council Resolution 1701 provides, in essence, all the necessary components for stabilizing the ceasefire.[34]

The first step in this process will entail the full deployment of a multinational peace keeping force, which at first will be commanded by the French. The main task of the peace keeping force will be to prevent any renewed violence between the Hizbollah and Israel, and permit the Lebanese army to deploy its forces along the Lebanese side of the border with Israel.[35]

The second step will have to include three complementary components: the safe return of the two Israeli soldiers (Ehud Goldwasser and Eldad Regev) kidnapped on Israeli territory by Hizbollah; a complete withdrawal of the Israeli defense forces from Lebanese territory and; the lifting of Israel's air and sea blockade of Lebanon (at the time of writing, Israel had already lifted its blockade and had withdrawal from all but the area around Ghajar).

The third step will have to assure that Hizbollah will not be able to re-establish its dominating role over South Lebanon, and exploit this, in order to prepare for another round

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[34] "United Nations Security Council Resolution 1701," Adapted by the Security Council at its 5511th meeting, on 11 August 2006. United Nations, Security Council, Resolutions, 2006, http://www.un.org/Docs/sc/unsc_resolutions06.htm

[35] At the time of writing, UNIFIL had increased its troops strength to 5,200 solder, including a Interim Maritime Task Force under the leadership of UNIFIL Acting Chief Administrative Officer Jean-Pierre Ducharme and together with five brigades from the Lebanese Armed Forces, have deployed throughout southern Lebanon, see: UNIFIL Press Statement of 3 October 2006, http://www.un.org/Depts/dpko/missions/unifil/PS3oct.pdf

of fighting against Israel, which they then could provoke at any given moment. Achieving this goal will necessitate several steps:

- The international peace keeping force will have to establish civil control over southern Lebanon, and assist the Lebanese government in gradually taking over these control functions. Hizbollah's civil and economic control systems in the past have permitted a massive military build up in South Lebanon, and in fact turned the Lebanese government into a captive of Hizbollah's alliance with Iran and Syria.

- In order to assist the Lebanese government in confronting, if necessary, Hizbollah's attempts to re-establish their former civil and economic control system, a diplomatic crisis management structure should be created. A forum, to convene daily (or twice weekly), of representatives from the US, France, Saudi Arabia, Turkey, the Arab League and the Shi'ite community, should be given a special mandate to oversee the process of permitting the Lebanese government to re-establish its civil and economic control functions over South Lebanon, and if necessary intervene in counteracting Hizbollah attempts to re-establish their former control system.[36]

- It is important that the political, diplomatic and administrative structure to guarantee the control of the Lebanese government over southern Lebanon will be established at the very outset of the process.

- When, during the second phase of stability building, an international and regional reconstruction plan for Lebanon will be launched, the necessary administrative civil and economic control measures will all be in place.

The above measures should facilitate the task of the international peace keeping force to enforce an arms embargo. In case Hizbollah arms should reach South Lebanon, and should be hidden there, legal, civil and security control systems exercised by the Lebanese Government and the international peace force should enable them to take action against any perpetrator, and prevent any arms build up.

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[36] In this context, the Macedonian model may provide insight into the creation of an effective force. This model has created an effective triangle structure of crisis prevention involving the local government, international observers and NATO troops. International observers of the OSCE (the Organization for Security and Cooperation in Europe) were given various missions to assist preventing ethnical friction and offer support in the reconstruction of the police, local institutions and communities; a small NATO force was dispatched to collect insurgent weapons, provide additional security protection for the international observers (with the local Macedonian authorities providing the primary security), if necessary separate between hostile ethnic groups and advise the Macedonian government with Security Sector Reform; whereas, most important to any crisis situation, the diplomats on the ground, representing the International community, created an effective mechanism for diffusing emerging tension. See: OSCE Spillover Monitor Mission to Skopje, http://www.osce.org/skopje/13160.html; NATO Headquarters Skopje, http://www.nhqs.nato.int/missions/nhqsMission.htm

b. Phase Two: Launching and Implementing Two Plans: Reconstruction and DDR (Disarmament, Demobilization and Reintegration)

The necessary reconstruction of Lebanon, the revitalization of the Lebanese economy, and the anticipated flow of international and regional financial assistance can all be planned and orchestrated in such a way as to strengthen the Lebanese state identity, the legitimacy and power of the Lebanese government, and a social bridging exercise of existing ethnic divisions.

An academic, empirically based and analytical description of necessary components of a peace-building reconstruction plan is given in Nicole Ball's article, "The Challenge of Rebuilding War-Torn Societies." [37] Most of the prescriptions given there should be carefully incorporated in an international and regional launched Reconstruction Plan for Lebanon. The tasks listed there, under the title, "Priority Peace Building Tasks," include, among others, the following items:

- To Provide a sufficient level of security to civilians to enable economic activity to recover, to encourage refugees and the internally displaced to re-establish themselves, and to persuade the business community to invest;

- A Strengthening of the government's capacity to carry out key tasks;

- Assisting in the return of refugees and internally displaced persons;

- Supporting the rejuvenation of household economies, especially by strengthening the smallholder agricultural sector;

- Assisting in community recovery, in part through projects that rehabilitate the social and economic infrastructure;

- Rehabilitating infrastructure crucial to economic revival, such as major roads, bridges, marketplaces, and power generation facilities;

- Removing land mines [and unexploded ordnances] from major transport arteries, fields in heavily populated areas, and other critical sites;

- Stabilizing the national currency and rehabilitate financial institutions;

- Promoting national reconciliation; and

- Giving priority to social groups and geographic areas most affected by the conflict.[38]

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[37] Nicole Ball, "The Challenge of Rebuilding War-Torn Societies," in: Crocker, Hampson and Aall, op. cit., 719-736.
[38] Ibid, 723.

This ten-point plan clearly describes the suggested content of a Reconstruction Plan that shall serve the aims of strengthening the Lebanese state identity, the legitimacy and power of the Lebanese government and social bridging of existing ethnic divides. To serve these same aims, an effective political, administrative, and legal structure for implementing the suggested Reconstruction Plan has to be created. Reshuffling Nicole Ball's recommendations a bit, we suggest developing the following support structure:

- *First*, the Reconstruction Plan will be drawn in line with the above recommendations, by a working committee composed of the Lebanese Government, local representatives from areas hit most by the war, and leading representatives of the international and regional donor community. The working group will establish a small oversight committee to offer ongoing assistance during implementation;

- *Second*, the international peace keeping force, will be responsible, to support the Lebanese Government, in providing a sufficient level of security to civilians as described above under point one, and will be responsible for removing land mines and unexploded ordnances, as described above under point seven;

- *Third*, the Lebanese government will be given all the necessary technical assistance, legal and administrative powers, to implement the Reconstruction Plan;

- *Fourth*, in order to create effective administrative support for the Lebanese government, and donor oversight capacities, special financing instruments will be established for implementing each of the tasks, outlined above under points, three, four, five, six, and eight. Each donor supported financing instrument will also be able to provide the Lebanese government with the necessary professional and technical assistance;

- *Fifth*, the Lebanese Government will take administrative and legal action to guide the recovery work of non-governmental organizations. The work of these non-governmental organizations will be overseen, guided and partly financed by the Lebanese government, fully in line with the provisions of the Reconstruction Plan. Hizbollah NGO's shall not be excluded from participating in the reconstruction effort, but will have to submit their plans and funds, to government and donor control;

- *Sixth*, in pursuance of point ten of the above list, the Lebanese government, the international peace keeping force, the donor community and representatives of the local communities in the south of Lebanon, particularly from the Shi'ite and Greek Orthodox communities, shall create a special plan and working structure to guide, implement and oversee a social and economic rehabilitation plan for Southern Lebanon.

Parallel to the Reconstruction Plan, the Lebanese Government will prepare a plan for DDR in compliance with the provisions laid down in UN SC resolution 1559. Whereas, the effective implementation of the disarmament, and the demobilization of the para-military forces of Hizbollah must be seen as an essential element in the process of stability building and strengthening Lebanese state identity and power. We do not suggest that this process can be

carried out hastily. The process of disarmament must, however, be part of a wider process of national reconstruction and reconciliation in order to avoid negative backlash.[39]

The control measures outlined above (under phase one), and the practical conception, and implementation of the Reconstruction Plan, should create the necessary pre-conditions for the Lebanese Government to design a phased process of DDR. As massive disarmament and demobilization will not be possible without a process of reintegration of these forces into the Lebanese army, progress should be achieved gradually, commensurate, with an effective security reform of the Lebanese army. This security reform must assure complete control of the Lebanese Government over a unified chain of command of all Lebanese armed forces, including those forces, which will have to be reintegrated into the army.

c. Phase Three: Strengthening the Lebanese State Identity

Stability building in Lebanon will not be fully achieved, merely by the prevention of a second round of violence, a process of pacification, of controlled reconstruction, and a well conceived process of DDR for para-military forces into the regular army. What will be needed is a deeper internal political process. The Reconstruction Plan should lay the foundations for this political process. The Ta'if Agreement of 1989 should provide the political and constitutional guidelines.[40] The work itself will have to be carried out, by an intensive internal Lebanese dialogue. The task of the international community will be to neutralize outside intervention.

5.3. The Syrian Arena

The Syrian perceived lack of urgency creates no small challenge for a US comprehensive strategy for peace; Syria has proven to act as a substantial spoiler, and could possibly seek further destabilize with the situation in Lebanon, as well as on the Israeli-Palestinian scene. Thus, before entering a US-Syrian give and take dialogue, to which I shall refer below, I suggest to adopt a crisis-prevention approach by pursuing four parallel activities.
First, to initiate a confidential dialogue, between the US and Syria, where the conditions necessary to involve Syria in the envisaged peace-making effort will be elaborated upon. In practice, this means that the three staged approach (described above) of stabilizing Lebanon and Israeli-Palestinian relations, demanding Syria to give up its alliance with Iran, and moving towards a renewed and comprehensive negotiating process under the umbrella of the Madrid process, will be laid out;

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[39] For further information regarding the requirement of DDR, see: Massimo Fusato, "Disarmament, Demobilization and Reintegration of Ex-Combatants," *Beyond Intractability.org*, July 2003, http://www.beyondintractability.org/essay/demobilization/; "A Framework for lasting Disarmament, Demobilization and Reintegration of Former Combatants in Crisis Situations" *An International Peace Academy Workshop Report*, 12-13 December 2002.
[40] "The Ta'if Agreement," 1989, The Official Lebanese Forces Website, 5 October 2006, http://www.lebanese-forces.org/lebanon/agreements/taef.htm

Second, to develop a political contingency plan for dealing with possible Syrian non-compliance, in a coordinated political move to be lead by a coalition of the US, EU, UN, and possibly Russia, France, Egypt, Jordan, Saudi Arabia and Turkey;

Third, a military contingency plan, that will be able to contend with Syrian involvement in a Hizbollah and Iranian driven escalation of violence against Israel; and

Fourth, in case of Syrian compliance, in favor of a stability building effort in Lebanon and the Israeli-Palestinian scene, plan for a series of well thought-out early political and economic rewards.

5.4. <u>The Iranian Arena</u>

In preparing the first stage of the Strategic Design Framework, dedicated to stability building, Iran has two seemingly contradictory functions. One, the common international and regional fear of Iranian regional and eventually global hegemonic aspirations, exercises an important unifying function, which can help in keeping most, if not all, international and regional coalition partners of a US lead strategy for a comprehensive peace in the Middle East, together. Second, Iranian diplomacy can be relied upon, trying to, "divide and rule" the supportive coalition of the envisaged strategy design framework. Third, Iran will also most probably try to disrupt and spoil progress in implementing the Strategic Design Framework. Political incitement, supply of arms, assistance in the form of financing and training of various terrorist groups in Lebanon and Palestine, and possibly elsewhere, are likely to be continued or even intensified. Moreover, direct provocations by Iranian agents—as for instance, a terror attack, as the one against the Jewish community in Buenos Aires, Argentine—may be expected. Although it does not seem probable, the US, the international and regional community must also be prepared for a worst-case scenario, in which Iran would encourage Hizbollah and/or Syria, and the radical wing of Hamas, to launch acts of violence against Israel, that might be backed up, with rocket attacks, from Lebanese, Syrian, Palestinian or even Iranian territory.

As part of the Strategic Design Framework, the US should initiate two pre-emptive measures, beyond and within the common effort to prevent a nuclear build up of the Iranian regime:

a. *Establishing an "Iran-Watch Committee"*

An Iran Watch committee should be established, consisting of a professional inquiry commission, preferably under the auspices of the Security Council, or possibly, as part of a Quartet activity, to study Iranian subversive activities, and should publish its reports once every three months.

This professional team will be responsible for gathering comprehensive information on the following issues:

- Iranian acts of incitement: to include calls, "to wipe Israel off the map," or other calls encouraging acts of violence against any group or state; including incitement published in the media, or over the internet;

- Iranian financing of terror organizations, or individuals who are asked to carry out acts of terror;

- Iranian training of members of terror organizations;

- Iranian supplies of arms to terror groups; and

- Possible direct acts of violence carried out by Iranian security forces, by irregular forces supported by them, or by their agents.

All these activities must be registered and published. The professional committee should also investigate, whether the above activities fall under the definition of war crimes, or even under the definition of genocide, according to the UN Convention on the Prevention and Punishment of the Crime of Genocide, of 1948.[41]

The Report shall make recommendations, whether specific persons, by their activities have rendered themselves subject to extradition and punishment. In special cases the report may suggest to arrest people and bring them to be tried before the International Court of Justice, in The Hague, Netherlands. In case there will be a quantitatively and qualitatively definable decrease of Iran's acts of incitement, the stopping of delivery of arms to terror groups and no Iranian involvement in supporting acts of violence, the Iran Watch Group should also mark this. Such improvements should be recognized and rewarded.

b. Worst Case Scenario

In case there is a renewed escalation of violence, supported by Iran and/or its proxies—Syria, Hizbollah, and Hamas—a contingency plan shall be prepared to prevent a major regional conflagration, or an all/out war with Iran. The United States should develop with NATO necessary contingencies, permitting NATO troops to be sent to South Lebanon, the Eastern fringes of the Israeli controlled Golan Heights, or the Gaza Strip. These contingency plans must be coordinated, ahead of time, with the Lebanese Government for possible intervention in South Lebanon, with the Israeli Government for a possible intervention on the Eastern fringes of the Golan Heights, and with the Israeli Government, the Palestinian Presidency and the Egyptian Government for a possible intervention in the Gaza Strip.

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[41] "Convention on the Prevention and Punishment of the Crime of Genocide," Adopted by Resolution 260 (III) A of the United Nations General Assembly on 9 December 1948.

c. A Good Case Scenario

In case there will be serious headway in implementing the Strategic Design Framework, and particularly if Syria will join a stability building coalition together with the other Arab states in the region and the global members of the "coalition of the willing," the policy of containment of Iran, should not be directed in a threatening way against the leadership in Tehran and make it thus possible to include Iran, later on, in a regional stability building dialogue.

6. Creating a Cohesive Support Structure for the First Stage of the Strategic Design Framework

It is my working assumption that the five basic components of the proposed first stage of the Strategic Design Framework, a detailed Israeli-Palestinian stability building effort, a similarly detailed Lebanese stability building effort, a dialogue with Syria, permitting Syria to join the, "coalition of the willing," under controlled conditions, the intended containment of Iran, and a clear commitment to a, "worst case contingency plan," will largely dovetail with the strategic interests of a wide coalition of international and regional actors. Moreover, the concept of a close-ended continuation to stage two, and later to stage three, reached either through agreement or obligatory arbitration, creates a new element that has so far being lacking in perceived peace strategies. It should not be too difficult to develop, a cohesive support structure with the active participation of international and regional coalition partners. The following steps are suggested:

6.1. <u>The First Step: Restructuring US-Policy Intervention in the Middle East</u>

Until now, devotion of the US-President and of the Secretary of State to Israeli-Arab peace making has been sporadic and dependent on the pursuance of US policies in other crises areas. Whereas, the personal guidance of policies by the President and the Secretary of State will remain essential, the nomination of a US Peace Envoy to the Middle East, will be necessary. The Peace Envoy should be given all the authority to direct the work of all US ambassadors, consul-generals and US-agencies, such as the CIA and USAID, in the region, who will work all under his direct guidance.

Obviously the US Peace Envoy must have the highest political standing and must enjoy the full confidence of the President, the House of Representatives and the Senate.

6.2. <u>The Second Step: Getting Israel, the Lebanese Government and the Palestinian Presidency on Board</u>

The detailed stability building programs outlined above, connected with a well planned and structured Israeli-Palestinian negotiating process, the renewal of a political momentum, (providing hope, and substantial international aid for the reconstruction of the economies of Lebanon and the Palestinian territories), should greatly facilitate the ability of the US

leadership to achieve the full consent of those concerned parties to the first stages of the Strategic Design Framework, and get them to sign on.

6.3. The Third Step: Creating Effective Quartet Leadership

Having prepared a detailed concept, and having the three most important regional parties signed on it, will make it possible for the US to achieve full understanding with the other Quartet members and have them sign on to the Strategic Design Framework. Additionally, the enormous importance of the strategic working program for global and regional stability, should be reflected in establishing an effective structure of leadership for implementation: We suggest that the United States Special Envoy to the Middle East, should have equal counterparts, nominated by other members of the Quartet. The four envoys will form a working team, who shall confer with each other on a daily basis, enabling them to effectively oversee the unfolding of the Strategic Design Framework, and guide supportive working groups, responsible to oversee, monitor and assist in the implementation of security building and economic reconstruction.

6.4. The Fourth Step: Creating a Consultative Support Group

In order to assure Arab and Muslim support, the United States should establish a, "Consultative Support Group," asking the ambassadors of Saudi Arabia, Egypt, Jordan and Turkey to Washington with the head of NEA (Near Eastern Affairs, branch of the US State Department), to consult on a weekly basis, regarding the implementation of the Strategic Design Framework. The Consultative Support Group will also oversee the practical daily involvement of a wide as possible Arab participation in the Reconstruction Plan for Lebanon.

Regarding the negotiations preparing for an, "end of occupation" on the Gaza Strip, and the necessary political, security and economic inter-connections between the Palestinian Government, Egypt, Jordan and Israel, we suggest the creation of a joint working group. A further special Palestinian-Arab working group should be established in order to enable the Palestinians to develop further economic relations with Arab states in the Mashriq and Maghreb. In matters of common interest and concern, the Israeli-Palestinian-Egyptian-Jordanian working group, and the wider Palestinian-Arab working group, may decide to have common sessions, to discuss issues of common interest and relevance.

6.5. Getting other International Organizations on Board

In order to achieve optimal effectiveness the Quartet members should entertain an ongoing consultation and prepare supportive contingency plans, with various international organizations.

Preparing a contingency plan for a, "Bad Case Scenario" in either of the areas, the Quartet members should work closely together with NATO to develop an action plan that would permit for NATO intervention whenever this might become necessary.

In supporting the economic reconstruction plans for Lebanon and the Palestinian territories a close consultation mechanism with the G8, OECD, the World Bank and the IMF should be developed.

It is suggested that the Quartet Special Envoys should rebuild the present diffuse structure of donor activities regarding the Palestinian territories and create a more unified and disciplined approach.

6.6. Engaging in Diplomatic Preparations for Stage Two of the Strategic Design Framework

Altogether the time period allocated for stage one, should not exceed twelve months. This does not necessarily suggest that all the activities outlined above, should be completed within the time period of twelve months. It rather means that a major effort shall be made to move towards stage two after twelve months, which should witness the continuation of political, security and economic stability building processes that have been started towards building the sustainability of future peace agreements.

These twelve months should be effectively used, to permit the United States to plan, in detail, Stage Two of the Strategic Design Framework.

7. Preparing for the Second Stage of the Strategic Design Framework

7.1. The Strategic Aim

The practical development of the first stage of the Strategic Design Framework will determine how to move towards the second stage. I have described above that stage one aimed at stability building and defined that such stability building is not merely aimed at creating a prolonged cease-fire, but more comprehensively for regaining the confidence in, and the legitimacy for peace-making. Stage two will be far more ambitious project, and shall aim at creating the sustainability of peace as an important pre-condition to permit all the concerned parties to move, in stage three, towards concluding peace and fully implementing it. This process will take place within the context of the common strategic aim (as outlined above under Chapter 2, Point 2.1, the Great Divide) of building a wide global and regional coalition of states/societies committed to pursue stability, prosperity and peace, through fighting and isolating al-Qaeda violence, and attempting to contain Iran's regional and global hegemonic aspirations. Accordingly, stage two of the Strategic Design Framework will aim to prepare the ground for concluding peace agreements and solving outstanding issues of dispute, by strengthening capacities and commitments for isolating the forces of violence.

The structure and rules of engagement created by the Strategic Design Framework creates a completely new paradigm of stability and peace-building: It will be guided by a wide international coalition, lead by the Quartet, pro-actively supported by other international actors and instruments (the G8, NATO, OECD) and the regional consultation forum. The peace-finding process itself will be different, and will not longer be open ended, but will lead to agreement, in each stage, either by achieving full bilateral understandings in negotiations, or by ensuing US arbitration. Finally, it will incorporate strong capabilities to reassure concerned parties that effective response will be available to worst case scenarios.

This structured process will create mutual commitments and dependencies that will aim to isolate spoilers, and prevent them from reinitiating incitement, violence and conflict. The common fear of the Iranian led, "axis of evil," creates the need and the possibility of reversing the old paradigm of peace making in the Middle East. During the 1990's the overriding aim of the Madrid process was to permit bilateral negotiations, viewing multilateral activities as a by-product to (primarily) support the request of Shamir in overcoming Israel's almost complete isolation in the region. Yet, the issue was to create headway on the bilateral fronts, whereas multilateralism was seen as a dispensable, "icing on the cake".

In contrast, during the second half of the first decade of the 21st century, the need to pre-empt al-Qaeda terrorism and counter-act Iran's regional hegemonic aspirations has shifted the focus. The issue at stake is to create common understandings and multilateral bonds to be able to fend off provocations, or acts of terror that can occur anywhere. Accordingly, the creation of a variety of multilateral engagements in a substance oriented context, will have to be developed.

7.2. The Cost/Benefit of Continuity

Preparation for Stage Two creates important costs and benefits, but will be dependent on continuity with, and the outcomes of, Stage One. As Stage One should be reached within twelve months from its start, substantial headway in preparing for stage two, through an evaluation of anticipated achievements and failures, should be made after nine months to assist in properly preparing for Stage Two. Conceptually, three basic outcomes may be anticipated:

7.2.1. Scenario one, the, "good or best-case scenario,"

A, "good or best-case scenario," would have the following characteristics:

- *Lebanon*: the Lebanese-Israeli ceasefire will remain fully intact. The international peace-keeping forces will have created an important model of successful international intervention, permitting the full implementation of Security Council Resolutions 1559 and 1701. The Lebanese government will have established effective political, civil and economic control mechanisms, permitting it to pursue a social and economic

reconstruction plan and the beginning of a successful program of DDR regarding Hizbollah's para-military forces, and thereby strengthening the political and social state-identity of Lebanon.

- *Israeli-Palestinian arena*: the ceasefire will remain fully in tact. Serious headway regarding the unification of Palestinian security forces, and the implementation of Israeli-Palestinian security coordination will provide an atmosphere of stability. Economic revival, based on the full implementation of the Agreement on Movement and Access, will provide for the opening of economic connections between Gaza, Israel and the West Bank, and beyond, creating an atmosphere of economic optimism. An agreement on how to, "end occupation" over the Gaza Strip, as an important step forward in an agreed multi-staged political process, will create an atmosphere of confidence in the dynamics of progressing by negotiations towards Permanent Status.

- *Syria*: a primarily United States dialogue with Syria (assumingly also with Israel) will convince Damascus to join the, "coalition of the willing," and bring it on board for the process of stability and peace-building.

7.2.2. Scenario two, the, "bad-case scenario,"

In line with the provisions of the Strategic Design Framework, a "bad-case scenario" could look something like this: continued violence, on either one or all of the stability and peace building tracks will have invoked Quartet lead crisis management contingency plans, leading to the reinforcement of international peace-keeping forces, and under deteriorating conditions, even to the deployment of international peace-enforcement troops. Such a scenario would instill confidence of the concerned parties (Israel, the Palestinian pragmatic leadership and Lebanon), in the seriousness of the international effort, and the validity of international legitimacy and permit progress, although under difficult circumstances, in implementing the Strategic Design Framework.

7.2.3. Scenario three, or the, "worst-case scenario,"

A Worst-case scenario could produce continuing and escalating violence without any serious crisis-management activities. The development of such a scenario would mean that the Strategic Design Framework would have actually never reached the take off point. As the evaluation towards Stage Two will be made in fall 2007, at a time when the United States administration will have already moved into its last year of government, the conditions of this scenario would mean that the best remaining option, would be a serious process of policy re-evaluation.

Planning for the continuation towards Stage Two under either scenario one or two will illustrate the cost-benefit of the principle of continuity of the Strategic Design Framework. The logic of the suggested strategic approach will invoke the rule that non-violence will accelerate progress on a planned timeline; whereas violence will prolong the process.

The benefit for all parties under both scenarios is that, in Paul Lederach's language, "we move from the simpler question – how do we solve the crisis? – To the more complex dilemma formulation – how do we respond to the immediate crisis and at the same time build capacities and relationships that will be needed for longer-term change we hope to create?"[42] Or, in other words, a common process of stability and peace building may remain fully intact, and under successful leadership of the Quartet, might even under crisis conditions, be re-enforced as the outside commitment to take part in the struggle against the spoilers.

The cost for the political leadership of any member of the, "coalition of the willing," under the second, bad case scenario, will mean that political rewards, which in their nature are time-limited, will have to be postponed, while more intense engagement under politically difficult conditions, will be necessary. Such conditions will push the possible benefits towards the medium or long term.

The fact that the United States, from 1947 until 1991, in a most consequent and disciplined manner, pursued a Strategic Design Framework of containment, laid out in George F. Kennan's, "Long Telegram," justifies our hope that it is possible to pursue a similar approach in a conflict that is not less vital for the United States and the entire free world.[43]

7.3. The Practical Implications of Continuity

In preparing for Stage Two of the Strategic Design Framework, the evaluation of past achievements and failures will be an important component in future planning. I suggest to prepare for a well structured consultation process, first among the Quartet powers, then bilaterally between the US, Israel, the PA, Lebanon, and possibly Syria, in order to achieve a common evaluation, not so much in order to commend or condemn one or the other party, but rather to develop an agreed timeline that will permit the design of stability-building activities for the next stage, not yet achieved.

Under conditions of the second, bad-case scenario, Stage One will have to be substantially extended. In case progress will have been achieved in one arena, and not in another, the development of different timelines should be possible.

In pursuing a strategy of stability and peace building in the Middle East, experiences from other conflict areas again may be useful. Looking at the pattern that developed in Ireland, agreements were negotiated (often for a long time), then concluded, and thereafter broken by the one or the other side, causing after its default, the initiation of a re-negotiation process, leading to agreements that actually had been concluded long before.[44]

In hindsight, the approach in the Irish peace-making process, continuing stability and peacemaking activities in spite of repeated setbacks, created two very constructive results.

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[42] Lederach, opt. cit., 846.

[43] George F. Kennan, "The Long Telegram (or, The Sources of Soviet Conduct)," 22 February 1946, Documents on American Foreign Relations, www.afr.gov

[44] Brendan O'Brien, *The Long War: The IRA and Sinn Fein* (O'Brien Press, 1999).

First, it gave all concerned parties a sense of prolonged commitment and discipline of the peace-seekers and thereby slowly permitted the enlargement of the "coalition of the willing."

The determination of a wide coalition of actors to overcome set-backs, and to prevent those who cause the set-backs from gaining rewards, is an important component in any peace-finding process. A similar disciplined approach will be necessary for the Middle East. In order to make this possible, the United States leadership will have to be prepared to assert, what we may call, "adult supervision," in regard to all concerned parties.

The entire concept of a Strategic Design Framework stands or falls, not so much with the one or the other achievement, with one or other set-back, but far more with the capacity of the, "coalition of the willing," and its leadership to maintain a sense of continuity. This will make the bipartisan dialogue and agreement within the United States to endorse the Strategic Framework and commit to it an absolute necessity.

7.4. Defining the Specifics Tasks and Phases for Stage Two

In speaking about the concept of a Strategic Design Framework, Paul Lederach, relates to the question of time as follows:

> "Experience suggests that in the places that have created a capacity to sustain an adaptive peace process over time, for example, South Africa, Nicaragua, or Northern Ireland, their time frame of reference shifted conceptually to match the practicalities of their respective realities. They were required to shift from a short-term, task-oriented view toward a longer-term, change-oriented view. This is what I refer to as "decade" thinking. In conflicts that have been expressed through violent cycles of interaction that date across decades or even generations we must think in longer blocks, in decades, in reference to the peace-building processes required to move toward the desired change in relationships.
>
> "This does not mean we think in idealistic but irrelevant terms about peace, thereby making dreams an untouchable utopia. Rather, we build from dreams the strategic frameworks that clarify and concretize the social, political, economic, community, and interpersonal changes those dreams would entail. This, in turn, sharpens our capacity to recognize at any given moment the potential inherent in the crisis that permit us to simultaneously respond to the crisis and build our overall capacity for desired change."[45]

Thus, the challenge in Stage Two is not the task oriented stability building, whose purpose is preparing for the sustainability of peace, but to, "shift…to a longer-term change-oriented view." We can define with a relatively high decree of accuracy, the change-oriented shifts that are necessary in each arena.

7.4.1. *The Israeli-Palestinian Arena*:

In order to bring about a change in the Israeli-Palestinian relationship that would provide for the sustainability of peace, I suggest that the following seven major, "change-oriented shifts," are necessary:

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[45] Lederach, opt. cit., 846.

First, Settlers and Settlements: The evacuation of a majority of Israeli settlements and a hereto related redeployment and/or withdrawal of Israeli security forces, which will provide Palestinians with the capability to move freely within their territories and prepare for the establishment of the necessary physical and institutional infrastructure of a sovereign and independent state, within part of the area of the historic homeland of the Palestinian people; and will also provide the Israelis with the capability to establish a Jewish and democratic state, providing full and equal citizenship to all non-Jewish residents, within part of the area, of the historic homeland of the Jewish people;

Second, Security: Regarding security issues: the Palestinian people will have to develop a Palestinian national security doctrine that will permit them to give up the national liberation movement concept of, "resistance," in favor of a national security doctrine that will provide security to the Palestinian people, within an agreed two-state solution. This will make it necessary for the Palestinian body politic and society to ask five questions, and offer appropriate answers to them. Those questions are:

1. How can the PA (with international assistance) provide security to the Palestinian people, wherever they might reside?

2. How can the PA extend its territorial control in the West Bank and establish law and order in the Gaza Strip and increased areas of the West Bank, including free movement of people, goods and services inside the Palestinian territories and from there to all its neighboring countries via land, sea and air?

3. How can the PA bring about the end of occupation?

4. How will the PA develop security cooperation with all its neighbors, Israel, Egypt and Jordan?

5. What kind of regional and international securities can the PA and the future Palestinian state obtain from its neighbors, and other regional and international actors, to guarantee a sustainable security for the PA and the future Palestinian state?

Complementary to this, the Israeli people will have to understand several truths regarding their own security:

1. One, there is no military deterrence Israel can create against the growing anger of one billion Arab and non-Arab Muslims;

2. Two, Israel will not have—for a prolonged period of time—the power to impose a security system upon the Palestinians that will unilaterally serve Israel, without taking care of the legitimate rights and requirements of the Palestinian people; only a mutually reinforcing security system, serving the interests of both peoples, will be able to provide sustained security to Israel;

3. Three, Israel will have to develop a security doctrine that will rely partially on its own security capacities, and will rely otherwise, on international and regional security obligations made towards Israel, by global powers or organizations, and by regional partners in peace.

Evidently, the optimal mix, between independent Israeli security capacities, and external security obligations, will depend largely on the content, form and reliability of external security obligations toward Israel.

Third, Economy: Decreasing Palestinian economic dependence on Israel, while decreasing the enormous gap in income, and rebuilding a more equal economic relationship, will be an important factor, in shifting former attitudes of hostility, towards a relationship of partnership.

Fourth, *Conceptual Legitimacy:* The conceptual legitimacy of a two-state solution will have to be sustained by societal acceptance among Israelis and Palestinians alike. This should be achieved in two consecutive stages: improving immediately state-to-state relations and hereby creating a sense of good neighborly relations; and moving from there to the recognition and gradual acceptance of the historical narrative of the other side.

Later on, the separate narratives of history, tradition, religious beliefs may have to be first known to the other, then largely accepted, leading much later towards a commonly accepted narrative;

Fifth, *Jerusalem:* During stage two, optimal common ground regarding Jerusalem, before agreeing on all related issues, will have to be achieved. This should include the foundation of a Palestinian municipality for al-Quds, and possibly an Israeli withdrawal from most Palestinian inhabited areas of Metropolitan Jerusalem. This should also include the establishment of a coordinated Israeli-Palestinian security approach towards maintaining stability and the freedom of worship at Jerusalem's Holy sites. Further measures should include the preparation of a common ten year development plan for the metropolitan Jerusalem area;

Sixth, *Refugees:* In regard to the Palestinian refugee problem, old rules of engagement will have to be shifted towards creating mutual confidence so that the refugee question can and will be solved in a fair and decent manner, which will not threaten either side. In practice, this may be easier, as it appears at first sight. A comprehensive program of internationally supported poverty alleviation, which anyhow will be needed to diminish economic gaps, and provide the necessary social stability for any Palestinian economic development program, will have to be launched, without excluding the refugee population in Gaza and the West Bank. This should not exclude the consideration of special arrangement to address the issues of the refugee population in Lebanon;

Seventh, *Asymmetry*: The asymmetrical character of the Israeli-Palestinian relationship, which so far, was often exploited by the Palestinian leadership in a destructive manner, will have to be turned into an effective confidence building factor. In the past, the Palestinian

leadership tended to enhance Arab hostility against Israel, in order to develop a more equal power relationship. From an Israeli point of view, to be asked to make peace with the Palestinians, while Arab hostility remains unchanged, creates a most dangerous asymmetric threat to the very existence of the State of Israel. Similarly, the experience of the summer of 2000 has illustrated that not only Israel, but also the Palestinian leadership needed strong legitimizing support from the Arab states for peace-making with Israel.

In Phase Two of the Strategic Design Framework these seven issues will have to be dealt with in a comprehensive manner. It is recommend that each side, will prepare for a joint negotiating effort, by preparing detailed and time-based proposals on how to achieve progress in each of the seven outlined areas. It is further recommended that under the auspices of a renewed Madrid Conference, a common approach towards achieving the conditions providing for the optimal sustainability for peace will be negotiated. Most of the issues will have to be discussed in the bilateral Israeli-Palestinian channel; some of the above issues will have to be dealt with in a restructured multilateral set up (see below). Regarding the envisaged time frame, the aim should be to achieve a negotiated agreement within a year, and agreement on how to proceed in implementing stage two of the Strategic Design Framework. The implementation of most of the issues to be dealt with, will have to take a far longer time period, as shall be discussed below.

7.4.2. *The Israeli-Syrian Arena:*

In many ways, the Israeli-Syrian peace finding process is far less complex than the Israeli-Palestinian relationship. Getting to Stage Two, Syria will have to join, in both word and deed, the, "coalition of the willing." To convince the Syrians to make this move, will most likely necessitate a commitment of Israel to continue negotiations, where they were left off.

In preparing for the sustainability of a possible Israeli-Syrian peace agreement, some of the issues that have to be dealt with, within the Israeli-Palestinian arena, will have to be dealt with in the Israeli-Syrian context, too:

- First, the issue of settlement evacuation, from the Golan Heights;

- Second, the entire complex of security relations, prior to Israeli withdrawal; during and after Israeli withdrawal;

- Third, the complex of economic relations before an Israeli evacuation of settlements, during and after; the basic structure of preparing for economic inter-relationships should be in place, before Israel will be asked to withdraw militarily from the Golan Heights;
- Fourth, the issue of water will have to be well prepared ahead of time; creating confidence in both capitals, that cooperation on water will create additional water resources, and any future struggle over water resources will be avoided;

- Fifth, the issue of refugees. At the second stage of the Strategic Framework, understandings could be similar, to the ones described above, under the Israeli-Palestinian arena;

- Sixth, regional issues of common interest should be taken care off; this could probably be achieved through a coordinated Turkish-Syrian-Lebanese-Israeli regional security arrangement, providing for mutually reinforcing security guarantees to all four parties; this could include structures of cooperation in economic affairs; and coordination and possibly even partial harmonization of various understandings with Europe and the United States.

In creating the sustainability of Israeli-Syrian peace, Jerusalem and Damascus will have a common vested interest in an irreversible improvement of Syrian-American and Syrian-European relations, which should reflect upon the entire strategic re-orientation of the area.

Israeli-Syrian negotiations in a renewed Madrid Conference will have to deal with all these issues, primarily through a bilateral set up, but on certain issues, within a well-defined multilateral structure. The time frame for implementation needs to be discussed in much detail. Our working assumption is that agreement on the sustainability of peace, in the second stage, could be very quickly transformed towards the conclusion of an Israeli-Syrian peace agreement.

7.4.3. *The Israeli-Lebanese Arena:*

It is our opinion that the sustainability for a future Israeli-Lebanese peace, will best be served for the time being, under conditions where Lebanon, the international community and supporting Arab states, shall assist at first, in strengthening Lebanon's state identity, and completely ending Hizbollah provocations against Israel, be these verbal, or by supporting Palestinian violence, or by taking independent action, in this context.

Renewing the Madrid Conference negotiating structure should permit a renewal of Israeli-Lebanese negotiations in a bilateral set up. Nevertheless, the main purpose of this negotiating structure should be, for the time being, dedicated to crisis-management activities, permitting the Syrians to gain some confidence that nobody intends to outwit them in using the Lebanese track to undermine Syria's negotiation position. After concluding a peace agreement between Israel and Syria and moving towards its implementation, Israeli-Lebanese peace talks should be initiated and brought quickly to a successful conclusion.

7.4.4. *In preparing Phase Two, three phases should be planned:*

Phase one, would be dedicated to permitting the concerned parties, who made successful progress through stage one, and in contributing to the envisaged stability building effort, to sign on to stage two; this would include serious discussions in preparation of all the issues

where "change oriented shifts" have to be brought about, in seeking to establish sustainability for peace-making, in preparation of Stage three.

Phase two, on the basis of those preparations, the parties should participate in a renewed Madrid Conference structure. Bilateral and multilateral negotiations, (also see below) should lead, preferably within a year, to signed agreements on how to proceed, and on how to bring about the necessary, "change oriented shifts" in creating the sustainability of peace making.

Phase three, would be dedicated to the implementation of these "change-oriented shifts".

7.5. <u>Renewing the Madrid Process Conflict Resolution Structure</u>

I shall describe that it took historically from June 1967 to the end of October 1991, to create a commonly accepted conflict resolution structure for the Middle East (see Part Two, Historical Setting). The process that has taken place since then, of narrowing the gap, and not closing it, while deepening the abyss, has created new experiences and new realities, which have to be taken into account, in any attempt to renew the Madrid Process.

In October 1991, the Madrid Conference was convened, after a large coalition of global and regional powers had successfully defeated Iraq, and when the end of the Cold War, apparently created a broad global coalition under an unchallenged US leadership. Today the challenge of militant radical Islam is creating a far more imminent threat upon the region and the "global village," at large, at a time when the divisiveness of the international system permits radical forces to play sometimes very effectively, in pitting one leading member of the international and regional community, against the other. The emergence of a regional and global network of terror, the development and possession of short-, medium-, and long-range rockets, and the availability of non-conventional weapons by militant radical forces, creates a greater vulnerability of most regional and global actors, and hereby creates a far greater degree of mutual dependency.

No single actor, not even the United States, can provide for its citizens, single-handedly, effective deterrence against any terror attack. Whereas successful attacks in any area, tend to encourage further violent action in other areas, the opposite is similarly true: a concerted and sustained process of conflict management and resolution, although not able to completely contain spoilers, will tend to become the dominant trend in the region.

Viewing the renewal of the Madrid Process conflict resolution structure, within the wider context of the Strategic Design Framework, in many ways will help, to adapt the Madrid process to changing realities and will provide for new rules of engagement. Whereas the original Madrid Process was open-ended and failed to reach progress which seemingly had no consequences, the Strategic Design Framework, provides a continuous effort of stability building, which therefore is not open-ended. Whereas participation in the Madrid Conference necessitated agreement to the pre-negotiated letters of invitation, participation in a new conference, will necessitate participants to sign on to the Strategic Design Framework, and successfully pass through the first stage of stability building. Additionally, whereas the

Madrid process left bilateral negotiations *de facto* exclusively to the management and performance of the bilateral negotiating partners, the Strategic Design Framework offers the US the right to present bridging proposals and move on towards arbitration, previously agreed to, by the concerned parties. Whereas multilateral negotiations, as part of the traditional Madrid process, were in essence detached from the major bilateral negotiating effort, and could be terminated, at any moment, without repercussions for those who stepped out, the core motivation of the Strategic Design Framework which necessitates a far more complex and sophisticated combination of an ongoing bilateral and multilateral negotiating effort is a fully coordinated multilateral effort to contain Iran and isolate al-Qaeda.

In substance, negotiations will have to aim at achieving, "change-oriented shifts" as described above. This may necessitate the combination of bilateral and multilateral negotiations in specific areas, as shall be described below.

7.6. The Proposed Substance of Negotiations

7.6.1. The Israeli-Palestinian Arena

Stage two aims at creating the sustainability of a two state solution through laying out the foundations for a successful Palestinian State, strengthen its foundations to enable Israel to maintain its *raison d'etre* as a Jewish-democratic state, and preparing the foundations for good neighborly relations. The aim of the Madrid Conference structure in pursuing Stage Two will be to negotiate, within the time-frame of one year an agreement, on what is needed to get there (leaving time for possible US bridging proposals and arbitration).

To be effective, negotiations will be held in five clusters:

1. **Cluster One**

The first cluster will have a leading bilateral component: Israeli and Palestinian negotiators together will determine the optimal extent, the area, and the timeframe of Israeli settlement evacuation. To facilitate these negotiations and make them practice oriented, we suggest that discussions will be based on several prior agreed upon understandings:

In line with the subsections of Article I of the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip of September, 28, 1995, discussions will be based on three understandings:[46]

Israel shall maintain for stage three negotiations settlements and a military presence in up to 13% of the West Bank territory;

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[46] "Israeli-Palestinian Interim Agreement on the West Bank and Gaza Strip," Article I, 28 September 1995, Documents of the Israeli Ministry of Foreign Affairs, www.mfa.gov.il

Special long-term security arrangements will be negotiated for the Jordan Valley, guaranteeing that the entire area will become an indivisible part of sovereign Palestinian territory at an agreed point of time;

Land swaps between Israel and Palestine will be negotiated in stage three and shall not exceed more than 11% of West Bank territories.

Having an *a priori* agreed on these understandings, joint Israeli-Palestinian teams can define the optimal extent of Israeli settlement evacuation and should be able to draw up a jointly agreed map.

Having jointly decided, "Where to go to," bilateral negotiations, as much as unilateral action, can concentrate on how to best get there in a mutually reinforcing manner:

Security:

The Israeli side will need effective assurances from the Palestinians to prevent any violent action before, during and after settlement evacuation. Accordingly, an effective system of Israeli-Palestinian security cooperation will have to be worked out, which if successful, will in itself turn into an effective prelude for the withdrawal of Israeli security forces after settlement evacuation, towards previously agreed upon lines of withdrawal.

Transfer of Assets:

The Palestinians will need to receive from the Israeli side all the necessary information—lists of assets, value assessments, infrastructure grids, etc—in order to enable them to administer the land all other economic resources in the area, Israel will evacuate and withdraw from.

Together, negotiations should focus on an optimal transfer of assets, preventing—as much as possible—house demolitions, and integrating available assets into the existing Palestinian Mid-Term Development Plan.

Based on the understanding of the processes needed to conduct an orderly withdrawal, three years will be required to prepare for the agreed evacuation of the settler communities, the creation of effective coordination between the security forces of both sides, and the steps necessary to prepare for an effective transfer of assets. Israel will additionally need this time to plan, negotiate and implement settlement compensation and evacuation in a process of optimal consensus building with the settler population and leadership. The PA will need a similar time frame in order to undergo the effective development of the necessary security capacities and for an optimal integration of areas and assets in favor of a thorough economic build up of a Palestinian state.

Having signed on to the Strategic Design Framework, both the GoI and the Palestinian leadership will be immediately obliged to start unilateral preparations for stage two. In case we calculate that an agreement on stage one will be concluded in the autumn of 2007, an agreement on stage two, should be concluded, not later than the autumn of 2008. Thus, the

three years preparation period should be over by the end of 2009, permitting for the evacuation of settlements and the withdrawal of Israeli security forces.

One important caveat should be mentioned: in case Israeli-Syrian negotiations should proceed smoothly and effectively, the Quartet leadership over the Strategic Design Framework could, in full consultation with the concerned parties, suggest prioritizing Israeli settlement evacuation and first withdrawing from the Golan Heights, in order to conclude and implement an Israeli-Syrian Peace Agreement. Alternatively, the Quartet leadership would have to suggest to the Syrian leadership, to postpone settlement evacuation from the Golan Heights, for a longer period of time. Under such circumstances the Quartet powers should take effective measures to compensate either Syria or the Palestinians for postponement of settlement evacuation. Various innovative approaches in this respect should be thought of. It is suggested that Israeli-Palestinian negotiations in this first cluster, should relate to such an eventuality.

2. **Cluster Two**

The second cluster will consist of preparing for good-neighborly State-to-State relations, and in this context will have to deal with the entire security and economic build-up necessary for a functioning two-state solution. We suggest that in this cluster, much of the negotiations and deliberations will have to be outside the traditional bilateral negotiating channel. In this context we suggest that the following dialogue channels should be created:

1. A bilateral Palestinian-NATO dialogue to help the Palestinian leadership in developing a feasible Palestinian national security doctrine that will be able to defend and sustain Palestinian security interests in a two-state solution. The dialogue partners should explore the question, how security can be best provided to the Palestinian people, wherever they might reside. The dialogue should also be seen as a preparatory step, towards achieving a better understanding, how a regional security concept could be developed that, "will respect the sovereignty, territorial integrity and political independence of Palestine, and its neighboring states in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force," and what a possible NATO contribution hereto could be;

2. In parallel, Israel and NATO should enter into a dialogue to discuss necessary complementary and parallel understandings, which will relate to Israel's regional security concerns as well;

3. We suggest that two trilateral Israeli-Palestinian-Egyptian and Israeli-Palestinian-Jordanian negotiating channels should be established. The aim of negotiations in these trilateral channels would be to negotiate two parallel and complementary Israeli-Palestinian-Egyptian and Israel-Palestinian-Jordanian Security regimes;[47]

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[47] In 1999 a track-two negotiating effort was carried out by an Israeli, Palestinian and Jordanian team, and the concept of a trilateral Israeli-Palestinian-Jordanian Security Regime was developed. The common interest to strengthen the non-vulnerability of Jordanian territory, sea and air-space, was translated into practical measures that

4. This trilateral framework should also deal with economic issues, aiming at decreasing Palestinian dependence on Israel, and instead develop guidelines for a more equal regional interdependent relationship. As the Palestinian economic build-up might be developed along the lines laid out by the Rand Corporation Study, "Building a Successful Palestinian State" the two trilateral channels should determine necessary understandings or agreements to support such an endeavor;[48]

5. A bilateral Israeli-Palestinian negotiating channel to conclude an updated Israeli-Palestinian Trade Agreement to regulate Israeli-Palestinian trade relations, on the basis of a two state approach (the existing Trade Agreement, the Paris Protocol of April 27, 1994, is based on the create of a joint Israeli and Palestinian, "custom envelope" due to the fact that at the signing of the agreement in 1994, there was no effective way to control movement between the two entities, a reality which is changing with the expected completion of the Security Barrier). We suggest that the envisaged trade agreement should permit the Palestinian economy to develop its competitive advantage with Israel, and enable the Palestinian economy to trade extensively with the Arab East, to South and East Asia, the Maghreb countries and beyond them with Europe and the Americas.

6. A multilateral Palestinian-Donor negotiating and coordination structure should be established to define the conditions and proved the means for the build-up of a viable, sovereign, and prosperous Palestinian economy.

Cluster two should finalize all these deliberations in one year and enable the signing of relevant agreements. Although we suggest, that the negotiations should be seen in their entirety, agreements reached should be implemented, independent of progress in other clusters.

3. **Cluster Three**

Custer three will then prepare for Israeli-Palestinian understandings on Jerusalem. Negotiations will deal with issues related to above under section 6.4. and aim to:

- Concluding an understanding on the establishment of a Palestinian Municipality for al-Quds;

- Reach agreement on the area of its jurisdiction, until in stage three, Permanent Status negotiations, will define the final borders between Israel and Palestine within and around Jerusalem;

- Defining an agreed process for the transfer of authorities from the Israeli Jerusalem municipality to the Palestinian al-Quds municipality, in agreed upon areas;

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would provide security benefits to Jordan, Palestine and Israel, see: "Jordan-Israel-Palestine: Trilateral Security Regime," Proposed combined paper, ECF, op. cit.
[48] "Building a Successful Palestinian State," the Rand Corporation, op. cit.

- Negotiating a 10 year joint development plan for the Greater Metropolitan Area of Jerusalem;

- Developing security coordination in order to safeguard Holy Sites; and

- Discussing possible additional action items for Israeli-Palestinian understandings, necessary to promote a process of inter-faith coordination and reconciliation in Jerusalem.

4. **Cluster Four**

This cluster will prepare for, "change-oriented shifts" on the Palestinian refugee issue. Here we suggest creating a Palestinian-International dialogue forum, without Israeli participation: The change-oriented shift to be achieved, will have to relate to three complementary understandings:

- *First*, the Palestinian leadership and the international community will not permit the misery and poverty of the Palestinian refugee population to be prolonged, in order to assert political pressure against Israel. On the contrary, every possible measure will be taken to unconditionally improve the fate of the Palestinian refugee population;

- *Second*, in order to reach an agreed, just and comprehensive resolution of the Palestinian refugee problem, confidence building measures on behalf of the international community and the Palestinian government, introducing necessary administrative and economic measures, appear useful. This will tend to assure Israel and the Jewish people that the Palestinian refugee problem will not be used to undermine Israel as the sovereign and independent homeland of the Jewish People, within agreed and recognized boundaries;

- *Third*, such confidence building measures will not diminish, but rather enhance the need of Israel to take responsibility for its part in causing the refugee problem, and for negotiating all necessary questions to provide compensation for material losses and moral suffering in phase three, as part of a comprehensive program of rehabilitation and an agreed solution of the Palestinian refugee problem.

Accordingly, the dialogue between the Palestinian government and the international community shall focus on the following issues:

- Creating a comprehensive program for poverty alleviation in the West Bank and Gaza, which will include the transfer of responsibilities for the refugee population from UNRWA to the Palestinian government;

- Initiating administrative reform, which will permit refugee camps to be included administratively in existing neighboring municipalities; extending the jurisdiction of these municipalities to include the geographical areas of the refugee camps, as part of a first stage of a wider Refugee Rehabilitation Program;

- The personal rights of each refugee for compensation, choice of residence and the maintenance of their personal refugee status shall – at this stage – not be touched.

5. **Cluster Five**

This final cluster will prepare for stage three and accordingly will work in a trilateral US-Israeli-Palestinian negotiation setting.

Here the timeline for implementation of stage two agreements will be defined; performance-based criteria will be identified, and a conditional date for the beginning of Permanent Status negotiations in stage three will be set.

7.6.2. The Israeli-Syrian Arena

The challenge of negotiations between Israel and Syria, within a renewed Madrid Conference structure, will be both easier and more difficult, in comparison to the challenge posed in the Israeli-Palestinian arena.

Altogether, it will be easier: it would appear as "overkill" to plan here—like in the Israeli-Palestinian arena—for several negotiating clusters. Having gone through stage one of stability building (see above) intense Israeli-Syrian negotiations to achieve a Treaty of Peace should be held and deal with all the issues described above (settlements; security; economy; water; refugees). After an estimated period of ten months of negotiations towards drafting a final peace agreement, which will include all necessary confidence building measures, timelines and other relevant issues should be concluded.

As the Israeli-Syrian relationship does not stand alone, but is part of a wider strategic approach of regional stability building and crisis prevention, during the ten months of bilateral negotiations, an intense effort shall be directed towards achieving complementary and reassuring understandings with third parties. We suggest that an Israeli-NATO and a Syrian-NATO Memorandums of Understanding should be concluded in order to deal with relevant security aspects. Evidently, understandings regarding third party monitoring, oversight functions, and worst case scenario contingency plans will have to become a complementary part of any peace agreement, both in its conclusion and implementation.

In case of non-agreement after ten months, US bridging proposals and/or arbitration shall be accepted by both sides.

This process will be extremely difficult under a scenario where Syria maintains or returns to its posture of supporting terror activities in the West Bank and Gaza, or elsewhere, renewing arms shipments to Hizbollah in Lebanon. Vice versa, a serious and dangerous deadlock would occur, in case an Israeli referendum, which is currently prescribed by Israel law, as a legal precondition before withdrawing from the Golan Heights, will fail to support a peace agreement in exchange for giving up the Golan.

Under both cases, the Strategic Design Framework should provide for a, "cooling off period." We would suggest to consider and plan for the possibility of establishing an international mandate over the Golan Heights, that would establish a security wedge between Israel and Syria, maintain for the time being, Israeli settlements in the area, but creating temporary conditions, that should enable each side to prepare for a stable transition towards peace.

7.6.3. The Israeli-Lebanese Arena

This renewed Madrid Conference structure should be used to permit the establishment of an ongoing Israeli-Lebanese dialogue to stabilize relations between both states without, for the time being, negotiating peace. After concluding an Israeli-Syrian treaty of peace, it should be easier to achieve quick progress in the Israeli-Lebanese arena.

After the signing of an Israeli-Syrian Treaty of Peace, this channel should be re-activated, to prepare for an Israeli-Lebanese Treaty of Peace.

7.6.4. Multilateral Negotiations

In defining the tasks of multilateral negotiations in a renewed Madrid Conference structure, three considerations should be taken into account:

- First, lessons learned from the experience gained during the original Madrid Process;

- Second, the multilateral negotiations should serve the central purpose of the Strategic Design Framework, the containment of Iran; and

- Third, the multilateral negotiations should contribute to achieving the sustainability of a comprehensive Israeli-Arab peace, in preparing for stage three.

Reviewing our experience, the following three lessons require attention: The multilateral structure of negotiations was largely incidental at the time it was put together in order to please Israeli Prime Minister Yitzchak Shamir (1983-84,1986-92), and was accordingly seen by most Arab state participants, as a favor to Israel, and accordingly was not part of a well-defined strategy of peace-making. These factors made it relatively easy to start and end the multilateral negotiations with no real price attached. In contrast, within the context of the Strategic Design Framework, multilateral understandings gain substantially in importance;

- The original agreement of the first Madrid process, that any decision within the multilateral negotiating framework could only be achieved unanimously turned out to be unduly timid and counter-productive;

- The overwhelming dominance of Israel in the multilateral negotiations and in the related MENA conferences (in Casablanca, Amman, Cairo and Doha) was from every point of view, counter-productive.

In adapting the multilateral negotiating framework in a renewed Madrid Process to the prevailing needs to contain Iran and isolate al-Qaeda, and prepare simultaneously for a comprehensive Israeli-Arab peace, the following practical moves may be introduced:

It will make sense to establish multilateral working groups according to geographical areas:

- The US and the EU (with or without Russia) should form a joint working group with the Arab Gulf states to monitor Iranian security and economic infiltration of the Arab Gulf area, and develop coordinated counter-measures;

- A multilateral working group should study possibilities to economically connect the Arab Gulf area with the South-Eastern coast of the Mediterranean, offering substantial economic incentives to Jordan, Palestine and Egypt, and coordinating related activities with Israel, where the transit of people, goods, services or installations (e.g. for gas, oil, electricity and water) will be either useful and/or necessary;

- A similar multilateral working group should coordinate measures of the intelligence services and branches of the security forces of these countries to oppose al-Qaeda, or Iranian financed terrorism;

- The economic and security trilateral working groups of Israel-Palestine and Jordan, and Israel-Palestine and Egypt, whose tasks were described above, should connect here, with working groups from the Arab Gulf, from North Africa and from Europe, to expand, existing trilateral plans, to outside areas.

Overall, the management of the multilateral negotiations in a renewed Madrid Process should be developed in line with the experiences gained by the United States during the late 1950's. Then, the Eisenhower Doctrine, which aimed at containing Soviet influence in the Middle East, was pursued in such a way as to permit for the creation various regional coordination and cooperation structures for containing the Soviet Union, or their local allies, which had the option of being both bilateral (between the US and a regional ally), but could also be trilateral, quadrilateral and multilateral. The same techniques should be applied here in a wider multilateral effort in containing the regime in Tehran, as well as its local proxies.

Not less important will be the task of preparing the ground for the creation of Israeli-Arab bilateral relations. In accordance with the Roadmap, and its reference to the Arab Peace Initiative of March 2002, the Strategic Design Framework, aims, during stage three, to prepare for the signing of peace treaties between Israel and each and every Arab state. Whereas the signing of an Israeli-Palestinian Treaty of Peace should pre-date a comprehensive move towards Israeli-Arab Peace Making, informal bilateral relations should be permitted to develop during stage two, as a central component that will provide for the sustainability of peace.

The possibility of establishing a joint committee among Israel and members of the Arab League, in order to define guidelines for public diplomacy in favor of peace-building, should be considered and should mature, after the conclusion of an Israeli-Syrian Treaty of Peace, in case Syria will participate in the effort. If not, a similar move should be initiated immediately after Israeli evacuation of settlements from West Bank territories.

8. **Preparing for the Third Stage of the Strategic Design Framework**

8.1. <u>The Strategic Aim</u>

The aim of stage two of the Strategic Design Framework is to create the necessary changes on the ground: evacuating settlements and achieving serious headway in the process of moving towards an, "end of occupation"; creating security and stability, providing for hope and permitting an atmosphere of realistic (non-euphoric) optimism to start a process of changing attitudes. All those, "change-oriented shifts" aim at creating the conditions to focus collective energies and attention on Palestinian state building, in all its spheres, and preparing for the sustainability of a two-state solution and the conclusion of an Israeli-Palestinian peace agreement.

On the regional level, the hoped for conclusion of an Israeli-Syrian Treaty of Peace, will be to create a major strategic shift, paving the way towards Israeli-Lebanese peace-making, and permitting Damascus, instead of playing the role of a perpetual spoiler, to contribute positively to regional stability building and the achievement of a comprehensive Israeli-Arab peace, along the lines laid down twenty eight years ago, by President Anwar as-Sadat of Egypt, Prime Minister Menachem Begin of Israel, and President Jimmy Carter of the United States.

Undoubtedly, such a development would not only permit the containment of Iran, but would enable the Quartet powers, and the regional actors, to move beyond containment, towards a more constructive dialogue with Tehran, also providing for regional stability building along the Northern Tier, including Turkey, Iraq, Iran and Afghanistan. The Iranian historical fear of total regional isolation should make it possible to translate the success of containment, into the starting point for a better beginning in seeking a new agreed upon political order of connectedness, that should be built on well thought out checks and balances.

As very little in life tends to be perfect, and strategic aims are not often fully achievable, the Strategic Design Framework is conceived in such a way, as to account also for the possibility, that Syria will not exploit the opportunity offered to Damascus, and as a result the envisaged Israeli-Syrian Treaty of Peace will not have been concluded by the end of stage two. Nevertheless, headway in the Palestinian arena in stage two should enable the Quartet, the concerned parties, Israel and the PA, and most Arab states in the region, to move in a coordinated and mutually reinforcing manner towards an Israeli-Palestinian Permanent Status Agreement, where all outstanding issues will be negotiated and an agreement concluded.

It is my working assumption that under such conditions, mutual interests to reach Permanent Status will largely converge. Israel will be interested to move towards stage three and to conclude an Israeli-Palestinian Permanent Status Agreement, as Israel will need to stabilize the Jewish-democratic nature of the State, will hope to achieve final recognition of Jerusalem, as the capital of Israel, and achieve Palestinian agreement on mutually demarcated, agreed and recognized borders, as well as obtain Palestinian acceptance of an "end of claims."

We similarly assume that Palestinian society, by and large, and its pragmatic leadership will want to close all outstanding issues, put an end to occupation, establish a sovereign and viable Palestinian state, with al-Quds as its capital, and by achieving a fair, equitable, just and pragmatic solution to the refugee problem. Under such circumstances, it is hoped that movements representing political Islam within the Palestinian body politic, will support this endeavor, and remnants of militant Islam could be isolated, enabling headway towards the conclusion and implementation of an agreed Treaty of Peace between Israel and Palestine.

8.2. The Cost/Benefit of Continuity

In a good case scenario, when substantial headway will have been achieved under stage two of the Strategic Design Framework, negotiations on Permanent Status could start at the beginning of the third year, after concluding the agreement on stage two.

Being aware that the entire concept of a Strategic Design Framework stands or falls not so much with one or the other achievement, or one or the other set-back, but with the capacity of the "coalition of the willing" to maintain disciplined process of continuity. This process promises movement towards Permanent Status, assuring both sides, that performance of non-violence, assures headway towards the envisaged aim.

8.3. The Substance of the Israeli-Palestinian Permanent Status Agreement

It is assumed that the substance of the Israeli-Palestinian Permit Status Agreement negotiated and concluded in stage three will be, by and large, similar to the parameters laid down by President Bill Clinton on December 23, 2000. Various details will probably differ, as Israeli and Palestinian negotiators should be left to decide the details of optimal arrangements.

 The task of the Strategic Design Framework will not have come to an end by the act of signing an Israeli-Palestinian Treaty of Peace. The challenge will then be to create an effective construct to oversee its implementation.

For this purpose, detailed assignments should be given to the second (state-to-state relations, regarding particularly security and economy), to the third (Jerusalem) and the fourth (Refugees) negotiating clusters.

The second cluster, dealing with security, economic and other State-to-State relations, should be asked to face the challenge, of moving—gradually and under controlled conditions—from bilateral Israeli-Palestinian security coordination and economic cooperation, to the creation of regional security coordination and regional economic cooperation.

In addressing the third cluster, Jerusalem, will have to be aware that religious fanaticism and extremism has to be steadily and permanently contained. Only a well planned offensive of tolerance-building, which may have to deal with many practical issues of daily affairs, a well led inter-faith dialogue, and the coordinated management of the Metropolitan area of Jerusalem, will make it possible to overcome threats of radicalization and prevent a return to violence.

The fourth cluster, dealing with the Palestinian refugee problem, might be the most difficult to manage. The challenge will be to effectively translate agreements concluded between Israel and Palestine (with or without the blessing of member-states of the Arab League), to individual acceptance of each refugee family. The logical order of progression in macro terms will be to move from rehabilitation to compensation and then to reconciliation.

The aim of stage one and two of the Strategic Design Framework will be to start the process of rehabilitation, before the actual signing of the Permanent Status Agreement, in order to create a collective commitment to a solution-oriented approach, which will be able to reassure all sides.

It is our assumption that the process of compensation should be planned for twenty years, permitting, however, various individual claims, to also be dealt with afterwards. The success of compensation payments, measured by its peace-building effect, will depend on stability. Compensation paid, under conditions of instability, will be a wasted effort that will not be able to change the misery of the refugees, nor will it contribute to peace-building. In the adverse situation, having the full commitment of the Israeli and the Palestinian societies to a solution-oriented approach and a legitimacy-building backing of other Arab states, should make it possible to move from the solution-oriented approach to a justice-oriented approach.

Under conditions of stability, economic growth and regional cooperation, the practical impact of compensation may offer important individual and collective rewards to all concerned parties and permit a start in dealing with the wounds of the past. A process of cautious and well-thought out reconciliation, that will permit former Palestinian refugees, who have given up their refugee status, to come and visit their original homes; the building of museums and memorial sites, and the development of educational curricula, and accepted narratives of the other side, could all be part of a reconciliation process. On the other side, when time has permitted wounds to heal, however long it may take, Israelis should be permitted to visit the historic sites of Jewish presence in the past, in areas that will become part of the future Palestinian state.

8.4. Building the Logic of Connectedness

The two most important features in managing the Strategic Design Framework will have to be first, disciplined steadfastness—keeping to the task even under difficult conditions—and flexibility, which should permit for progress of different channels at different speed at different times.

Whether peace between Israel and Syria can be reached before concluding an Israeli-Palestinian Treaty of Peace, or the other way round, is an important detail, but in essence, can be handled one way, or the other.

What will be more important, is to permit progress in Israeli-Arab peace making to contribute to a larger process of global connectedness, in the sense of supporting social and economic progress, while strengthening the cultural, the socio-political and the religious identities and traditions of each society in the area of the Middle East. This challenge will offer sufficient room for the creation of another Strategic Design Framework, beyond the task, or the challenge outlined here.

9. **Conclusion: Part One**

Heads of State and Prime Ministers responsible for their governments and people, in some ways, have to deal with similar tasks and challenges, as chairmen of the board of directors of huge business trusts. All in all they have six basic tasks or functions:

- First, to assess business opportunities and threats;

- Second, to reassure the shareholders of the soundness of their investment;

- Third, balance risks in different spheres and between different companies, and different shareholders;

- Fourth, devise sound policies;

- Fifth, build the necessary managerial (support) structure to make the policies work;

- Sixth, negotiate with business partners with varying and sometimes conflicting interests, a common approach to common challenges.

In evaluating the Strategic Design Framework which is being proposed in this chapter, all these six considerations should be taken into account.

9.1. <u>Assessing Opportunities and Threats</u>

In case the President of the United States assesses the specific, "business opportunity" of promoting a comprehensive Israeli-Arab peace, or the threat involved, in not dealing with this issue, and continuing, "business as usual," our conclusion, assessment and advice would be *highly alarming***:** the likelihood that al-Qaeda, Iran, Hizbollah, Hamas or various Muslim Brotherhood organizations will try and exploit the Israeli-Palestinian and the Israeli-Arab conflict and provoke violence, unleashing an escalating vicious circle is imminent. Such an unfortunately highly probable scenario will beyond doubt cause heavy damage to US interests in pursuing the global war on terror, and will cause even more damage to US allies in the region—Israel, President Abu Mazen, Egypt, Jordan, Saudi Arabia, Turkey and others.

Even if the business opportunity of making headway towards a comprehensive Israeli-Arab peace becomes less promising, the option of not dealing with the threat is too devastating, and therefore cannot be ignored, tolerated, or left to coincidence and "fate." Nevertheless, I tried to argue, that the determination to pursue steadfastly and in a disciplined manner, a policy of peace-building, despite of all the possible set-backs, will gradually produce progress and create a growing likelihood of success.

9.2. <u>Pursuing a Policy of Reassurance</u>

Reassuring the shareholders of the soundness of the effort invested in Israeli-Arab peace making, or in the wider context, of the global war on terror, will be a challenge. US policies in Afghanistan and Iraq are not perceived by the American public as an outright success, whereas the policy of containment of Iran, must be seen, under present conditions, as a complete failure. Regarding the promotion of Israeli-Palestinian peace-making it appears that the US President, and the Secretary of State, have very little, by way of successes, to speak of.

We argue that sufficient evidence exists, to "sign on" the shareholders to the proposed "Strategic Design Framework", which offers a genuine chance for success. The common fear of Iranian expansionism and continued provocations creates a potentially wide foundation upon which common interests can be built.

True, to almost every benefit, there is a price attached: Asking the, "shareholders," i.e. the partners in policy-making—the Democrats at home, the EU, Russia and the UN on the global level, and the concerned parties in the Middle East—to sign on to the Strategic Design Framework, will necessitate an intense dialogue with all those partners and allies, and will demand serious efforts of persuasion, which at times will necessitate offers for a certain degree of participation in decision-making (we have related to this above by comparing the US to an orchestra conductor, asking different musicians to play at different times, while creating the wider harmony of the music).

It is our assumption that the common fear of Iran and the need for a global war on terror, will create a strong common bond, which will permit the US President to develop the Strategic

Design Framework and sign US allies on to it, reassuring them, that a disciplined common approach will produce the necessary positive results.

9.3. Balancing Risks in Different Spheres and Between different Partners

There can be little doubt about the fact that the global war on terror, and any attempt in Israeli-Palestinian and Israel-Arab peace-making is in its very nature a highly risky undertaking. Worse, I have argued in part two, under section, "Deepening the Abyss," and, "The Wider Conflict," that the risk of continuous provocations of violence against Israel, with its dangerous potential of inflicting an almost uncontrollable escalation, which could lead to death and destruction in unprecedented dimensions, is an almost certainty. Our suggestion to develop a Strategic Design Framework that will be performed in three consecutive stages, starting with a comprehensive stability building effort in stage one; moving in stage two, to building the sustainability for peace-making, and moving in stage three towards comprehensive peace-making, clearly deals head-on with the risk of provoked escalation of violence.

By signing on the other quartet powers, the EU, Russia and the UN, engaging NATO and the international community at large, and developing a detailed work program with and for the concerned parties in the Middle East, the US can lead the way in a comprehensive global-regional effort of risk-management and diminishment. I also argue that a US led military move against Iran, would entail a most dangerous risk-taking with unforeseeable negative consequences in the near and distant future, not only for the US, but particularly for Israel and other US allies in the region of the Middle East, as the growing impact of Muslim popular resentment against the West, will tend to be translated sooner or later, into acts of terror and warfare.

The Strategic Design Framework proposed, tends to balance risks between different stakeholders, suggesting new trade offs, in an innovative manner, which deal with the essence of the past and present stalemate.

In moving from conflict to peace, the Palestinians and other Arab nations in the past have always demanded to define the end-game from the very beginning. In contrast hereto, all consecutive Israeli governments have always demanded to pursue an open-ended process that eventually will lead to the conclusion of peace. The trade-off suggested in the proposed Strategic Design Framework, is relatively simple: Israel will oblige itself ahead of time to an agreed endgame, and a process of US submitted bridging proposals, which if not accepted by consensus, would lead to US arbitration. The Palestinians and other Arab governments agree to pursue performance-based stages, which will lead from a comprehensive stability building effort, via a process of change-oriented shifts in stage two, to the conclusion of treaties of peace, in stage three.

In pursuing this approach, the GoI will be asked to underwrite another trade-off in risk-taking: In agreeing ahead of time to a policy framework that is supported and signed on to by various global and regional powers, it can be expected that that Israeli obligations will be

carefully watched and all parties to the Strategic Design Framework will hold Israel responsible for shortcomings, whereas, towards the Arab side, the global and regional parties will be less demanding. In this context a process of, "diminishing returns" from Israel's point of view, will have to be accounted for. However, on the positive side of the trade-off, Israel will receive two quid pro quos: First, performance based progress will include "change oriented shifts," which in their nature will demand practical, political and attitudinal changes, towards building the sustainability of peace. Second, understandings between Israel and the US, NATO and the international community on contingency plans for a worst case scenario will help to solve Israel's dilemma, by which remaining in the occupied territories instigates further Palestinian violence, whereas moving out in reaction to violence, will enhance further violent action. By agreements on contingency plans for a worst case scenario, cooling off periods can be created; whereas by insisting on, "change-oriented shifts" the causes of violence can be dealt with in a constructive manner.

The PA will have to accept an important trade off: the posture adopted since end-September 2000, of employing violence or the threat of violence as a lever to achieve concessions from Israel and move towards end of occupation, will have to be traded in, against an agreed end-game process and substantial international and regional support in the effort of Palestinian State building.

The Syrian government will have to accept another trade off: before entering peace negotiations with Israel, Syria will be asked to join a united alliance in containing Iran, in return the US and Israel will have to agree to a clearly prescribed endgame. Succeeding in the effort of Syrian-Israeli peace-making , the rewards again will be important: the way towards an Israeli-Lebanese peace agreement will have been paved, and herewith conditions for creating a long-term stabilization of the entire region of the Northern Tier, including Turkey, Syria, Iraq, Iran and Afghanistan will have been laid. As it can be expected that the Syrian leadership will want to exert a high price in return for such an achievement, the Strategic Design Framework has been designed , as to permit headway in the Israeli-Palestinian arena, in order to demonstrate to Damascus, that progress is possible, also without their consent.

America's Arab and Muslim allies in the Middle East—Turkey, Egypt, Jordan, Saudi Arabia, the Arab Gulf states—are also being offered a simple solution-oriented trade off, in risk-sharing. Offering those states a common effort to contain Iran, provides them with a sense of security against Iranian provocations. They are being asked to become involved in a collective global-regional effort in Israeli-Palestinian stability building. So far, the Arab Peace Plan, has already related to the need to conclude peace agreements with Israel and to normalize relations, but this was seen as a reward, that should be offered only at the very end of the process. The Strategic Design Framework, demands a more pro-active Arab contribution, and provides in stage two, by the renewal of the Madrid Process, a time-adapted structure, to allow for Arab participation in a continuous common peace-building effort.

9.4. Devising Sound Policies

I have indicated in the Introduction to this essay that the proposed Strategic Design Framework does *not* represent a comprehensive Grand Strategy approach to deal with all aspects of the global war on terror. To do so other strategic design frameworks in the sphere of energy policies, public diplomacy, inter-faith dialogue, new approaches regarding the financial and economic management of globalization and worldwide poverty alleviation programs etc. may be necessary. This Strategic Design Framework is focused exclusively on the attempt to reach a comprehensive Israeli-Arab peace. Its policies are based on an in-depth study of lessons learned from the historical experience gained since 1967; the structure and content of the proposed policies are built on several central understandings:

First, the historical process that unfolded during the 1970's, 1980's and 1990's in the Middle East, was dominated by a complex Israeli-Arab peace process. The ideological motivation and guidelines had been laid down by President Sadat, who pursued three interconnected processes: first, the policy of, "Infitah," opening or connectedness to the West and the, "global village; second moving towards an alliance relationship with the US and third; attempting to achieve a comprehensive peace between Israel and all her Arab neighbors.

Although there was initial opposition, by the early 1990ies most Arab regimes had signed onto this approach, as became evident in their participation in the Madrid Conference and the ensuing Madrid Process.

Second, whereas the logic of this approach led from 1978 to 2000 towards steady progress, with various ups and downs, the interruption of this process in the summer of 2000, created a dangerous backlash, that reinforced radical militant Islam.

Third, under given circumstances, the concerned parties, Israel, the Palestinians, Lebanon and even Syria, are too weak to carry the burden of peace-making on their own shoulders, whereas, at the same time, the US is too weak to promote a comprehensive Israeli-Arab peace process on its own, and the international community is too divided to offer necessary support, without a will defined Strategic Design Framework.

Fourth, the common need to isolate al-Qaeda, and contain Iran as part of the global war on terror, the danger of permitting the process of peace-finding in the Middle East, to remain as, "unfinished business," causing despair and a return to violence, has created the need for a comprehensive policy approach, which can be accepted and supported by most if not all concerned parties. This permits the US to lead the way in developing, promoting and implementing the suggested Strategic Design Framework and asking most of the relevant global and regional actors, to sign on to it.

Fifth, the suggested Strategic Design Framework comprises a short-, medium and long-term conflict management and conflict-resolution approach, which in effect creates a feasible "business plan", obliging all parties to implement a comprehensive Israeli-Arab Peace. The process is based on the guidelines, which were laid down in the Camp David Accords of

September 1978, which have been co-signed by the governments of Egypt and Israel and witnessed by the Government of the United States.

9.5. Building the Necessary Managerial Support Structure to Make the Proposed Policies
   Work

To make the proposed Strategy Design Framework work, we have suggested a tightly knit managerial support structure, based on the development of a long-term bi-partisan understanding within the United States, the creation of an American managerial structure of dealing with the Middle East, by combining all US agencies under one US envoy to the Middle East, the creation of an effective Quartet management structure, the involvement of a variety of international players and structures, such as the
G8, OECD, NATO etc, as well as the signing on of all the concerned regional parties.

Like the US policy on containment of the Soviet Union, proposed at first by the long telegram from George Kennan, the containment of Iran and the isolation of al-Qaeda will have to be developed as a long-term strategy. The entire concept of the Strategic Design Framework under US leadership will stand or fall, not so much with one or the other achievement, or with one or the other set-back, but will be tested, over time, by the capacity of the, "coalition of the willing" and the US leadership, to maintain disciplined continuity, until the conclusion and implementation of a comprehensive Israeli-Arab Peace.

9.6. Negotiating with Partners to Get Them on Board

Common interest is a necessary, but not a sufficient precondition for success. In the end, business partners, as much as, political coalition partners, have to be convinced to come on board, on the bases of an ongoing dialogue, and the creation of common lasting partnership. In preparation of the initial Madrid Conference and the unfolding of the Madrid process, the US leadership successfully applied the necessary skills, and got the ship moving.

The suggested Strategic Design Framework is planned in such a way as to permit the Bush-Administration to introduce this policy approach in the months that shall follow the November 2006 Congressional elections. Negotiations for the first stage of stability building should be concluded by November 2007, negotiations for stage two, creating the necessary change-oriented shift for achieving the sustainability of peace, by November 2008.

Completing the implementation of these two stages and moving towards negotiating stage three, and seeing through its implementation will have to be left to a future US-President.

 Preparing and concluding the proposed Strategic Design Framework, signing the global and regional members of the, "coalition of the willing" on to it, and achieving headway in its implementation will not only guarantee a legacy of the Bush Administration in history, but will similarly solidify US leadership in the search for a better, a just and a more prosperous world.

The American task to lead the fleet of ships of all concerned parties in a stormy sea, is no small challenge. The proposed Strategic Design Framework should make it possible to coordinate the course of action with all allied ships, and thereby isolate and disperse the enemy forces. Without knowing, where to go, no wind will take you there, and the storm may cause devastating results.

PART TWO: THE HISTORICAL SETTING

1. Building a Commonly Accepted Conflict Resolution Framework

1.1. <u>Learning from Trial and Error: The First Five Lessons</u>

Peace-making efforts in the Middle East go back a long way. Already in 1913, during the early days of the emergence of the Arab national movement, while preparing for the first Arab Congress in Paris, talks with a Zionist delegation were held.[49] Since then, many more efforts for direct bilateral talks, negotiations by proxy, or third power intervention were held. Yet, all these efforts did not succeed in preventing the outbreak of bitter military confrontations. Almost the opposite was true. United Nations General Assembly resolution 181 of November 29, 1947, aimed at solving the conflict between the Jewish and Arab people living in British Mandatory Palestine by partitioning the land into separate Jewish and Arab States.[50] Instead of causing calm, the resolution was opposed by the Palestinian leadership and the Arab states, creating the renewed motivation for the Palestinians to start an armed struggle and endeavor to mobilize all Arab states to assist in preventing the implementation of the UN Partition Plan. A first lesson to be learned appeared to be, in its essence, paradoxical: *Third party intervention in an effort of stability building and peace-making, could lead to war.*

By and large the policy pursued by the international community after the War of 1948, and before the Six Day War of 1967, was an attempt at conflict management, rather than conflict resolution. On May 25, 1950, the United States, the United Kingdom and France signed the "Tripartite Declaration regarding the Armistice Borders," committing the signatories to strictly limited arms supplies to Israel and its Arab neighbors; asking for assurances from each state requesting arms that it, "does not intend to undertake any act of aggression against any other state."[51] Most importantly, the three signatories committed that, "should they find that any of these states was preparing to violate frontiers or armistice lines," to, "immediately take action, both within and outside the United Nations, to prevent such violation."[52]

Although, conceptually this attempt at conflict management made perfect sense, it did not work. The Soviet Union delivered massive arms supplies to Egypt, the Arab states committed themselves publicly to the destruction of Israel, the Palestinians led a low-intensity war of attrition through terror acts against Israel, and Israel felt itself threatened and isolated. A second lesson was being learned: *Conflict management, as well intended as it may be, can*

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[49] "Report by S. Hochberg to V. Jacobson on the Cairo and Beirut Committees regarding Zionism," 17 May 1913, in: Mahdi F. Abdul Hadi, ed., *Documents on Palestine* (Jerusalem: Passia, 1997, vol. I), 1516.

[50] "Resolution Adapted on the Report of the Ad Hoc Committee on the Palestinian Question," UN General Assembly Resolution 181 (II) on the Future government of Palestine, 29 November 1947, in: Ruth Lapidoth and Moshe Hirsch eds., *The Arab-Israel Conflict and its Resolution: Selected Documents* (Dordrecht: Martinus Nijhoff Publishers, 1992), 33.

[51] "The Tripartite Declaration regarding the Armistice Borders of 29 May 1950," Paragraph 2, in: *American Foreign Policy 1950-1955: Basic Documents Volumes I and II* (Washington DC: Department of State Publication 6446, General Foreign Policy Series 117, U.S. Government Printing Office, 1957), 23.

[52] Ibid, Paragraph 3.

not stand alone, if it is not combined with a comprehensive effort of peace-building, peace-making and peace-enforcement.

The Six Day War of June, 1967, created a new paradigm. Following the conflict, the process of trial and error in peace-making efforts moved into its next stage. In Israel, the euphoria that followed the evident victory, the occupation of the Sinai Peninsula, the West Bank the Gaza Strip and the Golan Heights, led to the belief, that the conditions for concluding peace had been created. In this atmosphere important political decisions were taken. On June 19, 1967, only a week after the end of the Six Day War, the GoI took four secret decisions. First, in return for direct negotiations for peace, the signing of a treaty of peace, agreed upon security arrangement and the demilitarization of Sinai, Israel would give back all of Sinai and return to the international border. Second, the same would apply to negotiations with Syria, clearly indicating Israel's preparedness to return the Golan Heights. Third, regarding the West Bank and Gaza, no decision was taken. Fourth, Israel would not endeavor to solve the refugee problem unilaterally (being in control of the administration of the West Bank and Gaza, theoretically, action could have been taken, to rehabilitate the Palestinian refugee population in these areas).[53] The Arab response to this offer was given on September 1, 1967, at the Arab Summit Conference in Khartoum, saying "no" to the recognition of the State of Israel, "no" to negotiations with Israel, and "no" to peace with Israel.[54] A deadlock situation had emerged.

Israel was by no means willing to give up on its demands for direct negotiations, recognition, and agreed security and peace arrangements. The Israeli conviction was that time would work in Israel's favor, and sooner or later, the Arab side would accept these demands. Arab thinking was different, and best expressed by a story a Palestinian friend, the former governor of Jenin and Bethlehem, Brigadier General Zuheir al-Menasreh, told me.

Being a member of the military arm of the el-Fatah movement, he was arrested by Israeli security forces, who interrogated him in a particularly unusual way. The Israeli interrogator put the maps of the British Partition Plan for Palestine of 1937, of the UN Partition Plan of 1947, the Armistice Lines of 1949, and the post 1967 armistice lines on the wall, and asked, why the Palestinians and the Arab states did not understand reality: by not concluding peace with Israel, the reality on the ground was changing to their disadvantage. Governor Zuheir's answer was that Israel could be drawn more and more into Arab territories, and the further it would move, the more Israel would over-extend its own power, whereas the Arab coalition to fight Israel would get firmer and more determined to make sacrifices in the struggle against the, "Zionist enemy." These developments offered some more important lessons to be learned.

The third lesson related to the time factor: *In case both parties to a conflict calculate that time is working in their favor and believe they have the means to "draw out" the enemy, a protracted conflict has to be expected.*

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[53] Shlomo Gazit, *hagezer ve'hamakal (The Carrot and the Stick)* [Hebrew] (Israel: Zamorah, Bayten, 1985), 136.
[54] "Summary of the Resolution of the Arab Summit Conference held in Khartoum," 1 September 1967 (translation) (*The Search for Peace in the Middle East: Documents and Statements, 1967-79, 96th Session, Congressional Research Service, Library of Congress*, no. 54-24-2480, 1979), 269.

The fourth lesson relates to the need for a symmetry regarding an acceptable conflict resolution approach: *Any concept of conflict resolution developed only by one side and seen as a "diktat" by the other, has no chance to succeed; what is needed, are guidelines accepted by both sides, a common conflict resolution approach, and finally a common conflict resolution structure that has to be developed and accepted by all involved and concerned parties.*

The fifth lesson was relevant to Israel's negotiating tactics. The June 19, 1967, decisions of the GoI, described the absolute and last red line for the hoped outcome of negotiations. Even by only informing the United States of Israel's position, the utmost red-line *de-facto* had become an opening, instead of a closing position in negotiations: *Hence, Anyone engaged in leading the negotiating process had to learn to handle the triangle dilemma of negotiations: on one side of the triangle make an opening move to convey your determination to reach and agreement and the willingness to make serious concessions; on the second side of the triangle communicate effectively your red lines to the negotiating partner; and on the third side of the triangle, keep important final concessions, for the last deal-concluding night (the 11th hour) of negotiations.* It may be no small challenge; still it is an important lesson to learn.

1.2. <u>The Way to Commonly Accepted Guidelines for Conflict-Resolution: UN SC Resolution 242.</u>

The development of a stability-building and peace-making strategy can, in an illustrative manner, be compared to the effort of bridge-building: the design of the bridge, its location, the means of its construction, and the protection against nature or human made threats are important components in such an endeavor. In protracted crisis situations, each party and its leadership attempts to achieve for his own constituency maximal gains that offer a sufficient answer to the prevailing narrative and demands.[55] The art of conflict resolution is to move each side away from maximal demands, and define in exact and practical terms, the possibility of achieving optimal demands. For any leader, to give up maximal demands, and go for the optimal, is no small challenge. Henry Kissinger described the conundrum as follows, "A leader who confines his role to his people's experience dooms himself to stagnation; a leader who outstrips his people's experience runs the risk of not being understood."[56]

Thus, for each side to give up maximal demands, and move gradually to the optimal and achievable ones, is a lengthy and burdensome process.

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[55] Edward E. Azar, "The Analysis and Management of Protracted Conflict," in: V. Volkan and J. Montville, and D. Julius, eds., *The Psychodynamics of International Relationships. Volume 2: Unofficial Diplomacy at Work.* (Lexington: Pelten Books, 1991); David Bloomfield and Yash Gai and Ben Reilly, "Analyzing Deep-Rooted Conflict," 31-48, in: Peter Harris and Ben Reilly, eds., *Democracy and Deep-Rooted Conflict: Options for Negotiators* (Stockholm: International Institute for Democracy and Electoral Assistance, 1998).
[56] Henry Kissinger, *Diplomacy* (New York: Touchstone Press, 1995), 43.

During the last forty years, between 1967 and today, the Israeli and Palestinian leaderships and societies have shifted in their conceptual understanding of the conflict, and possible conflict resolution, towards a better understanding of what is the optimal solution. In designing a strategy of stability building and peace-making, this should be recognized as no small asset.

During the 1960's and early 1970's, both sides denied the existence of the other. Article 20 of the Palestinian National Charter of the PLO (Palestinian Liberation Organization) of 1968 stated specifically, "Claims of historical or religious ties of Jews with Palestine are incompatible with the facts of history and the true conception of what constitutes statehood. Judaism, being a religion, is not an independent nationality. Nor do Jews constitute a single nation with an identity of its own; they are citizens of the states to which they belong."[57] Similarly, Israeli Prime Minister Golda Meir (1969-74) repeatedly stated, "There is no Palestinian people."[58] In these years policies of denial and demonizing of the other side carried the day.

The struggle to develop commonly accepted guidelines for conflict resolution started immediately at the end of the Six Day War. The first conceptual success was achieved in November 1967, when the UN Security Council voted in favor of Resolution 242, however, it took until August 1970 to gain acceptance from the two main belligerents, Israel and Egypt, and until December 1988, until the PLO accepted the same guidelines.

Not too long after the Arab Summit Conference in Khartoum, the UN Security Council, on November 22, 1967, voted in favor of Resolution 242, which has ever since served as the basic guideline for all Israeli-Arab peace negotiations. In the preamble of the resolution, the Security Council, relating to Arab demands, emphasized the, "inadmissibility of the acquisition of territory by war," and relating to Israeli demands, stressed, "the need to work for a just and lasting peace in which every State in the area can live in security."

The operational text of Resolution 242 reads as follows:

> "The Security Council…
> 1. *Affirms* that the fulfillment of Charter principles requires the establishment of a just and lasting peace in the Middle East which should include the application of both the following principles:
> (i) Withdrawal of Israeli armed forces from territories occupied in the recent conflict;
> (ii) Termination of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force."[59]

The good news was that the ground rules for peace negotiations and the political process between Israel and her neighbors were set. The bad news was that neither side fully accepted the resolution, while each side could take a different view as to what was needed in order to

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[57] "The Palestinian National Charter: Resolutions of the Palestinian National Council," 17 July, 1968, Article 20, The Avalon Project, Yale School of Law, http://www.yale.edu/lawweb/avalon/mideast/plocov.htm.
[58] Golda Meir, quoted in: *The Sunday Times*, 15 June 1969.
[59] "The Situation in the Middle East, UN Security Council Resolution 242," 22 November 1967, in: Ruth Lapidoth and Moshe Hirsch, op. cit. 193-4.

achieve its implementation. Neither questions of procedure, nor of process, nor little of substance, were definite and clear. Rather "constructive ambiguity" gave plenty of room for maneuvering to each side.

Attempting to break the opposition of the Arab states to direct and bilateral peace negotiations, Israeli Prime Minister Levy Eshkol (1963-69) decided to adopt a, "four alternatives strategy": the first and preferred approach was to seek negotiations with Egypt, the strongest and most powerful Arab state, whose capability to mobilize massive ground forces against Israel created a major threat. In order to demonstrate to the Egyptians that Israel had another choice, an attempt was made to start peace negotiations with Jordan; hoping to indicate to the Jordanians, that Israel had another alternative, Israel's Minister of Defense at the time, Moshe Dayan was given a free hand to negotiate the establishment of Palestinian self-government with Palestinian notables, particularly with the mayor of Hebron, Sheikh Jaabari. In case this might fail, the fourth approach was to gain time, strengthen Israel's hold over the West Bank, Gaza, the Sinai Peninsula and the Golan Heights and to, "wait for a phone call."[60]

Whereas, this strategy seemingly appeared to make a lot of sense intellectually, it did not work. The Egyptians refused to enter any form of bilateral dialogue; the Jordanians eventually gave into Egyptian pressure and broke off negotiations in April 1969; the Palestinians, giving into Jordanian pressure, were not even willing to accept an Israeli unilaterally announced Palestinian self-government.[61] Israel was left with the last option of the, "four alternatives strategy," to dig in, stabilize Israel's presence in the occupied territories and, "wait for a phone call."[62]

Egyptian President, Gamal Abdel Nasser's (1952-1970) counter-strategy also seemingly made sense intellectually. Nasser analyzed the global impact of the Middle Eastern crisis and concluded that any conflagration in the area set in the context of the Cold War could either bring the superpowers to the brink of war, or in order to prevent that, would encourage the United States and the Soviet Union to impose a settlement (similar to what had happened after the Sinai War of 1956). Accordingly, having Soviet military personnel stationed in Egypt, Nasser started the war of attrition in the spring of 1969, which lasted until August 1970.

At first it appeared that Nasser's approach had a chance of succeeding. In October 1969 the US government, in coordination with the Soviet Union, initiated what has become known as the Rogers Plan. It offered the Egyptians the chance to regain all territories lost in the 1967 war on the basis of a ten-point plan, providing for the end of the 'state of war' and a formal 'state of peace', based on an agreed demarcation of the secure and recognized border between Israel and Egypt, the establishment of demilitarized zones, guarantees for free Israeli navigation via the Strait of Tiran and rights of passage through the Suez Canal. The proposal

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[60] Gazit, 156-9.
[61] Gazit, 159; Yair Hirschfeld, "Israeli-Jordanian Peace Negotiations, 1967-1969: The View from Jerusalem," in: Joseph Nevo and Ilan Pappe, eds., *Jordan in the Middle East: The Making of a Pivotal State, 1948-1988* (England: Frank Cass, 1994).
[62] Nadav Safran, *Israel: The Embattled Ally* (England: Belknap Press, 1981), 63-6.

suggested that the Palestinian refugee problem should be solved within, "the final accord between Jordan and Israel," and security measures should permit for, "the final disposition of Gaza."[63]

However, between October and December 1969, the Soviets either did not want, or were not able, to obtain a positive response from the Egyptians, whereas after, Israel rejected to the proposal.[64]

Judged from hindsight, it appears that Nasser's calculation, seen from the Egyptian point of view, had been a mistake. When President Nixon understood that no diplomatic solution was possible, he offered full support to Israel for military escalation. US support was maintained, and even intensified, after Israel shot down war planes flown by Soviet pilots.[65]

Apparently with Soviet encouragement, Nasser asked for a ceasefire in early June. Several days later, Secretary of State William Rogers, submitted Rogers Plan B,[66] which on August 8, 1970, led to an agreed cease-fire, conditioned upon acceptance of UN SC Resolution 242 as the basis of a suggested negotiating process.[67] Thus the basic international guideline for Israeli-Arab negotiations had been accepted by the most important regional parties.[68]

1.3. The Way to a Commonly Accepted Conflict Resolution Approach: The Camp David Accords

The cease-fire agreement of August 8, 1970, created a dangerous illusion of stability. Although Egypt had given up its insistence on an Israeli withdrawal from the occupied territories without prior negotiations, it was by no means willing to accept continued Israeli control of Sinai under stable conditions of no war and no peace. In February 1971, in an effort to break the deadlock, Nasser's successor, President Anwar al-Sadat (1970-1981), accepted a proposal submitted by the UN Peace Envoy Gunnar Jarring, to sign a binding peace agreement with Israel. About the same time, a second idea was launched to permit for Israeli withdrawal from the Suez Canal area, in a coordinated, step by step approach in the peace building process.

Israel flatly rejected the first proposal and provided little maneuvering room for Secretary of State Rogers, to pursue the second. When the stalemate led to the October War of 1973, it was understood that an opportunity had been missed (Sadat wrote in his memoirs that, "If the United States or Israel had shown enough interest in that [Sadat's] initiative, the October War would not have taken place and the process of negotiating peace would have started in

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[63] William Quandt, *Peace Process: American Diplomacy and the Israeli-Arab Conflict Since 1967* (California: University of California Press, 2001), 80-3.
[64] Quandt, *Peace Process*, 62.
[65] Dayan quotes the Americans telling him: "Shoot the hell out of them," see: Moshe Dayan, *Story of My Life* (New York: Warner Books, 1977), 455-6.
[66] "The Cease-Fire/Standstill Proposal," or the "Rogers Plan B," 19 June 1970, UNISPAL (The United Nations Information System on the Question of Palestine), http://domino.un.org/UNISPAl.NSF
[67] Safran, 431-47.
[68] Quandt, 92-5.

February or March 1971"[69]). Similarly important, all three sides, the United States, Egypt and Israel understood that peace-making had to proceed cautiously and carefully, 'step by step,' as Henry Kissinger put it, or, 'bit by bit,' as President Sadat had described it.[70]

The step-by-step approach guided the Middle Eastern peace process from the end of October 1973 until September 1975, and created an important prelude, and a necessary confidence-building process, that led to the Camp David Accords of 1978. Altogether, three agreements were negotiated, concluded and implemented: The Israeli Egyptian Disengagement Agreement of January 1974; The Israeli-Syrian Disengagement Agreement of May 1974; and The Israeli-Egyptian Interim Agreement of September 1, 1975.[71] This process, as important as it was, reached its ultimate limit by the conclusion of the Israeli-Egyptian Interim Agreement of September 1975. Kissinger had failed to convince Israel in the summer and autumn of 1974 to sign a Disengagement Agreement with Jordan. Furthermore, the replacement of the agreement concluded between Israel and Syria by another interim agreement did not make sense, neither politically nor geographically, nor was any side interested in doing so.[72]

Searching for a new approach, Israel hoped to achieve a separate peace agreement with Egypt, which it hoped would remove Egypt from any future war. Egypt wanted to lead the way towards comprehensive peace, not only in order to regain all Egyptian territories occupied in the Six Day War, but similarly to demonstrate Egypt's commitment to the fate of the Palestinian people and to affirm its leading and dominating position in the Arab world. The question was how to bridge the gap, between a separate peace agreement Israel wanted, and a comprehensive agreement the Egyptians wanted.

In 1976, Israeli policy planners, led by Abrasha Tamir, developed an interesting idea. Under UN auspices an international conference was proposed in order to serve as an umbrella for separate bilateral negotiations between Israel and Egypt, Israel and Jordan, Israel and Syria and Israel and Lebanon. In December 1976, Israel's ambassador to the UN, Haim Herzog, tabled a proposal to this end in the General Assembly.[73] However, the diplomatic effort to achieve consensus regarding the rules of engagement, the participants, the powers and procedures of such an international conference, failed. First, Secretary General of the UN, Kurt Waldheim failed in this endeavor. Then President Carter received serious rebuffs for a similar effort. Finally a subsequent common US-Soviet Communiqué of October 1, 1977, proposing to convene such a conference, "not later than December 1977," caused major reservations by Israel and Egypt.[74]

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[69] Anwar el-Sadat, *In Search of Identity: an Autobiography* (New York: Harpercollins, 1978), 280-1.

[70] Henry Kissinger, *Years of Upheaval* (New York: Weidenfeld & Nicholson history (new edition), 2000); Quandt, 116-220; Safran, 449-464; Yitzhak Rabin, *Pinkas Sherut (Service Notebook)* [Hebrew] (Tel Aviv: Yedioth Ahronoth, 1979), 235.

[71] Quandt, *Peace Process*, 183-251.

[72] Kissinger, *Years of Upheaval*, 848-53.

[73] "Draft Resolution A/31/L.24 by Israel on Peace Conference on the Middle East, 6 December 1976." Documents of Foreign Relations, Israel Ministry of Foreign affairs, vol. 3: 1974-77, # 184, www.mfa.gov.il

[74] "Joint Communiqué by the Governments of the United States and the Union of Soviet Socialist Republics," October 1, 1977, in: Quandt, *Peace Process*, 443-44.

Instead, President Sadat decided on conducting his historic visit to Jerusalem, where he arrived on November 19, 1977. About ten months later, on September 17, 1978, the Camp David Accords were signed by President Sadat of Egypt, Prime Minister Begin of Israel, and as a witness, President Carter from the United States. A common conflict resolution approach had been created.

The title of the Camp David Accords is: "A Framework for Peace in the Middle East." in line with this aim, the framework comprised three parts: first, a detailed description, how to proceed in solving the Palestinian problem; second, provisions to guide negotiations for an Israeli-Egyptian peace agreement; and third, the, "Associated Principles," where principles and provisions to be applied towards peace treaties between Israel and each of its neighbors, Egypt, Jordan, Syria and Lebanon were elaborated upon.

In the preamble of the Camp David Accords the nature of the envisaged peace arrangements is described:

- It stresses that, "The agreed basis for a peaceful settlement of the conflict between Israel and its neighbors is UN SC resolution 242, in all its parts";
- It explains that, "Peace requires respect for the sovereignty, territorial integrity and political independence of every state in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force";
- And it elaborates that, "Security is enhanced by a relationship of peace and by cooperation between nations which enjoy normal relations. In addition, under the terms of peace treaties, the parties can, on the basis of reciprocity, agree to special security arrangements such as demilitarized zones, limited armament areas, early warning stations, the presence of international forces, liaison, agreed measures for monitoring, and other arrangements, that they agree are useful."[75]

In the part of the agreement, providing guidelines and principles for peace between Israel and Egypt, both sides committed to signing a peace treaty between them, "while inviting the other parties to the conflict to proceed simultaneously to negotiate and conclude similar peace treaties with a view to achieving a comprehensive peace in the area."[76] Whereas it took slightly more than six months to conclude and sign the Israeli-Egyptian treaty of peace, no time-table was set for additional negotiations with other Arab states, and no time limit was set obliging the parties to achieve an understanding regarding Palestinian self-government.

Regarding the solution of the Palestinian problem, the agreement provided for a two stage solution, which *de-facto,* necessitated three time periods: the first, to negotiate the modalities for establishing an elected Palestinian self-governing authority in the West Bank and Gaza Strip; the 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"; and third, negotiations for final status, set to take place, "as soon as possible, but not later than the third year after the beginning of the transitional period…[to determine]…the final status

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[75] "The Camp David Accords: The Framework for Peace in the Middle East, 17 September 1978," in: Documents of Foreign Relations, Israel Ministry of Foreign Affairs Volume 4-5: 1977-1979, # 192, preamble, www.mfa.gov.il
[76] Ibid, Framework B, Egypt-Israel.

of the West Bank and Gaza and its relationship with its neighbors and to conclude a peace treaty between Israel and Jordan by the end of the transitional period…[and]…will be conducted among Egypt, Israel, Jordan and the elected representatives of the inhabitants of the West Bank and Gaza."[77]

The success of the Camp David meeting was based on a formula which performed two contradictory tasks at once: it maintained the existing differences and succeeded to overcome them. In historical hindsight, both Sadat and Begin got what they wanted. It was the brilliance of Begin and the genius of Sadat that led to the success and failure of Camp David. Begin was concluding peace with Egypt, and changing the strategic equation in the region substantially in Israel's favor, without any iron-clad obligations to reach an agreement on the Palestinian issue, or with other Arab states, while maintaining the freedom to expand Israeli settlements in the West Bank and Gaza, to which he was ideologically committed.[78]

Sadat had gained a strategic victory. He achieved an obliging long-term conflict resolution approach, which he was convinced, would have to guide future peace negotiations of all the concerned parties. In Sadat's own words, he described his aim as follows:

> "My major target is to put an end to the crisis in the Middle East by solving the Palestinian problem and affecting a withdrawal from the Arab land occupied in 1967. I shall always be guided by the principle of just peace and am willing to make any effort, and any sacrifice necessary, however long the process may take."[79]

Reviewing the Camp David Accords of September 1978, after almost thirty years, Sadat's vision has still not been fully achieved. Nevertheless, the Camp David Accords, as explained and interpreted by him, have remained a workable and widely (although not fully) accepted conflict resolution approach.

1.4. <u>The Way to a Commonly Accepted Conflict Resolution Structure: The Madrid Conference</u>

It took thirteen years to turn the strongly contested conflict resolution approach into a commonly accepted conflict resolution structure.

In order to understand the historical process, and to be able to draw valid conclusions from it, it is necessary to describe the main way-stations on the road from the Camp David Accords in 1978, to the opening of the Madrid Conference in 1991.

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[77] Ibid, subparagraph c.
[78] Akiva Eldar and Irit Zartal, *adoni haaretz: hamitnachlim ve'hamedinat ysrael, 1967-2004 (Lords of the Land: The Settlers and the State of Israel, 1967-2004)* [Hebrew] (Or Yehuda: Kinneret, Zmora-Biotan, Dvir – Publishing House Ltd, 2004), 45.
[79] Sadat, 312.

1.4.1. The Failure of Israeli-Egyptian Negotiations regarding Palestinian Self-Government

President Sadat, in his speech to the Knesset, and in other speeches and writings, made it abundantly clear that in his view, the creation of a national Palestinian state was necessary in order to end the conflict.[80] In the Camp David Accords, he took care to lay the foundations for such a development by insisting and achieving the inclusion of three elements that made the establishment of a Palestinian State on the territories of the West Bank and Gaza, by a process of negotiations, a most probable outcome: The first element was to provide for a strong Palestinian self government, which would not be controlled by the Israeli military government, nor its civil administration, nor by an overall presence of Israeli Armed Forces. The related text read as follows:

> "In order to provide full autonomy to the inhabitants, under these arrangements the Israeli military government and its civilian administrations will be withdrawn as soon as a self-governing authority has been freely elected…"

Further on, it reads,

> "A withdrawal of Israeli armed forces will take place and there will be a redeployment of the remaining Israeli forces into specified security locations."[81]

The second element was to assure that final status negotiations will be based on the principle of, "territory for peace," i.e. on resolution 242. The relevant text read as follows:

> "One committee, consisting of representatives of the four parties [which] will negotiate and agree on the final status of the West Bank and Gaza, and its relationship with its neighbors…The negotiations shall be based on all the provisions of Security Council Resolution 242."[82]

The third element was to assure that the Palestinians will have a decisive say on the outcome of final status negotiations. In assuring this, Sadat insisted on defining four components:

> "In this way, the Palestinians will participate in the determination of their own future through:
>
> i. The negotiations among Egypt, Israel, Jordan and the representatives of the inhabitants of the West Bank and Gaza to agree on the final status of the West Bank and Gaza and other outstanding issues by the end of the transitional period;
> ii. Submitting their agreement to a vote by the elected representatives of the inhabitants of the West Bank and Gaza;
> iii. Providing for the elected representatives of the inhabitants of the West Bank and Gaza to decide how they shall govern themselves consistent with the provisions of their agreement;

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[80] Sadat, 39-40; In outlining the points of his vision for a peace agreement, point two reads, "[The] achievement of the fundamental rights of the Palestinian People and their right to self-determination, including their right to establish their own state," in: "Statement to the Knesset By [Egyptian] President [Anwar] Sadat, 20 November 1977," Documents of Foreign Relations, Israel Ministry of Foreign Affairs, vol. 4-5: 1977-1979, # 73, www.mfa.gov.il

[81] "The Camp David Accords, Framework A. West Bank and Gaza Strip, subparagraphs a, b." in: Ibid.

[82] "The Camp David Accords, Framework A. West Bank and Gaza Strip, subparagraph c," in: Ibid.

iv. Participating as stated above in the work of the committee negotiating the peace treaty between Israel and Jordan."[83]

In essence these sub-paragraphs assured that the Palestinians would not only participate in the negotiations on final status, in sub-paragraphs B, C and D they were given a double and triple right to overrule any possible suggested outcome (it would have been an act of gullibility and an illusion to believe that Egypt or Jordan would fail to achieve a united front with the Palestinians in negotiations, or even support Israeli negotiating demands).

Prime Minister Begin, and the Likud government he led, were by no means willing to accept the establishment of a Palestinian State on the West Bank and Gaza. Quiet the contrary it was believed that a Palestinian, 'Administrative Council,' would create a self-government structure for the Palestinians while at the same time would not prevent further Israeli settlement activities in the West Bank and Gaza. Wanting to achieve a peace agreement with Egypt, Begin was willing to agree to the above quoted text for three reasons: First, no compelling target date for establishing Palestinian interim-self government had been set, thus it could be postponed without diminishing Egypt's obligations on the bilateral relationship. Second, since the way to reach a Permanent Status agreement between Israel and the Palestinians was conditioned on a prior interim agreement on Palestinian self-government, and thereof, Israel could halt the process, or prevent progress towards it. Third, and maybe most important: Sadat did not insist on a settlement freeze. According to the agreement, Israel was free to continue settlement activities in Gaza and the West Bank. It was (falsely) assumed by Israel that creating realities on the ground would sooner or later change the negotiating equation, and would force the Palestinians to accept the emerging reality.[84] Worse, the opposition of the PLO to the Camp David Accords, and their non-acceptance of Israel's right to exist, made negotiations on the Egyptian proposals for Palestinian self-government a dangerous proposition.

The gap in concepts regarding Palestinian self-government did not bode well for Israeli-Egyptian negotiations on this issue.[85] Towards the end of 1981 and early in 1982 the failure became apparent, when Israel rejected US bridging proposals.[86] Shortly afterward, towards the end of January 1982, Israel announced its own proposal concerning the jurisdiction and structure of the proposed Palestinian self-government authority, as well as the powers it intended to transfer. These powers included the administration of justice, agriculture, finance, civil service, education and culture, health, housing and public works, transportation and communications, labor and social welfare, municipal affairs, local police, religious affairs, industry, commerce and tourism. The proposal also discussed the size of the proposed Palestinian Council and the mode of elections.[87]

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[83] "The Camp David Accords, Framework A. West Bank and Gaza, subparagraph c," in: Ibid.

[84] Akiva Eldar and Irit Zartal, 48; Shaul Arieli, *tafsat maruvah lo tafsat: gishot bema'avak al gvulot shel medinat ysrael (Going* for "All" Leaving with Nothing: Approaches in the struggle over Israel's Borders) [Hebrew] (Jerusalem: Carmel, 2006), 121-2.

[85] For further information regarding the Egyptian and Israeli negotiating proposals made at the time, see: "Proposed Model of full Autonomy for the West Bank and the Gaza Strip," submitted by Egypt on 28 January 1980 & "Israel's Autonomy Proposals," January 1982, 207-17, in: Ruth Lapidoth & Moshe Hirsch, op. cit.

[86] Quandt, *Peace Process*, 238-49.

[87] "Israel's Autonomy Proposals," January 1982, in: Ruth Lapidoth & Moshe Hirsch, op. cit., 214.

While Egyptian-Israeli negotiations did not succeed in closing the gap, nevertheless, the Israeli proposal became a relevant starting point for negotiations.

1.4.2. Testing the "Jordanian Option": Defining the First Rules for an International Conference

The Camp David Accords suggested a very prominent role for Jordan in the suggested process of peace-making. After the failure of the Israeli-Egyptian negotiations on Palestinian self-government, the beginning of the war in Lebanon, and PLO Chairman, Yasser Arafat's (1968-2004) departure from Beirut, President Reagan in his, "Israeli-Palestinian Peace Initiative," or, "Fresh Start Initiative," of September 1, 1982, suggested ways and means to get Jordan on board, an attempt to achieve progress on the Camp David approach by way of Jordanian involvement.[88]

King Hussein I bin Talal of Jordan (1952-1999) did not reject the Reagan proposal. He saw it as an opportunity, but was also fully aware of his limitations. In order to move ahead he needed two safety nets. The first had to be an agreement between him and PLO Chairman Arafat, to provide legitimacy for him to get engaged in negotiations with Israel.

On February 11, 1985 Jordan and the PLO signed an agreement, which would enable King Hussein to go to negotiations with Israel on the basis of a five point program. Negotiations would have to be based on: (1) UN resolutions and the principle of land in exchange for peace; (2) the Palestinian people's right to self-determination; (3) a solution of the Palestinian refugee problem in line with UN decisions; (4) "solving all aspects of the Palestinian question" and (5) peace negotiations within the framework of an international conference, to be attended by UN Security Council permanent member states and all parties to the conflict, as well as the PLO as part of a joint Jordanian-Palestinian delegation.[89]

The second safety net was an international conference. King Hussein needed the international conference for three purposes. First, he had committed himself in the five point plan with Arafat to conducting negotiations only within the framework of such a conference. Second, and more important, he needed to know that the Soviet Union would offer support and could neutralize possible Syrian opposition. Third, he needed to create regional and international legitimacy that went far beyond the Camp David framework, and permitted many of those who had opposed Camp David, to come on board under UN auspices.

In the autumn of 1984, under Shimon Peres' premiership (1984-1986,) Israeli-Jordanian discussions on how to construct an international conference started. In support of this effort Israel started a parallel dialogue with the Soviet Union, which by March 1987 was finally

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[88] The relevant section of the text reads, "I am calling for a fresh start. This is the moment from all those directly concerned to get involved-or lend their support to-a workable basis for peace…Only through broader participation in the peace process – most immediately by Jordan and the Palestinians – will Israel be able to rest confident," "Reagan Israeli-Palestinian Peace Initiative," 1 September 1982, in: Lapidoth & Hirsch op. cit., 287.

[89] Moshe Zak, *King Hussein Makes Peace: Thirty Years of Secret Talks* (Ramat Gan: Bar-Ilan University Press, 1996), 199-200; Adnan Abu Odeh, *Jordanians, Palestinians and the Hashemite Kingdom in the Middle East Peace Process* (Washington DC: United States Institute for Peace Press, 1999), 29.

willing to put sufficient pressure on President Hafez Assad of Syria (1970-2000) to provide King Hussein with enough security and maneuvering room to permit him to go ahead. Accordingly, in April 1987, the, "London Agreement" was signed between King Hussein and Shimon Peres, who in the meantime had – due to a coalition agreement – been demoted to the post of Minister of Foreign Affairs. Regarding the rules of engagement for an international conference, the London Agreement was very specific. It read:

> "Israel and Jordan agree that 1) The international conference will not impose a solution and will not veto any agreement reached by the sides; 2) Negotiations will be concluded in bilateral committees in a direct manner; 3) The Palestinian issue will be discussed in a meeting of the Jordanian, Palestinian and Israeli delegations; 4) The representatives of the Palestinians will be included in the Jordanian-Palestinian delegation; 5) Participation in the conference will be based on acceptances of UN Resolutions 242 and 333 by the sides and the renunciation of violence and terror; 6) Each committee will conduct negotiations independently; 7) Other issues will be resolved through mutual agreement between Jordan and Israel."[90]

However, Prime Minister Yitzchak Shamir (1983-1984, 1986-1992)—who assumed the Post of Prime Minister following Peres, according to the coalition agreement—opposed the "London Agreement," and it was never concluded. Nevertheless, when Secretary of State James Baker prepared the concept and the structure of the Madrid Conference, the basic guidelines that had been developed, were incorporated.

When on October 30, 1991, the Madrid Conference was opened most of the opponents of the Camp David Accords of September 17, 1978, had come on board. The terms of reference that were spelled out in the letter of invitation to the Madrid Conference, co-signed by the United States and the Soviet Union, were in many ways a first (but by no means a final) triumph that sustained the conflict resolution approach, laid down at Camp David, in September 1978: All neighboring Arab countries of Israel—Egypt, Jordan, Syria and Lebanon—were present. The way for starting bilateral negotiations on the basis of UN SC resolution 242, to achieve a peace agreement, and a commitment of each side, "to respect the sovereignty, territorial integrity and the right to live in peace within agreed and demarcated secure and recognized boundaries free from threats of acts of force," had been paved. Moreover, other Arab nations, including Saudi Arabia and other Arab states from the Gulf and North Africa and other nations of the world were being invited to participate in multilateral negotiations that would focus on region-wide issues such as arms control, water, the refugee issue, environment and economic development, in order to build a better future together.

The provisions of the Camp David Accords regarding the concept and the procedure, how to solve the Palestinian problem, were accepted as the uncontested guidelines to rule Israeli-Palestinian bilateral negotiations. The Palestinian negotiators were officially members of a joint Jordanian-Palestinian delegation. It was determined that negotiations,

> "will be conducted in phases, beginning with talks on interim-self government arrangements…Once agreed, the interim self-government arrangements will last for a period

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[90] *Ma'ariv,* "London Agreement," 1 January 1988 &; William Quandt, *The Middle East: Ten Years After Camp David* (Washington DC: Brookings Institution Press, 1988), 475-476; Zak King, 263-264.

of five years; beginning the third year of the period of interim self-government arrangements, negotiations will take place on permanent status."[91]

The purpose of the Madrid Conference structure was to get a negotiating process going, which would lead to an Israeli-Palestinian two stage solution of the Israeli-Palestinian conflict, to peace between Israel and Jordan, Israel and Syria and Israel and Lebanon and at the same time would develop coordinated multilateral action towards a stable and prosperous Middle East.

2. Narrowing the Gap

Still in Madrid, November 3, 1991, the bilateral negotiations started, marking the success of the Conference. Between November 1991 and December 2000 much headway was achieved in narrowing the gap, either by reaching agreements, or by getting a better understanding of what is needed to reach an agreement. We shall describe the process of narrowing the gap in each of the bilateral negotiating channels; relate to repercussions on stability building and radicalization, as well as relating to the emergence of further complications.

To be able to understand and analyze the logic of the historical development, the inherent complexities of any negotiating process must be looked at. In any political negotiations each negotiating side is pursuing two parallel efforts: first, negotiations with the historical opponent, to bridge the gap, and, second, a public relations dialogue with one's own constituency, who have to accept and support concessions made. Inherent in this process are two crisis situations, which necessarily occur.

The first crisis occurs towards the end of a mutual effort to identify common ground. Anyone who ever participated in such an effort, knows that while common ground is being identified, necessarily, the gap in positions becomes very evident. It needs a lot of management skills, as well as a very circumspect strategy, to overcome that moment. If there is a sense from either one of the negotiating parties that the newly crystallized gap, in spite of a genuinely intended bridging effort, can not be closed, negotiations all too easily may lead to radicalization and the reoccurrence of violence.[92]

The second crisis occurs when concessions made by one's own leadership, became known to the wider public, and spoilers on each side view themselves ideologically, politically, or otherwise threatened. In case those spoilers, either on one or the other side of the negotiating sides, succeed in influencing public opinion and building an effective supportive coalition against the negotiated agreement, a dangerous return to radicalization and violence can be expected.

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[91] "Letter of United States—Soviet Union Invitation to Madrid Peace Conference, 30 October 1991," in: Lapidoth and Hirsch, op. cit., 384.

[92] Ahmad Qurei' (Abu Alaa'), *al-riwa'yah al-filastiniyya al-ka'milah lil-mufa'wadat- min oslo ila' kharitrt al-tarik: 1-mufa'wadat* (*The Full Palestinian Perspective on the Negotiations from Oslo to the Roadmap 1: Negotiations*) [Arabic] (Beirut: institute for Palestine studies, 2006), 227; Bassam Abu Sharif, *Yassir Arafat* (Ramallah: sader a'n al-dimokrati:, 2005), 396-397.

It should be understood that these crisis situations can not be prevented; however they can be anticipated and properly managed. Any failure to do so will cause further radicalization, and in spite of the narrowing of the gap, a dangerous deepening of the abyss will be experienced.

Looking at the developments from hindsight, two features become most apparent. One, the concerned parties undertook an immense effort in attempting to close the gap. Two, neither the global, nor the other regional actors were well enough prepared for the effort.

2.1. Headway on the Israeli-Palestinian Front

2.1.1. *Closing the Gap on Stage One: Palestinian Self-Government*

When Israeli and Palestinian negotiators finally settled down in Washington to discuss terms for an agreement on Palestinian Self-Government arrangements, the gap dividing the positions of both sides was tremendous. Hana Siniora, a Palestinian from Jerusalem and chief-editor of the Palestinian daily *al-Fajr*, prepared a document in 1992, describing in much detail the gap between Israeli and Palestinian positions. In order to understand the distance that was traveled from Madrid to the conclusion of the Oslo Agreements, it appears justified to quote the document in full:

"With regard to the substance of interim self-government the gap was described as follows:

- The Palestinians wanted self-determination. The Israelis wanted autonomy arrangements;
- The Palestinians wanted the first stage of interim arrangements to be tied to the second stage, permanent status. The Israelis wanted the first stage to be open-ended;
- The Palestinians demanded to base the Interim Agreement on UN SC Resolutions 242 and 338, including Israeli acceptance of the principle of withdrawal from all territories. Israel did not mention 242 and 338 or even the Camp David Agreements, which repeatedly refer to them;
- The Palestinians proposed that the, "source of authority" would be the Palestinian Interim Self-Government Authority (PISGA). Israel viewed its own military government as the continuing source of authority;
- The Palestinians demanded that PISGA have unlimited power and that exceptions be qualified and agreed upon. Israel demanded full coordination and cooperation with Israel and Jordan on practically all issues;
- The Palestinians demanded that the territorial extension of PISGA's jurisdiction should extend throughout all the territories of the West Bank, including East Jerusalem and Gaza Strip, occupied in 1967. Israel did not refer to this point, based on the assumption that a Palestinian self-government would have no territorial dimension;
- The Palestinians demanded that the jurisdiction of PISGA should cover all "Palestinian territories occupied since June 1967" and encompass all land, natural resources and water, subsoil, and territorial sea and air space, and should extend to all Palestinian inhabitants of these territories. Israel wanted to limit jurisdiction to the Palestinian people;
- The Palestinians suggested that PISGA should have complete legislative, executive, and judicial powers. Israel spoke of, "functional administrative arrangements";
- The Palestinians assumed that PISGA would have foreign policy powers. Israel would not agree to grant any foreign policy powers;
- The Palestinians demanded that their judiciary should be fully independent. Israel spoke merely of the Palestinian right to participate in the administration of justice;

- The Palestinians asked for a strong police force responsible for security and public order. Israel spoke of leaving security in the hands of the Israeli military and cooperating in guaranteeing public order;
- The Palestinians spoke of the assistance of a UN peacekeeping force. Israel left no room for a UN role;
- The Palestinians asked for the creation of a standing committee to be composed of five members from the United Nations, PISGA, Jordan, Egypt and Syria. Israel did not refer to this clause, indicating [according to Siniora] that Israel would probably reject it.

"With regard to preconditions for the interim phase the gap was described as follows:

- The Palestinians wanted to set a date for election of PISGA. Israel did not propose a date;
- The Palestinians demanded full observance of the Fourth Geneva Convention of August 1949 and The Hague Regulations of 1907. Israel asserted that its activities in the West Bank and Gaza Strip were fully in line with international law and that Palestinian claims were an empty public relation stunt;
- The Palestinians thought that the decrees issued by the military administration should be rescinded and that the Palestinians should obtain control of the land and be able to prevent the establishment and expansion of settlements. Israel preferred that existing military decrees remain in force and the control of land remain with Israeli military authorities;
- The Palestinians demanded an end to administrative detention and the return of deportees. Israel did not relate to this point.

"Regarding election and other modalities of PISGA the differences were described as follows:

- The Palestinians proposed that elections should lead to the establishment of a legislative assembly with 180 members. Israel spoke of elections to an administrative council of 12 members;
- The Palestinians wanted guarantees for a body that would realize their full national and political rights. Israel wanted to offer the council limited administrative functions;
- The Palestinians demanded a halt to all settlement activities. This was unacceptable to Israel;
- The Palestinians demanded that all existing orders, regulations, and laws prohibiting and/or restricting assembly, movement, and participation in political activities or campaigning for elections should be rescinded. Israel was willing to negotiate on this;
- The Palestinians asked for the transfer, prior to elections, of jurisdiction, powers and responsibilities exercised by Israeli authorities to PISGA, and the simultaneous transfer of the Israeli military government and civilian administration. The Palestinians added that the Israeli armed forces should withdraw from all populated areas and redeploy along "the borders of the occupied Palestinian territories. "Israel spoke of withdrawal from populated areas and was willing to guarantee non-interference by the IDF in elections";
- The Palestinians wanted full participation in elections "in which Palestinians from the West Bank, including Jerusalem, and Gaza, as well as persons displaced since 1967 and deportees should participate fully," adding that, "political detainees must also be freed and allowed to participate." Israel regarded some of these issues as negotiable;
- The Palestinians wanted preliminary measures for elections implemented three months prior to elections and no later than July 31, 1992. Israel saw this as highly unlikely;
- The Palestinians wanted full international supervision. Israel was willing to negotiate."[93]

The 1992 gap between the Israeli and Palestinian negotiating positions on self-government, as described, was not coincidental. Israeli governments, led by Shamir until June 1992, and

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[93] Hana Siniora, in the mid-1980's, had been appointed as negotiator by Arafat but was not a member of the Palestinian negotiating team in Washington, document taken from author's private archives.

by Rabin thereafter, had three aims in mind. First, they were afraid of replacing the means of control to govern and stabilize the West Bank and Gaza, as ineffective as those means may have been, by a new unknown system. Second, in moving towards Palestinian self-government, as a first stage of conflict resolution, they wanted to guarantee vital achievements seen to be necessary in preparation of Permanent Status negotiations. Third, they wanted to achieve the optimal majority support and isolate opposition, as much as possible. The aims of the Palestinian leadership were parallel: the utmost control for Palestinian self government had to be achieved for the interim period; strategic assets towards Permanent Status negotiations had to be created or at least maintained, and an optimal unity of the Palestinian public preserved. In addition, there was one other decisive interest on the Palestinian side: to permit the PLO under the leadership of Chairman Arafat to return to the Palestinian homeland, lead and control the political process, wherever it might move.[94]

Being aware of the gap between the negotiating positions, and the motives behind them, permitted for the identification of two deal-makers. For Arafat, the deal-maker was to be allowed to return to the territories and lead the PLO from within the West Bank or Gaza; for Rabin the deal-maker was the principle of graduality, which permitted Israel to release its security and administrative control mechanisms over the West Bank and Gaza slowly in the hope of creating a positive momentum towards peace. In 1991, I had prepared a research paper, having interviewed members of Prime Minister Yitzchak Shamir's staff, and a wide spectrum of Palestinian strategists, in which I identified that the principle of graduality was acceptable to all of them.[95] In the years between 1988 and 1991, Yossi Beilin and I had developed with the full cooperation of Shimon Peres, the technique of back channel negotiations. What was left to do, was to create a direct dialogue contact with the PLO. Going to Oslo and speaking with the PLO made it possible to create the political breakthrough.

The most important agreements signed within the framework of the Oslo process, were: On September 9, 1993, the Israel-PLO letters of mutual recognition, whereupon Israel recognized the PL0 and hereby endorsed international recognition, permitting Arafat and the PLO through the service of representatives in many capitals over the world, to pursue a pro-active foreign policy; On September 13, 1993, the Declaration of Principles (DOP) was signed, defining the rules of engagement[96]; in April 1994, the Paris Protocol defined all components of the envisaged economic relations between Israel and the Palestinian self-

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[94] Bassam Abu Sharif, 416-417; In describing the rational for entering into the Oslo Peace Process, a member of the Fatah Central Committee, Abass Zaki, explained they were forced upon them by American pressure that by and large served the Israeli strategy, opposed to the Palestinian strategy. However, undertaking this process was essentially a pragmatic move to return Fatah control to the Palestinian territories, saying, "running away from the peace process, we will miss the ship, and we must do everything we can to save this ship from sinking, and if it does, we know we can jump to another ship," see: Abass Zaki, *Ma Nara'a fi Fatah*, (What We See in the Fatah Movement) [Arabic] (manshurat al-ard' al-mohtala, 1993), 23-24.

[95] Hirschfeld, *oslo: nuschah le'shalom:hamasa vumatan al heskemy oslo – haastrategiah ve'mimushah (Oslo: A Formula for Peace: Negotiations of the Oslo Agreements – The Strategy and the Realization*) [Hebrew] (Tel Aviv: 'Am Oved, 2000), 108.

[96] "The Declaration of Principles on Interim Self-Government Principles, 13 September 1993." Documents of Foreign Relations, Israel Ministry of Foreign Affairs, Vol. 13-14: 1992-1994, # 108, www.mfa.gov.il

government authority[97]; in May 1994, the Cairo Agreement, laid the foundations for the establishment of the Palestinian National Authority (PA) in Gaza, the beginning of a process of transferring governmental authority from Israel to the Palestinians on the West Bank, and the return of Chairman Arafat to Gaza.[98]

Similarly important, the day of the signing of the Cairo Agreement, May 4, 1994, was the agreed starting point for the five year interim period of self-government, which should have led in May, 1999, to the conclusion of a Permanent Status Agreement. At the end of September 1995, the Oslo II Agreement was concluded, which provided for Palestinian self-government also on the West Bank, and provided for the establishment of the Palestinian Legislative Council, a body of 88 members with extensive legislative powers. In fulfillment of the Oslo II agreement, Israel withdrew from populated areas in the West Bank, including Abu Dis, on the outskirts of Jerusalem, and on January 20, 1996, elections for the Palestinian Chairman/President and for the Palestinian Legislative Council were held, which offered the PA important internal and external legitimacy.

In January 1997, the Hebron Protocol was concluded and signed by Chairman Arafat and Israeli Prime Minister Benyamin Netanyahu (1996-1999); and in October 1998 the Wye River Agreement was concluded, providing for further Israeli redeployment.

2.1.2. *Narrowing the (conceptual) gap on Permanent Status*

In the DOP of September 13, 1993, Article V stipulated that Permanent Status negotiations, "shall cover remaining issues, including: Jerusalem, refugees, settlements, security arrangements, borders, relations and cooperation with other neighbors, and other issues of common interest."[99]

Prime Minister Yitzchak Rabin, in a speech to the Knesset, delivered on October 5, 1995, presenting the Oslo II Agreement to the House, in some detail described his view of what the Permanent Status Agreement with the PLO should look like. Regarding the general nature of a Permanent Solution, Rabin said:

> "Members of Knesset, we strive (khotrim) at a permanent solution to the unending bloody conflict (sikhsukh ha damim) between us and the Palestinians and the Arab states. In the framework of a permanent solution, we aspire to reach, first and foremost, the State of Israel as a Jewish state, where at least 80 % of its citizens will be, and are, Jewish. At the same time we also promise that Israel's non-Jewish citizens—Muslims, Christians, Druzes and others— will enjoy the full personal, religious and civil rights as any other Israeli citizen."

Regarding Jerusalem, Rabin said:

> "We desire to achieve in the Permanent Solution....first and before everything else, a united Jerusalem that will include also Maaleh Adumim and Givat Zeev, as Israel's capital, under

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[97] "Gaza-Jericho Agreement Annex IV - Economic Protocol," 29 April 1994, www.mfa.gov.il
[98] "Agreement on Gaza Strip and Jericho Area," 4 May 1994, www.mfa.gov.il
[99] "The Declaration of Principles", Article V, op. cit.

> Israel's sovereignty, maintaining the rights of all other religious communities, Christians and Muslims, granting free access and religious exercise in their holy places, in line with their customs (nohagey datam)"

Regarding the territorial extension Rabin stated:

> "We will not return to the (cease-fire) lines of June 4, 1967." He added "(Territorial) changes will include the inclusion of Gush Etzion, Efrat, Beitar and other settlements situated east of what was the 'green line' before the Six Day War. We will establish settlement blocs, like the Gush Katif bloc…also in Judea and Samaria"

Rabin connected also the security issue to its territorial dimension and said, "Israel's security border will be located along the Jordan Valley, in its widest extension, in order to defend the State of Israel."[100]

Regarding, the question whether Permanent Status will lead to the establishment of an independent, viable and sovereign Palestinian State, Rabin made the following remark:

> "(We want) besides Israel a Palestinian entity that will be the home of most of the Palestinians living in the Gaza Strip and the territory of the West Bank. We want this entity to be less than a state, which will administer independently the lives of the Palestinian people, living under their rule (hanitunim lemaruta)."[101]

Rabin did not mention the refugee problem.

Evidently, Rabin's public description of his view of Permanent Status was intended as an opening position for negotiations; even when taking this into account, the gap between Rabin's negotiating aims, and Arafat's negotiating aims, were tremendous:

Arafat's position regarding Permanent Status demanded the establishment of an independent, sovereign, viable Palestinian State, on all the territories east of the June 4, 1967, cease fire line; the establishment of al-Quds as the capital of Palestine, in East Jerusalem and the Right of Return for the Palestinian refugees, to enable them to choose between compensation or the return to their former places of residence.[102]

In looking at the tremendous gap between the positions of both parties, Abu Ala, the Palestinians chief negotiator, opposed even the attempt to reach a Permanent Solution, and preferred to adapt the principle of gradualism also in moving towards Permanent Status.[103] He thought so in 1996, and in 1999, together with Arafat and Marwan Barghouti he supported the idea of establishing a Palestinian state, within the provisional borders of the

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[100] "Speech to the Knesset: Prime Minister Yitzhak Rabin: Ratification of the Israel-Palestinian Interim Agreement, 5 October 1995. Documents of Foreign Relations, Israel Ministry of Foreign affairs," Vol. 15: 1995-1996, # 85, www.mfa.gov.il
[101] Ibid.
[102] Yair Hirschfeld, 241-42; Uri Savir, *The Process: 1,100 Days that Changed the Middle East* (New York: Vintage, 1999), 213-21.
[103] Ahmad Qurei' (Abu Alaa'), 28-29.

interim-agreement. In 2001 Abu Ala developed with Shimon Peres a proposal that outlined the establishment of a Palestinian State with Provisional Borders.[104]

Abu Mazen, early in September 1996, in a meeting with Yossi Beilin (which I attended), made several important remarks, which provide today with hindsight, add additional light on the process. Abu Mazen demanded Israel evacuate the settlements in the Gaza Strip, as a confidence building measure, to strengthen Arafat. Referring to the Hamas, Abu Mazen argued: "If you [Israel] finish the talks successfully with Syria, the Hamas may participate in the Authority, even before elections. Yesterday, we had talks with some of the Hamas leaders. They want to join." And he added: "Assad keeps his word…If you finish with him, he will help us."[105]

At the same meeting, Yossi Beilin summed up, what he believed, the final outcome of Israeli-Palestinian Permanent Status negotiations would be:

- "The easiest is the border; Israel will receive some areas close to the 67 borders and most of the land 85 – 90 % will go to the Palestinians;
- The political solution will be a Palestinian State. This is far from our present view. It will be the biggest Israeli concession, as it is far away from our platform;
- Security, we can agree on some steps temporarily. You know that it would not make sense to create a Palestinian army;
- Refugees we will have to make a Declaration; to solve the question of compensation, of international funding. Regarding the right of return we will not be able to prevent return to a Palestinian state. We will not be able to accept Palestinian refugees. Every refugee should become a citizen;
- A delicate issue is Jerusalem. A solution will not be permanent; you will get more than you had before. I would prefer a permanent solution to Jerusalem, but it will not be easy."[106]

It was not said in the meeting, but the gap, even between the Israeli peace camp position, represented by Yossi Beilin, and the Palestinian position, was still very substantial.

When Permanent Status negotiations started seriously in April 2000, very little substantial headway in preparations or otherwise had been achieved. Nevertheless, Israel, seen from its vantage point, made serious concessions, one after the other, clearly enabling a process of narrowing the gap.

Later, under Prime Minister Ehud Barak (1999-2000), further headway was made. During negotiations in Sweden held on May 19, 2000, known as the Stockholm Negotiations, the issue of Palestinian statehood was accepted.[107]

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[104] *Ha'aretz*, "Peres-Abu Ala plan is complete; clash coming with PM," 2 November 2002.
[105] "Protocol, from: meeting between Abu Mazen and Yossi Beilin; present, Yair Hirschfeld, Ron Pundak and Ahmed Tibi," 6 September 1995, from the author's private archive.
[106] Ibid.
[107] Gilad Sher, *bemarchak negiah: hamasa vu'matan le'shalom, 1999-2000 (Just Beyond Reach: The Israeli-Palestinian Peace Negotiations 1999-2000)* [Hebrew] (Tel Aviv: Yedioth Ahronoth, 2001), 86-7; Charles Enderlin,

Following the negotiations at Camp David, in regarding the territorial issue, President Clinton's compromise proposals, demanded that,

> "The solution should be in the mid 90%, between 94-96 % of the West Bank territory of the Palestinian State. The land annexed by Israel should be compensated by a land swap of 1-3% in addition to territorial arrangements such as a permanent safe passage. .....The Parties should develop a map consistent with the following criteria:
> * 80 % of settlers in blocks
> * Contiguity
> * Minimize annexed areas
> * Minimize the number of Palestinians affected."[108]

The territorial issue also defined the solution regarding settlements. 80% of the settlers could remain where they lived, as those settlement blocs would be incorporated into Israel's sovereign territory, as part of the territorial agreement, which would also include an agreed land swap.

Regarding Jerusalem, Barak broke the taboo, consenting to the division of Jerusalem, and in January 2000, he was willing to grant Palestinian sovereignty over Haram ash-Sharif, asking, however, to obtain a Palestinian recognition of the importance of the Temple Mount (The Haram al-Sharif was built by the Muslim conquerors on the site of the first and second temple, i.e. the Temple Mount) for the Jewish people.[109]

Regarding refugees, also some headway was achieved. The Clinton parameters made the following proposal. The conceptual part of it read as follows:

> "The fundamental gap is on how to handle the concept of the right to return. I know the history of the issue and how hard it will be for the Palestinian leadership to appear to be abandoning this principle. The Israeli side could not accept any reference to a right of return that would imply a right to immigrate to Israel in defiance of Israel's sovereign policies on admission or that would threaten the Jewish character of the state. Any solution must address both needs. The solution will have to be consistent with the two-state approach that both sides have accepted as the way to end the Palestinian-Israeli conflict: the state of Palestine as the homeland of the Palestinian people and the state of Israel as the homeland of the Jewish people."[110]

The practical proposals of President Clinton for the, "Implementation of this general right (right of return) in a way that is consistent with the two state solution," listed five possible final homes for the refugees:

* The state of Palestine;
* Areas in Israel being transferred to Palestine in the land swap;
* Rehabilitation in a host country;
* Resettlement in a third country;

Shattered Dreams: The Failure of the Peace Process in the Middle East, 1995-2002 (New York: Other Press, 2003), 155.
[108] The Clinton Parameters, 23 December 2000, in: Charles Enderlin, 334.
[109] Ari Shavit, "End of a Journey: Interview with Shlomo Ben-Ami," *Ha'aretz*, 15 September 2001.
[110] The Clinton Parameters, in: Charles Enderlin, 336-337.

- Admission to Israel.

Most important, President Clinton proposed that the agreement, "clearly mark the end of the conflict and its implementation put an end to all its claims. This could be implemented through a UN Security Council Resolution that notes that Resolutions 242 and 338 have been implemented."[111]

 Clinton's bridging proposals did not lead to the conclusion of an agreement. As no safety net was being created, the void was being filled by growing violence, which contributed to a deepening of the abyss (see below, Chapter Two).

The bridging of the gap has – most evidently – not been completed. Like building a bridge from both banks of the river to each other, as long as the construction of the bridge has not been concluded, the structure that remains will be seen as ineffective, as it does not serve its intended purpose; and it will be seen as fragile, as parts of the already built structure can fall apart all too easily. Worst, the awareness and the memory of the difficulty to bridge the gap tends to create a sense of fatalism on each side, entrenching the conviction that no final bridging of the gap is possible.

The basic working assumption of politicians is, after the failure of negotiations, to turn towards the next issue on their agenda. The public may also tend to believe, that negotiations may be turned on or off, like watching a soccer game on television. It has to be understood that failure and stagnation in the peace-building process, necessarily cause radicalization and violence. Any serious conflict-resolution strategy must, ahead of time, confidentially prepare for such an alternative, and when a breakdown of negotiations occurs, be able to suggest alternative, "safety nets."

2.2. Headway on the Israeli-Jordanian Front

For decades, the gap dividing Israeli and Jordanian interests was different in substance, to the Israeli-Palestinian gap. Unlike Israeli-Jordanian relations, the Israeli-Palestinian conflict is perceived by each party as an existential threat to its collective existence, and most items on the Israeli-Palestinian negotiating agenda, tend to provoke zero-sum thinking (indicating that whenever one side gains the other side loses). Regarding Jordanian-Israeli relations, in spite of much mutual suspicion and diverging interests, some common ground has prevailed and influenced a long-lasting Israeli-Jordanian dialogue that actually started in the 1920's.[112]

This common interest for decades has been based on issues of security and identity.
Seen from Israel's vantage point, a central security interest was to prevent any Arab military force, regular or irregular, other than the Jordanian army, to be present on Jordanian land, air or maritime territory. Thus the territorial independence, sovereignty and non-vulnerability of

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[111] Ibid, 338.

[112] Yaron Ran, *shorshey haopziah hayardenit: Abdallah ve'hasochut hayehudit – anatomia shel yachasm, 1921-1948 (Roots of the Jordanian Option: Abdullah and the Jewish Factor; The Autonomy of Relations, 1921-1948*)
[Hebrew] (Tel Aviv: Citrin Publishing House, 1991), 29.

Jordan, was in essence a major Israeli security interest. When Jordan's territory was respected and no foreign Arab or Muslims troops were permitted on its soil, Israel's security on the eastern front was relatively well-guarded against any conventional attack.

Evidently, Jordanian national security interests, and the desire to maintain the rule of the Hashemite Kingdom similarly necessitated the prevention of any Arab or other military force, to be present on Jordanian sovereign territory.

This common interest produced practical results: In the summer of 1958, Israel permitted British assistance for King Hussein of Jordan to fly over Israel's sovereign territory. In September 1970, when Syrian armed forces entered Jordan to assist the PLO in their armed struggle against the Hashemite Kingdom and the Jordanian army, the Israeli air force took care of neutralizing Syrian aggression.[113]

Regarding the issue of identity, a massive Palestinian presence in areas under Jordanian or Israeli control, threatens to challenge the continuation of Jordanian and Israeli national identity. Evidently the fear of aggressive Palestinian expansionism, threatening the national existence of both Jordan and Israel was fed by the PLO's original National Covenant, which related to Israeli and Jordanian territory, as part of the national Palestinian soil.[114] This was further reflected by Abu Daud, one of Black September's commanders, in a letter to his son dated to October 1970, in which he says, "my dearest sun, right now I must join the warriors in order to liberate Amman and Palestine."[115]

During the 1960's, 1970's, until July 1988, Jordan attempted to deal with the issue by asserting its political influence over the West Bank; from then onwards, Jordan hoped to solve the identity question, by seeking a three state solution; i.e. Israel, Palestine and Jordan.[116]

Although important common interests did exist, the Israeli-Jordanian relationship was extremely volatile. King Hussein of Jordan, and the entire Jordanian establishment, were extremely susceptible to Arab and Muslim pressure and propaganda both from within Jordan, and from the outside. Accordingly, King Hussein in the mid-1950's sided fully with the Arab nationalists; in the prelude to the Six Day War, King Hussein handed the command of his army over to the Egyptian High Command; signed a security pact, with President Nasser and attacked Israel in spite of Israeli assurances not to take any action against Jordan and guarantee Jordanian rule over East Jerusalem and the West Bank.[117] After the conclusion of the Camp David Accords in September 1978, King Hussein at first hesitated, opting to, "sit on the fence," and weigh whether to join the Israeli-Egyptian peace effort, or not. After having handed questions to President Carter and receiving his answers, King Hussein

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[113] Benny Morris, *Righteous Victims: A History of the Zionist-Arab Conflict, 1881—2001* (New York: Vintage Books, 2001), 357-9.

[114] Adnan Abu Odeh, 13, 149-50.

[115] Abu Daud, *min al-quds ila munih (from Jerusalem to Munich)* [Arabic] (Beirut: dar al-nahar lil-nashar), 1999, 264.

[116] Adnan Abu Odeh, 69-71.

[117] Michael Oren, *Six Days of War: June 1967 and the Making of the Modern Middle East* (New York: Presidio, 2003), 123-6.

decided on joining the Arab negation front in its first Summit meeting since the Camp David Accords in Bagdad, in November 1978.[118]

Later, during the Iraqi crisis of 1990-1991, King Hussein's tenuous position became even further strained, demonstrating that without any firm commitments from Israel, he had to conduct a sophisticated tightrope policy. Although offering support to Saddam Hussein and keeping supply routes for him open, he rejected Saddam Hussein's demand to permit Iraqi troops to enter Jordan in order to launch an attack against Israel. Before the outbreak of the Gulf War, King Hussein also met with Israel's Prime Minister Yitzchak Shamir and convinced him to stay out of the war, even if Israel had to suffer, without responding to the barrage of Iraqi SCUDs launched at Israel.[119]

On the other hand, King Hussein was extremely irritated and nervous over Israeli politics, military action, and verbal declarations. The Israeli right wing groups, led by Ariel Sharon, agitated in favor of, "Jordan is Palestine," actually pressing for the demise of Jordan, permitting the East Bank to become a Palestinian state. Whereas this was a minority view, it caused considerable irritation.[120] More dangerous for the Jordanians was any deterioration in Israeli-Palestinian relations, fearing that violence could easily spill over into Jordan or create an influx of Palestinians migrants from the West Bank to Jordan, further upsetting the demographic balance between Jordanians and Palestinians on the East Bank.[121] Furthermore, the understanding that a Palestinian state gave rise to a new inter-Jordanian discourse about the legal status of citizens of Palestinian origin.[122]

The end of the Gulf war in February 1991 and the rise in Israeli-Jordanian tensions were soon followed by a confidential improvement of security relations. Under King Hussein and Prime Minister Shamir's oversight, security relations improved gradually, in an emerging dialogue, led by the head of the Jordanian intelligence, Major-General Mansur Abu Rashid, and by his Israeli counter-part, Brigadier-General Barukh Spiegel, head of the international relations department within the IDF.

The conclusion of the Israel-PLO Declaration of Principles in September 1993 unblocked the political impasse in the Israeli-Jordanian dialogue. The day after the signing ceremony in Washington, a preliminary Israeli-Jordanian understanding was reached on how to achieve progress towards peace. Thirteen and a half months later, a peace treaty was signed. Subsequently, the peace treaty in its concept and content was fully in line with the provisions of part C of the Camp David Accords.

In line with the Camp David Accords, the treaty was based on the implementation of UN SC resolutions 242 and 338: outside of the West Bank the international border was re-established according to the border drawn during the mandate period, allowing in places for an agreed

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[118] Adnan Abu Odeh, 96.
[119] Efraim Halevy, *Man in the Shadows: Inside the Middle East Crisis with a Man Who Led the Mossad* (London: St. Martin's Press, 2006), 83.
[120] Adnan Abu Odeh, 224-26; Moshe Zak, 276-8.
[121] Adnan Abu Odeh, 234; Moshe Zak, 34, 273-5.
[122] Adnan Abu Odeh, 234.

exchange of territory. Regarding security issues, the treaty managed to develop a program fitting for the common interests of both parties. In Article 4, Paragraph 4, Section B of the treaty, Jordan guaranteed Israel that it would not allow, "the entry, stationing and operating…of military forces, personnel, or materiel of a third party, in circumstances which may adversely prejudice the security" of Israel from Jordanian territory.[123] In section A of the same article, Jordan guaranteed to refrain from forming any, "coalition, organization, or alliance with a military or security character with a third party, the objectives or activities of which include launching aggression or other acts of military hostility," against Israel.[124] In further paragraphs, Jordan pledged to fight all acts of terror that should be launched or instigated from Jordanian territory against Israel, and Jordan and Israel pledged to combine forces in order to work for a regional security system along the lines of the Helsinki process, which would introduce a series of confidence and security building measures that aimed to eventually create a common cooperative security approach.[125]

The conclusion of the Israeli-Jordanian Treaty of Peace created a functioning framework for security, political and economic cooperation. The cooperation and coordination between the security forces of both states created an almost complete tranquility along the Israeli-Jordanian border.[126] Economic cooperation was strongly enhanced by the creation of QIZs (Qualified Industrial Zones) in 1996. The QIZs, which allow free-trade access on imports to the US based on items with shared inputs from Jordan and Israel, have created a successful Israeli-Jordanian cooperative enterprise: 30,000 workplaces have been created and Jordanian exports via the Sheikh Hussein Bridge between Jordan and Israel, have reached an annual volume of US$1.5 billion.[127]

Notwithstanding these achievements, the Israeli-Jordanian relationship is still highly vulnerable to developments in the Israeli-Palestinian arena. In preparation of Permanent Status negotiations, an Israeli-Palestinian-Jordanian track II team developed a model for a Jordanian-Israeli-Palestinian Trilateral Security Regime, which was to be the first circle of a wider Middle Eastern security system. The premise guiding the teams—led on the Israeli side by Gilad Sher (who under Barak became Israel's chief-negotiator with the Palestinians) and myself, on the Jordanian side by General Mansur Abu Rashid, and on the Palestinian side by General Hajj Ismail (as well as Hussein Agha and Ahmed Khalidi)—was to develop a concept that could strengthen Jordanian security capacities on its eastern border against conventional and non-conventional threats, with international guarantees would serve the national security of Jordan, Palestine and Israel.[128] Prime Minister Barak and King Abdullah II met in June 2000, and agreed on the promotion of the trilateral security approach. However, despite agreement on the Israeli and Jordanian tracks, the concept was still born

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[123] "Treaty of Peace between the State of Israel and the Hashemite Kingdom of Jordan," 26 October 1994. Documents of Foreign Relations, Peace Process, Reference Documents, www.mfa.gov.il

[124] Ibid.

[125] Ibid.

[126] In contrast to the otherwise positive relations, two examples stand out as exceptions: Naharayim, and Arava incidents, see: "A Decade of Peace between Israel and Jordan," 26 October 2004. The Israeli Ministry of Foreign Affairs, www.mfa.gov.il

[127] "A Decade of Peace between Israel and Jordan, 26 October 2004," from: The Israeli Ministry of Foreign Affairs [internet].

[128] "Jordan-Israel-Palestine: Trilateral Security Regime," Proposed combined paper, ECF, December 1999.

due to non-agreement on the Palestinian track. The Palestinians who had been playing a leading role in this track-two effort, made a *volte face* at the Camp David negotiations in 2000, withdrawing their support for the trilateral security concept.

In spite of the stabilization in Israeli-Jordanian relations, threats have continued to emerge. The outbreak of the al-Aqsa intifada, operation Defensive Shield, and the rise of militant Islamic fundamentalism created new heavy liabilities which, so far, have not been contained.[129]

2.3. Headway on the Israeli-Syrian Front

During the course of negotiations on the Israeli-Syrian front, despite repeated setbacks and complications, much ground was covered, in a common attempt to narrow the gap.

Following the Camp David accords of 1978, Syria continued in its confrontational stance, manipulating internal Lebanon forces and seeking, "strategic parity" with Israel backed by the Soviet Union. However Syrian calculations were significantly altered when internal changes in Russia led Gorbachev in 1987 to end the Soviet policy of attempting to maintain the, "strategic parity" Syria desired, announcing to Assad in April that, "the reliance on military force in settling the Arab-Israeli conflict has completely lost its credibility."[130] Amidst Syria's recalculation of its interests vis-à-vis Israel, the United States appointed Ed Djerejian as ambassador to Syria in 1988, who quickly capitalized of the changed context to achieve three major developments towards Syrian's, "strategic choice" for peace: the first was the conclusion of the Ta'if agreement, which brought a formal end to the Lebanese civil war and called for Syria's withdrawal from Lebanon; the second was Syria's participation in the US coalition during the first Gulf War; and the third was convincing Syria to participate in the Madrid Conference.[131]

Syrian attendance at the Madrid Conference signaled two different attitudes of President Assad towards the peace process. The first was his understanding that in order to maintain Syria's significance in the region and regain the Golan Heights, he would have to build a relationship with the US, which demanded participation in the US proposed negotiation structure. On the other hand, Assad was still skeptical of Israel and a peace process, and therefore continued to take a confrontational stance against Israel on almost every matter, and in every forum. Vice versa, Israel was skeptical of Syrian intentions, and questions were asked, whether the status quo, achieved by concluding the Israeli-Syrian Disengagement Agreement of May 1974, was not preferable, to a peace agreement The Madrid Conference only highlighted the enormous gap between the positions of both states: Syria demanded full

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[129] Mustafa Hamarneh & Rosemary Hollis & Khalil Shakaki, *Jordanian Palestinian Relations Where to?: Four Scenarios for the Future* (London: the Royal Institute of International Affairs, 1997), 94-7, 120-2.

[130] As quoted in: Moshe Ma'oz, "Can Israel and Syria Reach Peace: Obstacles, Lessons and Prospects." *The James A. Baker III Institute for Public Policy of Rice University*, March 2005, 12.

[131] James Baker, *The Politics of Diplomacy* (New York: Putman Adult, 1995), 135-6; Dennis Ross, *The Missing Peace: The Inside Story of the Fight for Middle East Peace* (New York: Farrar, Strous and Giroux, 2004), 73; Itamar Rabinovich, *The Brink of Peace* (Princeton: Princeton University Press, 1999), 62. According to these accounts, Ed Djerejian was central in convincing Asad to accept Baker's proposals in order to participate in the conference.

withdrawal from the Golan, with negotiations merely dealing with the implementation of this withdrawal, whereas Yitzchak Shamir, claimed that UN SC resolution 242, demanding Israeli withdrawal for peace, did not refer to the situation regarding Syria and the Golan Heights. For PM Shamir, the only cause of the Israeli-Arab conflict was Arab hostility towards Israel, and it was for them, to change their attitude before any serious Israeli concessions might be contemplated.[132]

Nevertheless, the Madrid Conference did start an Israeli-Syrian negotiating process, which the US administration lead by President George Bush Sr. (1988-1992) and Secretary of State James Baker III was determined to see through, based on the assumption that Syrian participation in the Madrid conference signaled Syria's actual willingness to make peace with Israel. The US determination to move ahead on the "Syrian track" influenced Yitzhak Rabin's thinking as he assumed the Israeli Premiership on June 23, 1992. Rabin's position regarding Syria and the Golan was in marked contrast to the previous Israeli government; after taking office, Rabin accepted that UN SC resolution 242 applied also to the Golan Heights. Despite this evolution in the Israeli position, the Washington talks that stemmed from the Madrid conference did not bear immediate fruit. Syria consistently demanded full withdrawal while Israel focused on the substance of peace, being determined to bring about a sea change in ending Syrian hostility against Israel. To express this Rabin defined Israel's position in saying, "the depth of the withdrawal will reflect the depth of peace." It was this position and the Syrian response, "full peace for full withdrawal," that reinforced Rabin's willingness to continue to pursue the Syrian track despite Syria's unwillingness to even change a modicum of its overtly hostile position and rhetoric against the Jewish state.

When in November 1992, George Bush was defeated by Bill Clinton, one of Prime Minister Rabin's first messages to the newly inaugurated President was, that Israel intended to first pursue the Syrian track. Rabin understood very well that Israel could not at one and the same time conclude negotiations with Syria and the Palestinians. In each case, the government would have to evacuate settlements and gain public legitimacy for such a move. Opposition to withdraw from the Golan Heights would come not only from the population whose homes had been established there, but from the Israeli population living in the north of Israel, who all too vividly remembered the pre-1967 situation, when the area was exposed to Syrian violence and who feared that the relative security created by Israel's control of the Golan Heights would be lost.

On the other hand, right wing ideologues, who wanted to create "Great Israel," were more flexible regarding the Golan Heights (in this context it should be remembered that on June 19, 1967, then Minister without Portfolio Menachem Begin, voted in favor of the decision to withdraw from the Golan Heights[133]). No Israeli government could afford to put the security-oriented opposition against a withdrawal from the Golan, with the ideological-oriented opposition against any concession towards the Palestinians, into one united front. In pursuing the Oslo negotiations on the one hand, and the Syrian track on the other, on the basis of US "shuttle diplomacy," PM Rabin kept all options open, to move either on the one, or the other track.

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[132] Itamar Rabinovich, 41-42.
[133] Shlomo Gazit, 136;

When in July 1993, the Oslo negotiations had reached a deadlock, and the dialogue was officially called off (which turned out to be a temporary move) on August 3, 1993, Rabin made a major move towards achieving peace with Syria, by making the famous "deposit," or what became known as the, "pocket" commitment. Seeking to gauge Assad's seriousness in advancing negotiations (and therefore whether to pursue the Syrian or Palestinian 'Oslo' track with more vigor), Rabin proposed that US Secretary of State Warren Christopher explore with Assad his positions under the hypothetical assumption that Israel was prepared to carry out a full withdrawal to the international boundary (of 1923), if Israel's needs for peace and security were properly addressed and that an Israeli-Syrian peace agreement would not be conditioned on Syrian imposed headway elsewhere, demanding even further Israeli concessions. Rabin, also needed to know, what would be entailed in Israeli-Syrian normalization; and similarly important, what was needed to achieve the implementation of elements of peace, prior to the completion of withdrawal, in order to be able to effectively argue against Israeli fears, of renewed Syrian hostility.[134]

The American peace team did not live up to the challenge. Instead of pushing Assad to make the necessary parallel concessions, Rabin's, "deposit" was given away, allowing Assad to provide a qualified response of accepting the basic formulation but with a series of 'ifs and buts,' veering away from the term normalization, rejecting Rabin's timeframe and a large measure of normalization at the outset of withdrawal.[135] Rabin conveyed his disappointment to the American team, which was followed by another meeting with Assad, but these meetings did not deal with trying to bridge this gap and find room for progress. Shortly there after the American team left for vacation and Rabin decided to suspend engagement with Syria to pursue the Palestinian track.

A new opening only appeared nine months later in May of 1994 when Rabin proposed to send a comprehensive proposal to the Syrians in order to elicit a further engagement while not relying on the, "deposit." Rabin authorized the Americans to present Assad with a proposal offering a five year plan to be implemented in three phases.[136] Syria responded in kind, and for the first time specified that full withdrawal meant withdrawal to the June 4th 1967 line, not the international boundary.[137] While progress had been made in defining the issue for negotiations, what Rabin called the "four legs of the table"—the border, security, normal peaceful relations and the timetable—the injection of the June 4th line created a new and complicating dynamic that would prove to be the downfall of the proceeding Israeli-

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[134] Itamar Rabinovich, 104-105 & Dennis Ross, 111.

[135] Dennis Ross, 111-112.

[136] The five year plan would cover: understandings on security including early warning stations, with the first phase (9 months) would included a limited withdrawal (not including settlement removal) followed by normalization, with the proceeding two phases covering the remainder of the withdrawal and normalization, see: Itamar Rabinovich, 125 & Dennis Ross, 144-45.

[137] Syria's proposal calling for a 6 month timeframe with an equal footing on security arrangements (a 14 kilometer demilitarization zone), no early warning stations and staged "normal peaceful relations," with an, "end to the state of war," at the outset of the process and only moving to full diplomatic ties after full withdrawal, see: Dennis Ross, 145-46.

Syrian negotiations, as Syria subsequently attempted to nail down a concrete Israeli commitment to the June 4th line as the basis of negotiations.[138]

Rabin initially rejected any reference to the June 4th, 1967 line for various reasons. First, nobody really authoritatively could say where the June 4th line 1967 was. [139] After the ceasefire agreement of 1949 was concluded, the situation on the ground was changing, due to the hostile environment of the time. Syrian and Israeli troops were moving into no-mans land; and in a pocket, entitled Hamat Gader, Syria had moved into the territory of former British Mandatory Palestine. Second, the 1967 line put Syria directly on the bank of the northeastern bank of the Lake of Tiberias and the Jordan River, giving rise to the potential of Syria laying claim to sovereignty over part of the lake and its waters (according to the ruling of the international boundary of 1923, Syrian sovereignty would be excluded from the lake itself, where the boundary was drawn 10 meters off the banks of the lake). Israel also feared that Syria would use this border dispute, as a pre-text to raise questions over water rights between the states. Thirdly, Rabin understood that if Assad had a commitment on the territorial aspect of negotiations, Israel would be tacitly permitting the remainder of negotiations to simply chisel away at Israel's security and normalization needs. However, following Syrian insistence, American pressure and a desire to continue the process, Rabin allowed Secretary Christopher to convey his, "impression" to Assad that Rabin had, "clarified" that the "pocket" could be understood as relating to the 1967 line.[140] This clarification led the way for the resumption of talks in order to produce a, 'non-paper' on security, providing the first meeting of Israel and Syrian military officials. Talks soon became stalled however over Syria's rejection of early warning stations on Mt. Hermon (and the issue of who would man them). At this stage Rabin called off all talks and informed President Clinton that he would dedicate the remaining year before elections to the Knesset (due in October 1996), to conclude a Permanent Status Agreement with the PLO. On November 4, 1995, PM Rabin was assassinated.

Shimon Peres, who succeeded Rabin as Israel's Prime Minister, asked President Clinton to renew the negotiating effort with Syria, which lasted from December 1995 to February 1996 at the Wye River Plantation in Maryland.[141] The Wye River negotiations were premised on the assumption that the territorial dimension would be based on Rabin's, "deposit" for the June 4th line (which Peres implied commitment to in a letter to Assad and verbally to Clinton), though without making specific reference to it. Instead, the negotiations focused on the, "preconditions for withdrawal": security, the time table and diplomatic relations.[142] During the two and a half rounds of discussions, marked progress was achieved regarding the timetable for withdrawal, the definition of 'normal diplomatic relations' and security arrangements. However, during the Israeli election period, a series of terror acts hitting Tel

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[138] As opposed to the 1923 international line, the June 4th 1967 line, the line that divided Israeli and Syrian controlled areas proceeding the Six Day War, put Syria right on the border of the Kinneret and the Jordan river, rather than 10 from the waters edge, as well as giving Syria the Yarmouk Salient to the south of the lake.

[139] Frederic C., Hof, "Line of Battle, Border of Peace: The line of June 4th, 1967, *Middle East Insight*, September-October 1999, 17-23.

[140] Itamar Rabinovich 147; Dennis Ross, 147.

[141] See: Dennis Ross, 224-245; Uri Sagie, *orot be'afala (Lights in the Fog)* [Hebrew] (Tel Aviv: Yedioth Ahronoth, 1998), 113-14.

[142] Ross, 239.

Aviv and Jerusalem were carried out by the Islamic Jihad, whose headquarters were located in Damascus. Syria was unwilling to take action against the organizations headquarters in their capital or even publicly condemn the attacks.[143] In response, the Israeli team called off talks with Syria.

Despite Netanyahu's strong pronouncements at the outset of his electuary victory, that "Retaining Israeli sovereignty over the Golan will be the basis of arrangements with Syria," Netanyahu too became engaged in a process, albeit secretly, to seek agreement with Syria based on withdrawal from the Golan. In the summer of 1998, Netanyahu used a friend and rich American business man, Ron Lauder, as a go between with Assad to see if he could strike a deal. After a few months, certain principles came into fruition: Syria agreed to early warning stations for 15 years manned by Americans or the French; to move his army out of offensive range from Israel, and in exchange; Netanyahu agreed to a line, "Based on the June 4th, 1967 line."[144] Beyond the vagueness of these proposals, Netanyahu abandoned the Syrian track, when confronted with opposition against the agreement he had concluded at Wye River, on the Palestinian track.

After expressing his desire to pursue the Syrian track before engagement with the Palestinians, Barak initially attempted to change the dynamic of the Syrian talks by directly addressing the border issue before discussing the other three legs of the table. Accordingly, at the first round of secret talks in Bern, Switzerland, Barak's negotiator Uri Sagie stated that while Israel might be willing to accept the principle of the June 4th line, there were, "technical questions about the location of the border,"[145] relating to the fact that there was no map or mutually agreed line demarcating the June 4th line. On the basis of this approach, the Israeli and Syrians did agree to look pragmatically at the issues involved and come up with territorial exchanges which would suit both sides, and offer a way out of the deadlock. In regard to the issue of early warning stations, progress was also achieved, with the Syrians agreeing to early warning stations, as long as they are not manned by Israelis.[146]

Barak's initial determination to conclude an agreement with Syria decreased as his domestic position began to erode (a Knesset vote for endorsing Syrian negotiations only garnished a 47-31 vote in favor, with much of his political base abstaining from the vote). The Syrians, who consistently refused to engage in public diplomacy in reaching out to the Israel public, further complicated matters when at the opening press conference, Foreign Minister Shar'a gave a highly critical statement of Israel, angering both, Israelis and Americans.

Reacting to attacks by the right, mainly by Ariel Sharon, and polls indicating a further slide in support, Barak tried to improve his position by asking for security guarantees and military hardware from the US government and the resumption of the Lebanese negotiations, stalled

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[143] Both the American team and the Israelis were further frustrated by Syria's unwillingness to condemn the bombing or take any action to close the Palestinian terrorist organizations offices in Damascus, see: Dennis Ross, 244; Uri Sagie, 117.

[144] *Ha'aretz*, 17-20 January, 2000; "The Secret Talks between Netanyahu and Assad," *Ma'ariv*, 31 December 1999 & Dennis Ross, 510-15, 527-28.

[145] Uri Sagie quoted in: Dennis Ross, 517.

[146] Ross, 529.

since the Madrid conference.[147] Politically, Barak had to convince the Israeli electorate that the withdrawal from the Golan Heights would improve Israel's security position. In this context, US guarantees and movement towards peace with Lebanon, pacifying Israel's entire north and opening the way for Israeli-Lebanese normalization to support a slower process of normalization with Syria, made much sense. As the Americans were unable to supply what Barak wanted, the strategic equation, still made much sense. Instead of getting out of Lebanon unilaterally, as Barak had committed himself to do in a promise to the Israeli electorate, making peace with Syria could provide stability in the north, and better conditions to achieve progress on the Palestinian front. However, the political equation for Barak got more and more difficult. The strategic achievements appeared to the Israeli public to be all too theoretical. Having to give up the Golan Heights, losing the strategic depth, having to evacuate the settlements there, and still facing a Syrian regime which had not changed its hostile tone towards Israel, even if in negotiations some headway had been achieved, was not a good sell to the Israeli electorate.

Feeling exposed, Barak hoped that Clinton's personality could 'make the trick', and convinced Clinton to arrange a meeting with Assad in Geneva (where Clinton was to be for a summit meeting), hoping that Clinton could convince Assad to permit Israel to control a 200 meter strip on the shore of Lake Tiberias. Trying to deal with the territorial issue, got, predictably, Assad off balance. Ten minutes after the meeting in Geneva between Clinton and Assad had started, the deal was off.

Undoubtedly, both Barak and Clinton miscalculated; they could and should have worked on the political acceptability of the agreement for the Israeli public. The United States was powerful enough to coordinate a political marketing strategy with Egypt, Jordan, Saudi Arabia, and also Lebanon and offer Barak serious support in demonstrating to the Israeli public, the strategic value, of the proposed agreement. Seen from hindsight, it was nothing less than a diplomatic failure of enormous negative repercussions, to all involved: the US, Israel, Syria and the region. Hence, once, "humpty dumpty fell off the wall," it would not be easy, to put, "humpty dumpty together again."

2.4. Headway on the Israeli-Lebanese Front

The story of Israeli-Lebanese negotiations is a considerably shorter tale. In 12 rounds of talks conducted within the framework of the Madrid Conference, Israel had conveyed that it made no claim to Lebanese territory or resources but that the withdrawal of Israeli forces from the southern Lebanese security zone (held since the 1982 war), and the conclusion of a peace agreement must be based on strong security guarantees and on the deployment of the Lebanese army to the southern parts of Lebanon, up to the border with Israel, in order to prevent violent incursions or attacks against Israel. In addition the disarmament of all Lebanese armed militias that continued to threaten the security of Israel was necessary. However, due to Syria's sway over Lebanon and its decision making process, as well as its desire to use the Lebanese situation as leverage in its own efforts to regain the Golan Heights, the talks collapsed in February of 1994 with no headway being made.

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[147] Ross, 548.

Later in 1999-2000, in an effort to fulfill his campaign promise to withdraw Israeli forces from Lebanon, Barak made repeated attempts in his talks with Assad to not make negotiations with Lebanon contingent on negotiations with Syria. Assad was unwilling to relinquish his hold on Lebanon, instead vaguely promising that with headway on the Syrian track, the Lebanese situation, "would work itself out." When Barak's efforts to independently engage Lebanon and/or concede an agreement with Syria failed, he opted to unilaterally pull out of Lebanon, which was completed on May 24, 2000.

For Prime Minister Barak, achieving full international legitimacy in support of Israel's withdrawal from Lebanon, was of great importance. In order to test, whether the international community recognized the new border, he demanded that the UN, should check, whether Israel had truly withdrawn to the international line, demarcating the border between Lebanon and Israel. This way the "blue line" demarcated by the UN, assured Israel that it had fully implemented its obligation of full withdrawal from Lebanese territory.[148]

Hizbollah viewed the Israeli withdrawal from Lebanon as a great success, resulting from the military resistance against the Israeli occupation. Violence, rather than negotiations, had brought about the hoped for change. Thus, Israel's withdrawal from Lebanese territory, did not bring about the hoped for stabilization, but was followed by further preparations for violence, backed by Syria and Iran. In addition, Lebanon contested the UN confirmation of Israel's full withdrawal from all Lebanese territory, laying claim to additional territories, the Sheba'a Farms.

Evidently, the gap had not been closed on the Israeli-Lebanese front, and would lead to the eruption of further violence, as the war of July-August of 2006 has shown.

2.5. Preliminary Conclusions

During the period between 1991 and 2000, undoubtedly, substantial ground was covered in narrowing the gap. Nevertheless, the repercussions of the fact that closure was not achieved, neither in the Israeli-Palestinian arena, nor in the Israeli-Syrian arena, nor in the Israeli-Lebanese arena, were not understood. Looking at the examples of bridge-building, non-completion lead to a deepening of the abyss. Expectations raised for conflict resolution gave way to despair and to attempts to achieve national goals by violence rather than by negotiations.

In preparing for a workable strategy for peace in the Middle East, two important lessons have to be learned.:

- *First*, a negotiating process that has been started and pursued for a considerable period of time, if ending in a stalemate, instead of agreement, will almost certainly cause a backlash, that all too easily may turn into escalating violence;

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[148] "Report of the Secretary-General on the implementation of Security Council resolutions 425 (1978) and 426 (1978)," United Nations Security Council, 16 June 2000, http://www.un.org/News/ossg/sg/index.shtml

- *Second*, and possibly more important: the process of reaching a final agreement, is not merely a legal or technical exercise, in dealing with the claims of one or the other side, in finding some theoretical compromise formulas, which most likely will not withstand the first crisis. In order to be able to conclude a final agreement, sustainable conditions must be created ahead of time, which will demand to move towards a change in relationships out of necessity.

3. Deepening the Abyss

3.1. <u>The Israeli-Palestinian Experience</u>

3.1.1. Towards Permanent Status Negotiations

When the first Oslo Agreement was negotiated (i.e. the Declaration of Principles), the assumption was that the two stage approach of first establishing a Palestinian self-governing authority for a five year period would permit for a period of mutual confidence building, that would finally assist in making it easier to conclude a Permanent Status Agreement. Yossi Beilin and I believed that in order to maintain confidence, we had to move quickly towards Permanent Status in order to permit a sense of "momentum" to build the necessary confidence, and close the outstanding issues as soon as possible.[149] As no momentum had been achieved and both sides took measures, which opposed the spirit, as well as the letter of the Oslo Agreements, the prognosis became gloomy. In the spring of 1999, before Permanent Status negotiations had started, while completing my book on the Oslo negotiations, I wrote:

> "The time factor, which was an essential part in building co-existence – created a serious gap between the Israeli and the Palestinian positions. The Israeli consensus tends to focus on achieving stability; the Palestinian consensus tends to focus on negotiations towards the establishment of a Palestinian state. Lack of progress to either of these aims will tend to create similar effects in each (Palestinian and Israeli) society: internal division and radicalization.

> Looking at the future, various frightening and encouraging scenarios may be thought of. One can imagine that the PA will be dismantled, and as a result hereof, a Hamas regime will come to power, or a rule of complete anarchy will emerge. Other scenarios can be imagined, which will witness the renewal of violence and of disintegration. It is also possible that a program for stability building will be implemented, as part of the negotiations toward Permanent Status, whether on the basis of an agreed time-table or with some delay. This way or another way, sooner or later, it will be necessary to continue the two processes, which started with the Oslo Accords: the creation of stability and progress towards Permanent Status."[150]

There was nothing prophetical in 1999, about the pessimistic tone of the above quoted passage. Rather, it expressed a real fear of what might result if dynamics on the ground were able to over take the peace process, fermenting further mistrust, anger and suspicions. Indeed, during this five year period toward preparing for Permanent Status negotiations,

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[149] In order to do so, we went in October 1993, to Tunis and spoke – together with Ron Pundak – to Arafat, which led afterwards to the establishment of a common track-two negotiating team, which on October 31, 1995, produced the Stockholm-document, commonly known as the Beilin-Abu Mazen Understanding.
[150] Yair Hirschfeld, 210.

despite the signing of various agreements, Israeli redeployments and the PA's assumption of control over Palestinian population centers in the West Bank, both sides severely undermined the legitimacy of the other's leadership to move ahead. This would significantly damage the public atmosphere supportive of peace and reconciliation.

a. The Predicament of Settlement Activities

In the DoP, Permanent Status issues, including settlements, were to be addressed only within the context of Permanent Status negotiations at the end of the five year term.[151] In the Oslo II agreement of September 25, 1995, which provided for the establishment of the Palestinian National Authority, the control of territories in the West Bank, was divided into three categories, Areas A, B and C: Area A, was to be under Palestinian administrative and security jurisdiction; Area B, was to be under Palestinian administrative and Israeli security jurisdiction and; Area C, which would remain under full Israel jurisdiction and control, which *de-facto*, left the non-populated areas in the West Bank free for Israeli settlement activities.[152]

Under Prime Minister Rabin, settlement activities were relatively limited. However, these activities were conducted within a particular context: from Rabin's point of view, it made sense to build settlement blocs, particularly in the areas he wanted to retain within a final peace agreement. There was also an internal political factor to continue settlement activities: Rabin's government was based on a very small majority and he consciously chose not to politically confront the settler's movement at too early a stage. Instead, he maintained a very open, frank and fair dialogue with the settlers' leadership, which meant at times that he had to respect some of their demands.[153] His basic approach was to prepare for Permanent Status and only after having reached a deal, to confront the settlers.

Under Prime Minister Benjamin Netanyahu, matters turned from bad to worse. Despite Netanyahu's pledge to Clinton that, "there won't be any substantial expansion of settlements and no substantial confiscation [of land]," the Likud party and Natanyahu's government coalition drew their main support from the settlers' movement politically, organizationally, and ideologically. Accordingly, under Natanyahu's tenure settlement activities expanded considerably: In December 1996, Netanyahu reinstated special tax breaks and other financial benefits for settlers rescinded by Rabin in 1992, over saw a 30% increase in the settler population, building over 6000 new settlement units and creating over 15 new settlements.[154]

The negative effect on the Palestinian public was tremendous. Land expropriations undermined the confidence of the Palestinian public in their leadership, who most evidently could, would or did not take care of the basic individual and collective interest in retaining the land, they felt was rightfully theirs, and which was perceived to be slated for transfer to

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[151] DoP, Article 5: Transitional Period and Permanent Status Negotiations.
[152] "Oslo II: The Israeli-Palestinian Interim Agreement," 25 September 1999, Article XI: Land, from: Israeli Ministry of Foreign Affairs, Documents on the Peace Process, www.mfa.gov.il
[153] Akiva Eldar & Irit Zartal, 150.
[154] Foundation for Middle East Peace, Settlement Fact Sheets, 1996-1999.

the Palestinians, within the context of the peace process. The building of new settlements and an entire infrastructure supporting the settlers in, to and from their settlements (fences, barriers and bypass roads) undermined the confidence of the Palestinian public in Israel's good faith to reach a fair and equitable peace agreement. And this happened at a crucial time, when the PLO was in a progress of transforming from a revolutionary organization into a state.[155] Potentially worst, IDF security measures to defend the settlers from any attack, by road-blocs and other means, in practice created serious limitations on Palestinian movement and produced further resentment.

b. The Predicament of Violence

During the Oslo-negotiations, Yoel Singer, who was Rabin's confidante, joined the Oslo team, and in June 1993, Arafat sent a message to PM Rabin, via the Oslo team, saying, "The envisaged agreement will bring security for Israel, economic development for the Palestinians, and together we will move towards Permanent Status." In response to this message of Arafat's, PM Rabin sent a message in response, saying simply that because of the above message, Rabin will conclude the Oslo agreement.[156]

In order to incorporate Arafat's promise into an obliging legal documentation, the Oslo team drafted the text of a letter for mutual recognition. This effort was then translated into what came to be known as the, "Exchange of Letters," on September 9, 1993, forming the 'legal' foundation of the Oslo process. In Arafat's letter to Rabin, he clearly stated that:

> "The PLO commits itself to the Middle East peace process, and to a peaceful resolution of the conflict between the two sides and declares that all outstanding issues relating to Permanent Status will be resolved through negotiations. The PLO considers that the signing of the Declaration of Principles constitutes a historic event, inaugurating a new epoch of peaceful coexistence, free from violence and all other acts which endanger peace and stability. Accordingly, the PLO renounces the use of terrorism and other acts of violence and will assume responsibility over all PLO elements and personnel in order to assure their compliance, prevent violations and discipline violators."[157]

From the very beginning, the reality proved to be different in intent and action. The PLO was founded as a national liberation movement, which viewed the concept of violence as an integral part of its internal and external strategy.[158] Internally, the use of violence against an external enemy was an important factor in state-building[159]; externally, the use of violence

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[155] Basam Abu Sharif, 415-416.

[156] Yair Hirschfeld, 91.

[157] "Israeli-PLO Recognition: The Exchange of Letters between Yasser Arafat and Yitzhak Rabin," 9 September 1993, Israeli Ministry of Foreign Affairs [internet], Peace Process, Reference Documents, www.mfa.gov.il

[158] See: "The Palestinian National Charter: Resolutions of the Palestinian National Council," 11 July 1968.

[159] Muhammad Ayood, "State Making, State Breaking, and State Failure," in: Chester A. Crocker & Fen Osler Hampson & Pamela R. Aall, *Turbulent Peace: The Challenges of Managing International Conflict*. Washington: United States Institute of Peace Press, 2001, 127-9.

continued to be perceived, even by moderate Palestinian strategists, as an important instrument of an emerging Palestinian national security doctrine.[160]

Accordingly, when Arafat came to Gaza on July 1, 1994, he smuggled weapons in his car and thereafter, took care to maintain the option of violence.[161] In October 1994, a terrorist conducted an attack in Tel Aviv, which hit at the very heart of Israel and caused an immediate and drastic decrease in Rabin's popular support. Assuming that the PLO was the only legitimate representative of the Palestinian people, according to Arafat's letter to Rabin, and accepted by Rabin in his counter letter, it had become Arafat's contractual duty to prevent all acts of violence. Although Arafat claimed to be a partner in peace and nominally committed himself to preventing terrorism, he did very little to prevent acts of terrorism and violence from other Palestinian actors between July 1994 and March 1996. During this period there were 34 fatal attacks killing 161 people.[162]

Always counter productive to the process, the timing of the February and March 1996 wave of terror was particularly damaging. Throughout 1994 and 1995, Israel had been accused by the Palestinians of wanting to avoid a deal on the West Bank, intending to turn Palestinian Self-government in Gaza into "Gaza First—Gaza Last."[163] Israel proved these accusations wrong, by signing in September 1995, the Oslo II agreement, extending the Palestinian self-government to the population centers in the West Bank and withdrawing its troops from the urban areas of Jenin, Tulkarm, Qalquilya, Nablus, Ramallah, and the outskirts of the Jerusalem area (Abu Dis).

During a September 1995 meeting between Abu Mazen and Yossi Beilin, myself, Ron Pundak and Ahmed Tibi, three weeks before signing the Oslo II agreement, Abu Mazen specifically promised that the conclusion of the agreement would lead to a time of stability. Unfortunately the opposite happened; in the two months following Israel's withdrawal from Abu Dis in January 1996, Palestinian terror reached unprecedented dimensions with 41 people dead and hundreds wounded in five attacks, following one after the other.[164]

The political effect was devastating. The Israeli peace camp was seen by the Israeli public as a naïve group that had failed to deliver the basic element of personal security. In May 1996, Israel's center-left government was defeated in elections, and instead a right wing government under Benjamin Netanyahu, was voted into power. The same pattern of behavior repeated itself in September 2000, when Palestinian violence was again directed at an Israeli center-left government, which was likewise engaged in peace negotiations and was offering

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[160] Hussein Agha & Ahmad S. Khalidi, 7-9.
[161] "Jihad Al-A'marin—The Chief in Command and the Founder of the Al-Aqsa Martyrs Brigades in the Gaza Strip), http://www.kataebaqsa1.com/arabic/modules.php?name=shaheed&get=jehad
[162] Numbers taken from: "Fatal Terrorist Attacks since the Signing of the Declaration of Principles," Israeli Ministry of Foreign Affairs, Terrorism, www.mfa.gov.il;
[163] Samih Farhan, *filastin w'al-filastiniyyon* (*Palestine and the Palestinians*) [Arabic] (Beirut: The Center for the Study of Arab Unity, 2003), 478-483; Abu Ala', 83; Hirschfeld, 157.
[164] Ibid.

concessions that went substantially beyond, anything that had ever been offered before (see below).[165]

    c.   The Predicament of Arafat's Leadership

The logic of the Oslo Accords was to prepare for Palestinian statehood, irrespective of the fact that the Israeli side had not yet committed itself to this end game. Faisal el-Husseini, had in talks we held, been very specific about this. He argued that from the Palestinians point of view the two-stage approach was pursued in order to effectively prepare for statehood. The five year period of Palestinian self-government would offer the opportunity to build the necessary national institutions, and prepare the physical and institutional infrastructure for the Palestinian state to come. This was a basic pre-condition to manage peaceful state-to-state relations between Israel and Palestine.[166]

Even before going to Oslo, the Oslo team had fully accepted Faisal el-Husseini's approach. However practically, this was not so for Chairman Arafat. Arafat, in the theoretical study of leadership, has undoubtedly become a unique phenomenon. Between 1968 until his death in the autumn of 2004, he remained the unchallenged leader of the Palestinian people, although for most of those years he had no clear legitimacy, no government apparatus to support him, no army and definitely not a monopoly over the use of violence. Yet, in spite of all this, he won the title, "the leader who is a symbol," *al-qa'id al-ramz*. Being the leader of a national liberation movement and not a state, he developed means of control that were diametrically contradictory to the needs of state-building. In preparing for Permanent Status negotiations it was particularly important for Arafat, personally, to maintain his control mechanisms, to be free to maneuver, and also take the historical credit whatever would happen unto himself.

Unfortunately most of Arafat's control mechanisms undermined the legitimacy of peace-making. This paper relates to four of those control mechanisms:

First: A monopoly over decision-making

Although Arafat created three parallel constitutional structures within the PLO, the Fatah movement and the PA, Arafat monopolized decision-making external to these institutional structures.[167] He would invite to his "court" important power brokers; steadily hedge one against the other, and finally take decisions by himself. The result of this was to create major friction between various Palestinian power brokers, which he would skillfully balance one against the other. A second result was that policy decisions were often reversed for fear of being excluded from decision-making, which led many political and military officials to withhold information from him, even from within his

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[165] Who described the intensity of security cooperation between Israeli and Palestinian security forces after March 1996, Author's interview with Arie Livne (Leibo), Head Officer in the Israeli Security Forces, 21 September 2006.
[166] "Fatal Terrorist Attacks since the Signing of the Declaration of Principles," Israeli Ministry of Foreign Affairs, Terrorism, www.mfa.gov.il
[167] Jamil Hilal *,takwin al-nakhaba al-falistinya* (*The Formation of the Palestinian Elite: From the Palestinian National Movement to the Rise of the Palestinian Authority*) [Arabic] *(*Ramallah: MUWATIN: The Palestinian Institute for the Study of Democracy, 2002), 79.

own entourage.[168] The most tragic result of this control mechanism was that when Permanent Status negotiations moved towards the issues of substance, Arafat was largely left alone, and without functioning national institutions he was incapable of taking the responsibility for necessary concessions.

Second: Preventing a monopoly over the use of force

The logic of state-building necessitates the creation of a monopoly over the use of force by the state. Beyond this, the Israeli-Palestinian relationship depended on a monopoly over violence in order to prevent terrorism and violence against Israel and develop workable security cooperation, and hence mutual trust. However, Arafat was undoubtedly afraid that one unified Palestinian security organization, sooner or later, could produce competitors to his own power, and he preferred again to maintain his control by a policy of divide and rule. He created fifteen security organizations in the West Bank and their parallel organizations, which were managed independently, in Gaza. For law and order within the PA, and for an orderly process of decision-making in security affairs, this was a disaster. Competing interests created warlords and corruption and laid the foundation for the break down of law and order, and the beginning of the "rule of the gun." In the development of relations with Israel, this system undermined basic trust; even when several security organizations would fully coordinate their work with Israel's security forces, others might create challenges that were, at best, difficult to handle.[169] Even worse, internal competition between warlords all too easily was played out against Israeli targets.

Third: Creating material dependence upon Arafat personally

This attribute of Arafat's control can be best introduced through an anecdote told to the Israeli team in Oslo by the Palestinian negotiators: A PLO official wanted to buy a flight ticket from Rio de Janeiro to Sao Paolo. In order to get the permission to buy the ticket, he was ordered to go to Tunis to receive Arafat's personal agreement.

Arafat kept all money issues under close personal control, undoubtedly not in line with the provisions necessary for the orderly, transparent and accountable management of a state. Worse, Arafat skillfully created material dependency of most of the second and third level Palestinian leadership upon him, and was similarly skillful in withdrawing favors, in such a way as either to maintain loyalty, or soften opposition. The practical outcome of this control mechanism was the creation of discriminatory economic systems, which gradually undermined the legitimacy of the ruling Palestinian elite, and thus indirectly undermined the legitimacy for peace making.

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[168] Barry Rubin & Judith Copt Rubin, *Yassir Arafat: A Political Biography* (Oxford: Oxford University Press, 2003), 143.
[169] Amos Harel & Avi Isacharoff *, hamilchama hasevi'it (The Seventh war)* [Hebrew] (Tel Aviv: Miskal, 2004), 282; Nigel Parsons, *The Politics of the PA* (London: Routledge, 2005), 171; Author's interview with Arie Livne (Leibo), who describes in much detail the intimacy of cooperation between Israeli and Palestinian preventive security, starting in the spring of 1996, and lasting largely until March 2000; becoming heavily impaired in June 2000; permitting still for the maintenance of minimal contacts throughout the period of open violence during the years of the al-Aqsa Intifada, 21 September 2006.

Fourth: Simultaneously utilizing three different strategic approaches

A Palestinian friend, who has served as a Brigadier-General in the Palestinian security system, told me the following story: One day he went together with Chairman Arafat, to an unnamed African state. Being asked what were the most important measures a leader should take care off, Arafat gave the following answer: "control over money, control over the security groups, and three different parallel strategies that can be exchanged according to changing circumstances."

Undoubtedly, Arafat adopted this approach most of the time. In practice this meant he would prepare for Permanent Status under conditions he thought he could accept and advocate. He was also willing to pursue a graduated policy, working step by step, and at the same time, he always kept the option of violence open, and took care to maintain it. The logic of this approach was that he maintained a language with two contradictory messages. Speaking to internal audiences he would often be the militant Arafat, whereas elsewhere he would often present the peace-pursuing Arafat. For instance, soon after the signing of the DoP, Arafat compared the Oslo agreement to the historic agreement the, "Hudaybia" between the prophet Mohammad and his enemies from the Kura'ish tribe. The implication of this reference was clear: Just as Mohammad had signed the treaty in a position of weakness, only to invalidate the treaty and destroy the Kura'ish tribe once he had the strength, so too could the Palestinians sign a temporary agreement, changing the rules of the game once the circumstances changed in their favor.[170]

Later in December 1998, in preparation of the Permanent Status negotiations, I was part of a team of four (two Palestinians and two Israelis) who prepared a speech which he delivered in Stockholm, which fully committed him to peace. Several days later he gave a militant speech in Ramallah.[171] This was not an easy posture to deal with for the Israeli side and undermined a lot of confidence that was necessary to achieve progress in negotiations.

In summary, understanding the causes that lead to the deepening of the abyss between 1994—1999, is an important pre-condition for an effective strategy development: any future planning and structure for a peace process will have to include the evacuation of settlements; the creation of a workable and sustainable structure for Israeli-Palestinian security cooperation, and the development of the institutional and physical infrastructure of the Palestinian state, that will make it possible to create the legitimacy for a Permanent

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[170] "PLO Chairman Yasir Arafat, Speech on Jerusalem to South African Muslims," Johannesburg, 10 May 1994, *Journal of Palestine Studies*, Issue 93 (Autumn 1994), 131.

[171] Arafat's first speech was held in Stockholm on December, 5, 1998, on the occasion of the 10th anniversary of his declaration at Geneva in Geneva of December 14, 1988, which led to the beginning of the US-PLO dialogue. The Swedish Minister of Foreign Affairs, Sten Andersson had mediated the understanding with the Americans. Arafat spoke then about the need for "the transition from the logic of war and confrontation to the logic of peace in our mutual dealings," in archive of author; see also: Zeev Schiff, "A very careful speech" in *Haaretz*, December 6, 1998. About ten days later, Arafat held another speech in Ramallah. In this speech, which was held in honor of the memorial day of the "Nakba," Arafat announced, "Our rifles are ready and we are ready to raise them again if anyone tries to prevent us from praying in holy Jerusalem... There are agreements and they better be carried out, because the 'generals of the stones' are ready," *Al-Ayyam*, 16 December 1998.

Status agreement, guarantee its implementation and the development of good neighborly state-to-state relations between Israel and Palestine.

Obtaining the awareness of the Israeli and Palestinian public that such achievements are sustainable will be essential to make necessary concessions possible, on either side.

3.1.2. The Failure of Permanent Status Negotiations

When Ehud Barak formed his government in the late spring of 1999, he wanted to withdraw unilaterally from Lebanon, conclude peace with Syria and conclude a Permanent Status Agreement with the PLO. In his negotiations with Syria he narrowed the gap between the Israeli and Syrian positions most substantially (see above), but he failed to conclude an agreement. In May 2000 he withdrew unilaterally from Lebanon, and similar to the talks with Syria, he contributed substantially to narrowing the gap between Israel and the PLO regarding Permanent Status. However, he failed to conclude an agreement, and thus contributed—partly because of his unsuccessful tactics, and partly due to the shortcomings of his negotiating partners—to the deepening of the abyss.

The Palestinian narrative has been told many times.[172] In essence it reads as follows:
PM Barak, instead of building confidence, was not willing to implement obligations that had been undertaken by Netanyahu in the Wye River Agreement of 1998. Thereafter, he did not really start to negotiate but insisted on negotiating deadlines, he himself, did not respect. Then the territorial offers he started to make were complete non-starters. After having started secret negotiations in the Stockholm channel, he may have made some first concessions, but not enough to achieve agreement. Then, in full collusion with President Clinton, Chairman Arafat was, against his better knowledge and under protest, obliged to go the Camp David Summit, which was badly prepared. At the summit the Israeli offer was again not sufficiently serious (and was later withdrawn), and Barak was not even willing to have an in-depth session with Chairman Arafat. After the Summit the Americans and the Israelis unjustly put the blame for failure at Arafat's door. This fact strengthened the Palestinian narrative which argued that the U.S only worked to serve Israeli interests, since the beginning of the peace process.[173] Finally, Ariel Sharon's visit to the Temple Mountain was a major provocation which unleashed violence that was then nourished by both sides.

In essence this narrative indicates that the Palestinians feel that they have been tricked by Israel and the US into a trap, aiming to undermine their legitimate demands for Permanent Status; that Israel never intended to give them what was due to them; that the unbalanced power equation between a strong Israel and a weak PA has been manipulatively used against them. The political and historical importance of this narrative is far-reaching. In essence it

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[172] See: Charles Enderlin; Akram Hanieh. "The Camp David Papers," *Journal of Palestine Studies*, Vol. 30, No. 2 (Winter, 2001), 75-97 &; the four part series of "exchanges" in *The New Yorker Magazine*: Robert Malley and Hussien Agha, "The Tragedy of Errors," 9 August 2001 Vol. 48, No. 13 & Benny Morris, "Camp David and After," 13 June 2002, Vol. 49, No. 10 & Robert Malley and Hussein Agha, "Camp David and After," 13 June 2002, Vol. 49, No. 10 & Dennis Ross, Gidi Grinstein, "Camp David: An Exchange," 20 September 2001, Vol. 48, No. 14.
[173] Abass Zaki, 26.

suggests, that the PLO strategy for peace since the Oslo talks, to come to terms with Israel on a two-state solution, which would permit the establishment of a Palestinian State on all territories beyond the June 4, 1967 line, with al-Quds as its capital, and a just solution of the refugee problem in line with UN GA resolution 194 of December 1948, may not be achievable.[174]

Out of this understanding, Palestinian policy-makers and the Palestinian public, relying on this narrative started to question the strategy of peace, looking for a different approach.

The Israeli narrative is evidently very different from the Palestinian one: After possible early mistakes, which were the result of the need to negotiate with Syria first and prepare for unilateral withdrawal from Lebanon, Israel made a major effort to reach a fair and descent Permanent Status deal with the Palestinians. After negotiations had seriously started in Stockholm, the Palestinians went back on concessions made for reasons of Palestinian political in-fights; in Camp David various Palestinian camps, negotiated independently with the Israelis without Arafat's full knowledge, and misled Israeli negotiators, on what would be possible and what was not. Even after the failure of the Camp David Summit, Israel's chief-negotiator Gilad Sher, continued in over twenty meeting to try and develop a common text with the Palestinian chief-negotiator Saeb Erekat. When this text, on the basis, of common positions, and of "I" (Israeli) and "P" (Palestinian) positions was concluded, enabling the US to submit a compromise proposal, Chairman Arafat decided to block any further headway.[175] And following the departure of Pope John Paul II from Israel, Arafat prepared for violence and exploited Arik Sharon's visit to the Temple Mountain, as an excuse, to start violence.[176] Emad Falugi, former PA Minister of Post and Communication confirmed the assumption that the outbreak of the Intifada was planned ahead of time.[177]

Likewise, Skhar Hbash, one of the most important Fatah ideologists, described his point of view as follows, "In spite of the political conditions after the Camp David summit, and according to the notes of Brother Arafat, the Fatah movement started to prepare herself for confrontation in the next stage [when] the Israeli PM Barak wasn't a partner who was answering the desires of the Palestinian people."[178]

In addition, the Palestinian position did not leave any room for compromise on every single decisive issue, which would make Permanent Status possible. At the Camp David Summit Arafat, sitting socially with Israel's negotiators, remarked that the Jewish Temple never was in Jerusalem; it may have been close to Nablus, but more likely in Yemen.[179] Later on, when Israel's Minister of Foreign Affairs, Shlomo Ben-Ami, agreed to offer Palestinian

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[174] Abu Khaled Al-U'mla, *oslo: makhata lil-twhid filastin (Oslo: A Milestone for the Throwing Away of Palestine)* [Arabic], (Beirut: tawzia' dar lil-konor al-adabyya, 1997), 83.

[175] Gilad Sher, 204.

[176] Actually, the Palestinian security forces had already begun to participate in violent action, Interview with Arie Livne (Leibo) September 19, 2006.

[177] *Al-Ayyam*, 12 December 2000.

[178] *Al-Hayyat Al-Jadida*, 7 December 2000.

[179] Dennis Ross, 699 & Shlomo Ben-Ami, *Hazit lelo Oref: Masa leGvoulot shel HaTahalch HaShalom (Front without a Rear Guard: Journey to the limits of the Peace Process)* [Hebrew] (Tel Aviv: Yedioth Books, 2004), 167-68.

sovereignty over the Haram Al-Sharif, but that the Palestinians would at least commit to not conducting excavations because the site is, "sacred to the Jews," the Palestinian side flatly rejected to even refer to the Jewish narrative and recognize the importance of Jerusalem and the Temple Mount to the Jewish People and to Israel.[180] This rejection was perceived on the Israeli side, not only as an affront, but a clear indication, that whatever the text of an agreement would say, the non-recognition of the historical, religious, traditional importance of Jerusalem for the Jewish people actually meant that there would not be an, "end to conflict."[181]

More so, after the outbreak of violence, Arafat started giving a series of speeches that aimed to strengthen the Islamic sanctity of Jerusalem for the Palestinian people. These speeches were strongly militant and full of Quranic quotes, mostly from chapter 17 (*Surat Bani Isra'I, or the Children of Israel*, in which it discusses the transgressions of the Jews and the punishment of the wicked), intending to mobilize the Palestinian people and gain support from the Arabic and Islamic nation.[182]

As threatening to the process was the Israeli understanding of the Palestinian position on the issue of, "the right of return." Palestinian insistence on UN SC resolution 194, and the right of return of Palestinian refugees not only to the Palestinian state (including areas of lands "swapped" to Israel) but also to Israel proper was viewed as a effort to put an end to Israel as the homeland of the Jewish people by substantially changing the demographic balance in favor of the Palestinians.[183]

The strategic implications of these two narratives have been immense on both societies, whereas a minority continued to believe in a dialogue and bridge-building, the majority started to look at other means—namely violence and unilateralism.

3.1.3. From the Intifada el-Aqsa to Unilateral Disengagement: The Weakening of the PA, the Strengthening of Hamas, and the Emerging Danger of Anarchy

On the Israeli side, the reaction to the al-Aqsa Intifada was two-fold: to escalate violence and to seek an agreed cease-fire. Attempts to reach a cease-fire failed. On the one side, Arafat, having started the violence, needed a visible achievement in order to stop it. On the other side, Barak was willing to make concessions for stabilization, but had to show that Palestinian violence would not pay. According to the American narrative, an attempt to reach

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[180] Ari Shavit, "End of a Journey: Interview with Shlomo Ben-Ami," *Ha'aretz*, September 15, 2001.

[181] Interview with Israel Khasson, who went together with Saeb Erekat to Mubarak, April 2006; Interview with Pini Meidan and Amnon Lipkin-Shachak, May 2006.

[182] For examples see: "Arafat's speeches at the Islamic League Conference, Doha," 12 October 2000; "The League of Arab States Conference, Amman," 13 March.2001, in: Rifa'at Ahmed Shana'a, *intifada al-aqsa: intifada al-istiklal bin al-khad'ar wa el-mustakbal (The al-Aqsa Intifada: The Intifada of Independence , between the Present and the Future*) [Arabic], 219-231; Hilel Frisch, "Nationalizing a Universal Text: the Quran in Arafat's rhetoric," *Middle Eastern Studies*, vol 41, no. 3. 2005 , pp321-336.

[183] For example see: Arafat's speech at the "Nakba" Memorial Day, Gaza, 15 May .2001, Ibid.

a cease-fire in the autumn of 2000 was foiled by the French President Jacques Chirac.[184] The deeper reason, I would argue, was political. At the time (autumn 2000) a Permanent Status concept was on the table that Chairman Arafat did not want to accept. With this offer on the table (the Clinton Perimeters, see below), if Arafat was to stop the violence, he would be seen internationally as the spoiler, and possibly also internally. On the other hand, without any visible political horizon he could accept, the continuation of violence could serve as a temporary shield for Arafat's leadership.

The escalation during violence of the al-Aqsa Intifada between 2000 and 2002 dramatically deepened the perceptual abyss between both societies. Israeli-Palestinian security coordination and cooperation not only broke down completely, but former partners in joint Israeli-Palestinian patrols and/or security officers who had maintained a relatively positive working liaison system for several years started to shoot at one another.[185]

After September 11, Arafat apparently made a serious attempt to control violence, but was no longer capable to do so.[186] By this stage, the violence started to take on a life of it's on. The anarchy and the hard economic conditions laid the ground for new actors to exert influence. One of them was Hizbollah. Buy and large, after the Israeli withdrawal from Lebanon, Hizbollah became a key symbol and source of inspiration for the Palestinians resistance.[187] Zakaria Zubeidi, the chief in command of the Fatah militia, "Al-Aqsa Martyrs Brigades" in the Jenin refugee camp said that Hizbollah was supporting his faction with money, weapons, and training.[188] Hizbollah also provided such support in other Palestinian regions such Nablus and the Gaza Strip, where they operated through Ghelb A'walaa.[189]

In March 2002, at the Jewish Passover celebrations, Palestinian terrorists attacked the Park Hotel, killing 29. In reaction, the IDF launched operation, "Defensive Shield," which led to the destruction of the center of the Palestinian refugee camp in Jenin and the *de-facto* re-occupation of Palestinian cities in the West Bank.[190]

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[184] According to this narrative, Chirac complicated the process through supporting Arafat's insistence on an international presence as monitors to protect the cease-fire, a position unacceptable to Israel and the US, See: Dennis Ross, 735.

[185] Shaul Shay and Yoram Schweitzer, "The al-Aqsa Intifada: Palestinian-Israeli Confrontation," *Faultlines - Writings in Conflict and Resolution*, Vol. 8; The Institute for Conflict Management, April, 2001; Following the outbreak of the al-Aqsa Intifada, Palestinian security men who had previously been involved in violence acts in the framework the joint patrols had to be removed from their positions, for example see: "The Story of Mohamed Mehsen," http://www.abualrish.com/arabic/modules.php?name=asra&get=asra1

[186] A Palestinian friend, who had participated in negotiations in Oslo, told me: "If you once take the tiger out of the cage, it is not easy to ride on him and get the tiger back into the cage"

[187] http://www.kataebaqsa1.com/arabic/modules.php?name=Files&get=amad-hmad; *Al-Risalah,* 25 March 2000.

[188] *Al-Ra'ai-al-a'am*, 6 March 2006.

[189] "caspay Iran ve'hizbollah moni'im et haterror 'beshtachim*"* (*"*Iranian and Hizbollah Money Motivating Terror in the 'Territories,'") [Hebrew], *Center for the Legacy of Intelligence, The Intelligence and Terrorism Information Center*, 4 August 2004, http://www.terrorism-info.org.il/malam_multimedia//HEBREW/IRAN/PDF/AUG5_04.PDF; Further evidence of connections to Hizbollah can be see in the use of the Hizbollah title in sub-factions of the Fatah movement in claiming responsibility for terrorist attacks. One example of this occurred on the November 20, 2000, when a Fatah faction claimed responsibility under the name, "Katab Shohad al-Aqsa-Hizbollah Filastin," see: Rifa'at Ahmed Shana'a, op. cit. 166.

[190] Adam Shatz, "In Search of Hizbollah," *New York Review of Books,* Vol. 51 No. 7, 29 April 2004.

Then a final blow to security coordination occurred at Joseph's Tomb in Nablus. Palestinian radicals had stormed the tomb. Israeli security forces refrained from entering, relying on an ongoing dialogue with General Jibril Rajoub, who throughout the second intifada maintained contact with his Israeli counterparts. When General Rajoub was not able to convince Palestinian radicals to permit the Israeli side to leave, an Israeli soldier was left there to bleed to death. Some time afterwards Israeli forces, suspecting that Palestinian fugitives were hiding in Betunia, attacked, only to discover that instead of fugitives, they were General Rajoub's security forces, thus destroying the last vestige of Israeli-Palestinian security cooperation.[191]

The political impact:

The Israeli conceptual reaction to the failure of Permanent Status negotiations emerged at first on a track-two level. Here, two different approaches were formulated: The first programmatic approach was developed by the Van Leer Institute, by a working group lead by Barak's chief negotiator with the Palestinians, Gilad Sher, and Barak's chief negotiator with the Syrians, Uri Sagie. Participants in the working group represented almost the entire Israeli political spectrum, including the Labour Party, the Likud, the Settlers movement and the National Religious Party. The recommendations made were three-fold: to build a fence to separate between Israeli and Palestinians; to disengage by a process of unilateral withdrawal and evacuation of settlements; and to prepare afterwards for bilateral negotiations.[192]

The second approach was developed by a joint effort, led by Yossi Beilin on the Israeli side, and Yasser Abed Rabbo on the Palestinian side. Arguing that too little time had been dedicated to Permanent Status negotiations, the two partners negotiated the, "Geneva Accord," a detailed blue print for a Permanent Status Agreement. The Geneva group in Israel obtained the undivided support of the left-wing Meretz party, and several MK's from the Labor Party.

Step by step, Prime Minister Ariel Sharon adopted by and large the approach that had been advocated by Sagie and Sher. Although the settler movement's leadership strongly opposed the idea of building a fence, in face of Palestinian terrorist acts against Israel proper (within the green line), the public demand for the construction of the fence became overwhelming. Then, at the fourth annual Hertzlya Conference on December 18, 2003, Prime Minister Sharon started to speak of unilateral disengagement from Gaza and areas of the northern West Bank, which eventually was implemented in August and September 2005.[193]

After Arafat's death, both the construction of the fence, and unilateral disengagement without negotiations had disastrous effects for the moderate Palestinian leadership of Abu Mazen, who assumed the Presidency following Arafat's demise. The fence caused substantial hardship in many places, creating a "Seamline" that restricted movement, preventing children

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[191] Amos Harel & Avi Isacharoff, 243-245.

[192] Uri Sagie and Gilad Sher. "niar amdah medini" ("Policy Paper,") [Hebrew] *Van Leer Institute*, August 2002.

[193] For more information on PM Ariel Sharon's introduction of the unilateral concept, see: "Address by PM Ariel Sharon at the Fourth Herzliya Conference," 18 December 2003, Documents of the Israeli Ministry of Foreign Affairs, Government, Policy Statements, www.mfa.gov.il

from reaching their schools and farmers from reaching their land.[194]   Whereas the Palestinians viewed the construction of the fence as an Israeli act of collective punishment and a unilateral, "land grab" before further Permanent Status negotiations, the Israeli public viewed the construction of the fence as a legitimate means of self-defense, impeding the entrance of terrorists into Israel.

Unilateral disengagement may have had an even worse effect on the Palestinian body politic. The Israeli side viewed unilateralism as the only possible response to deal with the unwillingness or incapability of the Palestinian leadership to make even minimal concessions, and their incapability (or unwillingness) to prevent violence. The Palestinian side viewed unilateralism, as an act of disqualifying the moderate Palestinian leadership. The *raison d'etre* of moderate PLO politics was to pursue the path of peace and negotiations as the means to achieve a Palestinian state, the end of occupation and reach a just solution to Jerusalem, the refugee problem, stability and a better way of life.

Seen from the Palestinian side, unilateralism deepened the abyss: It meant nothing less than a complete disqualification of the moderates. The result was a steady strengthening of the Hamas movement and a parallel weakening of Fatah. This progression was strengthened by Islamic influences, casting their shadow on Palestinian society generally, and some of the Fatah factions in particular, combined with a growing ideological tendency within Fatah to adopt Islamic religious militant ideas.[195]

From an Israeli point of view, unilateral disengagement from Gaza and the northern West Bank was a substantial contribution to peace. Israel, in order to move forward on the way to end of occupation in the Gaza Strip and also in the northern West Bank, was confronting an important section of the Israeli population, and asking them to leave their homes, although the government had originally sent them there. The evacuation of 21 settlements from the Gaza Strip and 4 settlements from the northern West Bank was seen by Israel's right wing as a betrayal of Israeli national values, but to Israel's center, left-wing and by the peace camp, this was seen as an important step forward, which for the first time, made it clear that settlements were a liability, and that the evacuation of settlements from Gaza and the northern West Bank would be followed by other West Bank evacuations. Israelis thought that unilateral disengagement offered a most effective strategic lever to the Palestinian side. In case the Palestinians wanted a two-state solution, it made all the sense in the world to develop good neighborly relations among the Gaza Strip and the northern West Bank and Israel, and demonstrate that further evacuation of settlements would lead to peace.

The lessons of those years, when Israeli-Palestinian security cooperation was completely destroyed, when a common approach to Permanent Status did not succeed to mobilize even a small minority of either society, and when unilateralism further de-legitimized the Palestinian moderate leadership, are important to learn: *The deepening of the abyss has made it impossible, simply to return to bilateral negotiations, as if nothing had happened in the*

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[194] "Behind the Barrier: Human Rights Violations as a Result of Israel's Separation Barrier," Position Paper, *B'TSELEM*, March, 2003.
[195]Ido Zelkovitz, "'From the Land of Oranges' into 'Islamic Wakf': Islamic elements in the service of Fatah Movement since the outbreak of Intifada Al-Aqsa", *East Wind* [Hebrew] vol. 4, summer 2006, 64-68.

meantime. In order to gain ground that has been lost, a major, international and regional stability and confidence building effort will be necessary, in order to prepare for a renewed and sustainable bilateral negotiating effort.

3.1.4.   *From Unilateral Disengagement to the Abduction of Gilad Shalit*

Despite Palestinian complaints about Israel's plan for unilateral withdrawal from Gaza and the northern West Bank, Abu Mazen did achieve an agreement with Hamas for a temporary halt to terrorist activities, the "tahadiyya." As a result, the Palestinian economy, and particularly the stock exchange thrived during the first eight months of 2005.[196] However, Israel's withdrawal from Gaza signaled the beginning of the struggle for control between the two dominant Palestinian groups, Fatah and Hamas: Members of one security organization murdered Musa Arafat, the head of another security organization[197]; law and order broke down , and Hamas used its grass roots support for armed demonstrations and further militancy. The economic optimism gave way to substantial economic decline. As Ghazi Hamed wrote in retrospect at "Al-Ayyam": "what happened to Gaza, why is she so sad, miserable, and wounded... we expected Gaza to become   an industrial zone and keep on growing… instead life turned into a nightmare…"[198]

Under pressure from the street, Abu Mazen agreed to PA elections with Hamas' participation, which permitted Hamas to gain an overwhelming majority in the Palestinian Legislative Council—74 of 132 seats—although they received only a minority of votes.[199] The unwillingness of the Hamas government to accept the three basic demands of the Quartet (to recognize the right of existence of the State of Israel; to refrain from violence, and to recognize agreements signed), led to a dramatic decrease in financial support to the PA.

Out of an annual budget of roughly US$2 billion, the PA raised about US$350 million from domestic taxes, a further US$650 million from customs and taxes, collected by Israel on the basis of the Paris Protocol Agreement of April 1994, and the remainder from international donors.[200] However, with the presentation of the Hamas government, the GoI did not view itself obliged to transfer these taxes and without acceptance of the three conditions, the international community also suspended funding. The result of this financial crisis was a

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[196] "The West Bank and Gaza: Economic Update and Potential Outlook," *The World Bank*, March 15, 2006.

[197] Amira Hass, "le-rabim be-gaza hayo hamenieem ve-hayeholet" ("almost every body in Gaza had the motives and the skills") [Hebrew] *Ha'aretz*, 8 September 2005.

[198] Ghazi Hamed, "irhamu ghaza !" ("show your mercy for Gaza !") [Arabic] *Al-Ayyam*, 27 August 2006.

[199] Disunity in Fatah led to a wide spread pattern of multiple fatah candidates running in single districts, while Hamas only listed one candidate per district. As a result, Fatah votes were spread out amongst various candidates while Hamas votes were concentrated with the single candidate, allowing the Hamas candidate to win the highest amount of over all votes for one candidate in the district (and won the district election), even though they received a minority of overall votes in the district. When looking at this pattern throughout the territories, its shows that even though Hamas only received 440,409 votes as opposed to 550,464 for all other parties, nevertheless, they were able to win a majority in the over all elections, see: "The Second 2006 PLC Elections: Lists Voters per Districts," February 2006, Central Elections Commission, Palestine, http://www.humanrights.uio.no

[200] "Assessment of the Future Humanitarian Risks in the Occupied Palestinian Territory," *OCHA Report*, 11 April 2006.

steady disintegration of the government functions of the PA. The non-payment of salaries, and the limited deliveries of medical care and food, moved further sections of the Palestinian population, particularly in Gaza, below the poverty line, and closer to a humanitarian disaster. Palestinian supporters of Fatah may have put the blame at the door of Hamas, but the majority of Palestinians tend to blame Israel, the United States, and at times, the European Community as well.[201]

Whereas Palestinian government was becoming increasingly ineffective, the street was ruled more and more by armed groups, only partly controlled by Hamas. Given the international boycott and increasing anarchy in the street, Hamas soon came to support the launching of Qassam rockets into Israel. Other terrorist groups planned attacks on border passages, causing extended closures, severing the life-line for the Gazan population. Some of the terror attacks were carried out by Fatah controlled security groups.[202]

From Israel's point of view, it looked like the bottom of the abyss.
After Israeli settlements had been evacuated from the Gaza Strip and Israeli troops had withdrawn, the Palestinians attacked Israel proper, with rockets against Israel's southern areas, adjacent to the Gaza Strip, and with terrorist attacks against Tel Aviv and Netanya and other Israeli population centers.[203] Finally, on June 24, 2006, Hamas led an operation against the Kerem Shalom crossing point in south Gaza, in which they also kidnapped one of the solders from the crossing, Gilad Shalit (who has subsequently been used as a bargaining chip in exchange for Palestinian prisoners). From Israel's point if view, this was an act of escalation and an attempt to blackmail Israel, which could open doors for further attempts of extortion.

From the Palestinian point of view, the occupation of Gaza was not yet over. Restrictions on movement also between Gaza and Egypt and particularly between Gaza and Israel, and Gaza and the West Bank made the lives of Palestinians miserable. Israeli targeted killings, causing also civilian deaths were acts of aggression. The non-payment of taxes levied for the Palestinians was an act of provocation, aimed at preventing a duly elected government from carrying out its duties.

3.2. The Israeli-Syrian Experience

The deepening of the Israeli-Syrian abyss is a far shorter story than the Israeli-Palestinian experience.

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[201] A'mar Abu Hilmi, "al-ghol, min ald'i a'aleho yarham ghaza!," ("who will have mercy for Gaza!") [Arabic], 17 September 2006, http://www.alkrama.com/arshif/006/08/makalat/mkalat19058.htm this article is as an answer to Ghazi Hamed from Fatah.
[202] A Majority of Fatah members played a, "double game" serving as security men's by day and taking actions in Fatah militias such as al-Aqsa Martyrs Brigades and "The battalion Martyr Ahmed Abu Al-Rish" by night. For example of these kinds of attacks see: "The battalion of Martyr Ahmed Abu Al-Rish Announcement,", 10 February 2006, http://www.abualrish.com/bayanat/showthread.php?t=170
[203] Islamic Jihad claimed responsibility for a spade of attacks in Israel: On July 12, 2005 at the Sharon Mall in Netanya, killing 5; On December 5, 2005 again at the Sharon Mall in Netanya and; on April 17, 2006, in south Tel Aviv, killing 11.

3.2.1.   The Syrian point of view:

During the decade that followed the Madrid Conference and the beginning of bilateral Syrian-Israel negotiations, four Israeli Prime Ministers, Yitzchak Rabin, Shimon Peres, Benjamin Netanyahu and Ehud Barak, all engaged in negotiations with Syria, and all of them called the negotiations off when it was getting close to concluding a deal. Yitzchak Rabin turned to deal with the Palestinian portfolio; Shimon Peres called off negotiations after a spade of terrorist attacks in Israel; Netanyahu, as a result of diminishing support following the Wye River agreement; and despite Barak's chief negotiator Uri Sagie having practically reached agreement, Barak prevented the continuation of substantial negotiations.

The status quo, with Israel being in full control of the Golan Heights, was apparently more acceptable to Israel, than concluding a peace agreement and withdrawing from the Golan, which, according to international law, was Syria's undisputed territory.

Syria would not tolerate this but would attempt to develop with third parties an alliance that could establish a "strategic balance" against Israel. In practice this meant to offer support to Palestinian forces like the Hamas, the Islamic Jihad, the secular negation front groups of Ahmed Jibril, and others, and encourage them to destabilize the situation in the Palestinian territories. It meant, for other strategic reasons as well, to form an alliance with Iran.[204] This implied to deliver Iranian or Syrian weapons, rockets, and important political and logistical support to Hizbollah in their struggle against Israel. Hizbollah's part in this alliance was crucial. Hizbollah members served as linkages in the Palestinians territories, who supplied money, weapons and training in order to escalate the Israeli-Palestinian conflict at the biding if its master, Iran.[205]

In July and August 2006, the Syrian "strategic balance" developed into a major threat for Israel, which from a Syrian point of view, created a more amenable position to renew negotiations with Israel. Such a development, policy makers in Damascus were calculating, might also become a jumping board, to the gradual improvement of relations with the United States, the European Union and other important actors of the international community, while not giving up the present alliance relationship with Iran and Hizbollah.[206]

3.2.2.   The Israeli point of view

The Syrians at all stages of negotiations, unlike President Sadat of Egypt, had done nothing to make it easier for Israel to conclude an agreement. On all issues Israel was interested in, Syria acted as a dangerous spoiler. Syria boycotted the multilateral negotiations that were an

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[204]"Syria 2004: tmiha be-terror, pituh neshek bilty konvantzionali, ve-hafarat zhoyut adam," ("Syria 2004: the support in terror, develop of unconventional weapons, and human right violating)[Hebrew], *Center for the Legacy of Intelligence, The Intelligence and Terrorism Information Center*, http://www.terrorism-info.org.il/malam_multimedia//HEBREW/SYRIA-AND-LEBANON/PDF/APR7_04.PDF; "Syria After Lebanon, Lebanon After Syria," *International Crisis Group*, Middle East Report No. 39, 12 April 2005.

[205] Hassan Nasrallah, al-*Manar*, 19 July 2004; Hassan Nasrallah, *Al-Jazeera*, 13 September 2006.

[206] Meetings between Israeli and Syrian track two actors in Europe, Italy, June 2006; Interview of author with Turkish diplomats in Ankara; end of July 2006.

inherent part of the Madrid Process; and in all other spheres, made no attempt to develop a minimal level of confidence with the Israeli leadership or the Israeli public through, "public diplomacy," upon which any agreement must be based. Unlike Syria, all the other Arab actors—Egypt, Jordan and the Palestinians—had engaged in a variety of confidence building activities, which were the basic building blocks of any movement towards peace.

Worse, Syria was a pro-active member of a regional anti-American alliance. Following what the US deemed as insignificant support in the war on terror, US demands to stop arms supplies to insurgents in Iraq and other requests regarding Lebanon were outright ignored by the Syrian regime. Either the unwillingness to stop weapons deliveries, or the lacking capability to do so, boded bad for possible Israeli-Syrian peace arrangements.

The weakness of Bashar Assad's regime was also a most evident problem. Would Assad either want or be able to cut off relations with forces in the region, like Iran, who openly threaten to destroy the State of Israel? And if not, after signing a peace agreement, would he not be part of a collusion of radical actors, to start further provocations leading to a renewal of the vicious circle of violence?

A sense of serious unease developed in regard to the Sheba'a Farms. When in May 2000, Israel withdrew from Lebanon, PM Barak asked Terje Larsen, the UN Secretary General's special envoy to the region, to go and see President Assad and to ask him whether Israel should also withdraw from the Sheba'a Farms. The answer Terje Larsen brought back to Israel was that the Sheba'a Farms were Syrian territory and Israel should not withdraw from there.[207] This did not later prevent Bashar al-Assad to attack Israel from not having given back the Sheba'a Farms to Lebanon. Although these tactics may in the end cost Syria the territory of the Sheba'a Farms, the lack of consistency and reliability bodes badly in Israeli eyes for any peace negotiations.

Worst of all, from Israel's point of view, was the continued Syrian supply of arms to Hizbollah, threatening Israel's civilian population and Israel's sovereign territory. Apparently, Israel and Syria had both a vested interest to avoid a war between themselves, yet the danger of a direct Israeli-Syrian military confrontation, is by no means over.

3.3. The Israeli-Lebanese Experience

When the Madrid process provided conceptually for bilateral Israeli-Lebanese negotiations for peace, the general assumption was that the conclusion of an Israeli-Syrian peace agreement, would automatically pave the way for peace between Israel and Lebanon. As the years following the Madrid Conference went by, Israeli presence in southern Lebanon caused an ongoing guerilla war of Lebanese forces against the Israeli forces, demanding a yearly toll of casualties the Israeli public was less and less prepared to accept. The movement for unilateral withdrawal from Lebanon in the spring of 1999 became an electoral issue, inducing Ehud Barak to commit to take Israel's troops out of Lebanon, within a year of the elections.

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[207] "Report of the Secretary-General on the implementation of Security Council resolutions 425 (1978) and 426 (1978)," op. cit.

Israeli-Syrian peace negotiations, which failed early in March 2000, did not deter Barak from maintaining his commitment. When Israel's withdrawal was finally carried out in May 2000, it was perceived by the Lebanese, the Palestinians and other Arab actors alike, as a victory of Hizbollah lead Lebanese resistance. Undoubtedly, Israeli presence in Lebanon from 1982 to 2000 created a deep sense of resentment on the part of Israel's enemies and allies alike.[208]

From Israel's point of view, the withdrawal from Lebanon and the UN demarcation and recognition of the "blue line," the internationally recognized border between Lebanon and Israel, was the beginning of a new and positive chapter. Israel, on its own behalf, had fully carried out its obligations under UN SC resolutions 425 and 426, and what would become UN SC resolution 1559. Israel hoped that the international community would assert pressure on Syria and the Lebanese government to carry out their obligations under UN SC resolution 1559, which called for Syrian withdrawal from Lebanese territory, the deployment of forces of the Lebanese army to the Israeli-Lebanese border, and the disarmament of Hizbollah.[209]

Regarding day-to-day developments, the Israeli government and the Israeli people living in the north close to the Lebanese border began preparing for peace and stability. Everywhere, hotels and guest rooms were built, and the northern area close to the Lebanese border became a center for internal and external tourism and recreation.

The situation in South Lebanon stands in marked difference. Hizbollah, under the leadership of Sheikh Hassan Nasrallah, took control over the south, which became a literal state within a state. In the areas close to Israel's borders, former members of the South Lebanese Army, which had collaborated with Israel, were asked to turn their houses or businesses into storage rooms for arms and explosives. Moreover, under many mosques, similar storages of arms and explosives were being erected. Directly along the border and continuing into Lebanese territory, a complex system of multi-store bunkers were being built, permitting Hizbollah fighters to prepare for possible house-to-house combat.

Whereas the bunker system, in its military nature was defensive, the Hizbollah obtained from Iran and Syria an enormous arsenal of short and medium-range rockets, which evidently had an offensive purpose. Typically mounted to truck beds, the short range rockets could be fired from almost anywhere and then could then be quickly hidden among civil installations ; such as garages or schools.. The medium range rockets need a more complex system for launching. However, the rocket range meant they could threaten all of northern and most of central Israel, including Tel Aviv. This offensive military posture was being strongly supported by Iran with arms, rockets, and military experts. Syria too offered additional logistical support. The aggressive intention behind the build up of short and medium range rockets was sustained by pro-active support to Palestinian terror groups, such as Hamas and

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[208] See for examples, see: *Al-Risalah* 25 March 2000; *Al-Safir*, 27 March 2003; an interview with Imad Abu Hamed, chief of the Al-Aqsa Martyrs Brigades, 11 September 2006, http://www.kataebaqsa1.com/arabic/modules.php?name=Files&get=amad-hmad; Abu Khaled Al-U'mla, *intifada al-aqsa mokadma al-naser al-kadim, (Intifada Al-Aqsa Introduction to the Next Victory*) [Arabic] (Damascus: the Arab Writers Union Publications, 2003), p. 59.
[209] "United Nations Security Council Resolution 1559," 2 September 2004, United Nations, Security Council Resolutions, 2004, http://www.un.org/Docs/sc/unsc_resolutions04.html

Islamic Jihad, launching cross-border military provocations, and by a rhetoric calling for the destruction of Israel.[210]

The strategic lesson to be learned from the Israeli-Lebanese experience of 2000-2006 is far-reaching. Israel under no circumstances will be able to permit Hizbollah aggression from Lebanon to become a trigger for a wider war of destruction against Israel. Britain's Prime Minister, Tony Blair, has referred in this context to the Israeli predicament, and the need for the international community to offer a workable response guaranteeing stability to the citizens of Israel and Lebanon.[211] *Hence, the future of the Lebanese-Israeli situation has become a corner stone for the validity and effectiveness of international legitimacy and conflict prevention. In case the international community will not be capable to implement UN SC resolutions 1559 and 1701, a situation may be created that maybe compared, to the reaction of the League of Nations to the Italian invasion of Ethiopia in October 1935. Under such conditions only a most dangerous deterioration of stability in the Middle East to the detriment of a stable international order can be expected. Accordingly, the future of the Israeli-Lebanese cease fire will become the first and most important testing ground for a global, regional and local stability building effort.*

4. The Wider Conflict

It must be understood that the Israeli-Arab conflict is embedded in a wider conflict between the Christian (Western) world and the Islamic world. Christianity and Islam have been at odds with each other since the time of Charlemagne the period of the Crusaders, and later in the wars between the Ottoman Empire and the Austro-Hungarian Empire in the 16th and 17th centuries, and the wars between the Ottoman Empire and Russia in the 18th century,.. At the end of the 18th century, the French invasion to Egypt started a 'successful' process of painful and damaging Western intrusion into Arab and Islamic territory.[212]

When in July 1798, General Napoleon Bonaparte invaded Egypt, the revered Egyptian historian, Abd al-Rahman al-Jabarti, in his historical treatise of the French invasion, made the following remarks:

> "This was the first year of epic conflict and momentous events, of devastating catastrophe and formidable calamity, of redoubled evil and repeated scourges, of troubled times and successive ordeals, when the natural order was upset and the established system was disrupted, bringing horrors in quick succession and portentous changes in their wake, initiating misrule and destruction leading to universal ruin and perpetual disorder. Yet God never suffereth cities to perish if their dwellers follow the path of righteousness."[213]

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[210] "hadashot al hamalchah ysraeli-filastini" ("News on the Israeli-Palestinian Confrontation,") [Hebrew] *The Center for the Legacy of Intelligence, the Intelligence and Terrorism Information Center*, 15-31 August 2006, http://www.terrorism-info.org.il/malam_multimedia/Hebrew/heb_n/html/t31aug_h06b.htm

[211] "Tony Blair's Speech to the Los Angeles World Affairs Council," 1 August 2006, http://www.number-10.gov.uk/output/Page9948.asp

[212] Karen Armstrong, *Islam: A Short History* (London: Weidenfeld &Nicolson, 2000), 141-87.

[213] Abd al-Rahman al-Jabarti, *Chronicles, III, or, al-Jabarti's History of Egypt, vol. 1* (Franz Steiner Verlag Stuttgart Publishing, 1994), 23.

This was the beginning of a process of increasing Western domination. In 1838, the British imposed on the Ottoman Empire, in the treaty of Balta Liman, economic conditions, known as capitulations, or *al-imtiyazat*, which permitted Western industrial goods to penetrate the Eastern markets and gradually destroy the socio-economic stability of the Middle Eastern artisan, craftsmen and mid-level merchant classes.[214] Later, European loans to the Ottoman Empire and Egypt would lead in the 1870's to bankruptcy and the establishment of European control mechanisms over their economies. Shortly afterwards, in 1882, the British occupied Egypt, an occupation that in effect lasted until 1956.

During World War I, the Middle East was militarily occupied by British, Russian and French armies. After the war, it was primarily Great Britain which began to design a new political order for the Middle East.[215] The establishment of the State of Israel and the creation of the Palestinian refugee problem, as a result of the war of 1947-49, were perceived as a last link in a long chain of disempowerment, imposed impoverishment, and dislocation.[216]

Since then, the Arab and Muslim world has been undergoing a growing schism between forces connected to the process of modernization and globalization and those who oppose it. In a way, the emergence of Arab and Muslim elites, who have studied in the West or in Western institutions in the Middle East, have become proponents of Western thinking and Western culture, and hereby have formed the most imminent threat to Islamic militant radicals. Whereas, the religion of Islam is deeply ingrained in the culture and self-awareness of Middle Eastern society, a rough division into three groups has occurred: Secular forces, who view themselves as an integral part of global society (albeit, by maintaining their own specific regional identity); political Islam, who view themselves as proponents of Islamic religion, society and culture, but want to be connected and part of global society; and thirdly, radical militant Islam, who view the West, global society and modernization as a threat to their own identity and to their society, and accordingly are determined to fight it with all means at their disposal.

As the last group (as much as the others) is by no means a monolithic configuration, it is useful to look at the different elements of militant Islamic groups and states.

4.1. Al-Qaeda

Al-Qaeda is the most radical Sunni Islamic group, whose aim is to establish a new Islamic world order, which includes the fight against moderate Islamic positions that intend to accept the existing global order. The strategy of al-Qaeda, as diabolic as it maybe, is impressive in its effectiveness:

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[214] Charles Issawi, *An Economic History of the Middle East* (Princeton: Princeton University Press, 1984), 87-95; Albert Hourani, *History of the Arab Peoples* (New York: Warner Books, 1992), 341-54.
[215] Albert Hourani, 391; David Fromkin A., *Peace to end all Peace: The Fall of the Ottoman Empire and the Creation of the Modern Middle East* (New York: Owl Books), 2001.
[216] It is important to note that the Israeli-Arab war of 1947-49 started immediately after UN GA Resolution 181, providing for the partition of British Mandatory Palestine into a Jewish and an Arab state, and was started by Palestinian irregular forces, after rejecting the UN resolution.

By maintaining a diffuse organizational set up of a rather loose coalition of militant Islamic groups in most of the Islamic areas, al-Qaeda endeavors to spread violence in a bifurcated approach, on the one hand attempting to conduct terrorist acts globally (i.e. from Indonesia in the East, to the World Trade Center, Madrid and London in the West), and on the other hand, to conduct terrorist attacks against nominally moderate Islamic forces, such as inside Saudi Arabia, Jordan, Qatar and Egypt.[217]

Al-Qaeda's hope is to cause confusion and internal division in the West, as well as in the Middle East. Western and moderate Islamic counter-action will gradually permit al-Qaeda to gain more and more grass roots support. Eventually the support of the Arab and Islamic masses, will permit to overthrow pro-Western Islamic and Arab regimes, and create a unified Muslim force against the divided West.[218]

4.2. <u>Iran</u>

In February 1979, a militant Islamic Shi'ite regime came to power. Its Islamic fundamentalist ideology aspired at creating a constitution, permitting the state to be ruled by the most senior Islamic Shi'ite clerics and a religious oligarchy, who would together build a harmonious society to be guided by Islamic law and values. Western influence in the Middle East was seen as an, "illegal intrusion," expressed in very much the same way as by al-Jabarti, almost two-hundred years earlier. The new Islamic fundamentalist regime expressed its vehement anti-Western sentiments by supporting an Iranian grass roots organization in the act of taking the employees of the US embassy in Tehran hostage on November 7, 1979, and exploiting the event, to mobilize popular support for an anti-American campaign.

While the hostage crisis was still going on, Iran was attacked by Saddam Hussein's Iraq in September 1980, who forced an eight years war on Iran, causing them tremendous human and material losses. However, the war permitted the Islamic militant rulers in Tehran to close their iron grip on the opposition and former coalition partners, who did not fully share the ideology of Islamic militant radicalism.

The national trauma of being attacked by Iraq invoked the historical memory of the price Iran had to pay during the first half of the 20th century for its regional isolation. During this period, Iran had been occupied four times by foreign powers: In 1911, Russian czarist forces occupied northern Iran as a punitive measure due to the fact that the Iranian government in Tehran had dared to ask for tax payments from the Iranian feudal lords protected by Russia; during the First World War in 1918, the British army conquered southwestern, northeastern and northwestern Iran and Tehran, although Iran had been neutral and the Shah had sided with the entente powers; later in 1921, Soviet troops entered northern Iran in pursuit of Czarist loyalist troops during the Russian civil war and finally; in 1941, British and Soviet

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[217] Such attacks against such Muslim targets have included: an suicide bombing on a theatre in Doha, Qatar in March 2005; an attack on one of Saudi Arabia's largest oil refineries in Khobar on May 29 2004; a spade of attacks throughout Egypt, primarily in the Sinai Peninsula, between October 2004 and July 2005 and; attacks at multiple Jordanian hotels in Amman in 2005.
[218] Dr. Matti Steinberg, "To Make a Difference: The Diversity Within Islam Through the Eyes of Al-Qa'ida," 5.

troops occupied Iran in a coordinated military move to assure the delivery of military assistance to Russia in the struggle against Nazi Germany.

For the new Iranian leadership, the lesson learnt was clear: to seek regional alliances at almost any cost.

After the end of the Iraqi-Iranian war in 1988 and during most of the 1990's, the end of the Cold War, the Madrid and Oslo processes, and these events provided a sense of general optimism in the Middle East, and kept Iran side-lined in regional affairs.

However, the breakdown of Israeli-Syrian peace negotiations in March 2000, Israel's unilateral withdrawal from Lebanon, which was seen as a victory for Hizbollah and Lebanese armed resistance against the Israeli security forces[219]; the breakdown of Israeli-Palestinian Permanent Status negotiations, and the outbreak of the al-Aqsa Intifada,[220] (causing escalating violence between Israel and the Palestinians), offered a new opportunity for Iran. In order to serve two purposes at one and the same time, (to reinforce a wide as possible support for militant radical Islam in an ongoing struggle against Western values and what was seen as "Western intrusion" into the heartland of Islam, and in order to obtain regional support in building Iranian leadership in the region), it made sense to support escalating violence against Israel.

Thus, from the summer of 2000 onwards, the leadership in Tehran made an effort to strengthen the radical axis—Iran, Syria, Hizbollah—and prepare for a four-pronged military struggle: Iran would publicly question the right of existence of the State of Israel; financially, technically, logistically and militarily support terrorist organizations which were fighting Israel, such as Hamas, Islamic Jihad, and Hizbollah; supply Hizbollah with short and medium range rockets, and finally; endeavor to develop its own nuclear capacities, for its own purposes of counter-weighing Pakistani, Indian and Chinese nuclear capacities, attempting to prevent any foreign invasion and enter the club of leading regional powers, but also in effect to create a possible threat against Israel and other powers.[221]

The US invasion of Afghanistan and Iraq, the revival of Russia's regional aspirations under President Putin, and the dramatic rise of oil prices, strengthened Iran's aspirations. The fall of the Taliban regime removed an eastern competitor and opened the way for Iranian aspirations in Central Asia; the rise in power of the Iraqi Shi'ite community opened the way for increasing Iranian influence there, whereas violent opposition against US, British and other international's in Iraq, opened up new possibilities for Iranian supported violent subversion in service of an anti-American strategy.[222] The revival of Russia's regional and global aspirations under President Putin, has permitted Iran to drive a wedge between Washington and Moscow and to manipulate their differences through the economic dimension.[223] The rise

[219] See for examples, see: *Al-Risalah* 25 March 2000; *Al-Safir*, 27 March 2003.

[220] *Al-Ayyam*, 6 December 2000; *Al-Hayat Al-Jadida*, 7 December 2000.

[221] Jonathan Feiser, "'Nuclear Iran: Repercussions for Turkey and Saudi Arabia," *Power and Interest News Report*, 28 September 2006.

[222] *Fars News Agency*, 30 July .2006, quoted in MEMRI, http://www.memri.org.il

[223] Yevgeny Bendersky, "Russia's Future Foreign Policy: Pragmatism in Motion," *Power and Interest New Report*, 4 May 2005.

of the oil price is providing Iran with an annual income that amounts to over US$40 billion, permitting them to pay for continuing alliances, for terror and at times for reconstruction, enabling to hold control over various communities elsewhere in the Middle East. This tendency is coming, buy and large, with the Iranian self image as, "the great nation" (*millat-i bozorg-i Iran*).[224] In addition the high oil price and Iranian possessions of natural gas resources, create a community of interests with Russia, which again is exploited most cleverly by Iranian diplomacy.

When in August of 2005 Mahmoud Ahmadinejad was elected as Iran's new president, the power equation had already changed remarkably in favor of Iran, permitting the newly elected president to adopt more aggressive language and a similarly aggressive strategy. Threatening to wipe Israel off the map, on the face of it, became good Iranian policy: it strengthened Iran's posture as the leading power in a Muslim and Arab struggle against the "Zionist intruder" hoping to mobilize a majority of the world's one billion Muslims for the "cause"; it helped to portray pro-Western Arab regimes, as feeble and disloyal to the Arab and Muslim cause; and it suggested that the US had to come to a dialogue with Iran on Tehran's terms.

That Iran's aggressive policy against Israel is a means to an end, opening the way for a dominant Iranian regional power role, is beyond doubt. The immediate aim is to undermine and overthrow the pragmatic pro-Western regimes in the Arab world. Escalating verbal and physical violence against Israel and "Zionism" helps to emotionalize Arab communities all over, and portray the moderate and pragmatic leadership in Jordan, Egypt and even Saudi Arabia, as collaborators with the United States. Tehran aspires to strengthen the Iran, Syria, Hizbollah axis by adding to it a subservient Shi'ite regime in Iraq. Should the incitement of popular forces help to overthrow the rulers of Saudi Arabia, Jordan and Egypt, and be replaced there by militant Islamic fundamentalist regimes, Iranian regional ambitions could likely lead to further advances, first turning the Arab Gulf states into Iranian puppets. This is one of the biggest fears of the pro-Western Arab Sunni regimes who see this Iranian- Shi'a desire from an historic-ethnic-culture point of view. In many ways, these regimes recognize Iran as their main threat.[225]

 This would not be the end of Islamic militant aspirations. It only would be the beginning. The public, and most of the Iranian elites, do not see the destruction of Israel as an Iranian interest and are most probably aware of the price, Iran would have to pay for such a policy [226] However, the question is not directed at the intent of Iranian policies, but at its results in an Iranian struggle for regional hegemony. Continuous Iranian provocations of offensive language, support of terrorist attacks, the build up of a formidable rocket threat against Israel, and continued development of a nuclear capacity will unleash a vicious circle of violence. The question will then arise, whether the Iranian leadership will be able to deescalate violence and put the jinni they set free, back into the bottle, or whether they will further

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[224] Fred Halliday, *the Middle East in International Relations- Power, Politics, and Ideology*, (Cambridge University Press, 2005), 243.
[225] Ikhsan Al- Trabulsi, "Iran is more dangers for us then Israel" [Arabic], http://www.elaph.com/ElaphWriter/2004/12/28337.htm
[226]Intelligence Brief: Iran Test's Washington's Limits," *Power and Interest New Report*, 2 March 2006.

escalate violence. This could lead to a non-conventional attack on Israel, with most devastating consequences for Israel, the region and the world. The intentions of Iran's leadership are most likely not genocidal, however their policies may lead to such consequences, in case they are not stopped in time.

In developing an effective strategy for Israeli-Arab stability and peace building, no party will be able to ignore the Iranian angle of that challenge.

4.3. <u>The Muslim Brethren movements in Egypt, Jordan and Syria</u>

In 1928, Hassan el-Banna founded the Muslim Brethren movement in Egypt. First and foremost the Muslim Brethren were concerned with building a traditional Islamic society, controlling education and the religious and social life of the community in such a way as to eliminate Western influence—although the use of Western teachings and techniques was permitted for this purpose. Under Hassan el-Banna, the Muslim Brethren also established a clandestine para-military organization, which was viewed mainly as a means to mobilize the youth.

Throughout President Nasser's rule of Egypt and particularly after his attempted assassination by the group in 1954, the Muslim Brethren have been persecuted. In Egyptian prison and detention camps, followers of the Muslim Brethren such as Sayyid Qutb developed more radical theories which have largely fed the thinking of al-Qaeda and extreme radical Islam. This eventually caused internal struggles which led to the creation of more radical splinter groups. Nevertheless, the main body of the Muslim Brethren, being largely reorganized under various professional organizations of physicians, lawyers and engineers, developed a kind of *modus vivendi* with the Egyptian regime under President Mubarak, and succeeded to largely control Egypt's social and cultural life, without posing an immediate challenge to President Mubarak's regime.[227]

However, with the ageing of President Mubarak, a lack of clarity as to the question of his successor, and possible upheaval in the Middle East, conditions may offer a strong impetus and opportunity for the Muslim Brethren in Egypt to challenge the pragmatic pro-Western regime.

The Muslim Brethren Movement in Jordan has superficially accepted a working *modus vivendi* with the Hashemite regime of King Abdullah II. The movement is represented in Parliament, by its political wing, the Islamic Action Front Party, and it is permitted to publish its newspapers and pamphlets. However, at the same time, the Jordanian security apparatus asserts close control over their activities and has been known in the past to take immediate action against any attempts by the Brethren to building a para-military force.[228]

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[227] Geneive Abdo, *No God but God: Egypt and the Triumph of Islam* (Oxford: Oxford University Press, 2002), 24-5, 120-3.
[228] The Islamic Action Front Party, "press announcement about the arrest of the party members," 8 April 2006, http://www.jabha.net/body1.asp?field=beanat2003&id=28

Nevertheless, the Muslim Brethren movement in Jordan views itself as part of a wider Middle Eastern movement, maintaining close contact with Hamas in Palestine, and with the Muslim Brethren in Syria and Egypt. After Hamas' victory in the PLC elections at the end of January 2006, the Muslim Brethren representatives in the Jordanian parliament demanded a formal overturning of King Hussein's decision of July 1988 to disconnect the West Bank from Jordan.[229] If this suggestion were to be carried out, it would in fact question the Jordanian identity of the state by creating a massive Palestinian majority, which would be intended as a first step to overthrow the Hashemite Kingdom and establish a Fundamentalist Muslim regime in its place.

The Muslim Brethren Movement in Syria, like their Egyptian counterpart, were brutally persecuted by Syria's former President Hafez al-Assad, who, in order to break their stronghold, bombed the city of Hama, killing over 10,000 people. Nevertheless, the Muslim Brethren's control (or strong influence) over Syria's mosques has permitted them to maintain an effective grass roots network that might be turned into a powerful political movement, almost overnight. Under these circumstances a strange political alliance has been formed between the Syrian Muslim Brethren movement and Abdel Halim Khaddam, the former Syrian vice-President, who with US support, has openly challenged President Bashar al-Assad's regime. In case the Bashar al-Assad regime should fall, there is a certain likelihood that Abdel Halim Khaddam, will become a figure-head of a Muslim fundamentalist dominated regime.[230] In times of regime change and uncertainty, grass roots politics always maintain a dominating influence. It seems reasonable to assume that this is also known to the Syrian Muslim Brethren movement.

The combined challenge of the Muslim Brethren movements to pro-Western regimes in the Middle East, must undoubtedly be of great concern to the US, the EU and other important actors of the international community.

4.4. Hamas

The Hamas' Charter of August 1988 starts with the following sentences:

> "In the Name of Allah, the Merciful, the Compassionate….'Israel will rise and will remain erect until Islam eliminates it as it had eliminated its predecessors'…For our struggle against the Jews is extremely wide-ranging and grave, so much so that it will need all the loyal efforts we can wield, to be followed by further steps and reinforced by successive battalions from the multifarious Arab and Islamic world, until the enemies are defeated and Allah's victory prevails."[231]

Thus, there can be little doubt that Hamas' ideology, in its essence, is to destroy the State of Israel, and its strategy is not only to mobilize the Palestinian public, but the entire Arab and

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[229] Assaf David, "The Regime and the Muslim Brethren in Jordan after the Hamas Victory," Summary and Emphasis in preparation for ECF mission to Jordan, 30 March 2006.
[230] *The Financial Times*, 7 January 2006.
[231] "Covenant of the Islamic Resistance Movement (HAMAS)," 18 August 1988, Preamble, The Avalon Project, Yale School of Law, http://www.yale.edu/lawweb/avalon/mideast/hamas.htm

Islamic world in this struggle. Article fourteen of the Hamas Charter is very specific on this issue: "The problem of the liberation of Palestine relates to three circles: the Palestinian, the Arab and the Islamic. Each one of these circles has a role to play in the struggle against Zionism"[232]

At the same time, Hamas falls into the category of ideological movements, which are different from groups such as al-Qaeda. Max Weber, having categorized radical movements, distinguished between movements which were lead exclusively by their radical ideology, and movements which were sensitive to the needs of the population. Whereas al-Qaeda belongs to the former, Hamas tends to belong to the latter.

The challenge in the Israeli-Palestinian relationship will be to mobilize the Palestinian inhabitants of the West Bank and Gaza, as the major agents in favor of moderation and stability building.[233] Undoubtedly the majority of the Palestinian people want a two-state solution and hope for stability, economic and social prosperity and good neighborly relations with Israel.[234] However, this is not necessarily in the interest of various war lords and small elite groups, who enjoy economic and financial privileges from the prevailing conditions. The Hamas movement has an interest to break the power of these warlords and create a functioning government that will, by interest and necessity, have to take care of the needs of the Palestinian population. This position was clearly expressed by Ghazi Hamed, the Hamas government spokesman, who put the blame for anarchy on those war lords, and called upon them to stop and show some mercy for Gaza.[235] While the challenge is huge, the building blocks for a stability building package will have to be part of a more comprehensive peace-building strategy, and they do exist (as I have elaborated in Part One).

4.5. Strategic Consequences

The ideological-pragmatic divide within Hamas creates no small strategic dilemma for Israel on the one hand, and for the international community on the other.

Undoubtedly, there is a common interest between Israel, the US and the entire international community, to prevent Hamas from implementing Article 14 of its charter and uniting the Palestinian, Arab and Islamic "circles," to create a situation where al-Qaeda, Iran, the

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[232] Ibid, 207.

[233] As early as the beginning of the 1990's, Fatah understood the Islamic challenge, and the threat that Hamas might serve as an alternative to Fatah, and spoke of the need to integrate the movement within the PLO framework, see: Abbas Zaki, op. cit. 82-4.

[234] Despite an increased support for violence, according to the latest poll from the Palestinian Center for Policy and Survey Research shows that 71% still support reconciliation with Israel and 70% believe Hamas should negotiate with Israel, see: Palestinian Public Opinion Poll, No. 20, June 15-18, 2006, Palestinian Center for Policy and Survey Research, Survey Research Unit [internet]; Following Arafat's death, Marwan Barghouti additionally expressed this position, saying, "even Hamas leaders are right now speaking of a two-state solution living peacefully side by side… a few from the politicians ruling today are corrupted [and] the next leadership of the rising Palestinian state will grow over here, in these prisons," see: Enrika Tzimerman, *kolot me'merkaz maolam* (*Voices from the Center of the World*) [translation to Hebrew from Arabic by: Mariu Vainshtein] (Tel Aviv: Hakibbutz Hameuchad Publishing House, 2005), 132.

[235] *Al-Ayyam*, 27 August 2006.

Muslim Brethren movements of Syria, Jordan, Egypt, Hizbollah and Arab governments combine their forces in their struggle against Israel and the West.

Undoubtedly, there is a common interest to create a clear divide between the Israeli-Arab conflict on one hand, and the wider Islamic-Western conflict on the other hand.

The one difficulty lies in the fact that Iran, the Hizbollah and the Muslim Brethren Movements in Egypt, Jordan, Syria and elsewhere, have identified Israel as the easier target, which permits for the unification of all other Arab and Islamic actors under the Muslim fundamentalist flag. If played carefully, steadily provoking Israel by terrorist attacks and further mass incitement, on the basis of a kind of, "cat and mouse" game, the combined coalition of militant Islamic fundamentalists may also succeed to divide the international community, who will tend to minimize the threat against Israel, and may tend to buy off Islamic fundamentalism thereby *de-facto* providing further encouragement for Muslim radicalism.

The other difficulty lies in the fact that Israel, out of fear of having to carry the burden alone, will not be willing to give up important strategic assets, will get more and more entangled in the vicious circle of having to respond or pre-empt terrorist action, and will in effect drive the Palestinian, the Syrian and the Lebanese body politics and public more and more into the arms of the militant Islamic fundamentalists, with most destructive repercussions for security in Europe, the USA, India and elsewhere.

Thus, Israel and the international community face a very clear "prisoners' dilemma", which is three-fold:

First, the US and the international community must convince Israel to fully implement its obligations deriving from UN SC resolution 242 and the provisions made in the Camp David Accords of September 17, 1978.This requires controlled and prior agreed upon conditions in order not to add to the danger of renewed Middle Eastern violence, crisis management and crisis resolution—with negative repercussions for global security.

Second, Israel will need the US and the entire international community's full backing in a common struggle against terrorists and militant Islam, even if terrorist attacks appear to be of a minor nature, as their strategic intention will likely be to start a steady escalation of radicalization. Simultaneously, Israel will need structural support over a sustained period of time to develop a workable stability and peace building strategy. Without such support from the US and the entire international community, Israel will not be capable of taking the necessary risks inherent in the peace-making process.

Third, without the creation of a, "Strategic Design Framework" that addresses short-term needs with long-term vision and a contained structure to move ahead in a common conflict management and conflict resolution process, neither Israel, nor the international community, nor the pragmatic Palestinian and other Arab leadership will be able to withstand emerging pressure, and provocations of spoilers.[236]

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[236] Paul Lederach, "Civil Society and Reconciliation," in: Crocker, Hampson, Aall, op. cit., 845.

5. Conclusion: Part Two

In investigating the historical setting of US peace-building efforts in the Middle East, and the unfolding of the Israeli-Arab peace-finding process, I had several objectives in mind:

To understand the wider historical processes impacting upon US policy;
To understand what was and is at stake regarding US interests;
To attempt to identify lessons learned from history, in order to be better equipped in planning ahead.

Understanding the Wider Historical Processes at Work in the Middle East

Alexis Tocqueville once remarked that kings and statesmen tended to believe that history was made exclusively by their leadership, whereas historians were convinced that history was the sole product of the outcome of converging ideological, political, economic and social processes. Evidently Tocqueville argued history was driven both by the impact of leadership and various historical processes. Accepting this as a given, and being aware that we historians tend to simplify matters, I would tend to argue, that the history of the Middle East has, from the 1970's onwards, been dominated by two outstanding leaders, and two processes.

President Anwar as-Sadat of Egypt, advocated what he called, a policy of, "*infitah*," opening up, or what we might call today, a policy of connectedness, intending to connect Egypt, the Arab and Islamic world, to the, "global village," by promoting a policy of pluralism at home, and encourage economic growth and development in connecting Egypt to the world economy. In the global sphere, this necessitated an Egyptian policy of moving out of the Soviet orbit, and developing an alliance with the US and its Western partners. On the regional level, this necessitated a policy that could move beyond the conflict with Israel and seek a comprehensive peace between Israel and all its Arab neighbors.

In contrast, Ayatollah Khomeini of Iran, viewed the entire Islamic world as being threatened by the West, and advocated a policy of unifying the Islamic world against the West, in order to disconnect, prevent and stop what was seen as an illegitimate intrusion of Western power and culture into the greater Middle East. The struggle against Western influence would be directed against the United States on the global level, and against Israel on the regional level.

After the October War of 1973 ended, President Sadat led a historical process of reconciliation. With Israeli agreement and US endorsement, Sadat used the Camp David Agreements of September 17, 1978 to define the parameters for a wider process of reconciliation between Israel and all it's Arab neighbors. Twelve years later, Israel and all its Arab neighbors, other Arab states, and the international community at large, through attendance at the Madrid Conference, subscribed to Sadat's parameters for peace-making. During the nine years, between 1991 and 2000 a complicated negotiating process got under way, producing the Oslo Accords, and the conclusion of a peace treaty between Jordan and Israel. Altogether, President Sadat's approach of connectedness, opening the Middle East up to the West, and seeking ways and means to achieve a comprehensive Israeli-Arab peace,

dominated the political scene, with all its ups and downs, from the mid 1970's onwards, until the summer of 2000.

The concerned parties in the Middle East have all, since the 1970's, turned to the United States and accepted its leadership in the process of peace-finding. However, the Israeli-Palestinian, the Israeli-Syrian and the Israeli-Lebanese files did not reach closure. Rather, on the contrary, the failure of negotiations on all three fronts in 2000, led to the renewal of violence. The situation had become worse, than before the peace-finding efforts were started.

During those two and a half decades, when the US led the Middle East peace process, radical militant Islam was gaining ground. Fighting the Soviet invasion of Afghanistan enabled Islamic militants to gain military capacities, and other important tactical experience. The Iranian-Iraqi war of 1980-1988, enabled the Iranian army to develop strong conventional and non-conventional military capacities, and acquire knowledge of short mid and long range missile technology and expertise. At the same time, militant Islamic groups, the Islamic Jihad and Hamas in the Palestinian territories launched terrorist attacks, particularly against Israeli, but also against various Western targets, aiming to undermine the ongoing Israeli-Palestinian peace process. The relapse in the Middle East in the summer of 2000 meant one simple thing: the confidence in peace negotiations had vanished and had been overtaken by a growing belief in the, "useful" effects of violence. Whereas between 1973 and 2000 the historical process, had been driven, by a search for *infitah* and an attempted process of Israeli-Arab reconciliation, from 2000 onwards, the historical process was being dominated by escalating violence and counter-violence, creating a most dangerous polarization between the, "West" on one hand, and, "radical Islam" on the other.

In both processes, (*infitah* and connectedness on the one hand, and Islamic radicalism fighting "Western intrusion" on the other hand), Arab-Israeli relations were, in essence, marginal. The real issue at hand, was either the creation of a policy of connectedness or confrontation between the Middle East and the West. The policy at stake, was the creation of an Islamic society that would obey the law of the shari'a, or the creation of a Middle Eastern society, that would become part of a global trend towards pluralism. The historical background, was the almost one-thousand four-hundred year old confrontation between Islam and Christianity. However, in moving from the dominant paradigm of seeking *infitah* and connectedness during the years 1973-2000, to a new overriding paradigm of escalating violence during the years following the summer of 2000, those Arab and Islamic forces who advocated connectedness to the West, wanted and needed to achieve peace with Israel, whereas for those who wanted confrontation, an escalation of hostility towards Israel served their purpose.

What was and is at stake for the United States?

This work is dealing with the Israeli-Arab aspect of the wider, "war on terror." In the global confrontation with militant Islam, there is no doubt that policy makers in Washington, cannot simply get up, and return to a policy of, "splendid isolation." The militancy of radical Islamic actors will not permit this to happen, as they have and will continue to carry violence deep into the West (whether on 9/11/01 in the US, on 7/7/05 in London, or 11/3/04 in Madrid).

The need to defend the US led international alliance of global and regional pragmatic forces in defending Western values, is urgent. Nevertheless, in face of US difficulties in Iraq, Afghanistan, North Korea, the temptation in Washington undoubtedly exists, to put US led conflict management and resolution policies between Israel and its Arab neighbors on the, "backburner."

The findings of this research paper are, that this is not possible. The historical experience clearly shows that Israeli-Arab relations are not stagnant. There is either a process of peace-finding, when matters may turn to the better, or there is a process of returning to a vicious circle of escalating violence, leading to tragic consequences for the entire Middle East, causing death and destruction, impacting again dangerously on the wider confrontation between radical Islam and the West. Militant Islamic forces will tend to provoke and escalate violence with Israel in order to mobilize Islamic popular support for their cause. Hence, a policy of Israeli-Arab stability building, to contain violence, and creating the sustainability of peaceful relations, will have to be a necessary component, in any wider strategy of the global war on terror.

Seven Historical Lessons for US Peace-Making in the Middle East

The historical review of the Israeli-Arab peace-finding process offers some important further insights for the creation of an effective, US led process for reaching a comprehensive peace in the Israeli-Arab conflict:

First, in spite of the very serious set-backs experienced, particularly since 2000, over the period of the last forty years, substantial headway has been made in the Israeli-Arab peace (finding) process: by accepting UN SC resolution 242, as a common guideline; by developing in the Camp David Accords of September 17, 1978, a common conflict resolution approach; by creating a common structure for peace making on the basis of the Madrid Conference and the Madrid process, and; by narrowing the gap of divergent positions.

Second, whereas bilateral negotiations towards narrowing the gap, necessarily also tend to highlight differences, create additional tension, and can easily lead to the, "deepening of the abyss," this process has been further complicated through the poor management of the process. Accordingly, a review of mistakes is an essential exercise, necessary for the development of a more effective conflict resolution and conflict management strategy.

Third, the Israeli-Palestinian break through in Oslo was flawed in part by the premature announcement of "peace." The Oslo Agreements were never intended to be a peace agreement, but a step on the way to it. The euphoric public expectations that were raised by the Israeli and Palestinian leadership created dangerous and false expectations that were not sustainable in reality. What is needed is a well designed short, medium, and long term process, were expectations of both sides will be fully adapted to achievable aims: Moving towards Permanent Status negotiations, including a, "finality of claims" and, "a end of conflict" must be extremely well prepared. The legitimacy for achieving an agreement must be developed ahead of time in both societies, and optimal effort must be undertaken to

guarantee the sustainability of an achievable agreement. For the case of renewed and escalating violence, contingency plans to deal with such an eventuality, and regain stability, must be prepared in advance.

Fourth, the Israeli-Palestinian negotiating process suffered from a severe malaise. The pattern of behavior that was being created was negative on both sides: on one hand Israeli compliance to most (but not necessary all) Palestinian demands during the premiership of Rabin and Barak, was reciprocated by Palestinian violence (e.g. after the return of Arafat to Gaza; after Israel's signing of the Oslo II Accords and Israeli withdrawal from the urban areas of Jenin, Qalqilia, Tulkarm, Nablus, Ramallah, the outskirts of Jerusalem and Bethlehem; after Gilad Sher and Saeb Erekat had completed a first common document in preparation for a Permanent Status deal, and after Israeli unilateral withdrawal from Gaza, and the northern West Bank, and the evacuation of 25 settlements). On the other hand, when Chairman Arafat offered his support for pro-active security cooperation with Israel, (inducing Hamas' offer for a sixty years cease-fire) during the tenure of Netanyahu, Israeli commitments were not carried out and further settlement activities undermined the legitimacy of the Palestinian leadership and caused further frustration.

What is needed is the creation of a conflict resolution and management approach, which under conditions of stability and non-violence will guarantee movement towards end of occupation. In reverse, Palestinian violence will postpone the process of moving towards end of occupation. Oversight functions of the international community will have to provide a mechanism to prevent possible provocations from either side and to monitor the process. Only this way, will it be possible for the moderate Palestinian leadership to overrule the radicals and extremists, allowing the moderate leadership to show that a policy of non-violence produces the necessary results, whereas, the policy of violence and radicalism undermines basic Palestinian interests. In return, Israel's moderate leadership, under conditions of stability will be able to garnish public support for concessions, necessary to move ahead on the path to peace.

Fifth, Israel's attempt at unilateralism, both regarding Lebanon, and regarding the withdrawal from the Gaza Strip and the northern West Bank, judged from hindsight, has been a serious mistake. The logic, concept, structure and content of peace-making necessitates the maintenance of an ongoing bilateral framework, which does not necessarily have to stand alone, but should be integrated as a component of a wider conflict resolution strategy.

Sixth, as deadlocks in negotiations appear to be an inherent part of the peace-finding process, but easily can lead to deterioration and radicalization, a more obliging structure is needed to pre-empt and overcome crisis situations. This would necessitate a more pro-active international monitoring and oversight responsibility, and should include an agreed arbitration mechanism. Taking into account the strong regional and even global repercussions of the ups and downs in the Israeli-Arab peace process, the US and other actors in the international community have a vested interest of their own, to take upon themselves the responsibility of such oversight, and monitoring functions. The responsibility for arbitration will have to be carried by the US alone.

Seventh, it is important to understand the Israeli-Arab peace-finding process as a comprehensive challenge that has to be conducted on an ongoing basis with Israel and all its Arab neighbors. Whereas bilateral negotiations between Israel and each of its Arab neighbors are absolutely necessary, and each track has to have its own dynamics and timeframe, it has been detrimental to ignore a comprehensive framework of peace-making. Ways and means will have to be found to turn the regional (both bilateral and multi-lateral) process established by the Madrid Conference into a living structure of ongoing conflict management and conflict resolution.

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