Strategic ASSESSMENT

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Strategic ASSESSMENT

The purpose of *Strategic Assessment* is to stimulate and enrich the public debate on issues that are, or should be, on Israel's national security agenda.

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Abstracts

A Decade since the Outbreak of the al-Aqsa Intifada: A Strategic Overview / Michael Milstein

This essay presents an overview of the events surrounding the Palestinian uprising that erupted in September 2000. It outlines several key chronological stages of the al-Aqsa intifada as defined by their political and military features, and then offers a balance sheet of the past decade from the Palestinian and Israeli perspectives. It considers the overall implications of the struggle for both sides and its incorporation into their respective narratives, and sketches three leading possible scenarios on the future evolution of relations between Israel and the Palestinians.

The IDF in the Second Intifada / Giora Eiland

This article analyzes the way the IDF, in conjunction with other security forces, confronted the "armed conflict short of war" that became known as the second intifada. It divides the subject into two periods: up to Operation Defensive Shield (April 2002), and after Defensive Shield, with an emphasis on the period from 2002-2005. It addresses both the pure military aspects and the complexity that resulted from the need for the military echelon to hold an ongoing dialogue with the political echelon. The article also lists four main lessons that should be learned from the IDF's experience in the confrontation.

The Rise and Fall of Suicide Bombings in the Second Intifada / Yoram Schweitzer

This essay presents the background to Palestinian suicide terrorism and its use in the decade since the second intifada erupted. It then presents the Israeli and Palestinian perspectives regarding their relative success in attaining their respective goals. The author contends that while Israel successfully contained Palestinian suicide terrorism, the phenomenon – which seems to have been replaced with high trajectory fire as a choice method for attack – could well be revived by Palestinian organizations in the future.

The Political Process in the Entangled Gordian Knot / Anat Kurz

During the years of the intifada, the Israeli–Palestinian conflict was split into three groupings: Fatah–Hamas; Israel–PA led by Fatah; and Israel–Hamas. This article examines the military and diplomatic moves that accelerated the development of the rift in the Palestinian arena. It reviews the lessons of the dialogue launched at Annapolis, which proved a failed attempt to exploit the rift in the Palestinian arena to bring about a diplomatic breakthrough, and analyzes the nature of the circular connection between the diplomatic deadlock and the split in the Palestinian arena.

The End of the Second Intifada? / Jonathan Schachter

Although if and when the second intifada ended is subject to dispute, this article attempts to identify the end of that uprising by focusing on the incidence of suicide bombings, arguably the most important element of second intifada-related violence. By 2005, the widespread suicide bombings had clearly ebbed, due to a mix of Israeli preventive measures and internal Palestinian constraints. Although other forms of violence have intensified in the intervening years, they have not attained the same impact as suicide bombings.

The Second Intifada and Israeli Public Opinion / Yehuda Ben Meir and Olena Bagno-Moldavsky

As one of the most important security events in Israel in the past decade, the second intifada presumably had no small influence on Israeli public opinion regarding national security issues. The article studies whether it is possible to identify any pattern in the influence of the intifada on public opinion; if so, what was the direction of the influence and what changes in public opinion occurred in the wake of the intifada; and whether the changes were short lived and reversible, or long term changes that have left their mark to this day.

The Disengagement Plan: Vision and Reality / Zaki Shalom

Five years after the disengagement plan was implemented, it is clear that a significant portion of the forecasts and assessments did not unfold as many had expected. Although the preparations for implementing the

plan were extremely thorough, in the end almost little went as planned. This essay examines the direct results of the disengagement, several indirectly linked events, and their ramifications for the vision of an Israeli-Palestinian peace agreement

Israel's Coping with the al-Aqsa Intifada: A Critical Review / Ephraim Lavie

This article explores the underlying complexity in defining the essence of the intifada, both in factual and legal terms, and Israel's response to the violence by means of applying the doctrine of a "limited conflict." Suggesting that Israel misread the situation and hence responded inappropriately, the article analyzes the outcomes of Israel's policy, including the effects of the IDF's operations on the positions of the Palestinian population towards Israel and towards the greater Israeli–Palestinian conflict.

2000-2010: An Influential Decade / Oded Eran

It may well be that 2001–2010 will figure among the most important decades in the history of the Arab—Israeli conflict. The decade was not distinguished by political and military decisions. On the other hand, several processes occurred that will exert decisive influence on future directions of the Arab–Israeli conflict and the search for its solution. These include changes in Israeli and Palestinian public discourse; the rise of a new generation of leaders; international involvement in the arena; the effect of the security fence; and others.

Resuming the Multilateral Track in a Comprehensive Peace Process / Shlomo Brom and Jeffrey Christiansen

This essay proposes resumption of the multilateral working groups of Madrid 1991 in a revised format in the framework of a comprehensive approach to Middle East peace. Using Madrid's idea of multilateral talks to assist the bilateral talks in concluding peace agreements, the current idea, which incorporates the framework of the Arab Peace Initiative, proposes tailoring the multilateral groups so as to support the negotiations with the Palestinians.

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The Core Issues of the Israeli–Palestinian Conflict: The Fifth Element / Shiri Tal-Landman

Recent years have seen emphasis on a new core issue in the Israeli–Palestinian conflict: recognition of Israel as the state of the Jewish people. This issue joins the four main issues that were on the negotiating table in 2000: borders and settlements, Jerusalem, refugees, and security. With the opening of the political talks in the summer of 2010, recognition commanded primary importance on the agenda presented by Netanyahu. The article analyzes this fifth core issue, which will likely play a major role in the future of the political process.

A Decade since the Outbreak of the al-Aqsa Intifada: A Strategic Overview

Michael Milstein

These weeks mark a decade since the outbreak of the al-Aqsa intifada, or as it commonly known among Israelis and Palestinians, the second intifada. One of the most dramatic events in the history of Israeli–Palestinian relations and surely one of the most bitter struggles between the sides in the previous century, the al-Aqsa intifada is another link in the chain of dramatic, broad scaled confrontations between Israel and the Palestinians, headed by the events of 1936–39 (the "Arab Revolt"), the 1948 War , the 1982 Lebanon War, and the first intifada.

Over the past decade a keen political, media, academic, and public debate has taken place – between Israelis and Palestinians and within the Israeli camp – on the origins of the al-Aqsa intifada. Two central questions have dominated this discussion. First, what was the connection between the outbreak of the clash in the territories and the failure of talks on a permanent settlement at the Camp David summit in the summer of 2000? Second, was the al-Aqsa intifada an event planned beforehand by the Palestinian Authority or was it a spontaneous national outburst? Also debated was the possible connection with the IDF withdrawal from Lebanon, which took place a few months before the violence erupted in the Palestinian arena. Yet notwithstanding the importance of these questions, in order to understand thoroughly the nature of the upheaval and sketch its possible future development, the overall implications of the struggle for both sides and its incorporation into their respective narratives must be analyzed with the perspective of the past decade.

Michael Milstein, a researcher specializing in the Palestinian issue, is the author of *The Green Revolution: A Social Profile of Hamas* (2007); and *Muqawama: The Challenge of Resistance to Israel's National Security Concept* (2009).

The outbreak of the al-Aqsa intifada marked the end of an era in the Middle East. It was a confrontation that symbolized the close of a decade characterized by an Israeli–Palestinian and Arab–Israeli attempt to solve the regional conflict through dialogue and the establishment of political agreements. It was a decade that unfolded in the shadow of America's dominance in the Middle East, as the US strove to reshape the region following the end of the Cold War and the 1991 Gulf War. It was a period that saw political heights: the Madrid conference (1991); the Oslo accord (1993); the establishment of the Palestinian Authority (1994); the signing of the Israel–Jordan peace agreement (1994); political talks between Israel and Syria (in the second half of the 1990s); and a process of normalization between Israel and a majority of Arab countries and the Muslim world. In late 2000, that decade gave way to a decade in which violent struggles dominated and the power of radical elements throughout the region increased. Significantly, the al-Aqsa intifada was a key link in the chain of dramatic events that shaped the region over this past decade. These were headed by: the Iraq War and the subsequent American occupation of Iraq (2003); the international campaign in Afghanistan (since late 2001); the Second Lebanon War (2006); and the Israeli–Western–Arab confrontation of a strengthening Iran, particularly its ambition to achieve nuclear capability.

The comparison of the Palestinians' current situation with what prevailed before the outbreak of the intifada, particularly in the mid 1990s, attests largely to a negative balance sheet, at least as far as the Palestinian national camp is concerned.

Like the ten years before it, this past decade took place against the backdrop of an American attempt to reshape the region. However, its degree of success on all fronts, especially in Iraq and Afghanistan, has been limited compared with the previous decade. Moreover, the US encountered strong difficulties in advancing the far reaching changes in the spirit of democratization it had planned for the region following the events of September 11, 2001. These failures project negatively on the image of the US in the eyes of the regional players and gradually erode US influence in the region.

On the whole, there is a lack of agreement among students of the Palestinian issue over the chronological boundaries of the al-Aqsa intifada. While all agree that the confrontation began in late September

2000, they disagree on the date it ended, or if it even has ended. Some argue that particularly with the death of Arafat and the ascent of Abu Mazen the intifada is clearly over, while others maintain we are seeing an historical process that has not yet concluded. In any event, one can outline several key chronological stages of development in the al-Aqsa intifada that are defined by their political and military features:

a. *From September 2000 until Operation Defensive Shield (March–May 2002)*. This period was characterized by increased terror against Israeli targets in the West Bank and Gaza Strip as well as the Israeli home front; intense populist clashes (that partly spilled over into the Arab sector in Israel, displayed most noticeably in the events of October 2000); and the accelerated disintegration of the Palestinian government. On the Israeli side, the period was initially characterized by shock and perplexity over how to deal with an entity that simultaneously advances both violent moves and political contacts. This phase ended with an Israeli decision to strike at centers of Palestinian government, following a series of terrorist attacks in Israel that claimed numerous casualties, led by the attack at Netanya's Park Hotel during Passover of 2002. This attack was the final catalyst for Operation Defensive Shield, which brought about the renewed IDF takeover of cities in the West Bank.

b. *From Operation Defensive Shield to the death of Arafat in November 2004*. This period saw fewer attacks against Israel, in part due to intensified Israeli activity against terror elements – including those operating under the sponsorship of the Palestinian Authority; a considerable weakening of the Palestinian government and Fatah, the ruling movement; and the strengthening of Hamas, a process that would subsequently be dramatized in the movement's takeover of a considerable portion of the Palestinian arena. In Israel this period was characterized by initial thinking about replacing the endeavor for a negotiated political agreement with unilateral separation from the Palestinians. This trend was most pronounced in the decisions to construct the separation fence and disengage from Gaza.

c. *Between the death of Arafat and the Hamas takeover of the Gaza Strip (June 2007)*. These years marked an historic junction at which the Palestinian Authority, led by Abu Mazen, tried unsuccessfully to adopt a new strategic path, namely: to abandon the violent conflict

and rehabilitate the government; integrate the armed opposition forces, chiefly Hamas, in the ruling establishment and thereby curb their military activity; and at the same time, advance the political dialogue with Israel. The disengagement from Gaza in August 2005 should have been a key milestone in this attempt, but it quickly transformed into a crushing testimony to the weakness of the Abu Mazen government, which failed in its attempt to retain its authority over Gaza. As a result the region became increasingly fertile ground for terror elements, headed by Hamas, which took over the region by force while routing the Abu Mazen government. Attacks on the Israeli home front declined significantly, mainly due to intense IDF activity in the West Bank as well as the separation fence. However, these were succeeded by new and powerful military threats, particularly the increased rocket attacks by terror organizations in Gaza.

Most conspicuous in this context was Hamas, which assumed control of the Gaza Strip and focused on institutionalizing its military infrastructure and improving its military strike capabilities at Israel (while exploiting the lack of an Israeli presence on the border between Egypt and Gaza since the summer of 2005 in order to stockpile huge amounts of weapons). For its part, Israel viewed this period as a strategic opportunity, and perceived Abu Mazen as an alternative to both the Arafat regime and Hamas. However, this initial yearning for strategic change in the Palestinian arena failed to meet expectations; instead, Israel found itself in a tangled and threatening strategic reality.

d. *From June 2007 until today*. Many observers regard these years as a transition to a new age that is no longer part of the al-Aqsa intifada. This phase is shaped by the deep split in the Palestinian system, which obliges Israel to engage on two fronts. The first entails a military and political struggle against a hostile entity that commands Gaza and is developing improved strike capabilities against Israel (in part with Iranian assistance and training), such as in Operation Cast Lead (December 2008–January 2009). The second front entails an ongoing political dialogue, including on a permanent agreement, with a second Palestinian entity operating with Israeli support in the West Bank, in an attempt to gradually cultivate its limited independent capabilities.

The goal of this article is to portray a "balance sheet" from the viewpoint of both sides in the conflict. This creates several methodological difficulties. First, there is no agreement between the two sides on the strategic goal, and therefore a comparative balance sheet does not afford a zero-sum game. Second, the internal diversity that characterizes each of the players, particularly the Palestinians, who split into two different actors during the conflict, yields polarized interpretations in both camps regarding the nature of the past decade. Finally, selecting an arbitrary period for analysis of ten years since the outbreak of the confrontation is inherently problematic, especially without an official or clear end to this confrontation. In reality, various aspects of the confrontation are still in formation. Nonetheless, analyzing a broad variety of voices and positions on both sides helps present the strategic insights formed in the past decade and outlines the key approaches that will drive them towards the future.

The Palestinian Perspective

Even without determining definitively who launched the uprising and exactly how it erupted, to a large extent one can describe the al-Aqsa intifada as yet another expression of vacillation on the Palestinian pendulum. Indeed, it is a chronic lack of decision that has accompanied the modern Palestinian system since 1948. At its center is a conflict between two aspirations: one, the concept of revolution, exemplified by devotion to the maximum realization of national objectives, chiefly the "liberation of all Palestine" and a comprehensive fulfillment of the right of return; and two, the objective of a state, expressed by a willingness to compromise in exchange for achieving the full national sovereignty that has never been the lot of the Palestinians.

> Over the past decade Hamas has evolved from a semi-underground force pursued by Israel and the Palestinian government to a ruling party that is gradually enforcing its authority over the Palestinian arena and gaining increased recognition by numerous external actors.

In talks at Camp David in the summer of 2000 on a permanent settlement, the Palestinians were faced with an internal conflict precisely of this sort, possibly the most searing one in their history. However, despite understanding the imperative of taking an historic decision on the core issues, chiefly

refugees, Jerusalem, and borders, they chose once again, under the leadership of Arafat and Fatah, the path of armed struggle. This distanced the Palestinian arena yet once more from painful but necessary historic decisions and propelled the Palestinians into a decade of struggle that was accompanied by a major erosion of the state-building enterprise painstakingly cultivated over the previous decade.

The comparison of the Palestinians' current situation with what prevailed before the outbreak of the al-Aqsa intifada, particularly in the mid 1990s, attests largely to a negative Palestinian balance sheet, at least as far as the Palestinian national camp, i.e., the PLO and Fatah, is concerned. In this context, one can identify several processes that stand in total opposition to the Palestinian and Israeli hopes that accompanied the establishment of the Palestinian Authority in the early 1990s.

The first is the undermining of the state-building process. True, this decade of struggle did not quash the state-building endeavor entirely, but it damaged it severely. Accompanying the Israeli-dealt blow to centers of Palestinian government were the increased power of rebellious armed militias, increasing public anarchy (*fawda*), and a sharp decline in the government's image on the Palestinian street. A gradual restoration of the Palestinian Authority's power and image in the West Bank has occurred in recent years, but the civilian and security potency of the 1990s has still not recovered. For its part, the Hamas government in Gaza enjoys relative stability that is attributable in part to the movement's readiness to use substantial force to impose its authority. This is particularly true vis-à-vis Fatah, Islamic Jihad, organizations identified with global jihad, and various local clans.

The PA under Abu Mazen still has not launched a searching political and public discussion (let alone adopted painful national decisions) on the charged issues at the core of the confrontation.

The second process is the ascent of Hamas and the weakening of the PLO. In the course of the conflict, the status of the Palestinian government, and with it the PLO and Fatah, has waned steadily, while Hamas, after exploiting the governmental vacuum to strengthen its military capabilities and deepen its involvement in all layers of society, has grown stronger. This trend peaked in the parliamentary elections of January 2006, when Hamas became the ruling party in the Palestinian Authority, and thereafter when it took control of Gaza. Thus Hamas went

from a combative, extra-governmental opposition movement to a ruling party that continues to embrace a jihad agenda, but has also gradually discovered the difficulty in straddling these two paths.

At the same time, Fatah and left wing Palestinian elements, which dominated the modern Palestinian arena since its establishment (and in fact created it), lost their military, political, public, and ideological force. This trend is no accident in Palestinian history, nor is it an expression of deep Palestinian public protest against the Palestinian government and Fatah; rather it is the reflection of profound processes in Palestinian society. Similar to many other societies in the region (including the Arab sector in Israel), Palestinian society is undergoing far reaching cultural changes that are steadily changing its profile. Chief among these changes is a strengthened religious identity among broad sections of the public.

Third is the institutionalization of the internal rift of the Palestinian arena. At the start of the conflict, Israel faced a single political entity that dominated two separate areas. Today Israel faces two entities that are distinct from each other ideologically, culturally, and politically, and are hostile towards one another. Both claim the right to lead Palestinians while maintaining entirely different relations with Israel and the international community. The establishment of the Palestinian Authority was in part intended to deepen the governmental and territorial integration between Gaza and the West Bank, where the respective populations harbor a considerable sense of mutual alienation. The conflict and the ensuing events deepened the geographical and social divide between the two areas, which made it far more difficult for Abu Mazen to claim to represent Gaza in any context whatsoever, particularly in discussions on a permanent settlement.

The fourth process is the weakening of the "agreement idea," with a strengthening of the concept of resistance**.** The years of harsh conflict were accompanied by extensive physical destruction in PA territory, damage to elements identified with the PA (especially Fatah and the security apparatus), and a relatively continuous presence of Israeli forces in the heart of Palestinian territory. At the same time Jewish settlement in the West Bank expanded, such that to the Palestinians the area represents the increasing loss of a political asset. This reality deepened Palestinian disappointment with hopes for a political agreement with Israel; in its place came the magnified notion of resistance to Israel (*al-*

muqawama). However, rather than a return to the longstanding Fatah concept of "armed struggle," there was a refashioning by Hamas-led Islamic elements who imbued the concept with more religious and radical content than in the past. To be sure, the idea of a political agreement has not totally disappeared and it continues to be a basic principle in the PA's approach towards Israel. However, it sustained a serious blow following a decade of armed struggle, Palestinian civil war, and ongoing deadlock in the political process. For its part, the concept of resistance was clearly exposed, as during Operation Cast Lead (December 2008–January 2009), as highly damaging for the Palestinians. Nonetheless, it continues to captivate broad sections of the Palestinian public, be perceived as the most successful way of confronting Israel, and be the preferred political and cultural alternative to the idea of an agreement.

The balance sheet drafted thus far reflects the viewpoint of the Palestinian Authority. As far as Hamas is concerned, an opposite picture emerges, one that is fundamentally optimistic. Over the past decade the movement has transformed its status of a semi-underground force pursued by Israel and the Palestinian government, repelled by most international actors. Now it has achieved the status of a ruling party that is gradually enforcing its authority over the Palestinian arena and gaining increased recognition by numerous external actors. Although the decade saw the infliction of serious blows to the movement, chiefly the elimination of most of its founding core, Hamas adhered to the principles of patience and tenacity (*saber* and *summud*), survived the blows, weakened temporarily, and then grew stronger. To its way of thinking, this was an important phase in establishing its status as the new leader of the Palestinian system and fulfilling its long range goal: the establishment of an Islamic state in all of Palestine. As Hamas consolidated its rule, its balance of profits and losses became more complex, obliging it to restrain its military activity (especially following Operation Cast Lead). However, so far the new situation has not undermined the movement's extreme, dogmatic ideological core, which is accompanied by steady military deployment in advance of a future clash with Israel.

On the plus side of the balance sheet, and notwithstanding the deep shockwaves in the Palestinian arena over the past decade and the profound undermining of the Palestinian government's status, the notion of a Palestinian state has not evaporated. This vision continues

to be a central objective pursued by Israel, the Palestinian Authority, and the international community as the agreed upon basis for a future political arrangement.

Furthermore, in the internal arena many Palestinians believe that the al-Aqsa intifada enabled the vital process of rotation in the Palestinian elite leadership. As suggested by many researchers, foremost among them Khalil al-Shikaki, the uprising largely represented an attempt to undermine the hegemony of the Palestinian old guard (headed by Arafat and the PLO and Fatah founding core) and spawn the rise of a new leadership. The new leaders were representatives of a younger generation; identified with the domestic arena rather than the diaspora; nurtured amid struggle with the Israeli government, particularly during the first intifada; and for the most part natives of the social periphery, especially the refugee camps and the rural sector. In Fatah this trend expressed itself through the extensive activity of al-Aqsa Martyrs Brigades, which exhibited defiance of the ruling establishment led by "outside" representatives and loyalty to the young "inside" leadership. They strove continuously, albeit with limited success, to oust the old guard from its dominant status in the government and the movement. For its part, Hamas inherently symbolized the change that occurred in the national leadership. The group leading it on all levels was clearly identified with the "inside" arena, particularly the social periphery. Conspicuous in the movement were representatives of the younger generation (whose rapid rise could be credited in part to Israel's extensive attacks over the decade on the movement's founding generation, notably Sheikh Ahmad Yassin).

The final part of the past decade invites some optimism, however modest and tentative, from the viewpoint of the Palestinian Authority. Following Abu Mazen's defeat in the campaign against Hamas in Gaza, the Palestinian government engaged in a process of self-examination while seeking to adopt a policy that would prevent the Islamic camp from taking control over the West Bank as well. This policy, encouraged to a great extent by Israel, is based on a number of moves: an attempt, led by Prime Minister Salam Fayyad, to strengthen government institutions (the concept of a de facto state or bottom-up state-building); the attempt to limit the power of Hamas (especially in the political, public, and financial spheres, and less so on the military level); economic development; the attempt to provide civilian security and rout anarchy, in part by

strengthening Palestinian security mechanisms; and an attempt to advance political negotiations with Israel, with the constant push of the US.

However, this improving reality is far from a well defined and stable alternative, either in Israel's eyes or in the eyes of many Palestinians. The strength of the Palestinian government is still limited, and surely not developed enough for independent control on the ground (its security mechanisms continue to suffer from various longstanding defects); the efficiency of government institutions remains limited; reform in the Fatah organization proceeds sluggishly; the Hamas movement, while contained on various levels, continues to enjoy public strength throughout the West Bank; and the Hamas government in Gaza is becoming institutionalized and is turning into a fait accompli, which presents a difficult challenge to the Abu Mazen government. And most problematic of all: Even after the shocks of recent years, the PA under Abu Mazen still has not launched a searching political and public discussion (let alone adopted painful national decisions) on the charged issues at the core of the confrontation, particularly the right of return and refugees.

The Israeli Perspective

The outbreak of the second intifada, with its searing images (including the lynch of two IDF soldiers in Ramallah in October 2000; multi-casualty attacks in Israeli cities; the enlistment of the heads of Fatah and the security apparatus in the armed struggle; and the October 2000 riots in the Arab sector) left Israel in shock, humiliation, and bewilderment. These events weighed heavily in reshaping perceptions among the Israeli government and the public regarding the nature of the adversary, the conflict, and an agreement with the Palestinians. The clash that erupted a few months following the IDF's withdrawal from Lebanon exposed a government and society that felt they were closer than ever to the end of the Israeli–Palestinian conflict, if not the greater Arab–Israeli conflict, and were proven wrong.

The initial shock on the governmental and public levels was gradually replaced by deep disappointment with the Palestinians and the drive for both an aggressive response and new solutions to the "Palestinian problem." The forceful response was expressed in a series of unprecedented military moves that constituted an essential deviation

from the policy characteristic of the previous decade, including strikes at Palestinian government institutions; occupation of Palestinian city centers; extensive assaults on the Palestinian leadership of all persuasions (assassinating heads of organizations such as Yassin and Abdel Aziz al-Rantisi of Hamas, or Abu Ali Mustafa, secretary general of the Popular Front for the Liberation of Palestine); imprisonment of other leaders, such as Marwan Barghouti of Fatah and Ahmad Sadat, current secretary general of the PFLP; and a sustained siege of the heart of the Palestinian national leadership − the muqata' in Ramallah, to which the IDF laid siege in early 2002 and where Arafat was confined until close to the time of his death.

The new solutions, unilateral in essence, were epitomized by construction of the separation barrier and the Israeli disengagement from the Gaza Strip in the summer of 2005. The first move contributed to a significant reduction in the scale of attacks on the Israeli home front, while the second, within two years of its implementation, turned into a threatening reality in the form of Hamas' absolute control over Gaza. Developing within Gaza are serious military threats to Israeli populations, including in the country's center; the region has become a new front of resistance that has forced Israel into a prolonged campaign of attrition. These moves deepened doubts as to the ability and intentions of the Palestinian partner, but they did not lead to a total abandonment of the track of dialogue with the Palestinians.

> The challenge to Israel is not only criticism of its policy vis-à-vis the Palestinians or its image as the perpetual aggressor against a helpless victim. The challenge also consists of increasing attacks on its very existence as a Jewish and Zionist state.

Ten years after the al-Aqsa intifada erupted, Israel's overall balance sheet is mixed. The negative aspects are particularly conspicuous in light of the situation that prevailed before the outbreak of the confrontation; all the more so in view of Israeli hopes that accompanied the establishment of the Palestinian Authority. In late 2010, Israel finds itself in the midst of a complex reality, facing a stable hostile entity in Gaza against which it has already waged an intensive military campaign. Hamas, however, continues to prepare for future campaigns, particularly by equipping itself with improved and greater quantities of weapons. Israel has the ability to topple the Hamas government and

occupy the Gaza Strip, but the move would almost certainly exact a steep cost. Israel would likely find itself in a prolonged armed struggle in a cramped and hostile area, sustaining heavy damage in both the political and diplomatic spheres yet required to provide for the ongoing needs of a large, needy public in Gaza. In the West Bank, relative calm and security are developing gradually, which can be credited largely to the IDF's tight security hold on the area and partly to PA activity. The local government is strengthening slowly, but apparently is still unable to cope by itself with the challenge of independent control. Such a situation obliges a continued Israeli presence in the area.

A further negative aspect that arose over the decade is the increasing erosion of Israel's international legitimacy. Many Israeli actions in the past ten years were met with little understanding by the international community. These included Israeli military activity against the Palestinian Authority, erection of the separation fence, the policy of roadblocks in the West Bank, and Israel's military moves against Hamas in Gaza (especially Operation Cast Lead). Sharp and ever stronger criticism is instinctively leveled by political, public, academic, and media entities in the international arena that traditionally identify with the Palestinian struggle and tend to describe Israel as an illegitimate "colonial relic." Even more disturbing is that this criticism is gradually seeping into Western governments and audiences that generally tended to exhibit understanding towards Israel, but have at least in part rejected this position in recent years. The results include attempts to promote academic and economic boycotts of Israel; international commissions to investigate Israeli moves in the Palestinian theater (particularly the Goldstone Commission); legal proceedings in the International Criminal Court (following the erection of the separation fence or attacks against terrorist leaders that involved civilian deaths); and intense attacks on continued construction in settlements, especially on the part of the Obama administration.

The key challenge from Israel's standpoint is not only criticism of its policy vis-à-vis the Palestinians or its image as the perpetual aggressor against a helpless victim. The challenge also consists of increasing attacks on its very existence as a Jewish and Zionist state. This campaign is driven largely by an odd collection of players: political, academic, and radical bodies in the West, various Third World governments (especially

states of the non-aligned movement), and leaders of the radical Islamic camp, including Iran, Hizbollah, and Hamas.

On the positive side, the country and society have clearly and successfully withstood the various ordeals presented by the latest uprising. Israel sustained severe terror attacks in the heart of its cities yet demonstrated strong national resilience, distinctly expressed by the maintaining of routine activity in the public and economic spheres. Furthermore, Israel to a large extent succeeded in defeating the challenge of terror in the West Bank and curbing the military threat from Gaza, thus imparting relative security and calm in the country's civilian space. Israeli moves, particularly those occasionally described as "disproportionate" (chiefly attacks on the leadership of Palestinian organizations and Operations Defensive Shield and Cast Lead), contributed to strengthening Israel's deterrent force against elements within and outside the Palestinian arena. They demonstrated Israel's determination and the heavy damage it can inflict on its adversaries; and they were influential in establishing relative calm in the West Bank in the past five years and in Gaza since early 2009.

A further difficult test faced by Israel during the al-Aqsa intifada was domestic repercussions of the disengagement from Gaza. The disengagement contained the potential for a violent internal struggle but ended, despite the subsequent rift in Israeli society, with a confirmation of the supremacy of the rule of Israeli law and national unity. Additional disputes on the Israeli domestic scene concerned the separation fence, the checkpoint policy in the West Bank, and the status of Israel's Arab citizens (in part because of discussions on a permanent settlement and a land swap).

The al-Aqsa intifada planted disillusionment, or perhaps deeper understanding, among the Israeli government and the public concerning the nature of the adversary, the conflict, and a possible agreement. Especially prominent is the growing recognition of the two-state solution, which has gradually permeated among most players in Israeli politics, particularly key elements in the right wing and center (Likud and Kadima parties). This concept has been reflected in a variety of moves, chiefly the disengagement from Gaza under the leadership of then-Prime Minister Sharon. It has since been accepted by Prime Ministers Ehud Olmert and Binyamin Netanyahu, who spoke to the need to establish a

Palestinian state and acknowledge the painful concessions that will be required of Israel. These steps are indeed partial and far from marking the fulfillment of historic decisions Israel will apparently have to make in the future. But they are more far reaching than those advanced by the Palestinian leadership in the past two decades (especially on the issue of refugees). There has been a total absence of preparing Palestinian public consciousness for national concessions that will be demanded in the future.

Along with acknowledging the need for a permanent settlement, Israelis in the past decade have exhibited a sharpened understanding of the difficulty in achieving that objective in the foreseeable future. This is particularly true in regard to the profound significance of the *Nakba* memory (the Palestinian term for the events of 1948 events) and the right of return in the Palestinian national consciousness. Israelis understand the difficulty in bringing the Palestinians to announce far reaching concessions in this regard. Naturally this trend has not channeled Israel into accepting the Palestinian position on the issue of refugees, but rather into comprehending the red lines of the other side. This helps in understanding the true latitude for Palestinian flexibility and identifying issues that perhaps should be "bypassed" and resolved further in the future. In the meantime, on other issues, mainly the demand to announce the end of the conflict and recognize Israel as a Jewish state, there are fundamental conceptual gaps between the two sides that apparently will not be bridged in the short term.

In the military dimension, the Israeli government and public have deepened their understanding − particularly in the second half of the decade − of the new nature of the campaigns facing the country. They better understand the price that will be demanded, as well as the ways necessary for confronting the adversary. In an era of confronting the challenge of resistance, whose key representatives are non-state or semi-state organizations (Hamas, Hizbollah) that seek a conflict of attrition rather than a frontal confrontation against Israel, the public must be patient and understand: clear and decisive subjection of the opponent cannot be realized. The public must also recognize that a campaign is deliberately being forced upon Israel that mixes military and civilian spaces and that is easily accompanied by mishaps in the adversary's public space.

From a broad strategic perspective, although the last confrontation with the Palestinians demanded Israel's concentrated focus, practically speaking the Palestinian challenge has gradually been pushed aside by other threats that developed over the past decade. These include Iran's rise as a regional power with nuclear aspirations and attempts to reshape the region by establishing its hegemony over the resistance camp; the increasing strength of Hizbollah; and potential threats developing on the Syrian side (construction of a nuclear reactor). These have obliged Israel to devote relatively less attention to the Palestinian challenge (which in any case was contained primarily on the military plane and did not offer a concrete political horizon).

While the Palestinian issue continues to be a central item on the agenda of the Israel leadership, in recent years more voices are being heard in Israel's political and security establishments calling for payment in "Palestinian currency" (primarily political negotiations) for attention to more important strategic challenges, particularly Iran. The emerging challenges, perceived by many as having far more serious potential for damage than the Palestinian arena, oblige Israel to invest abundant resources, absorb new weaponry, and develop methods of action different than those used in the Palestinian arena. Indeed, the Second Lebanon War was a reminder to the IDF of the price exacted by prolonged investment in the Palestinian arena and the near-exclusive preoccupation with low intensity confrontations, reflected in the lower level of preparedness and ability to deal with a conventional military threat.

From the US standpoint too, the Palestinian issue was largely shunted aside from its status as the "heart of the conflict," as American interests in the region moved eastward over the past decade. The major US strategic undertakings in Iraq and Afghanistan and the confrontation with Iran oblige Washington's unprecedented input in the region and are the focus of its policy there. The US is indeed continuing to advance efforts to resuscitate the notion of agreement on the Israeli–Palestinian plane and still views it as closely connected with other conflict arenas in the region. However, it is clear that on this playing field, as in other regional theaters, the US achievements are quite modest compared to the ones it scored in the 1990s.

The al-Aqsa intifada embodies characteristics unique to the Palestinian arena, as well as elements that reflect broad regional processes. Central among these is the rise of the resistance camp and the gradual weakening – although not total defeat – of the camp favoring political resolutions. The current situation in the Palestinian arena reflects the success of a force identified with the notion of resistance taking partial control of a state entity and turning it to an arena of struggle against Israel, similar to Hizbollah in Lebanon. It also exhibits the pattern of a local government confronting the challenge of resistance and helping to defeat it, like the current governments in Iraq and Afghanistan, yet still too weak to confront it independently.

A Look to the Future: Tangled Alternatives

Nearly twenty years after the beginning of political contacts between Israel and the Palestinians and sixteen years following the establishment of the Palestinian Authority, relations between the two sides appear extremely tangled. Prospects for arriving at an historic settlement in the foreseeable future look slim. The Palestinian entity is weak, divided, and partially controlled by radical elements, while Israel for its part continues to avoid strategic decisions concerning the Palestinian issue. Israel is finding it hard to focus its full attention in this arena due to the multiplicity of challenges it faces, mainly the growing Iranian threat. At the same time, despite the terrific jolts sustained by relations between the two sides over the past decade, the notion of a political settlement has not been extinguished.

Three possible scenarios dominate the future picture on the evolution of relations between Israel and the Palestinians. The first is the continuation of the existing reality, namely, existence of an autonomous Palestinian quasi-state in the West Bank together with a political entity controlled by Hamas in the Gaza Strip. Israel would continue its extensive security presence in the West Bank while facilitating the development of Palestinian government there. At the same time Israel would expand Jewish settlement in the area and avoid taking necessary strategic decisions and hammering out an agreement on a permanent settlement.

In the short and medium terms, such a reality increases the likelihood for renewed violence emerging from the Palestinian arena, particularly the outbreak of a widespread national uprising in the West Bank. It could

even lead to a renewal of the armed struggle under the leadership of the PA and Fatah. There is also a greater likelihood of a unilateral Palestinian declaration of political independence. This move would entangle Israel politically and diplomatically in the international arena and lead to increased friction with the Palestinian Authority. In the long term, such a reality would likely lead to the creation of a bi-national state, the desired solution for many elements in both the Israeli and Palestinian camps. Respective supporters of a bi-national state believe that this scenario would enable its dominance in the joint entity. In practice, it is clear that such a reality is highly volatile and would likely lead to an unprecedented violent struggle between Jews and Arabs. Primarily, it constitutes a significant danger over time to the existence of Israel as a Zionist, Jewish, and democratic state.

The second scenario involves drastic action, for example a rapid, extensive Israeli withdrawal from the West Bank and the establishment of an independent Palestinian state in the area, including in East Jerusalem. For the near term an idea such as this seems disastrous. The Palestinian government in the region is indeed gradually growing stronger, but it is still fundamentally weak. Over time it will likely be hard pressed to face the Hamas challenge independently. Within a number of years this situation is liable to bring about a repeat of the 2007 Gaza scenario in the West Bank. This would have grave strategic implications for Israel, faced with possibilities of Hamas attacks at population centers, government centers, and national infrastructure installations in the center of the country. In Gaza, drastic action could take the form of toppling the Hamas regime followed by Israeli occupation. A scenario such as this would also involve numerous threats, considering the inability to establish a real alternative in the form of a Fatah government to replace the Hamas regime. There would be a danger of the rise of more radical forces in Gaza, particularly organizations affiliated with global jihad that would exploit the vacuum the movement would leave behind.

The third scenario involves adopting a process-based solution. This would rest on historic strategic decisions by the public and governments of both sides, in support for hammering out a framework agreement on a permanent settlement. However, it would be recognized that implementation would not be immediate but would unfold in stages; its full implementation would occur in the long term and be based on a

detailed plan and timetable. Such a situation could afford the Palestinian government in the West Bank the capacity to strengthen its force in the civilian and security spheres. More importantly, during this time a new and younger leadership would likely establish itself in the West Bank, whose power would be based in the domestic arena. This leadership, as opposed to the founding generation of the modern Palestinian system, would likely identify itself in a more limited way with the right of return and the memory of the *Nakba*. As such, it would also be more prepared for an in-depth, internal discussion concerning the necessary national compromises. (This could also be an opportunity for Israel to debate the charged issue of the release of Marwan Barghouti from jail in light of his status as one of the West Bank's most admired leaders).

Within this framework, Israel will be required to push the Palestinians into striving for national decisions, particularly on the issue of refugees. The Palestinians will also have to be urged to promote profound changes in the hubs of their collective consciousness, mainly the education system, the media, and religious settings. Vis-à-vis the Gaza Strip, Israel will have to continue to adopt a separate, tougher policy but avoid a drastic change, this by making efforts to continually weaken Hamas' power bases in the region (by constricting the activity of government institutions; damaging the movement's civilian and military infrastructures; and undermining the international status of the Hamas regime) while waiting patiently for the evolution of a realistic alternative to the Hamas regime in the Gaza Strip. On the Israeli side, what is needed is the turn to historic decisions, some painful, that are vital for assuring the long term existence of Israel as a Zionist, Jewish, and democratic state. In this context, decisions concerning the future of part or all of the Jewish settlement enterprise in the West Bank will be essential. Decisions will also have to be made concerning the future of Israeli Arabs, with an emphasis on the possibility for including a portion of them in a land swap arrangement between Israel and the Palestinians.

Among the three alternatives, the third seems to be the "lesser of the evils." Gradual, long term establishment of a permanent settlement represents a sober conversion of the aspiration for a comprehensive and rapid solution to the conflict into a framework that can be managed over time. This alternative also embodies lessons learned from a decade of conflict with the Palestinians and a decade of negotiations. The major

lessons include understanding the difficulty of both sides to adopt strategic decisions within a relatively short timeframe; and recognizing the internal complexity of the Palestinian arena, with an emphasis on its deep division and the apparent hardship in the readiness and the ability of the Abu Mazen government to implement a permanent settlement in the foreseeable future.

The past two decades have been instructive for Israel and the Palestinian Authority, with bitter disappointments that have made them cautious, if not extremely doubtful, as to expectations for achieving a comprehensive settlement. However, if the leaderships of both sides can overcome the traditional political obstacles and those related to national consciousness, the establishment of a long term permanent settlement might be realizable. A scenario such as this would extricate both sides from the profound absence of historic decisions on the charged core issues relevant to the definition of their national identities and their strategic national goals. Without arriving at this situation, grave scenarios are likely to materialize, primarily a significant aggravation of the violent conflict, a process whose course of development and strategic implications are difficult to predict – and against the backdrop of intensifying regional challenges that present a real threat to both Israel and the Palestinian Authority, mainly the Iranian challenge.

The IDF in the Second Intifada

Giora Eiland

Introduction

The second intifada was an armed conflict short of war that began on September 29, 2000; it is not clear when it ended. The conflict erupted with a stormy beginning, reached its peak in April 2002, and since then has been in the process of waning, to the point that the security situation today is not significantly different from the ongoing security situation that existed in the years that preceded it.

The article below analyzes the way the IDF, in conjunction with other security forces, confronted this particular conflict. It divides the subject into two periods: up to Operation Defensive Shield (April 2002), and after Defensive Shield, with an emphasis on the period from 2002–2005. It addresses both the pure military aspects and the complexity that resulted from the need for the military echelon to hold an ongoing dialogue with the political echelon, a dialogue that was at times very tense. The article focuses on IDF actions in the Judea and Samaria area; the fighting in Gaza and against Gaza in the wake of the disengagement has a different logic, and merits a separate article. The article does not address the strategic question of whether it was possible to prevent the outbreak of the intifada, and once it erupted whether it was possible to end it earlier. The attempt to answer this important question requires a more in-depth discussion of the diplomatic dimension, which is outside the purview of this article.[1]

The First Period: September 2000–April 2002

The specific timing and the way in which the riots began in late September 2000 surprised the IDF, even though Amos Gilad, head of

Maj. Gen. (ret.) Giora Eiland, senior research associate at INSS

Intelligence's research division at the time, recommended that Sharon not visit the Temple Mount on September 28 because of the prevailing tension. Indeed, the IDF prepared for 2000 being a "decisive year." There was an understanding that from the moment the five years stipulated by the Oslo process for reaching a permanent settlement ended in May 1999 without such an agreement, the outbreak of violence was only a matter of time.

Two developments sharpened the premonition. The first was the *Nakba* events on May 15, 2000, when a violent attack by a large mob, some of it armed, was launched on IDF positions near Ramallah. The IDF had a concrete warning about the incident and indeed, IDF forces were on high alert. The result was some twenty Palestinians killed. This incident shocked Arafat's close associates, but along with its deterrent effect it also aroused a strong desire for revenge. The second development was the failure of the July 2000 Camp David talks. Indeed, it was this failure that removed the last obstacle to an outbreak of violence.

The IDF, headed by Chief of Staff Shaul Mofaz, prepared for a major clash in 2000. It drafted operational plans for a multitude of scenarios, equipped itself with many bulletproof vehicles, and held special training for its forces, including the reserves. The assumption was that there would be armed clashes, that is, that the other side would also use weapons. On the basis of the lesson from May 2000 and the more painful lessons from the Western Wall tunnel events in September 1996, it was understood that the intention was to reach a casualty ratio that would demonstrate which side was stronger.

In the first year of the intifada the IDF was largely on the defensive: in its war with the Palestinians, in its way of coping with the (primarily foreign) media, and in the need to deal with the slogan, "Let the IDF win."

When the violence erupted, it became clear that it presented a more complex challenge than what was anticipated, and indeed, the army's preparedness was only partial. The difficulty was the combination of five factors. First, to Israel's surprise, the violence was considered justified in public opinion in many countries, and this is how it was covered in the international media. It was viewed as a "just struggle against the occupation." Second, Israeli responses were considered excessive use of military force against civilians; the IDF did

not see to it that it was equipped in advance with the required quantity and quality of non-lethal means required, and therefore, lacking an alternative, it was sometimes forced to use live fire. Third, there was a dilemma on the diplomatic level. Since desperate efforts were made to stop the violence (the Sharm el-Sheikh summit with President Clinton on October 4, 2000), the political echelon gave an order to exercise restraint. The vigorous action taken a few months prior, in May 2000, could not be repeated. Fourth, tactical problems arose with the Palestinians' use of children in areas of confrontation. Fifth, the scope of the riots and their occurrence throughout the Judea and Samaria region and the Gaza Strip area (as well as among Israeli Arabs) made it difficult to allocate trained and sufficiently equipped forces to all the sectors.

The IDF found itself on the defensive, both in the operational sense and in the need to explain itself and its conduct. A good example of this embarrassing situation is the siege of the settlement of Netzarim. For an entire week in October 2000, this Gaza Strip settlement and the adjacent military compound were entirely under siege, and it was possible to bring supplies to the settlement only by helicopter. Overall, the Palestinians' tactics made the situation very difficult for the IDF, with civil demonstrations joining "cold" violence: stone throwing and use of firearms during the demonstrations. In addition, there were attacks that were clearly terrorist attacks, involving fire from ambushes, car bombs, and a growing number of suicide attacks. Thus in the first year of the intifada, the IDF was largely on the defensive, in its war with the Palestinians, in its way of coping with the (primarily foreign) media, and in the need to deal with the slogan, "Let the IDF win."

> The first part of the intifada, which lasted for about a year and a half, ended unsuccessfully as far as Israel was concerned. The head of the GSS asked the Israeli public to forgive the security establishment's failure to protect it.

Coping with the foreign media created challenges for which the IDF was not properly prepared. It was a longstanding norm that the IDF explains military events, and that civilian entities (mainly the Ministry of Foreign Affairs) explain the diplomatic aspect. This division was correct as long as there were no significant security incidents, and as long as the foreign media was mainly interested in political issues. When the riots broke out in September 2000, the media's attention

was focused on the military events. Foreign journalists did not want to hear informed explanations from politicians or those charged with explaining Israel's political rationale; they wanted to speak to a military commander in the field and hear why his forces had done what they did. The army was not prepared for this, in terms of the required openness, the professional willingness of the officers in the field to be interviewed (certainly in English), or the sophistication required for mastery of the media. Moreover, in theory IDF commanders knew that the battle over public relations was important, but in the moment of truth, they tended to refuse requests (and sometimes, pleas) by the IDF spokesman to grant the interviews.

The first change resulted from an external event, the terrorist attack in the United States on September 11, 2001. Ironically, this event took place just when a "strategic" cabinet discussion on the Palestinian issue had ended. (After a year of tumultuous events, this was the first discussion in which the cabinet attempted to confront the relevant fundamental questions, such as how to try to solve the Israeli-Palestinian conflict. Until then, the cabinet's discussions had focused on ministers listening to intelligence reports and approving various tactical actions). The influence of September 11 on Israeli and Palestinian maneuverability was immediate. Suddenly, it became legitimate "to fight terror," and actions like targeted killings – which had earned across-the-board condemnation around the world – were accepted as a legitimate way of coping. Arafat, who until September 11 enjoyed wide international support for his "struggle against the occupation," suddenly received sharp messages to stop the terrorism, and not just from the United States. Over time a de facto partial ceasefire developed. Israel gradually reduced the actions it initiated, and at the same time, the number of attacks declined. The heads of the Palestinian security organizations, most noticeably Muhammad Dahlan and Jibril Rajoub, attempted to exploit this period in order to strengthen their standing among the Americans, their Israeli counterparts, and the Palestinian street.

In this period, the second American emissary, General Anthony Zinni, arrived and labored to broker a security arrangement between the two sides. The relative quiet reached by the sides in late 2001–early 2002 was short lived, as the terror genie released by Arafat one year earlier was too strong and too independent to be contained. The familiar terrorist

elements like Hamas and Islamic Jihad were joined by Fatah elements that became more and more dominant, until even Arafat's security organizations could not subdue them.

Israel also contributed to the escalation by continuing targeted killings, even taking the initiative and bringing the fighting to the refugee camps in Nablus and Jenin. Ra'id Carmi, a leading Fatah activist in Tulkarm, was assassinated in January 2002. Before his assassination, Israel unilaterally froze such actions for two months. In the case of Carmi, as a result of a General Security Service (GSS) assessment that he was headed for an imminent terrorist attack, a decision was made to eliminate him. To the Palestinians, Israel had violated the unwritten understandings that it would refrain from such actions, in exchange for an effort by their security organizations to lower the flames of the fire. In general, Chief of Staff Shaul Mofaz pushed firmly to act against "armed Palestinians" wherever they were. The delicate distinction that was sometimes required between various people carrying weapons was not always maintained. Prime Minister Sharon too was not eager to renew security cooperation, as requested by the Americans and some Palestinians (e.g., Dahlan and Rajoub).

The influence of September 11 passed quickly. The pace of the terrorist attacks accelerated, reaching its peak in March 2002. In this month alone, 135 Israelis were killed in 17 terrorist attacks, most of them suicide attacks within the Green Line. The decisive event was the massacre at the Park Hotel in Netanya on Passover eve. More than 30 Israelis were killed in this attack, which was carried out by Hamas. It was clear that the situation could not continue as before.

The first part of the intifada, which lasted for about a year and a half, ended unsuccessfully as far as Israel was concerned. Avi Dichter, then head of the GSS, spoke at that time at the Herzliya Conference and asked the Israeli public for forgiveness for the security establishment's failure to protect it.

The Second Period: April 2002–2005

In the wake of the Passover attack, Defense Minister Fouad Ben Eliezer convened an urgent discussion that very evening. There was tremendous frustration. Since the attack was perpetrated by Hamas, Ben Eliezer opened the meeting by saying that the time had come strike to Hamas with

maximum intensity. Chief of Staff Mofaz and his deputy Moshe (Bogie) Ya'alon insisted that this was not the right approach. They claimed that it was impossible to wage a successful battle against terrorism without full control over the territory. The only way to change the situation, they believed, was to reoccupy all of the territory of the Palestinian Authority and thereby gain intelligence and operational control, which are so essential.

In the first stage, it would be necessary to seize control of the centers of terrorism in Gaza and the Judea and Samaria region, and later, to remain there and control the area. The chief of staff claimed that the minimum amount of time required for this kind of action was two months, one month to take control of the territory and at least one month to take advantage of this control in order to strike at the terror infrastructure. The defense minister was forced to agree, and thus Operation Defensive Shield was brought to the cabinet for approval.

The cabinet meeting about the response to the events of March and the decisions made during that meeting are a positive example of the correct way in which to discuss such issues. Four constructive aspects should be noted. First, it was a "relaxed" discussion that allowed the defense establishment to prepare an orderly plan and present it to the cabinet. Second, the decisions taken ultimately proved themselves correct. Third, the decisions were clear, and fourth, the cabinet understood that the decisions were liable to cause a dispute with the United States, and therefore it was agreed in advance who would talk to the Americans and where it would be possible to compromise.

From the moment the operation was approved, the security situation quickly changed. The occupation of most of the territory (which did not include the occupation of Gaza) occurred relatively easily and quickly, with the exception of the battle in the Jenin refugee camp, where the action was repeatedly postponed, and when it took place, resulted in the deaths of thirteen soldiers. It was demonstrated that sending in a large force with strong firepower and excellent armored fighting vehicle protection and personal protection, with the action accompanied by real time intelligence supplied by unmanned aerial vehicles and by a high level of eavesdropping ability (SIGINT), can ensure fast achievements at a relatively low price. Even more important was the ability to take advantage of the quick takeover of the territory to continue effective

control. The results were undoubtedly the most impressive success of the IDF and the GSS since April 2002.

Suffice it to compare the American experience in Iraq with Israel's experience in Judea and Samaria. The Americans also succeeded in taking all of Iraq by storm, including the threatening built-up areas in Baghdad and other cities, but they did not succeed in taking advantage of the first successful stage to continue effective control of the area. The IDF did succeed in this. Indeed, from April 2002 until now, the security situation has continued to improve, both in the Judea and Samaria region and within the Green Line. The number of Israelis killed (soldiers and civilians) decreased by hundreds of percentage points. The sense of security also increased greatly as the number of casualties dropped dramatically, and with it, the economic situation.

Three factors contributed to the dramatic improvement in the security situation. The first was the security fence. This barrier, whose construction was postponed again and again for political and budgetary reasons, proved to be an especially effective measure. It turned out that the barrier contributed not only to reducing the number of Israeli casualties, but also to reducing the number of Palestinian casualties. The explanation is simple: before the barrier was built, if there was a warning about a suicide bomber approaching the Green Line from Jenin, there was no way to prevent it except by an offensive action in Jenin, which would presumably cause casualties. Once the fence was built, it was possible to alternate between offensive actions and defensive actions, and to deploy forces on the line of the fence.

The second reason was the control over the territory: there is no substitute for it. This control creates strong synergy between security and operational effectiveness. For example, one day in 2005 intelligence was received to the effect that two suicide bombers whose identity was unknown had left Nablus on their way to Ramallah. In Ramallah, they were supposed to meet a guide who would brief them on how to infiltrate Jerusalem. Since their identities were not known, it was not possible to stop them on the way to Ramallah. Fortunately, the identity of the guide was known. Intelligence followed the guide, and it turned out that he had arranged the meeting with the terrorists in a bustling part of downtown Ramallah. This information, which was received less than an hour before the meeting, was enough, since it allowed an operational force to reach

the spot, arrest all three of them, and thereby prevent a serious terrorist attack.

The third reason is the cooperation with the Palestinian Authority security forces, which was at a low point immediately after Defensive Shield but has since continued to improve. Two factors accelerated the cooperation: intensive American activity by General Keith Dayton starting in 2006, and the decision by Palestinian prime minister Salam Fayyad to achieve security stability as a necessary condition for establishing a Palestinian state. Israel's suspicions during the Sharon–Mofaz era gave way to granting an opportunity for this cooperation, and indeed, the results have been impressive.

Political-Military Relations

Relations between the political and military echelons are complex, and do not involve only a hierarchical relationship in which one actor commands his subordinates. They also do not involve a simplistic relationship in which the political echelon determines the "what" and the military echelon determines the "how."

Four examples are a good reflection of the complexity and the sensitivity of the relationship between the political echelon and the military echelon in Israel during the second uprising.

a. *"Reprisals" at the beginning of the period*. In their brazenness or in their results, the terrorist attacks periodically led to an escalation. Every time an exceptional event occurred, the chief of staff and several generals were called in to see Prime Minister (and also Defense Minister) Barak. The prime minister would be in a somber mood, and generally wanted concrete proposals. He asked to see the aerial photos of the targets that the IDF recommended hitting in response. After several such frustrating meetings, the head of Military Intelligence, Amos Malka, dared to say: "Mr. Prime Minister, perhaps the main question is not which targets should be attacked, but whether to attack at all. Perhaps we should be taking other steps." When Sharon replaced Barak as prime minister in March 2001, it took several such meetings until he agreed to hold a wider ranging discussion than an approval of targets for attack. Yet the decision, for example, to close the Orient House in the wake of an attack was more painful to the other side and caused less criticism of Israel.

b. *The relationship with the American envoys*. Four American envoys came to the region in order to help stop the violence. The first envoy, George Mitchell, headed an international commission, and the others were the personal emissaries of the American president or secretary of state. Israel's political echelon feared that the envoys would interfere in political issues, and therefore they preferred that the IDF and the GSS represent the State of Israel. Since the envoys (rightly) also dealt with "quasi-political" aspects like "safe passage" or the rights of those holding VIP passes, nearly daily coordination was required between the prime minister and the professional echelon in the army. The high point was just before Passover in 2002. Zinni exerted pressure, and the army agreed to accept his plan for making security arrangements between the sides, at which point the prime minister's approval was required. At the end of a stormy discussion held in Sharon's office, the prime minister approved the plan. The Passover terrorist attack that followed naturally upset the agenda, but the acceptance of the Zinni plan greatly helped Israel in its dialogue with the Americans during Operation Defensive Shield, which began immediately after this serious event.

c. *Approval of Operation Defensive Shield*. Operation Defensive Shield created the potential to cause the collapse of the Palestinian Authority, or at least the collapse of agreements resulting from the Oslo process. Sharon had no problem with this possibility, but Labor Party ministers were highly disturbed by this scenario. During the discussion, the army was required to explain repeatedly how it is (im)possible to have your cake and eat it too. Chief of Staff Mofaz insisted that it was impossible to avoid significant harm to Palestinian security officials as well. At the end of a difficult military-political discussion, the army's plan was approved as presented.

d. *An international commission in the wake of the Jenin events*. Official Palestinian statements and declarations by UN officials about the "massacre" in the Jenin refugee camp led the UN secretary general to initiate establishment of an international commission on this issue. The Americans also supported it. Sharon attempted to prevent such a commission from coming to Israel, but was hard pressed to do so. In the discussion that took place in his office, the army suggested the following (political) condition: "We will propose a package deal

to the Americans. We will agree to lift the siege around the muqata' [Arafat's headquarters], and in exchange, the United States will oppose the establishment of the commission." And in fact, this is what happened.

These four examples and dozens of additional meetings between the army and the political echelon illustrate how impossible it was to dissociate the military from the political aspect. Even when early in the term of a new government the political echelon tends to declare that the army "will handle only its own affairs," the result over time proves that the political echelon, more than the army, also seeks the army's involvement on issues that are not purely military.

Conclusion

Four main lessons can be learned from the IDF's confrontation with the violence and its conduct during the second intifada. The first is the need for flexibility. The IDF planned well for the outbreak of the intifada in September 2000, but was not well enough prepared to confront its media and political aspects. In the realm of the purely military as well, it was required to make fast adjustments from a situation in which the main challenge was civil demonstrations, to a situation in which the chief threat was terrorism.

A no-less important point that required adjustments was the attitude to the Palestinian security forces. During part of the period they were Israel's allies; at other times they were "uninvolved actors"; and at yet other times they were the enemy. Adjusting activities on the ground, including open-fire orders, required the General Staff and the senior commanders in the Central Command and the Southern Command to constantly examine the (change in) the general picture, and not just to deal with ongoing activity. The chief of staff from 2002–2005, Moshe (Bogie) Ya'alon, was in the habit of holding a brainstorming session every two weeks. This meeting was sometimes criticized for being less formal than other military meetings, but in practice it greatly helped the chief of staff to identify changes in the state of affairs over the course of that period.

The second lesson underscores the importance of intelligence. From the moment that the threat of terrorism became the chief threat, it was understood that a necessary condition for confronting it effectively was

quality intelligence, and in fact, the intelligence was excellent (mainly, but not only, thanks to the GSS). It was based on an established infrastructure of human intelligence and on a real improvement in eavesdropping technologies (SIGINT) and visual intelligence (VISINT), especially from unmanned aerial vehicles. No less important was the recognition that low level cooperation was needed between all intelligence authorities. Very quickly, traditional barriers came down. Brigade commanders on the ground were exposed to sensitive GSS intelligence material, and the results were not long in coming.

Third is control of the territory. When weighing how to act against terrorism that is well entrenched in a built-up area, it must be decided if it is better to remain within the built-up area or to position oneself outside the area. The main factor that must be considered is the quality of the intelligence. If there is good intelligence, then there are many operational advantages to operating in the area. If the intelligence is not good, then the presence of forces in the built-up area only makes easy targets for the terrorist elements. It appears that in most cases, the IDF knew how to give the correct response to this issue (including a different method of operation in the Judea and Samaria region and in Gaza).

The fourth lesson concerns the relationship with the political echelon. In this type of fighting, every large military action has diplomatic significance, and every diplomatic action has a direct influence on the military's room to maneuver and its freedom of action. In this state of affairs, the political echelon and the high military echelon must conduct an open, ongoing dialogue. The dichotomous division whereby the political echelon determines the "what" and the military echelon determines the "how" is not correct. Furthermore, the chief of staff must understand politics (even if he should not engage in politics). When the chief of staff and the generals of the General Staff order an action, they must pay attention to the diplomatic significance as well. The assumption that the civilian system knows how to adjust the army's activity in real time is not correct.

Notes

1 This article includes "inside information" in my possession from the period when I served as head of the Operations Branch, head of the Planning Branch, and head of the National Security Council, which was a significant part of the period under discussion.

The Rise and Fall of Suicide Bombings in the Second Intifada

Yoram Schweitzer

The decades-long Israeli-Palestinian conflict has seen several rounds of violence and has claimed many casualties on both sides. The second intifada[1] occupies a particularly painful place, especially for the Jewish population, which suffered an unprecedented high casualty toll − dead and injured − in a relatively short period of time.

As part of the violence perpetrated by the Palestinians during the second intifada, suicide bombings played a particularly prominent role and served as the primary effective weapon in the hands of the planners. Since the outbreak of the second intifada in late September 2000 until today, there have been a total of 146 suicide attacks, and more than 389 suicide attacks have been foiled.[2] Although the relative representation in the total number of hostile activities waged by Palestinian organizations was not high, suicide attacks were without a doubt the most significant component in the death and destruction they sowed. In the decade since September 2000, 516 of the 1178 deaths (43.8 percent) were caused by suicide attacks. In addition to the attacks on Israeli civilians, which also resulted in thousands of physical and emotional casualties, suicide bombings helped the Palestinian organizations instill fear among the Israeli public and create a sense − even if temporary − of danger on the streets, on public transportation, and at places of entertainment.

This essay presents a short description and analysis of the rise and fall of suicide terrorism in the decade since the second intifada erupted. It then presents the Israeli and Palestinian perspectives regarding their relative success in attaining their respective goals.

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The Attacks of 1993–2000: Background to the Suicide Terrorism of the Second Intifada

The seeds of suicide terrorism in the second intifada were sown in the earlier use of the tactic from 1993 until 2000. While in this period Israel and the Palestinian Authority were engaged in a political process (the Oslo process) aimed at achieving a resolution to the historic conflict in a non-violent manner, Hamas and Islamic Jihad, organizations opposed to the political process, carried out more than 30 suicide attacks.

In April 1993, even before the Oslo accords were made public and the PLO leadership, led by Arafat, arrived in the territories from Tunis, Hamas began its series of suicide attacks. Hamas and Islamic Jihad subsequently made several failed attempts to carry out suicide attacks against IDF personnel in the West Bank and Gaza Strip. After the massacre in Hebron by Baruch Goldstein on Purim in 1994, Hamas as well as Islamic Jihad stepped up attempts to carry out painful suicide attacks inside Israeli cities. The use of suicide bombings by the organizations was aimed at attaining several goals: revenge for unusual attacks on Palestinians (such as the Purim-day massacre in the Cave of the Patriarchs, or the targeted killing of Yihye Ayyash, "the engineer"); offsetting the inherent asymmetry between the sides and reducing the gap in the respective losses; challenging the legitimacy of the PA headed by Arafat to pursue political negotiations with Israel; and proving to the Palestinian public that only their way – only armed struggle – was the correct way to liberate Palestine. Hamas was also hoping to construct its force as a worthy governing alternative to the PA. The fact that suicide terrorism was cheap, relatively easy to effect, and particularly deadly made it – as it continued to prove its efficacy – the preferred tactic of these organizations for attacking Israel later on as well.

The more intense the violence became and the greater the circle of Palestinian casualties, the more the number of would-be suicide bombers rose. Volunteers, some of whom were not even members of terrorist organizations, recruited their own dispatchers, turning the tables on the process.

The decision to embark on suicide attacks against Israel was not self-evident for the Palestinian Islamic organizations. At the outset, there were theological discussions about the legitimacy of suicide attacks because of Islam's categorical prohibition of

personal suicide (*intihar*) and concern about violating this prohibition by allowing or even encouraging suicide/self-sacrificing attacks (*istishhad*, i.e., self-sacrifice on God's path).[3] This theological debate accompanied the massive use of Palestinian suicide bombers during the second intifada and even aroused disputes among clerics around the Muslim world, as suicide terrorism rapidly spread to other points of conflict, especially after the events of 9/11. In practice, suicide bombings in the Palestinian arena enjoyed much support, based on their success in attacking Israel and causing significant casualties among civilians, who were seen as soldiers for all intents and purposes. In addition, the perceived necessity to respond to Israeli violence against Palestinian civilians and fight the occupation in order to liberate consecrated Islamic lands contributed to the sweeping support of the phenomenon.[4]

Suicide attacks in the Israeli cities of Afula, Hadera, Tel Aviv, Netanya, and Jerusalem during the Oslo years, in particular in 1994-1997, caused significant losses among Israeli citizens and proved to the terrorist organizations in particular and to the Palestinians in general that they have an effective lethal weapon capable of inflicting much damage on Israeli society. This success was an especially poignant contrast to the sense of helplessness that had spread among the Palestinians in light of the disparity of force between the sides and the disproportionate gap in the number of casualties on both sides.

In the period when it seemed to the Palestinian public at large that the Oslo process might result in an independent Palestinian state, the majority supported whoever was leading the political process. The opposition's suicide attacks were seen as liable to impede the process and therefore there were many reservations about their use. However, as Palestinian hopes of realizing the dream of an independent state and liberating their people from the oppressive signs of Israeli occupation waned, the conditions for renewing acts of violence ripened and support for violent resistance against Israel, including suicide attacks, grew. The method ripened and achieved a new dimension once the second intifada erupted.

Suicide Terrorism in the Second Intifada

When the violent events of the second intifada began, it was Fatah personnel who were involved in the violent clashes with the IDF or who

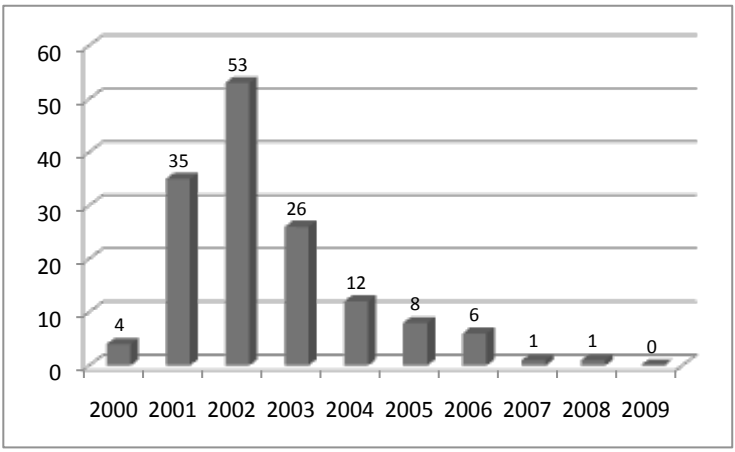

Figure 1. Suicide attacks, 2000-2009

Source: General Security Service, "Features of Terrorist Attacks in the Last Decade," September 14, 2010, http://www.shabak.gov.il/SiteCollectionImages/Hebrew/TerrorInfo/decade/DecadeSummary_he.pdf.

carried out shooting attacks on Israeli citizens.[5] Hamas and Islamic Jihad operatives, largely incarcerated by the PA because of Israeli pressure on Arafat after the large wave of suicide terrorism in 1996 and 1997 but gradually released after the outbreak of the intifada, started to work alongside them. These operatives, together with fellow organization members, built the infrastructure that injected suicide terrorism with new intensity. Thus, after a small number of suicide attacks carried out by Hamas and Islamic Jihad members in late 2000, which claimed no lives among Israelis, the organizations − especially Hamas − started sending suicide bombers to Israeli towns at a more accelerated pace. This activity reached its peak in 2001−2003 (figure 1).

In 2002, Fatah, which had never before used suicide bombing and whose members were primarily part of the PA security apparatus, joined the dispatchers of suicide bombers. The first instance was carried out as revenge for the targeted assassination by Israel of Fatah activist Ra'id Carmi, who was wanted in Israel for terrorist activity, including a failed attempt to dispatch a suicide bomber.[6] Alongside their desire to avenge the death of their comrade, mid-ranking military and militant Fatah members, mainly followers of Marwan Barghouti, took advantage of the opportunity to start managing the suicide attack enterprise by

themselves, thereby gaining a great deal of the prestige earned already by their Hamas and Islamic Jihad rivals in the eyes of the Palestinian public hungry for revenge from Israel. For these Fatah operatives, suicide terrorism was also an expression of protest over Arafat's weakness in his conduct vis-à-vis Israel during the escalating military confrontation and his failure to include them in Fatah's leading ranks, instead appointing the old guard from Tunis to key positions of the Fatah and PA military apparatus.[7]

As the cycle of violence grew and the casualties on the Palestinian side mounted as a result of Israel's hard-line response to the wave of suicide bombings sweeping Israeli cities, so the number of volunteers seeking to take part in these actions rose. In contrast to the Oslo period, when would-be suicide bombers were chosen from the limited pool of Hamas and Islamic Jihad activists who needed a relatively long period of preparation, the terrorist organizations were now able to choose the best candidates most likely to be committed to their missions from among many volunteers. It seemed that the more intense the mutual violence became and the greater the circle of Palestinian casualties grew, the number of volunteers rose and a situation was created in which volunteers, some of whom were not even members of terrorist organizations, recruited their own dispatchers, turning the tables on the process. The availability of volunteers and their relatively easy access to dispatchers contributed to the "suicide industry" becoming cheap and easy to effect.

Moreover during the second intifada, in everything connected to suicide attacks, the ideological differences between Hamas, Palestinian Islamic Jihad, Fatah, and the Popular Front for the Liberation of Palestine were ignored. The massive use of suicide attacks led to the creation of new myths in which the suicides – seen as sacrificing their personal good for the general welfare – became heroes and the terrorist organizations were seen as greatly powerful, with the proven ability to challenge Israel and cause it severe damage. The Palestinians learned rapidly that the power of the *istishhad* went far beyond merely being a tool for causing pain, destruction, and death to

> The success in stopping the suicide attacks was success in dealing with capability rather than the motivation to attack Israel on the part of the suicide bombers and their dispatchers.

Israelis, and became a psychological weapon of fighting Israel because of its ability to leave its menacing imprint on the Israeli public's self-confidence and morale. Its effect also went beyond Israel's own borders and harnessed the attention of Islamic and world public opinion to the plight of the Palestinians.

On the Israeli side, because of the many severe terrorist attacks, many Israelis despaired of the Oslo process in particular and the chance of arriving at peace with the Palestinians in general. The sweeping support for the policy of peace, as expressed in the Oslo accords, was undermined. It became clear that the strategy of the *istishhad* had a significant effect on the (in)ability of applying strategic processes towards a political settlement in peaceful ways.

In contrast to the Oslo period, when Israel viewed security cooperation with the Palestinians as an important component in defending itself against suicide terrorism (at least until the mid-1990s), during the second intifada Israel's security policy assumed that the PA would not act resolutely against suicide terrorism and that elements within the PA were in fact active partners in its planning and execution. Thus, Israel's policy during the second intifada focused on activity that started on the ground level with frequent arrests and targeted assassinations against wanted terrorists and escalated to targeted killings of organization commanders and leaders. This policy, adopted because of the large number of suicide attacks and the massive losses on the Israeli side, generated an escalation in the number of revenge attacks from the Palestinians and increased the motivation of Palestinian youths to join terrorist organizations and undertake more suicide attacks.

Hamas may claim that although on a tactical level Israel won the military campaign against the Palestinian armed uprising in general and suicide terrorism in particular, at the strategic level the victory belongs to Hamas and those who remained faithful to the path of resistance.

Israeli and Palestinian Perspectives

In Israel, the suicide bombings were seen as a war of attrition and an attempt to impose a Palestinian agenda on the government by causing intolerable damage and disruption to every aspect of daily life. Therefore, the Israeli government adopted a policy that sought to maintain as normal a routine as possible and make decisions about the Israeli-Palestinian conflict

not driven by stress and despair. The counter initiative was designed to protect the life of the public while foiling Palestinian intentions to cancel the asymmetry between the sides by means of suicide terrorism, sometimes referred to as "the atomic weapon of the weak." Within the difficult, challenging battle against suicide terrorism, which it managed with an iron fist, Israel tried to preserve the level of restraint required of a democratic state that finds itself embroiled in the midst of such warfare, while at the same time leaving itself recourse for a future renewal of the political process with elements within the PA.

In the end, Israel succeeded in tackling the comprehensive challenge posed by its enemies in the suicide terrorism camp. A combination of defensive measures – such as solid interceptive intelligence to stop attacks before they were carried out, effective security areas based on coordinated efforts by the army, police, and civil guard, and especially the construction of the security barrier in areas vulnerable to infiltration from the territories to Israel – joined offensive moves based on operational intelligence that allowed for systematic arrests and targeted killings of initiators and perpetrators of suicide attacks.[8] Overall, the campaign against suicide terrorism – seen as a success in Israel – should be attributed to several factors: the reoccupation of the Palestinian cities in Operation Defensive Shield (April 2002), which enhanced the freedom of action on the part of the IDF and other security services in hunting down the perpetrators and their organizers and also significantly improved the level of intelligence gathering; the security barrier, which placed a physical obstacle in the path of suicide bombers on their way to Israeli cities; improvements in coordination and cooperation among the various Israeli security services; improved effectiveness in responses to warnings about terrorism infiltrations and significant reductions in the time necessary to apprehend suicide bombers before they achieved what they set out to do; and boosting the level of terrorists targeted for attack to organization leaders, thereby effecting deterrence.

Israel viewed the dramatic drop in suicide attacks as a concrete strategic goal incumbent on a state committed to the welfare and security of its citizens. In this sense, one may view the results of the military campaign against suicide terrorism as an unequivocal success. The steady drop in the number of suicide attacks from the large numbers, particularly in 2001 (35), 2002 (53), and 2003 (26), to zero in 2009-2010

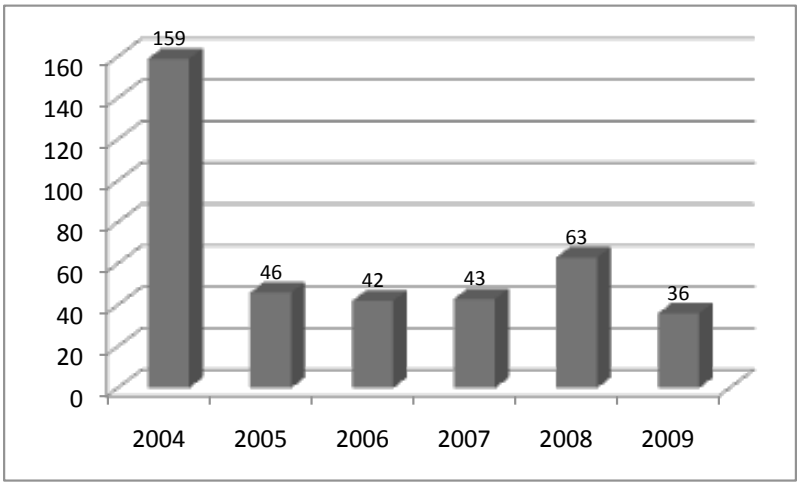

Figure 2. Foiled suicide attacks, 2004-2009

Source: "Features of Terrorist Attacks in the Last Decade"

(as of October 2010), is definitive proof. Nonetheless, it is clear that the success in stopping the suicide attacks was success in dealing with capability rather than the motivation to attack Israel on the part of the suicide bombers and their dispatchers. In the years when there was a decrease in the number of suicide attacks in Israel, starting from 2004 onwards, there were still hundreds of Palestinian youths seeking to sacrifice their lives in the act of murdering Israelis (figure 2). Moreover, after the leading terrorist organizations understood that suicide attacks as a dramatic, lethal weapon were losing their efficacy and were incapable of changing the balance of power between the sides, and thus their cost outweighed their value, they tried to find other alternatives. This was clear in the announcement of the *tahadiya* (long term truce) in March 2005 and later in the organizations' recourse to Qassam rockets as their weapon of choice.

On the Palestinian side, opinions are divided as to the success of the second intifada in general and the rash of suicide bombings in particular. A prominent manifestation of this disagreement may be found in remarks made by PA head Abu Mazen who called the military dimension of the intifada and the abandonment of the Oslo political process an "historic blunder."[9] Even terrorists who participated in the intifada and dispatched suicide bombers have alluded to a rethinking of the way in which the

struggle was conducted, not on the basis of moral regrets but because of its cost and the tactical error in concentrating suicide terrorism inside Israel proper rather than directing it at soldiers and settlement residents, where attacks would have been viewed as more legitimate.[10]

On the other hand, there are elements that see the military campaign, and especially the steep cost to Israel's citizens, as a strategic success in that for the first time, Israel was forced to pay dearly for the extended occupation of the territories rather than simply enjoy its fruits.[11] Hamas' victory in the January 2006 parliamentary elections, its mandate to form the Palestinian government, and its becoming a significant element in political life can largely − according to Hamas spokespeople − be interpreted as proof of the justness of the path it spearheaded while bearing the suicide terrorism banner. Therefore, Hamas may claim that although Israel did in fact win the military campaign on a tactical level against the Palestinian military uprising in general and suicide terrorism in particular, at the strategic level the victory belongs to Hamas and those who remained faithful to the path of *muqawama* (resistance).

It seems that for now Hamas has contained suicide terrorism and suspended its widespread use in favor of Qassam rocket attacks from the Gaza arena. Is this a tactical choice, the result of the heavy price paid by the organization in casualties and arrests, including the killing of senior personnel such as Sheikh Ahmad Yassin and his heir, Abdel Aziz al-Rantisi? Or, does it stem from the organization's decision to enter the political arena, which required it to suspend the use of brutal terrorism that would make it impossible for the organization to achieve any international political support or legitimacy? Most likely a combination of factors, constraints, and considerations is at work.

One of the major lessons that may be learned from the Palestinian suicide terrorism of the second intifada is that it is but one of many weapons in the large arsenal available to the Palestinians. Suicide bombing proved its effectiveness in murdering Israelis and wreaking havoc to public morale. The willingness among Palestinian youths to volunteer for such activity in the future has not dissipated and the potential for this weapon being unsheathed once again is there, should another round of violence in the region erupt as the result of an ongoing political deadlock or as the result of other organizational considerations. Despite the heavy toll incurred by the Palestinians because of suicide

terrorism, the decision to use it again remains the prerogative of the Palestinian organizations, whose use will certainly be affected by their understanding of the degree of support they can expect from the Palestinian public. The measure of success in deploying it as effectively as they did in the second intifada also depends on the ability of the Israeli government to apply the knowledge and experience accrued by Israel's security services during the successful struggle with suicide terrorism, which essentially ended the phenomenon around 2006.

Notes

1 The start of the second intifada is well known: the confrontation broke out on September 29, 2000, after Ariel Sharon's visit to the Temple Mount, which was viewed by the Palestinians as an intentional provocation. However, the end date is unclear and has never been announced officially. In effect, the massive waves of violence ebbed gradually.

2 Yoram Schweitzer, "Palestinian Istishhadia: A Developing Instrument," *Studies in Conflict and Terrorism* 30, no. 8 (2007): 667-89.

3 Within Islamic Jihad, this theoretical religious discussion already took place in the late 1980s; the decision to use this tactic was made before organization personnel started carrying it out in practice.

4 Matti Steinberg, *Taking Their Fate in Their Hands: Palestinian National Consciousness, 1967-2007* (Tel Aviv: Yediot Ahronot and Hemed Press, 2008), pp. 279-80.

5 Amos Harel and Avi Issacharoff, *The Seventh War: How We Won and Why We Lost the War with the Palestinians* (Tel Aviv: Yediot Ahronot and Hemed Books, 2004), pp. 77-82. Author interview with Ahmad Barghouti, March 14, 2005.

6 Author interview with Ahmad Barghouti, March 14, 2005; author interview with Nasser Abu Hameid, January 3, 2006.

7 Author interview with Ahmad Barghouti, March 14, 2005; author interview with Nasser Abu Hameid, January 3, 2006.

8 Mohammed M. Hafez and Joseph Hatfield, "Do Targeted Assassinations Work? A Multivariate Analysis of Israel's Controversial Tactic during Al-Aqsa Uprising," *Studies in Conflict and Terrorism* 29 (2006): 359-82. In their article Hafez and Hatfield defined the effective role played by the targeted killings in Israel's policy.

9 Roee Nahmias, "Abbas: 2nd intifada was a mistake," *Ynet*, May 26, 2010, http://www.ynetnews.com/articles/0,7340,L-3894519,00.html/.

10 Videotaped author interview with Thabath Mardawi, November 23, 2005.

11 Author interview with Abbas Sayad, January 10, 2005.

The Political Process Entangled in the Triangular Gordian Knot

Anat Kurz

Ten years after the outbreak of the second intifada, the American administration, backed by the Quartet, once again called upon Israel and the Palestinian Authority (PA) to renew a direct dialogue. The talks, as defined by the administration, were intended to advance the principles of a final status agreement within a year. A response to the challenge will require that the parties labor to overcome the wide gaps in their basic positions. Moreover, the institutional rift that has deepened in the Palestinian arena during and because of the years of stalemate presents serious obstacles to any future attempt to implement principal understandings, even if they are successfully formulated.

During the years of the intifada, the Israeli–Palestinian conflict splintered into three spheres: Fatah–Hamas; Israel–PA led by Fatah; and Israel–Hamas. The friction in the three respective arenas fed on one another; attempts to assuage the tensions in one of them sparked tension in the others, and this complex dynamic erected a further stumbling block toward an Israeli-Palestinian compromise. This essay examines the military and political moves that accelerated the development of the split in the Palestinian arena. It reviews the lessons of the dialogue launched at Annapolis, which proved a failed attempt to exploit the split to bring about a political breakthrough. It concludes by analyzing the nature of the complex, circular interface between the political stagnation and the split in the Palestinian arena.

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Be Careful What You Wish For

> Mahmoud Abbas: "The second intifada was one of our worst mistakes."[1]
> George W. Bush: "Peace requires a new and different Palestinian leadership...I call on the Palestinian people to elect new leaders."[2]

The two summit meetings held in the first months of the second intifada, in October 2000 in Sharm el-Sheikh and in February 2001 in Taba, were failed attempts to stop the deterioration of Israeli–Palestinians relations. The outbreak of the intifada in and of itself expressed at least a temporary renunciation of the political option by the Palestinian Authority. It was also clearly a rejection of dialogue, which at most would have been based on the compromise proposal that Prime Minister Ehud Barak placed on the negotiating table at Camp David and was refused by the Palestinian Authority. The government of Israel consequently considered itself exempt from formulating a plan to place the political process back on track.

The years since the intifada erupted saw many conflict resolution proposals. In December 2000, President Clinton presented parameters for a compromise that addressed the core issues of the conflict. In 2002 and again in 2007, the Arab League adopted a peace initiative that outlined the conditions for Arab–Israeli normalization incumbent on Israel, the Palestinian Authority, and Syria. Among the unofficial proposals for a settlement, the Geneva initiative, which was formulated by Israelis and Palestinians and published in December 2003, was far reaching. The same year, the Quartet adopted a staged roadmap for an Israeli-Palestinian settlement. The Roadmap was accepted by Israel and the Palestinian Authority, albeit with reservations, and remained an agreed-upon framework for the political process, even after 2005, the time originally allotted for its completion. However, these various proposals, formulated in the first seven years of the conflict, did not produce concrete results, and when Israel and the Palestinian Authority returned to the discussion table at the end of this period, significant gaps in their positions continued to divide the sides. Furthermore, their ability to advance a comprehensive settlement, and even more, the Palestinian Authority's ability to guarantee its implementation, were greatly reduced. This was to a great extent a result of the split of the Palestinian arena into

two authorities, Fatah, which controlled the West Bank, and Hamas, which controlled the Gaza Strip.

The rivalry between Hamas and Fatah is as old as Hamas, which was founded in the early days the first intifada. In the first seven years of the second intifada, the rivalry between the organizations intensified, until an institutional rift in the Palestinian arena became a fait accompli. Ironically, the rift was accelerated by moves intended to enable the renewal of the political process, including the Israeli demand that the Fatah-led Palestinian Authority contain the violence as a precondition for renewing the Israel–PA dialogue, and the United States' conditioning its renewed recognition of the Palestinian Authority as a political partner on a comprehensive administrative-governmental reform and general elections in the territories. The institutionalization of the rift was also hastened by the Israeli disengagement from the Gaza Strip, which was intended to create a more comfortable security environment for Israel in the absence of a dialogue.

Israel's demand to contain the violence: With the outbreak of the uprising, Palestinian Authority security forces joined the vanguard of the struggle against Israel. In tandem, the PA adopted a permissive approach toward organizations with an independent agenda − led by Hamas and Islamic Jihad, and joined by various factions nominally connected to Fatah itself − which led to an escalation of the struggle. Israel responded with a comprehensive military campaign against the Palestinian Authority's institutions, facilities, and power centers, and imposed severe economic sanctions on the PA. The intensity of the response in part expressed frustration at the Palestinian Authority's withdrawal from the mutual agreement to manage the conflict through dialogue, which was the basis of the Oslo accords. Indeed, the escalation was seen as a realization of the scenario envisioning the Palestinian Authority's abuse of the military capabilities granted it by Israel, expressed concisely in the slogan, "Don't give them guns," which was emblazoned on the standards of those who opposed the Oslo process.

Ironically, the institutional rift in the Palestinian arena was accelerated by moves intended to enable the renewal of the political process.

In accordance with the Oslo-based approach that had become the framework for Israel's relations with the Palestinian Authority, the PA was held responsible for any manifestation of violence, including

terror attacks by groups that opposed the PA and the political process. The terrorist attacks, regardless of their perpetrators, were likewise interpreted as evidence of the PA's weakness, and therefore of its unsuitability as a partner in dialogue. The government of Likud leader Ariel Sharon, which was established after the February 2001 elections, demanded seven days of quiet as a condition for renewing the dialogue – in itself a diluted version of the thirty days of quiet initially demanded in order to recommence negotiations. Yet the PA suffered a swift loss of enforcement ability and institutional authority once it loosened its hold on factions involved in the struggle against Israel, and also as a result of the offensive conducted against it by Israel. Therefore, it was clear that it could not fulfill the demands for total calm.

At the same time, the demand for calm defined for Hamas and the factions spearheading the violent struggle the kind of activity that would prevent the renewal of dialogue. And in fact, during the first years of the confrontation, the rounds of the confrontation – waves of terrorist attacks followed by sharp Israeli responses – preempted attempts to restore mutual trust, bring the sides back to the negotiating table, and renew the political process on the basis of the initiatives formulated by the US administration. In the absence of any dialogue with Israel, the Palestinian Authority was also unable to rehabilitate its status in either the international or the domestic arena. As the PA grew weaker, and against the backdrop of increasing anarchy in the territories, Hamas consolidated its military infrastructure. The political stagnation and the PA's helplessness in the face of the continued Israeli occupation strengthened public identification with the strategy of struggle that Hamas embraced, preached, and led. Sympathy for Hamas crossed organizational lines, and also included strata that for years had been identified with the Fatah-led national camp. Because Hamas was perceived – and for good reason – as more trustworthy and less corrupt than Fatah, support grew for Hamas as an alternative to the Fatah-led Palestinian Authority.

Public support for Hamas in the West Bank and the Gaza Strip ten years after the intifada broke out was significantly lower than support for Fatah. However, the erosion in Hamas' prestige did not help Fatah restore its control of the Strip.

Elections in the PA: The severe international criticism leveled at Israel because of the force and scope of its offensive against the Palestinian Authority was offset by the understanding shown by the US administration for the struggle against Palestinian violence. After the events of September 11, 2001, the sense of common goals and a shared destiny between the government of Israel and the US administration was strengthened. The war on terror declared by the US administration was interpreted in Israel as approval for a comprehensive offensive against the PA and against the infrastructure for attacks carried out in the territories and within the Green Line. At the same time, the US administration strove to renew the political process in order to enlist pragmatic Arab regimes in the battle against radical Islam. Against this backdrop, a demand was formulated for institutional reform in the PA. Israel joined the demand for reform, though it expressed reservations about the administration's call for general elections in the PA, which was inspired by the assumption that democratization in the greater Middle East would curb the drift toward fundamentalist Islam. President Bush even explicitly demanded that the PA's founding leadership be replaced by new leadership that would be capable of engaging in dialogue.

Like the government of Israel, the Palestinian Authority was not eager to hold elections because it feared results that would demonstrate the widening influence of Hamas. On the other hand, in order to preserve the remains of its international standing, the Palestinian Authority acceded to the US demand and began to prepare for elections. Recognition of the inability to hold elections during a violent confrontation with Israel, along with the need to include Hamas in the elections in order to lend credibility to the results, impelled Prime Minister Mahmoud Abbas and Fatah to coordinate the election campaign with Hamas. Contacts between Fatah and Hamas, conducted since 2001 under Egyptian sponsorship and intended to advance coordination between the camps, failed. However, Hamas saw the election initiative as a golden opportunity to promote the goal it set for itself when it was established: to take the reins of the national struggle from Fatah. Therefore, the Hamas leadership assented to the call by Abbas to suspend the inter-organizational struggle and the struggle with Israel during preparations for the forthcoming elections.

Coordination of the election campaign between Fatah and Hamas was used by the respective parties to promote antithetical organizational

interests. The PA leadership hoped that the election results would reinforce its senior status despite the rise in Hamas' strength, and that it would be recognized as a partner for dialogue. This in turn would strengthen its standing at home, especially if it generated a political breakthrough. For its part, the Hamas leadership sought to gain public support that would allow it to continue to diminish Fatah's status, in part by foiling moves toward a political settlement. The two sides attained their objective, though Hamas' achievement was more direct and concrete. The Hamas electoral victory in January 2006 (which was boosted by the vote counting method and the power struggles in the Fatah ranks) brought in its wake a period of political paralysis. Although the PA would again be recognized as a political partner after the Hamas takeover of Gaza, the split in the Palestinian arena added a structural and political difficulty to the substantive difficulties that already delayed progress toward a settlement and would continue to do so.

Physical disengagement, political break: The burden of the struggle against Palestinian violence in and from the Gaza Strip, the aspiration to reduce the direct friction with the Palestinian population, and the desire for international legitimacy for a military response to the skirmishes prompted Israel to take a unilateral move involving comprehensive withdrawal from the Strip.[3] The disengagement from Gaza took place in August 2005 following another unilateral move that Israel had initiated six months earlier: construction of a physical barrier in the West Bank to separate Israeli and Palestinian population centers. In April 2004, against the backdrop of preparations for the disengagement from Gaza and despite American opposition in principle to moves that would disrupt Palestinian territorial contiguity and therefore hamper the establishment of a viable state, President Bush delivered a letter to the government of Israel, which conveyed the understanding that "pending agreements or other arrangements," Israel would continue to control the territorial space in the territories, and that blocs of Jewish settlements in the West Bank would be preserved. The letter granted the Palestinian Authority the right to veto proposals that were not coordinated with it, but it still clearly inclined to the Israeli approach. The erection of the separation fence in the West Bank and the lack of coordination between Israel and the Palestinian Authority on the security arrangements regarding the Gaza Strip after the disengagement reflected Israel's lack of confidence in

the PA's ability to ensure security stability. Indeed, both moves, as well as the letter from President Bush, testified to the PA's political marginality.

The Israeli closure of Gaza was tightened when the Hamas-led government was sworn in, and an international boycott of the Hamas government was imposed. The boycott was considered a diplomatic achievement for Israel: as conditions for lifting the boycott, Israel and the Quartet demanded that Hamas cease the violence, recognize Israel, and honor agreements previously signed between Israel and the Palestine Liberation Organization. In response to the kidnapping of a soldier in late June 2006 and the increased rocket fire at the western Negev from the Strip, Israel conducted an extensive military operation in the Gaza Strip – while it was engaged in a war with Hizbollah in Lebanon. The fear of a recurrence of the Gaza (and Lebanon) scenario thwarted the idea of transforming the military-political situation in the West Bank on the basis of the rationale underlying the withdrawal from Gaza: that Israel would entrench itself behind a border of its choosing, without making the complete cessation of violence a condition for withdrawal, and without guarantees of security coordination with the Palestinians after the withdrawal. The "convergence" plan for the West Bank, which was among the ideas that led Kadima, headed by Ehud Olmert, to victory in the March 2006 elections, fell from the agenda. Concurrently, economic and security aid to the Abbas presidency was increased, although an Israeli political plan for reviving the dialogue with the Palestinian Authority was not discussed.

> The military and economic pressure Israel leveled on Hamas with the intention of weakening it actually accelerated the erosion of the boycott, as well as the institutionalization of the division in the PA.

In any case, Fatah was not able to consider the renewal of dialogue at the time. Its leadership was coping with an accelerated deterioration in relations with Hamas after the invitation to join a national unity government was rejected. An escalation in the inter-organizational struggle, which developed in Gaza and overflowed into the West Bank, spurred intensive efforts at restraint in the Palestinian arena and the pan-Arab sphere. In November 2006, Hamas and Fatah agreed on a lull in their struggle with each other and in the struggle with Israel. Fatah and Hamas members imprisoned in Israeli jails took part in mediation attempts. Egypt, Jordan,

and Saudi Arabia also worked intensively in this direction; the regimes in these countries were troubled by Hamas inspiration of radical Islamic forces in the Middle East; by Iranian penetration of the Gaza Strip through support for Hamas; and by the stalemate in the political process, which enhanced Hamas' rise to power. In March 2007, in advance of the Arab League meeting, the Mecca agreement, a formula for a national unity government, was agreed upon. Its platform did not include explicit recognition of Israel: inter-organizational reconciliation required the PA to forgo an immediate political option. However, Fatah refused to transfer control of PA security forces to the Interior Ministry headed by Hamas, as required by the PA's Basic Law, and this prevented the consolidation of the national unity government. A fierce confrontation broke out between the camps in the Gaza Strip, facilitated by the absence of Israeli troops in the Strip. In June 2007, Hamas forces defeated Fatah operatives in the area. Israel observed the development from across the Gaza border.

The geographic divide between the Gaza Strip and the West Bank prevented an all-out war from developing between Fatah and Hamas in the West Bank as well. The authority headed by Hamas entrenched itself in the Strip under the Israeli- and Egyptian-imposed closure, while being boycotted diplomatically and economically (with the exception of consumer goods defined as essential) by Israel, the United States, and the European Union. Since then the Fatah-led authority has focused on the attempt to preserve its hold on the West Bank, while enjoying increased economic and military support. This backing was provided with the goal of preventing the fall of the West Bank into Hamas hands, and on the basis of the PA's declared adherence to the political path.

The Annapolis Junction

> Ehud Olmert: "Annapolis' greatest strength lies in the fact that...it is taking place without Hamas...The international community understands that Hamas cannot be a part of the process."[4]

The Hamas takeover of the Gaza Strip demonstrated the PA's weakness, and at the same time, inspired hope for the revival of the political process. The rift in the Palestinian arena was perceived as an opportunity to bring about a breakthrough leading to an agreement: it drew a clear dividing line between the camp committed to a compromise and the camp that,

along with willingness to agree to security and economic understandings with Israel, remained steadfastly opposed to a permanent settlement. The intention "to strengthen Abu Mazen," i.e., to strengthen the influence of the Palestinian camp that supported a negotiated settlement, was stressed in the preparations for the international conference that would announce the renewal of talks between Israel and the PA. The conference took place in November 2007 in Annapolis, with the participation of the concerned parties and in the presence of representatives from dozens of countries.

Two negotiating channels were launched at the conference. One dealt with ongoing conflict management, and the other was devoted to a discussion of the various aspects of a permanent settlement. The talks were intended to conclude within a year with principles for a settlement, even if it was a formula that would be shelved until conditions were ripe for its implementation. The one year allocated to complete the process testified to the US administration's desire for an achievement in the Middle East before the end of President Bush's term. The relatively modest ambition to formulate only a "shelf agreement" reflected awareness of both the difficulty in bridging the substantive gaps and the internal political obstacles that would hamper the parties in moving forward on an implementable agreement. It is no wonder, therefore, that progress was achieved especially on the conflict management track. Increased economic aid and the easing of restrictions on movement of people and goods in the West Bank, as well as a fundamental reform of the PA's security forces under American, European, Jordanian, and Israeli auspices, produced impressive results. The cooperation between Israel and the PA in these areas would persist, and the trends toward economic improvement and stabilization of the security situation in the West Bank would continue, even after the political process was again suspended and despite public criticism of

Political stagnation deepens the rift in the Palestinian arena because it weakens the PA and reinforces the camp that opposes a permanent settlement. On the other hand, the rift in the Palestinian arena weakens the chance to formulate a comprehensive settlement, and thus deepens the political stagnation.

the PA for cooperating with Israel without assured political gains anchored in a binding timetable.

Notwithstanding the renewed recognition of the PA as a negotiating partner and despite Hamas' political isolation, Hamas remained a key player in molding the Israeli-Palestinian arena. Progress in the talks between Israel and the PA was impeded by differences of opinion on critical topics, in particular, the route of the border between Israel and the future Palestinian state. In the background hovered the shadow of the anticipated difficulty in reaching agreement on other subjects that (precisely for this reason) were not discussed, mainly Jerusalem and the refugees. In addition, the barrage of rockets from the Gaza Strip − frequent reminders of the threat latent in withdrawing without political understandings and coordinated security arrangements − undermined Israeli opposition to tactical understandings with Hamas. The ceasefire negotiated between Israel and Hamas with Egyptian mediation in June 2008 in exchange for an Israeli promise to ease the closure clouded the atmosphere around the negotiations table. Fatah then renewed the attempt to reach understandings with Hamas by itself: while the negotiations with Israel were intended to compensate the PA for its weakness on the home front, the attempt to settle disputes with Hamas expressed the aspiration to promote the same goal in the absence of a concrete plitical option. In any event, Fatah's contacts with Hamas came to naught, as did the dialogue with Israel.

Toward the end of the year allotted by the Annapolis process and the end of the tenure of the Olmert government, Olmert sought to exhaust the potential of the dialogue and presented the PA a proposal for a far reaching withdrawal from the West Bank, including a plan to exchange territories. Even if this proposal was not "too little," it arrived "too late." According to Olmert, his proposal went unanswered by the Palestinians; Palestinian spokesmen claimed that Israel entered a campaign period before a counterproposal was submitted and therefore lacked clout to pursue political proposals. What the main points of the PA's response would have been, and whether it would have promoted an agreement or merely emphasized differences of opinion is not known. In any event, it was Hamas that signaled an end to the discussions. In late December 2008, war broke out in Gaza after Hamas failed to heed explicit Israeli warnings that a military offensive loomed if it did not stop the rocket fire.

The end of the war left Hamas at the helm of a stricken region. Ongoing Iranian aid helped the movement rehabilitate its military infrastructure and improve its capabilities, although civilian rehabilitation was delayed by difficulties created by the closure and the distribution of resources that favored military goods and entrenchment of the regime. Hamas became a focus of public criticism, in part for irresponsible conduct that wreaked havoc in the Strip. Indeed, public support for Hamas, polled in the West Bank and the Gaza Strip ten years after the intifada broke out, was significantly lower than support for Fatah. However, the erosion in Hamas' prestige did not help Fatah restore its control of the Strip.[5] Furthermore, with time, the scope of the diplomatic boycott of Hamas narrowed. European governments did not hide their intention to engage with the organization, claiming that dialogue was essential for reducing the burden on the Gaza population. International criticism of Israel for the numerous casualties and the extensive scope of damage caused by the war in Gaza, and the cumulative civilian price of the closure caused Israel itself to ease the economic embargo. Thus, the military and economic pressure Israel brought to bear on Hamas with the intention of weakening it actually accelerated the erosion of the boycott, and the institutionalization of the division in the PA as well.

The mark left by the war between Israel and Hamas was evident in the results of the February 2009 elections in Israel. The public supported parties that took a hard line toward Hamas and the question of negotiations with the Palestinian Authority. Binyamin Netanyahu, who headed the new government, delayed a formal acceptance of the two-state solution for several months, and even then it was accepted primarily to deflect massive American pressure. He also demanded Palestinian recognition of Israel as the national state of the Jewish people. For its part, the PA demanded a total Israeli freeze on construction in the settlements. These demands, which were presented for the first time as conditions for the very renewal of talks, embodied a mutual hardening of positions. The US administration provided a way out of the stalemate through indirect negotiations with American mediation. Nevertheless, the May 2010 launch of the indirect talks was nothing more than the semblance of renewing the political process. Quickly, even before the months allotted for completing this stage ended, it became clear that this

was a time-out in advance of renewed American pressure on the parties to return to direct talks.

Untying the Gordian Knot?

> Barack Obama: "Both sides – the Israelis and the Palestinians – have found that the political environment, the nature of their coalitions or the divisions within their societies, were such that it was very hard for them to start engaging in a meaningful conversation. And I think that we overestimated our ability to persuade them to do so when their politics ran contrary to that."[6]

The split in the Palestinian arena did not create the political stagnation; rather, the stalemate encouraged a search in the Palestinian arena for a conceptual and strategic alternative to a dialogue that was a disappointment, that fed the rivalry between the camps supporting various solutions to their national distress, and that accelerated the creation of an inter-organizational rift. But the split unquestionably had a destructive influence on the political process.

Once this meaning of the split became clear, Israel, Fatah, and relevant international players focused on direct or indirect efforts to weaken Hamas. An economic and military struggle was launched against the movement and its stronghold in the Gaza Strip, and the Annapolis initiative was intended to promote a settlement, and at the same time to strengthen support in Palestinian public opinion for the PA as the authorized representative for negotiations. This combined policy did not bear fruit.

The struggle against Hamas did not undermine its control of Gaza, and even increased belligerent tendencies in the ranks of the organization and among its supporters. The Hamas campaign to take control of the West Bank has been contained, at least for now, but the governmental divide between the West Bank and the Gaza Strip, when added to the geographical split – which is inherently problematic – has necessarily decreased the extent of the PA's influence in the territories. With a Hamas threat looming, the PA hardened its positions on the opening conditions for talks with Israel and the conflict's core issues. At the same time, the PA's ability to guarantee implementation of a compromise with Israel has been reduced, even if it is only a partial agreement and certainly if it is a comprehensive settlement. From Israel's point of view, the threat

of security deterioration initiated by Hamas from its stronghold in Gaza, or through its operatives in the West Bank, strengthened the fear of security risks in a military withdrawal from the West Bank. Israel has also increasingly recoiled at the anticipated political and public-social price of withdrawing from settlements in the West Bank without the possibility of mitigating the risky potential of the move by assuring an end to the conflict. The Annapolis talks took place under these circumstances, and after they broke off, the trust of both parties in the very ability to advance an agreement declined. Israel and the PA have since reiterated their commitment to the vision of two states for two peoples, but declarations in this vein have not been interpreted as an expression of a policy with immediate operative implications, rather as statements intended to satisfy the US administration and place responsibility for the stalemate on the other side.

The stalemate is clearly circular: political stagnation deepens the rift in the Palestinian arena because it weakens the Palestinian Authority, which is committed to negotiations, and reinforces the power of the camp that opposes a permanent settlement. On the other hand, the rift in the Palestinian arena weakens the chance to formulate a comprehensive, implementable settlement, and thus deepens the political stagnation. In light of the continuing dead end, ideas have been raised in the Palestinian arena and the international arena for stabilizing the conflict theater, not necessarily on the basis of negotiated understandings and Israeli-Palestinian coordination. These ideas, whether they are about the unilateral declaration of a Palestinian state or a plan for an imposed settlement, are nothing more than proposals for conflict management. Indeed, without an agreed-upon compromise, the end of the conflict will not be advanced, and the constant danger of conflagration will remain.

Ideological commitment, security concerns, opposition at home, and lack of confidence in the willingness of the other party to fulfill its declared intentions stand in the way of a compromise between the governments of Israel and the Palestinian Authority. Furthermore, any agreement drafted by them will be limited, and will serve as a potential backdrop for renewed escalation unless it is signed by a Palestinian authority that controls both the West Bank and Gaza, and whose platform includes a commitment to a permanent settlement. Nonetheless, the logic that guided the Annapolis initiative is still valid: the circular connection

between the political stagnation and the rift in the Palestinian arena can be broken through dialogue between Israel and the PA, which will be based on mutual recognition of the necessity of giving up maximalist desires. The more practical the formula for a settlement and the more it is backed by mutual and international guarantees to protect substantive security and economic interests, the greater the chance that with time, opposition to it will decrease in Israel and among the Palestinians. This will also lower obstacles to its implementation that originate in the split in the Palestinian arena. Conversely, the longer the breakthrough to an historic compromise is delayed, the more formidable these obstacles will become.

Notes

1 *Haaretz.com*, May 26, 2010.

2 June 24, 2002, http://georgewbush-whitehouse.archives.gov/news/releases/2002/06/20020624-3.html.

3 One of the explanations of the disengagement was that the move was intended to respond to the long term demographic challenge to Israel. Indeed, Israel did withdraw from an area saturated with a Palestinian population, but presenting the move as a step intended to diminish American pressure for continued withdrawals in the West Bank limits the validity of the demographic claim. Dov Weisglass, Prime Minister Sharon's bureau chief, stated in a newspaper interview (with Ari Shavit, *Haaretz*, October 8, 2004): "The disengagement...is a bottle of formaldehyde in which you place [the Roadmap]...it supplies the amount of formaldehyde necessary so that there will not be a political process...it allows Israel to park comfortably in an intermediate state that deflects political pressure from us as much as possible."

4 *Ynet*, November 29, 2007.

5 According to a public opinion poll conducted in the West Bank and Gaza Strip in April-May 2010, 49 percent of the respondents expressed confidence in Mahmoud Abbas, as against 13 percent who expressed support for Hamas prime minister Ismail Haniyeh. Sixty-one percent supported the government of Salam Fayyed, as against only 11 percent who supported the Haniyeh government. Fifty percent of the respondents replied that they would vote for Fatah in the elections, 10 percent answered that they would give their vote to Hamas. As for support for parties by regional distribution, in the West Bank, there was 52 percent support for Fatah, as against 5 percent for Hamas, and in the Gaza Strip, there was 44 percent support for Fatah and 14 percent for Hamas. Source: NEC's monthly monitor of Palestinian perceptions, Bulletin V, nos. 4 and 5, http://www.neareastconsulting.com.

6 *Time Magazine*, January 21, 2010.

The End of the Second Intifada?

Jonathan Schachter

Introduction

Researchers, pundits, politicians, and other interested parties have suggested various start and end points for the second (al-Aqsa) intifada. For its launch, many have focused on the last week of September 2000, while others see the seeds of violence having been planted months earlier, surrounding the collapse of negotiations between Ehud Barak and Yasir Arafat at Camp David in July of that year.[1]

As controversial as the second intifada's starting date may be, there is much less agreement about its closing date, or whether it has indeed ended. Among those who believe that it is behind us, some seem to think that it ended, or began to end, with the death of Arafat in November 2004, while others see its conclusion in the truce reached by Ariel Sharon and Mahmoud Abbas shortly after the latter's election in early 2005.[2] Yet without a consensus on the definition of intifada (i.e., what are its essential characteristics? popular revolt? armed struggle?), it is difficult to identify its boundaries with any precision. Thus, some analysts see no conclusive end to the second intifada, rather an evolution in its various manifestations and in the interests of its respective players.

Rather than endeavor to formulate an authoritative definition of intifada, this article attempts to identify the end of the second intifada by focusing on the incidence of suicide bombings, arguably the most important element of second intifada-related violence. As noted elsewhere in this volume, suicide bombings are of particular interest because of the central and emblematic role they played during the first five years of this specific uprising.[3] Unlike its predecessor, the second intifada is (or was, depending on one's point of view) characterized by

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frequent and widespread terrorist violence, both within Israel proper and in the West Bank and Gaza. Suicide bombings, almost all of which took place in the first half of the decade, caused more fatalities than any other terrorist tactic in the 2000–2009 period, accounting for 43 percent of the total.[4] They enjoyed (and continue to enjoy) considerable Palestinian public approval,[5] and were the focus of Palestinian terrorist groups competing for public support.[6] The frequent occurrence of suicide bombings in cities throughout Israel played a significant role in establishing and maintaining the urgency of the second intifada between 2000 and 2005; this was not a "territories" problem or one that affected only soldiers or settlers. For most Israelis, the day-to-day concerns of intifada-related violence waned and essentially ceased when suicide bombings did the same. Other Palestinian violence, particularly rocket attacks of limited range and effectiveness, has had far less impact on life, economics, and politics in Israel.

Why and When Did the Bombings Stop?

Multiple factors have influenced the use and non-use of the suicide bombing tactic among Palestinian terrorist groups. The decision making behind such attacks and the ability to carry them out defy simple explanations. Rather, political (internal and external) and operational factors interact to render such attacks more or less likely and more or less likely to succeed.

Three turning points in the decline of suicide bombings during the second intifada are noteworthy, each coming in response to different operational and/or political developments. The first came in March 2002: after 30 people were killed by a suicide bomber at a Passover meal at the Park Hotel in Netanya (the second intifada's 53rd suicide bombing, according to Israel Foreign Ministry statistics), the Israel Defense Forces launched Operation Defensive Shield. The operation included the re-entry of Israeli forces into the major cities of the West Bank (Bethlehem, Jenin, Nablus, Qalqilya, and Ramallah), which had been under Palestinian civil and security control since the Oslo accords and follow-on negotiations during the 1990s. The operation resulted in the death or capture of numerous terrorists and terrorist suspects and the discovery of 23 explosives workshops.[7]

The effects of Operation Defensive Shield, like other factors influencing the development of the second intifada, are difficult to isolate and appear to have unfolded over time. Ten suicide bombings took place while the operation was ongoing, perhaps in an attempt to demonstrate its ineffectiveness in preventing such attacks as well as to exhibit the continued potency of the groups under attack. Indeed, more suicide bombings took place during the month after the Park Hotel attack than had taken place in the preceding month. The following month saw seven attacks, six of them coming within nine days (May 19-27). The rest of 2002 saw a significant decline in attacks. While suicide bombings peaked at 53 in 2002, about two-thirds (36) of those attacks occurred in the first half of the year.

It appears that Operation Defensive Shield contributed to the decline in suicide bombings both directly and indirectly. The arrest and death of terrorist operatives and the disruption of terrorist group infrastructures caused by the operation are likely to have made carrying out suicide bombings more difficult over time. Moreover, the redeployment of the IDF in and around the West Bank's major cities allowed for greater opportunities to develop and exploit intelligence to disrupt terrorist attacks before they were carried out (Israeli targeted killings reportedly also peaked in 2002 at 78).[8] The desire to avoid a repeated head-to-head confrontation with the IDF, particularly as exemplified by the comprehensive operations in Jenin, may have served to deter some terrorist activity as well.

Though it is impossible to gauge accurately the influence of the various factors independently, the statistical trend at the time is noteworthy. The number of suicide bombings fell by 50 percent from 2002 (53) to 2003 (26).[9]

In 2004, a second milestone led to a further drop of more than half (to 12 bombings). The year was characterized by more frequent IDF operations in the West Bank and Gaza, including the targeted killing of Hamas leaders Ahmad Yassin and Abdel Aziz al-Rantisi, and, probably more significantly, the completion of substantial sections of the separation barrier between Israel and the West Bank. Given that Gaza has been effectively fenced off since 1994 (the same year suicide bombings first appeared in Israel, and a year after the first such attack in the West Bank), most Palestinian suicide bombers have launched their operations from

the West Bank. Though the West Bank barrier has been controversial because of the de facto demarcation it created, its effectiveness in making it more difficult for bombers to reach their targets appears beyond dispute; even Hamas and Palestinian Islamic Jihad leaders have said as much.[10]

The third milestone is actually a collection of Israeli and Palestinian political decisions made or carried out in or around 2005, when the number of successful suicide bombings fell to eight, and the number of attempted (but prevented) suicide attacks fell by 71 percent, from 159 to 46.[11] In 2005, Hamas escalated its non-violent, institutionalized political activity, which may have substituted for its terrorist activity. Specifically, Hamas participated − and fared well − in municipal elections that year, and though it abstained from the February presidential elections, it decided to join the legislative elections scheduled for January 2006.

While in 2005 Hamas saw in Fatah a political rival, the violent schism between the two groups and their respective territories was still two years away. Hamas' increasing inclination at the time to participate in organized Palestinian national politics appears to have led at least part of the group's leadership to recognize the need to moderate its relationship with the Fatah-led Palestinian Authority and even to announce that it would abide by the Sharon-Abbas truce signed in February 2005. Considering the bad blood between the two Palestinian factions since then, it is striking that in justifying Hamas' intended adherence to the truce, Mahmoud al-Zahar claimed at the time that if Israel would "continue the quiet, then we [Hamas] are going to continue, *because we are committed to Abu Mazen*."[12]

2005 was also the year Israel unilaterally disengaged from Gaza, a step announced by Ariel Sharon in December 2003. It is likely that part of the reduction in attacks in 2004, and especially in 2005, can be explained by the Palestinian groups' desire not to provide Israel any reason to delay its withdrawal or to change its mind.

In addition to the three identifiable milestones described above, throughout the period under review Israel engaged in an intensive campaign of targeted killings intended to disrupt terrorist operations, dismember terrorist organizations, and distract terrorist personnel. Though controversial and ultimately subject to restrictions handed down by the Israeli Supreme Court in 2006, targeted killings took a significant

toll on Hamas' middle management and thereby impeded the group's ability to act.[13]

Though this article has presented various milestones and other considerations individually in the order they developed, their effects were, and continue to be, cumulative. By 2005, Hamas was faced with increased IDF and General Security Service activity in the West Bank, a largely effective separation barrier, a desire to limit the threat posed by targeted killings to life and limb of middle and senior level personnel, an inclination to become more active in the official Palestinian political arena, and a desire to not delay the IDF's forthcoming exit from Gaza. The dramatic reduction in the number of successful and attempted attacks, therefore, reflects a mix of Israeli efforts to limit the group's capability and the creation of internal and external incentives not to attack. In short, Hamas suicide bombings declined because carrying them out was difficult and because it was in the group's interest not to do so. Other groups acted differently, based on their particular circumstances, objectives, and considerations.

It should be noted that the numerous, mostly American, efforts to arrive at a ceasefire, especially during the early years of the second intifada, failed to deliver. This is not to say that external mediation is necessarily doomed to failure. At the end of the day, Hamas and other terrorist groups act according to their interests. Mediation and negotiation will only work when they create disincentives to the use of terror, as was the case in 2005 and arguably since then as well.

In the years since 2005, the number of attempted attacks has fluctuated, but has not returned to 2004 levels. At the same time, the number of successful attacks has continued to drop, to six in 2006, one in both 2007 and 2008, and zero in 2009. One can argue whether the second intifada ended in 2005, but the widespread suicide bombings associated with it clearly did.

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Different Groups, Different Interests

The aggregate numbers of attacks do not tell the full story, however. In terms of suicide bombings, Hamas has largely held its fire since 2005. According to the Israel Ministry of Foreign Affairs, Hamas has

not claimed responsibility for a single suicide bombing since August of that year.[14] This, perhaps more than anything else, suggests that Hamas' leadership made a strategic decision to move away from suicide bombings. Palestinian Islamic Jihad (PIJ), alone or in cooperation with al-Aqsa Martyrs Brigades, has claimed responsibility for almost all of the eight suicide bombings that have taken place since then.

It is telling that even these attacks appear to be considered "post-second-intifada," insofar as al-Aqsa Martyrs Brigades and other Fatah officials threatened to launch a third intifada already in 2005.[15] It is unlikely that they would make such a threat if they thought the second intifada were still in progress. Put simply, in both word and deed there seems to be a measure of agreement, at least between Hamas and Fatah, that the second intifada ended in 2005.

The disparity in PIJ and Hamas activity can be interpreted in a number of ways. The two groups differ significantly. PIJ has always been smaller, more extreme in its positions, less subject to public pressure (in part because of its limited political aspirations), and closer to Iran. Its calculations regarding when and when not to attack, therefore, differ as well. It is also possible that Hamas sees in PIJ a proxy, allowing for occasional strikes at Israel, but without the burden (and potential benefits) of claiming responsibility. For its part, Israel has tried to limit this possibility by holding Hamas in word and in deed responsible for any terrorist activity originating in Gaza. This approach has borne some fruit in recent years, as Hamas has acted to limit rocket launching from Gaza by PIJ and other groups.[16]

Given that the increase in rocket attacks from Gaza corresponded with the decline in suicide bombings (and attempted bombings) in 2005, it is perhaps tempting to argue that the second intifada went through a metamorphosis, but is nonetheless ongoing. The emphasis on rockets does represent a tactical evolution, necessitated by the difficulties encountered in carrying out suicide bombings, much as suicide bombings were to some extent driven by earlier successful measures taken against planted explosives. Obviously this evolution away from suicide bombing is of little comfort to residents of Sderot and other communities within rocket range. Nevertheless, in terms of their effect on life in Israel − and throughout Israel − the rocket attacks from Gaza pale in comparison with the suicide attacks of 2000-2005. At least so far, these tactics differ

qualitatively to such an extent (and regressively, in terms of their potency) that it is difficult to consider one a continuation of the other. The idea that even the thousands of rockets fired to date constitute an extension of the second intifada is unconvincing.

Conclusion

Israel was largely successful in putting a stop to the second intifada's deadliest tactic, and it is significant that Hamas has not claimed responsibility for a suicide bombing in over five years. Nevertheless, the underlying conflict persists and Hamas, PIJ, and other groups remain diplomatically marginalized and opposed to a peace agreement with Israel. There is little reason to believe that suicide bombings are no longer a threat or that the tactical evolution that led to rocket attacks has ceased. Though there were no successful suicide bombings in 2009, three dozen attempted attacks were prevented. The performance of the Israeli security services is remarkable, but it is probably unreasonable to expect a 100 percent success rate preventing such attacks moving forward. At the same time, Hamas and other groups continue to invest in acquiring rockets of increasing range, threatening to put Israel's major cities back in harm's way.

Suicide bombings undoubtedly were an effective terrorist tactic and a symbol of the second intifada, but they are hardly essential for a third. A new uprising could be marked by widespread rocket attacks, a currently unanticipated form of violence, or as some have suggested, by pervasive non-violent forms of protest.[17]

Notes

1 Giora Eiland, "The IDF in the Second Intifada," *Strategic Assessment* 13, no. 3 (2010): 27-37.

2 Jerusalem Media and Communication Centre, "Second Intifada," http://www.jmcc.org/fastfactspag.aspx?tname=88; Sever Plocker, "2nd Intifada Forgotten," *ynetnews*, June 22, 2008, http://www.ynetnews.com/articles/0,7340,L-3558676,00.html.

3 Yoram Schweitzer, "The Rise and Fall of Suicide Attacks in the Second Intifada," *Strategic Assessment* 13, no. 3 (2010): 39-48.

4 General Security Service, "Analysis of Attacks in the Last Decade," n.d., http://www.shabak.gov.il/SiteCollectionImages/Hebrew/TerrorInfo/decade/DecadeSummary_he.pdf, p. 3.

5 See, for example, Jerusalem Media and Communication Centre, "Poll No. 39 Part I, December 2000 - On Palestinian Attitudes Towards Politics including the Current Intifada," http://www.jmcc.org/Documentsandmaps.aspx?id=460; Pew Global Attitudes Project, "Palestinian Territories: Support for Suicide Bombing," http://pewglobal.org/database/?indicator=19&country=168.

6 Anat N. Kurz, *Palestinian Uprisings: War with Israel, War at Home* (Tel Aviv: Institute for National Security Studies, 2009), p. 58.

7 "Operation Defensive Shield (2002)," *ynetnews*, March 12, 2009, http://www.ynetnews.com/articles/0,7340,L-3685678,00.html.

8 The Palestinian Human Rights Monitoring Group, cited in Hillel Frisch, *Motivation or Capabilities?: Israeli Counterterrorism against Palestinian Suicide Bombings and Violence*, Mideast Security And Policy Studies no. 70 (Ramat Gan, Israel: The Begin-Sadat Center for Strategic Studies, 2006), p. 15.

9 General Security Service data on attacks prevented is available from 2004.

10 Intelligence and Terrorism Information Center, "The Leader of the Palestinian Islamic Jihad again Admits that the Israeli Security Fence Built by Israel in Judea and Samaria Prevents the Terrorist Organizations from Reaching the Heart of Israel to Carry Out Suicide Bombing Attacks," March 26, 2008, http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/ct_250308e.htm.

11 General Security Service, "Analysis of Attacks in the Last Decade," n.d., http://www.shabak.gov.il/SiteCollectionImages/Hebrew/TerrorInfo/decade/DecadeSummary_he.pdf, p. 2.

12 Other Hamas officials rejected the ceasefire. Molly Moore, "Palestinian, Israeli Leaders Pledge to End Attacks," *Washington Post*, February 9, 2005. Emphasis added.

13 Daniel Byman, "Do Targeted Killings Work?" *Foreign Affairs* (March/April 2006): 103.

14 Israel Ministry of Foreign Affairs, "Suicide and Other Bombing Attacks in Israel since the Declaration of Principles (Sept 1993)," http://www.mfa.gov.il/MFA/Terrorism-+Obstacle+to+Peace/Palestinian+terror+since+2000/Suicide+and+Other+Bombing+Attacks+in+Israel+Since.htm. The annual numbers of attacks provided by the Ministry of Foreign Affairs and the GSS differ slightly, though the trends they indicate do not.

15 Ali Waked, "Third Intifada almost Here," *ynetnews*, September 28, 2005, http://www.ynetnews.com/articles/0,7340,L-3148681,00.html.

16 "Hamas 'Working to Curb Gaza Rocket Attacks,'" BBC, April 2, 2010, http://news.bbc.co.uk/2/hi/8601171.stm.

17 Shaul Mishal and Doron Mazza, "Preempting a 'White Intifada,'" *Haaretz*, February 22, 2010.

The Second Intifada and Israeli Public Opinion

Yehuda Ben Meir and Olena Bagno-Moldavsky

The second intifada was undoubtedly one of the most important security events in the State of Israel in the past decade, and it is reasonable to assume that the intifada had no small influence on Israeli public opinion on national security issues. There are, however, three major questions in this regard. First, is it possible to identify any pattern in the influence of the intifada on public opinion? Second, if the answer to the first question is in the affirmative, what was the direction of the influence and what changes in public opinion occurred in the wake of the intifada? Third, were the changes short lived and reversible, or were they long term changes that have left their mark to this day?

It is generally agreed that the violence that launched the second intifada erupted in late September 2000, but there is no agreed-upon date for the end of the uprising. The height of the intifada was in March 2002; following Operation Defensive Shield in March–April 2002, the violence declined slowly over the subsequent years. This article considers a period of five years, from 2001 to 2005, to be the period of the intifada, with 2002 as its peak.

As part of the National Security and Public Opinion Project (NSPOP) conducted at the Institute for National Security Studies since 1985, public opinion polls were carried out on a representative sampling of the adult Jewish population in Israel in each of the years of the intifada (2001–2005), as well as in prior years (1998, 1999, 2000) and succeeding years (2006, 2007, and 2009). This series of studies provides a good picture of the intifada's influence on public opinion in Israel.

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That said, public opinion is nonetheless a highly complex and multi-faceted phenomenon. For example, there is a large difference between guiding political values (e.g., the State of Israel as a Jewish state, Greater Israel) that reflect one's central beliefs and are relatively impervious to change, and positions and opinions on concrete issues under discussion (e.g., a Palestinian state, land for peace, willingness to remove settlements as part of a permanent agreement). While characterized by a certain amount of stability, positions such as these are more subject to change as a result of significant external events and developments that by their very nature are fluid and dynamic. Examples of these positions are assessments of the national and individual moods, threat perception, and the perception of the arena's other actors.

Considering the severity of the events of the second intifada, especially during its most intense years, i.e., from the second half of 2001 through the first half of 2003 – in terms of losses to society and the central place it filled in public discourse in those years – there is reason to presume that the intifada had a far reaching and lasting impact on public opinion in Israel. However, the data indicates that the influence of the intifada on the Jewish public's positions on the main issues of national security was rather complex and far from unequivocal. Furthermore, to the extent that the events of the intifada had any real influence on public opinion, in most cases it was reversible, and to a large degree it waned as the intifada's violence ebbed.

Values

The intifada had a limited, short lived influence on the values of Israeli Jews. From the beginning of the public opinion project, respondents have been asked to rank the relative importance of four basic values: "a state with a Jewish majority"; "Greater Israel"; "a democratic state"; and "a state of peace." Figure 1, which summarizes the results for the years 1998–2009, shows that the results from 2009 are very similar to those from 1998 – eleven years later, after the intifada and the events of 2006–2009 (including the Second Lebanon War, the disappointment with the unilateral disengagement from Gaza, the Hamas takeover of Gaza, Gaza's transformation into a terror base against Israel, and Operation Cast Lead). If the intifada had an influence, it was mainly in the direction of strengthening the dominance of the demographic consideration. In

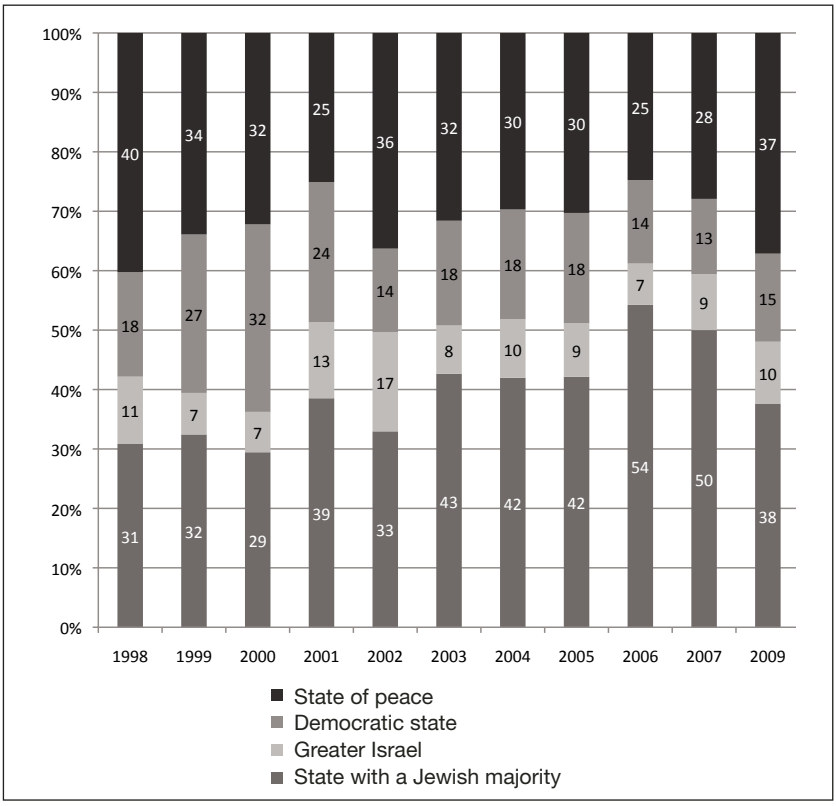

Figure 1. Most important value, 1998–2009

the years prior to the intifada, as well as in 2002, the most important value was "a state of peace," while starting in 2003, "a state with a Jewish majority" was ranked as the most important value. The importance of this value grew until 2006, with more than half of the Israeli Jewish public ranking it as the leading value. The demographic issue was a central rationale for the unilateral withdrawal from Gaza, and to a large extent was the basis of the Kadima party platform in the 2006 elections. It is reasonable to assume that the increase in the importance of the demographic consideration is the result of a number of events, with the intifada among them.

In two peak years of the intifada, 2001 and 2002, a certain increase was evident in the importance attributed to the value of "Greater Israel."

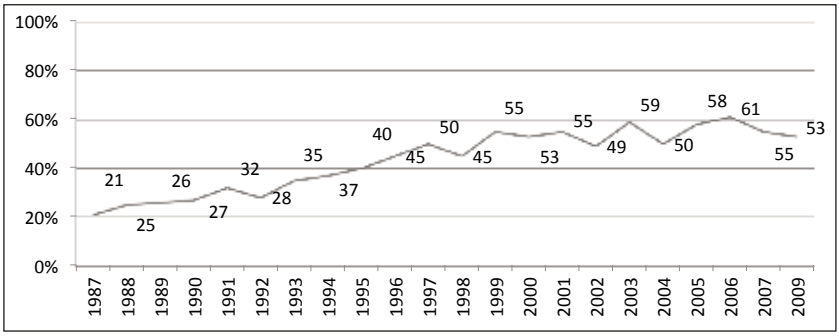

Figure 2. Support for the establishment of a Palestinian state, 1987–2009

However, except for those two years, the percentage of respondents ranking this value as the most important ranged from 7 to 11 percent. With the exception of 2002, it was always ranked as the least important of the four values. There is perhaps a certain influence of the intifada in the decline in the importance of "a democratic state," which was defined as "equal political rights for all." In 1999, 27 percent ranked it as the most important value, and in 2000, this value became the most important one for 32 percent, that is, for about a third of the Jewish population. However, starting in 2002, there was a clear decline in the importance of this value, and it ranged from 14 to 18 percent. At the height of the intifada (2002) it was even ranked as the least important value. This perhaps reflects the strengthening of negative feelings toward Arabs, including Israeli Arabs, as a result of the intifada. Additional results that will be presented below reinforce this hypothesis. After many fluctuations reflecting the events of the decade, in 2009 the picture resembled the 1999 configuration, that is, it showed relative parity between the value of a Jewish majority and the value of peace.

Political Positions

One main finding indicates that the intifada had a rather limited influence on the public's political positions. For twenty years, respondents were asked if they would support or oppose the establishment of a Palestinian state in the West Bank and Gaza as part of a permanent agreement. Figure 2 shows that support for the establishment of a Palestinian state grew from 21 percent in 1987 to 61 percent in 2006 (with 55 percent in

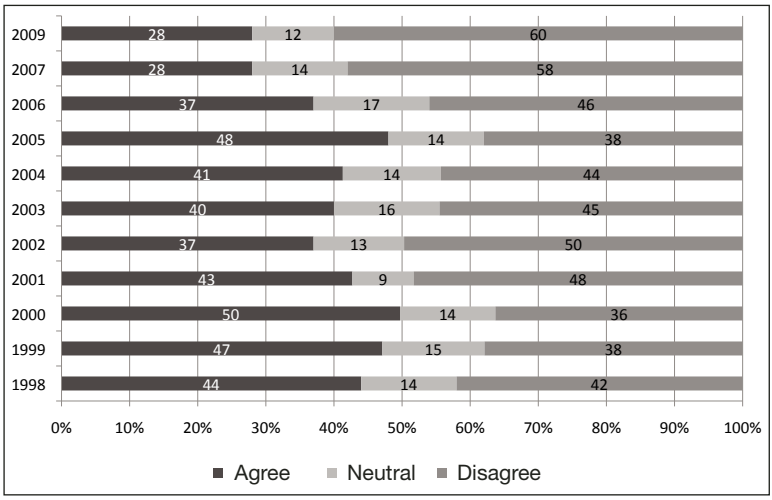

Figure 3. Support for the principle of "land for peace," 1998–2009

2007 and 53 percent in 2009). From 1999 to 2009, the level of support ranged from 50 percent to 60 percent, with fluctuations in one direction or another, including during the years of the intifada. It is true that in 2002, support decreased to 49 percent, but by 2003 (still the height of the intifada), it rose to 59 percent. In 2004 it again dropped to 50 percent, but in 2005 it rose to 58 percent, and in 2006 it reached a new height of 61 percent. It is thus difficult to detect a real influence of the events of the intifada on the willingness of the Jewish public in Israel to support the establishment of a Palestinian state in the framework of a permanent agreement that signals an end to the conflict. The decline in support for a Palestinian state in 2007 and 2009 is not connected to the intifada, but to the events of 2006–2009. In the 2009 survey, conducted before Prime Minister Netanyahu's June 2009 speech at Bar-Ilan University, 64 percent of the public supported a solution of "two states for two peoples."

Another possible parameter as to the influence of the intifada on political positions concerns the principle of "land for peace." Reseondents were asked to indicate on a scale of 1–7 their agreement with the proposition, "Territories should be returned in exchange for peace."

On this question, in fact, the intifada had a clear influence (figure 3). In 2000, 50 percent agreed with this principle, and only 36 percent

expressed lack of agreement. The longer the intifada lasted, the more the idea of "land for peace" lost its popularity, and only two years later, in 2002, there was a reversal of the trend: only 37 percent agreed, while 50 percent disagreed. Nevertheless, this influence was clearly subject to change, as after 2002, once the intifada began to wane, support for this principle rose again. In 2005, the numbers returned to the level of 2000, with 48 percent agreeing and 38 percent expressing disagreement. The dramatic decline in the idea of land for peace from 2006 to 2009 is not connected with the intifada; rather, it reflects the influence of the events of those years, which caused a great many Israelis to have serious doubts about the benefit of withdrawing from territories (as occurred in southern Lebanon and Gaza). The 2006 decline in support for the principle of land for peace, which also constitutes a change in direction from 2005 (a majority opposed, instead of a majority in favor), reflects the initial disappointment over the withdrawal from Gaza, especially the Hamas victory in the elections and the continuation of terrorism from Gaza. The continued decline in 2007 and 2009 resulted from the Second Lebanon War, the increase in terrorism from Gaza, and Operation Cast Lead.

The response to the events of 2006–2009 also accounts for the large gap between the position on land for peace and the support for a Palestinian state (whose establishment involves Israeli withdrawal from the territories). This disparity demonstrates the complexity of Israeli public opinion, the importance of the exact wording of each question, and the fact that certain expressions have specific connotations for the Israeli public. The large majority of the Jewish public was disappointed by the results of the unilateral withdrawals from Lebanon and Gaza, and therefore the idea of land for peace lost its credibility. The public has ceased to believe that withdrawal from the territories in and of itself will bring peace. Nevertheless, the public is aware of the demographic problem and the need to find a solution, even if it is very pessimistic about the prospects of achieving such a solution. Thus in the interest of separating from the Palestinians, the majority is willing to support the establishment of a Palestinian state in the context of a permanent agreement.

A related question concerns the removal of settlements as part of a permanent agreement. Figure 4 reveals that while the public's positions on this issue have changed over the decade, the influence of the intifada

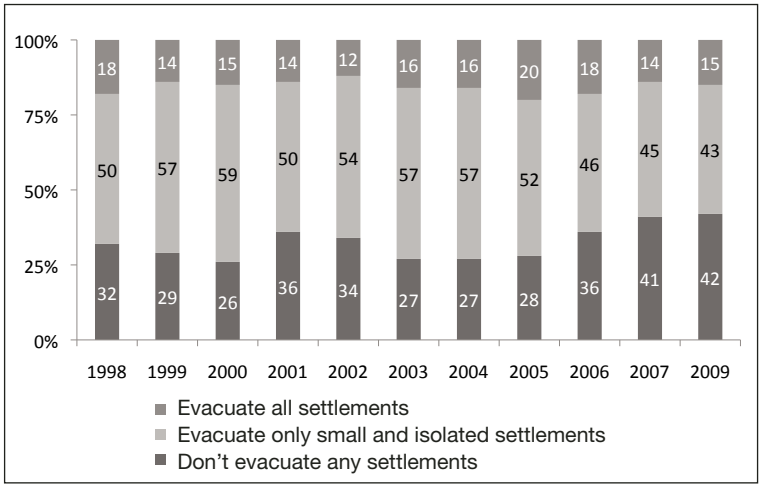

Figure 4. Support for removing settlements as part of a permanent agreement, 1998-2009

was rather limited. Although at the height of the intifada (2001 and 2002) the portion of the public that was not prepared to remove settlements under any conditions increased (by about 10 percent), from 2003 to 2005 the situation reverted to the level of the pre-intifada years. The rise from 2006 to 2009 in the percentage of people opposing any removal of settlements is apparently a result of the withdrawal from Gaza in 2005 and the events of 2006–2009.

The Perception of the Other

An important dimension in public opinion, especially regarding the Israeli–Palestinian conflict, includes the perceptions, impressions, and assumptions about the intentions and aspirations of the other side. Here too the intifada had a significant though not irreversible influence. Respondents were asked to what extent they thought "most Palestinians want peace." Figure 5 juxtaposes the results for 1998–2009 with the support for the establishment of a Palestinian state in the territories in the framework of a permanent agreement (as shown in figure 2).

The findings indicate that support for a Palestinian state rises and falls, but in the entire period, there is a great deal of stability, with support ranging from 50 to 60 percent. The picture changes regarding Israelis' perception of the Palestinians' desire for peace. In 1999, 63 percent –

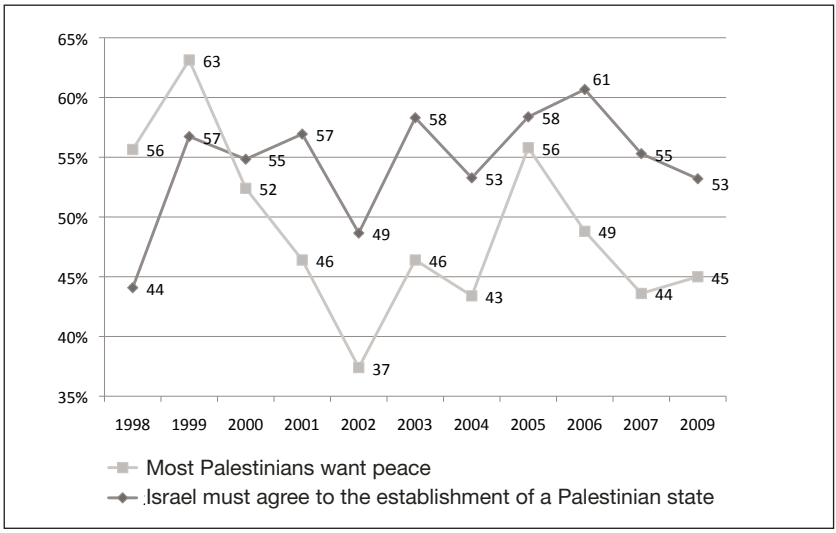

Figure 5. Support for a Palestinian state and percent who think that most Palestinians want peace, 1998–2009

almost two-thirds of the Jewish public – believed that "most Palestinians want peace." Three years later, the percentage who believed this fell by almost half to 37 percent, slightly over one-third. Yet while the influence was dramatic, it was far from permanent. By 2005, the last year of the intifada, the percentage of those who believed that most Palestinians want peace returned to its level of 1998, 56 percent, although this was still significantly lower than the 1999 peak. The decline from 2006 to 2009, like other statistics, is apparently connected to the events of those years.

A similar trend is seen on the question of Arab intentions and aspirations (the question stipulated Arabs in general, not "Palestinians"). Respondents were given four possibilities: recovering part of the territories conquered in 1967, recovering all the territories, occupying the State of Israel, and occupying the country and destroying a significant portion of Israel's Jewish population. Figure 6 shows the results for the years 1998–2009.

For the sake of this analysis, the first two possibilities are seen as legitimate Arab aspirations, and the other two possibilities are considered illegitimate and highly negative. From 1998 to 2000, the public was more or less divided in its view of the Arabs' aspirations. In 2000, 47 percent perceived these aspirations as less negative, while 54 percent perceived

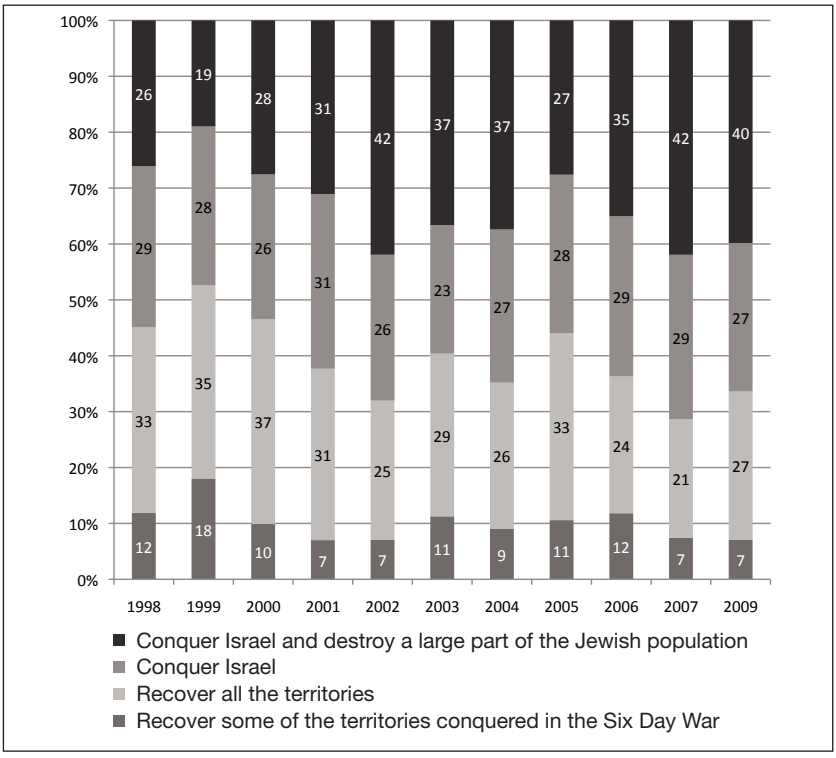

Figure 6. Ultimate Arab aspirations, 1998–2009

them as very negative. In 2002, only one-third (32 percent) considered them less negative, versus two-thirds (68 percent) who believed that the Arabs' aspirations were at least the destruction of the State of Israel. However, even on this question the influence appears to some extent reversible: in 2005, the numbers were almost exactly those of 1998.

National Mood and Threat Perception

Taken together, respondents' subjective assessments of the country's national security are an indication of the collective national mood, and the assessments of their personal state are an indication of the individual mood. Presumably the national mood and the individual's mood would be highly influenced by events such as the intifada. Respondents were asked to rank their perception of the state of Israel's national security on a scale of 1–9: at the time of the study; five years prior to the study; and

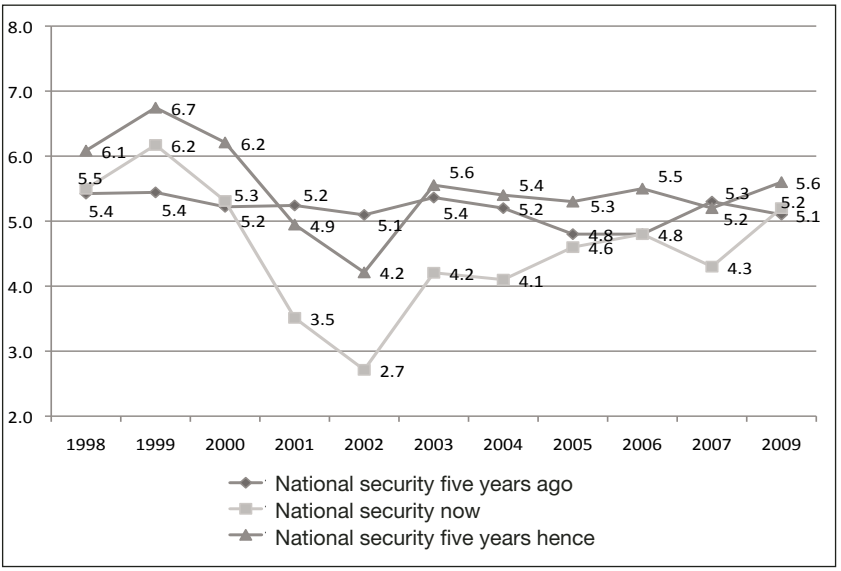

Figure 7. National mood: perception of Israel's national security 1998–2009

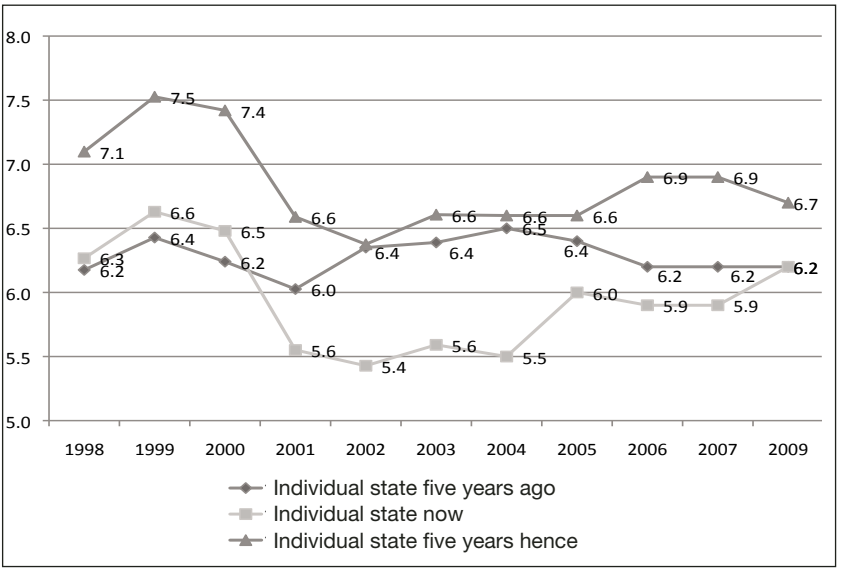

Figure 8. Individual mood, 1998–2009

five years hence. They were also asked to rank their individual state on a similar scale at similar times. The results are displayed in figures 7 and 8.

As expected, the results reflect the strength of the intifada's influence on public opinion for the short term, especially concerning the assessment of the country's national security. The sharp decline in the assessment of Israel's national security over the course of three years (from 6.2 in 1999 to 2.7 in 2002) indicates that in real time, the Jewish public saw the intifada as a very serious security event. The nadir of 2002 was unprecedented, and to this day the assessment of Israel's situation has not yet returned to the high point of 1999. True, there was an impressive recovery in the national mood from 2002 to 2009, especially in 2009 (apparently as a result of Operation Cast Lead), but it is still one full point below the 1999 level.

The picture regarding personal mood is similar, although less dramatic, which indicates that on the individual level, the influence of the intifada was limited, even in real time. The decline from 1999 to 2002 is only 1.2 points, and the result for 2009 is close to that of 1999. In general, there is a significant gap between the assessment of the country's mood and the individual's assessment of his/her own situation. This gap is a known phenomenon that recurs in many studies, including in other countries. People's perceptions of the general situation in their country or society tend to be more negative than the assessments of their own situation.

The intifada influenced not only mood, but also – and perhaps even more so – the public's level of optimism concerning the future. This phenomenon was seen on both the national level and the personal level. In 1999, the Jewish public expressed a great deal of optimism concerning the future of the country (6.7), and even more so concerning their personal future (7.5). One decade later, the levels of optimism are still significantly lower than at their peak (5.6 and 6.7, respectively). Nevertheless, the noticeable improvement that has occurred since 2002, and especially in 2009, indicates a high level of national resilience.

The intifada's influence on threat perception was also examined. Respondents were asked about the chances that war would break out in the next three years, and starting in 2005, they were also asked about the chances of a new wave of terrorism in the next three years. As shown in figure 9, in 1999 less than half of the public (45 percent) feared that there

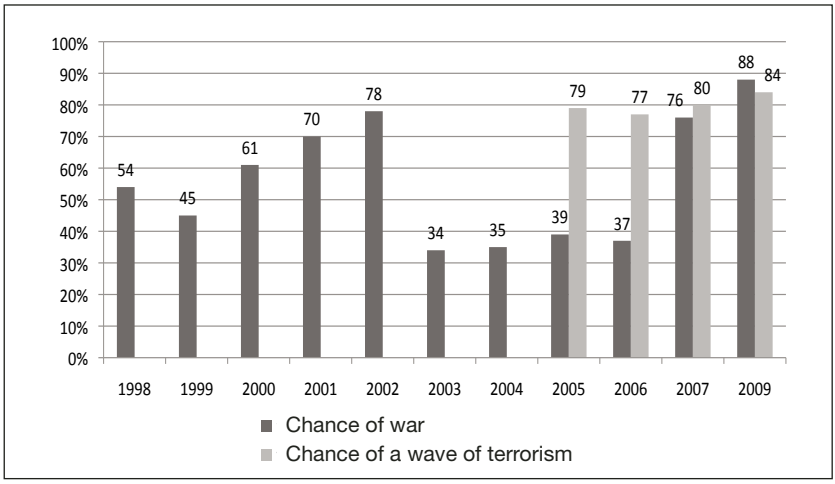

Figure 9. Chances for war or wave of terrorism in the next three years, 1998–2009

would be a war in the coming years. Three years later, in the peak year of the intifada, over three-quarters of the public (78 percent) believed that there was a high probability of war in the near future. Nevertheless, here too the influence was reversible. The clearer it became that Israel was overcoming the intifada, the more the fear of war declined. From 2003 to 2006, only one-third of the Jewish public had this fear. The Second Lebanon War and Operation Cast Lead greatly sharpened the fear of another war among the Jewish public "in the north or the south," and today, almost everyone (88 percent) shares this concern.

The picture is different regarding the danger of terrorism. Here, no recovery from the trauma of the intifada is evident. True, there is no point for comparison (since the question was not asked before the intifada), but the data indicates that at least starting in 2005, the Israeli public's level of anxiety about the renewal of terrorism has been very high, with some 80 percent of the public harboring this fear.

Conclusion

Any conclusions drawn from this analysis must be predicated on two caveats. First, as in any non-experimental study, the existence of a connection does not necessarily indicate causality. It can be assumed that the changes in public opinion during the years of the intifada are

connected to some extent to the events of the intifada, especially in light of the centrality of these events for the population in Israel. Nevertheless, there were also undoubtedly other factors coming into play at the same time that had an influence on public opinion. Public opinion is thus a combined result of a complex set of factors.

Second, in a democratic state, decision makers are influenced by and attentive to public opinion. Nevertheless, here too the connection is not unidirectional. The positions of the leaders have a notable influence on forming the public's positions, and in certain circumstances leaders may act against the public opinion prevailing at the time.

The al-Aqsa intifada caused changes in Israeli public opinion while it was underway, but the large majority of these changes were temporary. Security events that occurred afterwards, including the Second Lebanon War and Operation Cast Lead, also blurred the influence of the intifada to a great extent. Overall, the data indicates that it is not possible to identify a consistent and irreversible influence of the intifada on public opinion. The events of the intifada significantly reduced the feeling of security among the Israeli public, although as the intifada waned, the sense of security, the general societal mood, and people's personal mood improved. At the same time, the position regarding the lack of good will from the Arab side (both the Palestinians and the Arab states) was strengthened.

Overall, then, most of the fluctuations in public opinion that occurred as a result of the intifada were short term. The al-Aqsa intifada thus entailed severe events that stirred up public opinion at the time, but their influence on most of the positions and political values was relatively reversible and short lived.

The Disengagement Plan: Vision and Reality

Zaki Shalom

Behind the Disengagement Plan

A plan to withdraw from the Gaza Strip, which was drafted and implemented during Arik Sharon's tenure as prime minister, included withdrawing IDF forces from the Strip, evacuating the entire Jewish presence in the Katif bloc, and dismantling four settlements in Judea and Samaria: Ganim, Kadim, Sa-Nur, and Homesh. Once publicized, the plan shocked the Israeli public. The notion of withdrawing the IDF from the Gaza Strip had long been debated, and many felt that Israeli settlements there were an exercise in futility. Three basic claims underpinned this idea. One, Gaza is of no religious or historical significance to the Jewish people. Two, the Jewish settlements in the Gaza Strip would always remain a demographically marginal and geographically isolated enclave in the heart of the most densely populated Palestinian region. Three, in terms of security, Israeli settlement activity in the Gaza Strip is of little importance.[1]

However, these opinions were never translated into a concrete political plan. Moreover, all the Israeli governments, both right and left wing, invested tremendous resources into Israeli settlement in the Gaza Strip up until the moment the disengagement plan was decided upon. It was difficult to believe that of all people, Sharon, the individual who more than anyone symbolized the Israeli settlement enterprise in Judea, Samaria, and the Gaza Strip, would destine the entire Gaza Strip project

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to destruction. Only a few months beforehand he had stressed, "What goes for Tel Aviv goes for Netzarim" (a Jewish settlement in the Gaza Strip). In his speech before the Knesset about the disengagement, he expressed his personal anguish over implementation of the plan:

> For me, this decision is unbearably difficult. During my years as a fighter and commander, as a politician, Member of Knesset, as a minister in Israel's governments and as Prime Minister, I have never faced so difficult a decision. I know the implications and impact of the Knesset's decision on the lives of thousands of Israelis who have lived in the Gaza Strip for many years, who were sent there on behalf of the Governments of Israel, and who built homes there, planted trees and grew flowers, and who gave birth to sons and daughters, who have not known any other home. I am well aware of the fact that I sent them and took part in this enterprise, and many of these people are my personal friends. I am well aware of their pain, rage and despair.[2]

In the annals of the State of Israel, the disengagement will be remembered as a singular event. Never before had Israel withdrawn unilaterally and removed settlers on such a scale from territory that was under its control. Because the disengagement was so dramatic and far reaching, and in order to earn as much public support as was possible for this move, government spokespeople, including the prime minister, went to great lengths to explain the exigency and justification of the plan. The fact that the plan's implementation necessitated the evacuation of thousands of Israelis from their homes, the destruction of agricultural and industrial enterprises, synagogues, schools, and cemeteries, required the government to engage in a widespread public relations campaign designed to stress the necessity of implementing the plan and its inherent advantages for the State of Israel.

More than five years later, it is clear that a significant portion of the forecasts pinned on the disengagement plan did not occur as many had expected, and in the end, almost little went as planned.

Today, more than five years later, it is clear that a significant portion of the forecasts and assessments pinned on the disengagement plan did not occur as many had expected. Although the preparations for implementing the plan were extremely thorough and the assessments about the ramifications were based on plausible forecasts, it is fair to say that in the end almost little went as planned.[3]

Indeed, according to Sharon's vision, one of the central goals of the disengagement was to make it clear to the Palestinians that the State of Israel has no desire to rule over them and that it hopes to progress as quickly as possible towards a permanent settlement on the basis of the two-state solution: "We would like you to govern yourselves in your own country. A democratic Palestinian state with territorial contiguity in Judea and Samaria and economic viability, which would conduct normal relations of tranquility, security and peace with Israel."[4] In practice, however, instead of progressing towards a permanent solution on the basis of two states for two peoples, the disengagement and subsequent events generated a series of political, security-related, and emotional obstacles to a permanent Israeli-Palestinian settlement. In addition to the events that were direct results of the disengagement, the region was host to other events and moves that presented more obstacles on the road to a permanent Israeli-Palestinian agreement. This essay examines the formulation and the expectations of the disengagement plan. In addition, the essay attempts to examine the ramifications of both the disengagement's direct results and indirectly linked events for the vision of an Israeli-Palestinian peace agreement.

The Disengagement Plan: Explicit and Implicit Aims

Despite contradictory statements about the objectives of the disengagement plan, at its core the plan was meant to be the first stage on the path to determining the permanent borders of the State of Israel, a decisive step on the road to a comprehensive Israeli–Palestinian arrangement. As a neighbor to Israel, a Palestinian state was supposed to be established at some point, according to the vision of the two-state solution adopted by Israeli governments and the international community as a whole since the Oslo accords. The assessment was that such a move would make it clear to the Israeli population, the Palestinian Authority, and the world at large that Israel's leadership is determined to end the absurd reality, extant since the Six Day War, whereby Israel is a state without permanent, agreed-upon borders. Israel, so it was claimed,

> The victory over the terrorist organizations reduces the motivation of both the public and Israel's leadership to choose the road of a political settlement, which would necessarily come with far reaching concessions.

must determine borders that can ensure the future of its identity as a Jewish and democratic state.[5]

Statements made by individuals who were linked to the disengagement initiative and its implementation indicate that the plan was designed fundamentally to undermine the longstanding, almost mystical belief among both left and right wing circles and within the national leadership that Jewish settlement in the territories had created irreversible facts on the territorial and political levels. If that were so, the room Israeli governments − right or left wing − had for maneuvering in terms of advancing an Israeli-Palestinian settlement would be very limited. The assumption was that an Israeli-Palestinian agreement would require the massive evacuation of Israeli settlements in Judea and Samaria so as to enable the establishment of a Palestinian state with reasonable territorial contiguity. Such a Palestinian state was supposed to include the Gaza Strip and most of the area of Judea and Samaria. A land corridor across the State of Israel was supposed to link the two territorial units.[6]

The message implicit in the disengagement was that when the Israeli leadership wants to evacuate settlers it knows how to prepare for such a complex task and how to execute it capably. In other words, the assessment whereby there was an irreversible reality in Judea and Samaria has no foundation. With the precedent of the disengagement and the massive evacuation of settlement residents, a cloud of uncertainty would form over every Jewish settlement east of the Green Line, and no settlement in the territories would have any insurance policy against evacuation. An Israeli government capable of evacuating a settlement area the scope of the Katif bloc would be able to carry out the evacuation of settlers on an even grander scale. It was only a question of determination and human and financial resources. At the Israel Business Convention in late 2005, Sharon said, "The disengagement plan, which I initiated and carried out, created a great window of opportunity for us and the Palestinians. Everyone understands today that Israel is sincere when it speaks of painful concessions. Moreover, everyone can see that when the State of Israel makes a commitment, it can also take very difficult steps."[7]

Thus the hidden message behind the disengagement was that were this "project" to take place in an orderly fashion, without exceptional violence and in a way that would allow the evacuees to relocate and continue leading normal lives with their socio-economic welfare ensured,

and were peace and quiet to accompany the area, the disengagement would become a model for implementation of a parallel measure in Judea and Samaria. In the context of a settlement with the Palestinians or in its absence, the permanent borders of the State of Israel could thus be determined.[8]

Furthermore, the assessment was that the implementation of the disengagement plan would make it clear that Israel's leadership as well as broad segments of Israeli society were convinced that a retreat from the territories, in and of itself, and not necessarily in the context of some recompense from the Palestinian side, was in Israel's best national interests. This was a dramatic about-face in Israel's position on territories from the approach embraced since the end of the Six Day War. Over the years the standard approach was that the territories occupied by Israel were a deposit that would be returned to the Arabs in exchange for a peace agreement.

With the disengagement, it seemed as if Israel adopted a completely different approach. The implication was that Israel was abandoning this ironclad convention and making it clear that it was likely to view withdrawal by itself as a critical Israeli interest, regardless of what it would receive in exchange from the Arab–Palestinian side. Following the disengagement, Maj. Gen. (ret.) Giora Eiland explained: "When you say that evacuating settlements is good for Israel, you can't expect to get anything in return for doing so. Condoleezza Rice told us so explicitly at one of the meetings. She said: 'Let me explain to you the meaning of a unilateral step. You take a unilateral step when that step is good for you. Therefore you cannot expect to get anything for having done yourself a favor.'"[9]

In addition, the disengagement again reaffirmed the idea that a withdrawal in the context of promoting an Arab–Israeli peace agreement necessarily means a withdrawal to the June 4, 1967 lines. This precedent was formed in the Camp David Israeli–Egyptian peace agreement, whereby Israel agreed to withdraw from all of the Sinai Peninsula. Israel's withdrawal from Lebanon in May 2000 was also an expression of the understanding that retreating from territories necessarily means a withdrawal to the 1949 armistice lines.

> There can be no real Palestinian state without the Gaza Strip, and the PA cannot represent the Gaza Strip.

In 2005 as well, the disengagement reinforced this idea. However, this notion departs from Israel's initial position following the Six Day War on the interpretation of Security Council Resolution 242. Israel maintained that Security Council Resolution 242 requires Israel's withdrawal from "occupied territories," and not "the occupied territories." In other words, in the context of a peace agreement, Israel is not obligated to withdraw to the lines of June 4, 1967. However, in practical terms, Israel's withdrawals to the June 4 lines in the Sinai, the Lebanese border, and the Gaza Strip imply an endorsement of the demand that Israel withdraw to the armistice lines as part of a peace settlement.

Finally, and perhaps most importantly, withdrawing IDF troops from the Gaza Strip, destroying the Jewish settlement there, and evacuating Israeli residents were supposed to bring about Israel's complete divestment of responsibility for the Gaza Strip and its residents. From this point onwards, so the plan's authors contended, the local residents would be their own lords and masters, choose the leadership they would desire, and bear responsibility for their actions, for better or for worse. Gaza, so it was explained, is a bottomless hole, an expanse of quicksand. Israel freed of responsibility for the Strip was a highly important strategic asset for the future development and prosperity of the State of Israel.[10]

Not a Divestment of Responsibility

In practice, these expectations were not realized. On paper, it seemed that removing IDF forces from the Strip, dismantling all Jewish settlements there, and moving the residents into the areas within the Green Line would allow a complete disengagement from the Gaza Strip and a divestment of all responsibility for it. As coined by Yitzhak Rabin and long echoed by Ehud Barak, the idea was, "We're here and they're there." The disengagement plan of April 18, 2004, stated: "The process of disengagement will serve to dispel claims regarding Israel's responsibility for the Palestinians in the Gaza Strip."[11]

Five years later, it is clear that this expectation did not materialize. Rather, "We left Gaza, but Gaza didn't leave us" is the reality. The international community sees Israel and its government as bearing full responsibility for the Gaza Strip. Much of the Israeli public and leadership also acknowledge Israel's responsibility for the Strip, notwithstanding the protestations of those who think otherwise. And despite the myriad

of proposals in this regard, it seems that Israel has no practical way in which to divest itself of the Gaza Strip anytime soon.[12]

These developments will force Israel's leadership to act with redoubled care when it comes to future agreements on the Palestinian issue. The Oslo accords too looked promising on paper. At that time, the notion that they would lead to negotiations for a permanent peace agreement between Israel and the Palestinians was prevalent. The reality, however, was very different. Violent confrontations broke out between the two sides, causing grave damage to both Israeli and Palestinian societies. The obvious conclusion is that in the Middle East planned agreements that look stable and balanced on paper, accompanied by stirring ceremonies and international fanfare, are liable – as has been proven – to produce disappointing and frustrating results that are very different from what we expect. This conclusion seems to have penetrated deeply into the present Israeli leadership and wide other political circles. It would necessarily create an obstacle on the way to a political agreement.

The Disengagement and Terrorism

The disengagement plan was spawned primarily by the intensive activity of Palestinian terrorist organizations against Israeli civilians and soldiers within the State of Israel and in Judea, Samaria, and the Gaza Strip during the intifada. However, the supporters of the disengagement enveloped the plan in layers of rhetoric to justify it on the basis of various claims. Usually terror was not mentioned as a cause for this process. Nonetheless, were it not for terrorism in the Gaza Strip in general and the Katif bloc in particular, or were calm to reign throughout the Strip, the disengagement plan would not have become a significant issue on Israel's public agenda and would certainly not have been implemented in practice. "Sharon," wrote the political analyst Ze'ev Schiff, "did not explain fully and in detail what was behind his about-face [which led to the disengagement plan]. The change took place because the wave of terrorism was unceasing despite the severe measures taken against the perpetrators." Former chief of staff Moshe Ya'alon also attributes the disengagement plan first and foremost to terrorism: "The possibility of taking a unilateral step," he says, "came up after the collapse of the ceasefire in the summer of 2003 because of shocking attacks by Hamas."[13]

Thus while terrorism was not the only reason for the disengagement and on its own was an insufficient condition, it was nonetheless an essential catalyst. Naturally, Israel in general and the security services in particular found it very difficult to admit openly that the disengagement was the result of the activity of Palestinian terrorist organizations against the State of Israel. Yet from late 2000, various terrorist elements attacked Israel's citizens and soldiers with a variety of methods, including suicide bombers, massive fire at citizens, booby-traps and car bombs, stabbings, and other physical attacks, and high trajectory fire across the borders. For a long time the IDF and other security services were at a loss in coming up with an effective response to this latter potent threat. Of particular concern were the suicide bombings. From the beginning of the second intifada until the implementation of the disengagement, more than one thousand people − civilians and security personnel − were killed. Thousands more were injured, physically and emotionally, with various degrees of severity.[14]

In addition to the large number of victims, it became clear that terrorism creates a new public agenda for Israeli society and fundamentally changes the way of life for Israel's citizens. The effect of the attacks was obvious both economically and in terms of morale. Many businesses closed down because of the dramatic drop in economic activity by Israelis, and foreign investments in Israeli projects decreased significantly. The attacks also affected the political scene in Israel. Terrorism remained a central issue in parliamentary elections as it had been for the previous two decades. The natural conclusion is that terrorism is more than a "nuisance" to the state. Rather, it is an element with far reaching internal and external strategic implications. It was certainly a factor (whose precise weight cannot be assessed) in the rise and fall of Israeli leaders during the same period.[15]

Over the years, two basic trends in dealing with terrorism emerged in Israel: one stressed the approach that a modern, democratic state based on regular army forces cannot tackle terrorist organizations successfully. From this perspective, prominent particularly in left wing circles in Israel, solving the problem of terrorism lies in a political settlement. The second trend, identified primarily with right wing circles in Israel, adopted an opposite approach, claiming that terrorist organizations, like all other organizations, operate rationally on the basis of cost versus

benefit considerations. Therefore, it is possible to deter them and even gain a decision against them.

In the years since the implementation of the disengagement and without any obvious connection to it, there has been a dramatic drop in terrorist organization activity, especially suicide bombers, within the State of Israel. Since 2007, the phenomenon has all but disappeared from the streets. This reality is contributing to a gradual change among widespread circles of the Israeli public, and entails a growing acceptance of the view that Israel succeeded in repressing the terrorist organizations and bringing about an almost total halt to their activities within their central cities, even absent a political settlement with the Palestinian Authority.

The reality of recent years allows us to determine that the terrorism phenomenon, especially suicide terrorism (as opposed to the Qassam rocket fire at Israeli population centers in the Negev), which was a central component in formulating the disengagement plan, has almost entirely faded from the scene as a significant element on Israel's agenda. Like any other victory, the victory against the terrorist organizations comes with a limited warranty, a fragile victory that in many ways is temporary. And yet it is a victory. Thus the motivation of both the public and Israel's leadership to choose the road of a political settlement, which would necessarily come with far reaching concessions, has decreased – though it is impossible to estimate exactly by how much – in light of the dramatic drop in terrorist activity. Here is an additional obstacle on the road to an Israeli–Palestinian peace agreement.

Land for Peace

Since the disengagement, in tandem with the disappearance of urban terrorism and largely as a result of it, there has been a steep rise in the phenomenon of high trajectory fire, particularly of Qassam rockets and mortar bombs, aimed at settlements in the Negev, in particular the city of Sderot. This prompted Israel to undertake Operation Cast Lead in late December 2008–early January 2009. Similar developments occurred following Israel's withdrawal from Lebanon in May 2000. The conclusion drawn by large portions of the Israeli public and many political circles is that a withdrawal by Israel to the June 4, 1967 line is no guarantee of peace and tranquility as had long been thought.

There is no doubt that these developments were contrary to the hopes of the disengagement plan's authors, although they were careful in how they expressed their expectations of the disengagement. There was no attempt to foster unrealistic expectations of enduring peace as a result of the withdrawal. Sharon, who led the initiative, made it clear that he was not expecting the total disappearance of terror after implementation of the disengagement. He was talking in a much more modest manner, and in one of his speeches he stated: "The purpose of the disengagement plan is to reduce terror as much as possible, and grant Israeli citizens the maximum level of security."[16]

However, the disappointment and frustration that accompanied the escalation of violence in the Gaza Strip and on the Lebanese border strengthened the concerns over any further retreats. No Israeli leader can assure the Israeli public that a withdrawal from territory would reduce the security threats to Israel. This point is repeatedly stressed by Prime Minister Netanyahu and other government ministers in order to explain the supreme caution that now drives Israel's positions vis-à-vis the Palestinians. This reality raises the level of the already-existing obstacles on the road to an Israeli–Palestinian settlement.

The Split in the PA

Another result of the disengagement plan was the establishment of the Hamas regime in the Gaza Strip, a significant obstacle on the road to an Israeli–Palestinian agreement. It deepened the political and territorial split, and to a great extent also the emotional and economic split between the West Bank and the Gaza Strip. This split has been – and continues to be, albeit at a lower profile – accompanied by a blood-soaked struggle whose signs and residues are still clearly visible. All attempts at reconciliation in order to foster renewed unity between the two entities have come to naught. As far as anyone call tell, this split will continue for the foreseeable future.

The first significance of the split is that the pretension of the PA, located in Ramallah, to represent the Palestinian people as a whole is without any foundation. At best, it represents its own constituency. There can be no real Palestinian state without the Gaza Strip, and the PA cannot represent the Gaza Strip.

There are more than a few circles within the Israeli national leadership that view this split as a highly important strategic asset to the State of Israel. In their estimate, the split helps to foil the chance for the establishment of a Palestinian state that would of necessity cut through Israel's width by means of a land corridor and perhaps even by an aerial one at a later stage. Should a Palestinian state nevertheless be established in the territory of Judea and Samaria alone, it would necessarily be a crippled one – small, split, and without access to the sea. Its dependence on Israel would be enormous.

In addition, by its very existence the Hamas regime makes it difficult for the PA to modify its positions on Israel in negotiations over a political settlement. The PA operates under severe concerns of being accused by Hamas of collaboration with Israel. The willingness of PA leader Abu Mazen to hold direct negotiations with Netanyahu without any preconditions, i.e., without Israel acceding to his demand to freeze construction in the Jewish settlements in the West Bank, is already under heavy fire by Hamas and the other radical organizations. This will require Abu Mazen to harden his positions in any negotiations over a settlement. This too is a significant obstacle on the road to an Israeli-Palestinian settlement.

IDF Withdrawal from the West Bank

The reserved conduct of the PA under Abu Mazen's leadership over the renewal of the negotiations for a political settlement with Israel cannot but arouse bafflement. PA leaders are realistic enough to understand that every day that passes without a settlement with Israel strengthens Israel's hold on the territories. In practice, an irreversible reality is being – or has already been – created that will make it very difficult to establish a sustainable Palestinian state in the West Bank, and perhaps even neutralizes such a possibility altogether.

In light of this, it may be that the PA's conduct stems from concerns about the ramifications that a settlement with Israel would have, first and foremost the withdrawal of IDF troops from Judea and Samaria. In recent years, IDF forces labored to deflate the power of Hamas and the other radical organizations in the West Bank that threaten not only Israel but also the PA leadership. The absence of IDF troops on the West Bank would necessarily enhance the possibility of Hamas' gaining power

there. It appears that the PA does not now and will not soon have the capability of dealing with radical Palestinian organizations.

If a settlement with Israel is reached and IDF troops withdraw from the West Bank, no power will be able to stop Hamas from taking over, eliminating the PA regime, and perhaps even physically harming the PA's leaders. It is obvious that no PA leader is going to acknowledge openly the PA's willingness to preserve the Israeli military presence in the West Bank for the immediate future. However, this may be a secret wish of the PA, or of some individuals in it, which would explain in part the overt reluctance of PA leaders to engage in any activity that would promote a peace settlement with Israel. It may well be that senior personnel in the PA have reservations about an arrangement with Israel because in their heart of hearts they worry about being put at risk. Here too is another obstacle on the road to a political settlement with Israel.

Enforcing the Demilitarization

The Hamas regime in the Gaza Strip and the ongoing confrontations finally led Israel to the decision to strengthen the blockade on the Gaza Strip in order to apply economic pressure to Hamas and prevent arms smuggling to the Strip. Although Israel has all the means necessary to impose a blockade, enforcing it in practice entails many difficulties, some operational and logistical, others political, legal, and PR-related. The Turkish flotilla episode was a strong manifestation of the difficulties underlying the blockade's enforcement, and will likely lead Israel to harden its positions regarding every aspect of security arrangements to ensure the demilitarization of the Palestinian state, should it ever be established.[17]

The prime minister already made repeated reference to this in his statements prior to his May 2010 trip to the United States and during his stay there, while stressing the need for the most exacting security arrangements in order to ensure the demilitarization of the Palestinian state. This likely means, inter alia, that Israel will not be prepared to leave so critical an issue in the hands of international troops or even NATO forces. It is almost certain that Israel would insist that IDF troops supervise the demilitarization of the Palestinian state, perhaps in some sort of conjunction with foreign forces. The PA would likely find it extraordinarily difficult to accept a demand for an IDF presence on

the PA's borders after a peace agreement. It would be tantamount to a flagrant violation of its sovereignty. Here, then, is yet another obstacle; it is not clear how it would be possible to overcome it.[18]

US Credibility

In discussions with the Bush administration prior to the implementation of the disengagement plan, unprecedented strategic understandings were reached. These were expressed in letters from President Bush to Prime Minister Sharon on April 14, 2004, and in the exchange of letters between the director general of the Prime Minister's Office, Dov Weisglass, and Secretary of State Condoleezza Rice. As part of these understandings, it was agreed that the United States would: (a) continue to endorse the Roadmap, and would do everything in its power to prevent the imposition of any other plan on Israel; (b) express its recognition of Israel's right to retain independent deterrence (this almost certainly is a reference to the nuclear option); (c) recognize Israel's right to keep settlement blocs in Judea and Samaria as part of an Israeli-Palestinian peace agreement. At the same time, more localized understandings were reached with regard to continued construction in the Jewish settlements in the West Bank.[19]

Since assuming office the Obama administration has deviated from these understandings to one degree or another. First, it explicitly placed on the agenda the option that the Obama administration will present the sides with its own plan for a settlement and seek to impose it on the sides. At this point it is unclear to what extent this plan is concrete, if it exists at all. However, the very raising of such an option is a deviation from the understandings Israel had with the Bush administration. Second, on the nuclear issue too, there seems to have been some erosion. At this point, the degree of change in the American administration's longstanding commitment to Israel's right to maintain independent deterrence cannot be determined. Finally, regarding the Jewish settlements, the Obama administration initially denied the existence of any understandings. Although it was subsequently forced to admit their existence, the administration demanded the formulation of a different document of understanding.[20]

This policy compels Israel to relate to future American commitments and guarantees in the context of a peace agreement with a certain degree of suspicion. The Netanyahu government's reserved attitude to the "letter

of guarantees" sent to Israel by President Obama as an offer in exchange for continuing the construction freeze is likely a concrete manifestation of the doubts that are prevalent among Israel's leaders about the credibility of the American administration. These doubts too are an obstacle on the road to an agreement.

Conclusion

One basic purpose of the disengagement plan was to promote the possibility of an Israeli-Palestinian peace agreement on the basis of the two-state solution, according to the parameters of an agreement formulated by the administrations of Presidents Clinton and Bush. This essay has dealt only with the political and security aspects of the disengagement plan, and has not explored the inadequate rehabilitation of the Katif bloc evacuees, which presents an additional obstacle to an Israeli-Palestinian agreement requiring massive evacuation of settlements. Yet in any event, the disengagement plan, the manner of its implementation, and subsequent events created a completely different reality than the one the authors of the disengagement had envisioned. The bottom line is a decline in the chances for formulating an Israeli-Palestinian settlement any time soon.

Notes

1 The Gaza Strip is 365 sq km. The population density is 25,400 people per sq km; in the refugee camps, the number is 50,478 per sq km.

2 Prime Minister Sharon's speech in the Knesset, October 25, 2004, http://www.knesset.gov.il/docs/eng/sharonspeech04.htm.

3 On the preparations for implementing the disengagement plan, see Yagil Levy, "The Entrenched Army: IDF Success in Executing the Disengagement," in Yaakov Bar Siman Tov (ed.), *The Disengagement Plan: Idea and Reality* (Konrad Adenauer Foundation and Jerusalem Institute for Israel Studies, 2009), pp. 148-69.

4 Prime Minister Sharon's speech at the Herzliya Conference, December 18, 2003, http://www.mfa.gov.il/MFA/Government/Speeches+by+Israeli+leaders/2003/Address+by+PM+Ariel+Sharon+at+the+Fourth+Herzliya.htm.

5 Prime Minister Sharon's speech at the Herzliya Conference, 2003.

6 See Hanan Greenberg, "Mofaz: We proved we are capable of painful concessions," *Ynet*, August 24, 2005.

7 Prime Minister Sharon's statement at the Israel Business Convention, December 5, 2005, http://www.mfa.gov.il/MFA/Government/Speeches+by+Israeli+leaders/2005/PM%20Sharon%20addresses%20Israel%20%20

Business%20Conference%205-Dec-2005. See also Meron Benvenisti, "This is how Israel Became a Bi-national State," *Haaretz*, January 23, 2010.

8 On the disengagement plan as a precedent for other withdrawals, see the Israel Democracy Institute, "Round Table Discussion: The Social and Economic Implications of the Disengagement," June 22, 2005, http://www.idi.org.il/events1/RoundTableDiscussion/Pages/Events_RT_Forum_71.aspx.

9 See Ari Shavit, "Eiland: The Disengagement – a Historic Blunder; the Retreat will not Lead to Stability," *Haaretz*, June 4, 2006. One of the leading proponents of this approach was Haim Ramon. See Aluf Benn, "The Knesset Says Goodbye to Haim Ramon: The Man who Thought but didn't Do," *Haaretz*, July 4, 2009.

10 On end of responsibility for the Gaza Strip as a result of the disengagement, see "End of Responsibility for Gaza," *Policy Products*, Reut Institute, September 29, 2005.

11 "The Disengagement Plan – General Outline," http://www.mfa.gov.il/MFA/Peace+Process/Reference+Documents/Disengagement+Plan+-+General+Outline.htm.

12 Even after Israel completed the disengagement from 21 settlements in the Gaza Strip, official Palestinian spokespeople continued to claim that the disengagement from the Gaza Strip changed essentially nothing, and that as far as they were concerned, Gaza remains under occupation. According to the website of the PA's Foreign Ministry, the PA's chairman declared the following on July 7, 2005: "The legal status of the territories that Israel is supposed to vacate has not changed." See Jerusalem Center for Public Affairs, August 2005.

13 Ze'ev Schiff, "Arik Sharon: Errata and Annotations," *Haaretz*, February 3, 2006. On Ya'alon's remarks, see Moshe Ya'alon, "Disengagement from Truth and Reality," *Maariv*, February 24, 2006. Brig. Gen. Eival Giladi, among the leaders of the disengagement, in an interview with *Maariv*, said that the disengagement plan took shape in his mind after the murder of Minister Rehavam ("Gandhi") Ze'evi on October 17, 2001. Ben Caspit, "This is how the Disengagement Plan was Hatched," *Maariv*, July 16, 2005.

14 See the General Security Service analysis of terrorist attacks in the last decade, on the website p://wserv.bgu.ac.il/attach/DecadeSummary_he.pdf?sid=&mbox=INBOX&charset=escaped_unicode&uid=26667&number=4&filename=DecadeSummary_he.pdf.

15 Mazal Muallem, "The Voices of War," *Haaretz*, January 4, 2009.

16 See Prime Minister Sharon's speech at the Herzliya Conference, December 18, 2003. At the same time the outgoing head of the GSS, Avi Dichter, assessed that the disengagement plan would not generate any change in the security situation. See also Amos Harel, "Avi Dichter Supports the Disengagement," *Haaretz*, June 10, 2005.

17 On the issue of enforcing the demilitarization, see Zaki Shalom, "The Cloud's Silver Linings: The Flotilla to Gaza," *INSS Insight* No. 189, June 23, 2010, at http://www.inss.org.il/publications.php?cat=21&incat=&read=4180.

18 See Zaki Shalom, "Between a Rock and a Hard Place: Netanyahu and Direct Talks with the Palestinians," *INSS Insight* No. 192, July 19, 2010, http://www.inss.org.il/publications.php?cat=21&incat=&read=4247.

19 Sharon, the Herzliya Conference. Also see Sharon's speech to the Conference of Presidents of Major American Jewish Organizations, New York, May 22, 2005. See also exchange of letters between Prime Minister Sharon and President Bush, April 14, 2004, on the website of Israel's Ministry of Foreign Affairs at http://www.mfa.gov.il/MFA/Peace+Process/Reference+Documents/Exchange+of+letters+Sharon-Bush+14-Apr-2004.htm. Regarding understandings about the settlements, see Elliot Abrams, "Hillary Is Wrong About the Settlements The U.S. and Israel reached a clear understanding about natural growth," *Wall Street Journal*, June 26, 2009.

20 See Zaki Shalom, "US-Israel Relations: Approaching a Turning Point?" *Strategic Assessment* 13, no. 1 (2010): 21-33.

Israel's Coping with the al-Aqsa Intifada: A Critical Review

Ephraim Lavie

Introduction

The al-Aqsa intifada erupted as a grassroots uprising and was fought between an occupying state and a people aspiring for national liberation and self-determination.[1] According to international law, the West Bank and the Gaza Strip were held under "belligerent occupation,"[2] where the ruling power is the military command − especially since Israel retained authority over much of the area, as well as control over the access routes in and out of the territories. Israel and the Palestinians understood the essence of the violence, which evolved from an uprising to an armed conflict, differently: once it escalated, Israel saw it as an existential conflict[3] imposed on it, and therefore used all the military means it deemed necessary to protect itself and to "exact a price" from the Palestinians. The Palestinians initially saw the violence as a legitimate popular uprising against the occupying party, with the goal of breaching the political stalemate and gaining independence. From their point of view, it was an asymmetrical conflict: Israel resorted to its definitive military superiority, which could only be offset with "significant operations" (*amliyat naweiya*), such as suicide attacks.

When the disturbances erupted, the IDF, under the directives of the political echelon, hoped to contain the violence, in order to allow for continuation of the negotiations over a permanent agreement. However, the operational tactics it chose made this gool unattainable.[4] Thus the effort was unsuccessful, and when the political process was halted and the violence escalated, the IDF confronted the terrorism challenge as a

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"limited conflict." The primary objective was to shape the situation on the ground via military achievements and impress on the Palestinians, public and leadership alike, that they would not achieve political success from their war. Management of the military campaign in the absence of a political alternative and without differentiation of the terrorist elements from the civilian population made it more difficult to achieve the campaign's objectives. The fury of the Palestinians and their desire for revenge neutralized the deterrent effect of IDF operations, and the civilian population gave legitimacy to the terror operations and especially to the suicide bombers. The delayed understanding by Israel that the solution to the conflict was not military, rather political, and Israel's willingness to discuss security and political issues with the Palestinian Authority (including returning the cities to full PA control, releasing prisoners, and removing roadblocks), aroused a sense among the civilian population that there was a chance for change, and encouraged the Palestinians to support a return to the option of a political struggle.

This article explores the underlying complexity in defining the essence of the intifada, both in factual and legal terms, and Israel's response to the violence by means of applying the doctrine of a "limited conflict." The article deals with the results of the policy, including the effects of the IDF's operations on the positions of the Palestinian population towards Israel and towards the greater Israeli–Palestinian conflict.

Al-Aqsa Intifada: A Grassroots Uprising

Although the Palestinian populations on the West Bank and in the Gaza Strip are beset by severe internal rifts and tensions, they share a common agenda: freedom from the occupation and achievement of political independence. Most of the Palestinian public welcomed the PLO government in the summer of 1994 following the Oslo accords. They were willing to pay the price of its controlling the various public systems, in the hopes of achieving their national aspiration of eliminating the occupation and attaining political freedom within the 1967 borders.

The price exacted of the Palestinians by Israel quickly led them to abandon the grassroots struggle, clearing the stage for armed activists from various nationalistic and Islamic groups.

However, despite the intermediary agreements and the transfer of the cities and civic authorities to the PLO, the sense of occupation remained

strong among the Palestinian public. The restrictions on movement and the continuous IDF presence, alongside ongoing construction in the settlements, seizure of lands, and paving of bypass roads underscored the continuation of the occupation. With the failure of the Camp David summit in July 2000 it became clear to the Palestinian public that removal of the occupation could not be achieved by the PLO leadership alone. Most of the public, as well as Fatah's intermediate generation, the leadership of the first intifada, felt that the promise of the Oslo accords was a fading illusion. While Arafat himself was received as a hero who did not fold under pressure by Israel and the United States at Camp David, the political stalemate made it apparent that he was unable to end the occupation.

The Palestinian leadership, aware of the growing internal criticism stemming from both its (mis)handling of internal matters (over-centralization, corruption, and violations of human rights), and its weakness in the political sphere versus Israel, prepared the way for an inevitable crisis and even violence against Israel if the political process did not result in an agreement to establish an independent state. In the months before the al-Aqsa intifada erupted, the conditions ripened for an outburst against both Israel and the PA, while the stalled political process, Arafat's threats of a unilateral declaration of a Palestinian state, and Israel's threat of retaliation heated the atmosphere.

Sensing that the leadership was unable to secure national liberation, various Palestinian elements decided they themselves must challenge the occupation and the political standstill by means of a grassroots protest. The events of September 2000 were an expression of the frustration and anguish felt by most of the public both towards Israel for the continued occupation and towards the Palestinian Authority, whose unimpressive political achievements vis-à-vis Israel highlighted even further its impaired functionality. The public, which was willing to make do with a flawed leadership as long as there was progress towards independence, was not prepared to accept a leadership that yielded no prospects for political advancement, and it set out to realize its right to oppose the occupation and protest against its leadership's failings.[5]

The military response by the IDF to the violence exacted a high toll in casualties among the Palestinian public. It magnified feelings of fury and revenge, and cast Israel as an aggressor waging a war to force the

Palestinians to accept its political terms (the mirror image of Israel's view). However, the price exacted of the Palestinians quickly led them to abandon the grassroots conflict and retreat into their personal space, while clearing the stage for armed activists from various nationalistic and Islamic groups, who were seen as standard bearers of the nationalist struggle and were awarded both popular moral and material support.

A few weeks after the violence erupted, the escalating military dynamics transformed the uprising into an armed conflict. The armed elements of Fatah's Tanzim forces, led by the intermediate generation (including Marwan Barghouti, Rashid Abu Shabak, and others), some of whom held positions in the security forces, took the reins of the uprising and became the leaders of the new phase of the national struggle. As such, the civilian population stopped being an active partner in the violence, but continued to fill a central position in its willingness to show a resolute stand (*summud*). On the one hand, they maintained their daily routines in the shadow of the dangers of violence, and on the other hand, they accepted the heavy casualty toll and property damage, including the worsening of their economic situation, and gave legitimacy to the leaders of the "armed opposition" who put a new face on the popular struggle.

Arafat hoped to control the violence and use it to his political advantage. His idea was to manage the limited conflict with Fatah activists while controlling their activities by means of the security apparatus, and in parallel continue the negotiations on a permanent agreement. Arafat's ability to control the flames proved weaker and weaker as the intensity of the unrest among the Palestinian public increased, given the many casualties during the first days of the uprising and as the terrorist attacks increased. The National Security apparatus, which was responsible for enforcing law and order, failed to calm the situation. The commanders, Haj Ismail on the West Bank and Abd al-Razaq Majaida in the Gaza Strip, were unable to deploy their forces effectively and separate between the insurgent public and the IDF. In many cases early in the violence, when the security personnel purported to serve as barriers to the unrest, Fatah Tanzim forces removed their uniforms and joined in the fire at the IDF. Indeed, the escalation gradually led various parties in the security apparatus to shoot at IDF forces during violent encounters and encourage avenging attacks against Israel.

With the transition from a "grassroots uprising" to "armed popular resistance," a militant-revolutionary coalition was created, which included all the Palestinian organizations. The popular resistance combined characteristics of a grassroots uprising with the use of live fire, which was defined by the organizations as "self defense" against IDF fire. The coalition of organizations exhibited internal operational cooperation, but avoided any ideological alliance. Each of the organizations aimed to achieve different objectives, without agreeing upon a common national goal for the conflict other than overturning the occupation. The Fatah activists wanted to separate themselves from the failing Palestinian Authority and solve the crisis spawned in the Oslo years regarding their political future and the nature of their historic role – revolutionary movement or ruling party. They saw the conflict as an opportunity to repair their status by returning to the armed struggle in order to collect from Israel what the occupation exacted of them. Later, and to the dismay of the Fatah veteran leadership, they established al-Aqsa Martyrs Brigades as a Fatah secret militant wing. The Popular Front and the Democratic Front of the PLO, which opposed the Oslo process from the outset and suffered from a weakened status, now tried to regain their popular power and via armed young activists present themselves as protectors of the public against the IDF. The Hamas movement aimed to continue with the armed violence in order to torpedo any intention by the Palestinian Authority to return to the political process.

The transition to escalated violence, which included participation by the security forces, marked the transition from the institutional system to the revolutionary system, with its distinct anarchical qualities. As the belligerent conflict continued, armed activists from all the organizations became the dominant force in determining the Palestinian agenda, while Palestinian Authority institutions and security mechanisms, heralds of the Oslo accords, were pushed to the sidelines. These institutions became a target for attack and punishment by Israel, which ascribed sole responsibility to the

> Without presenting a political alternative to the path of conflict, Israel's use of power and its effort to create deterrence for the purpose of achieving a change in consciousness lost all validity.

PA for the violence, and gradually (with the exception of the education and health systems) lost their ability to function.

In the spring of 2001, when political negotiations were not renewed and a political vacuum was created, Arafat tried to take advantage of the conflict to demand that the international community and the United Nations send international forces to "protect the Palestinian nation and remove the siege from upon them," and in order to force Israel's fulfillment of UN resolutions 242, 338, and also 194, regarding the refugees. Arafat's ability to manage a limited, controlled conflict was disrupted after he lost control of the parties on the ground, and he was harshly criticized at home and abroad for his reluctance to use his full authority to contain the violence.[6] His working assumption that violence could well encourage international intervention and the dispatch of protective forces against the threat of local and global instability was not substantiated. The Arab world likewise did not assist in enlisting international support against Israel, and made do with limited steps of solidarity, such as financial aid.

The Legal Definition of the Situation

The military escalation of the conflict, which occurred when it was already out of Arafat's control, was mainly a result of the anarchy that was prevalent on the ground, inter-organizational competition over the ability to execute "significant attacks," or alternatively, cooperation between them to resist the IDF. The Palestinian Authority itself, which was seen by Israel as directly responsible for the violence, gradually became an empty administrative tool following the damage directed at it and its security mechanisms, especially with Operation Defensive Shield (March 29–April 25, 2002). It was replaced by a revolutionary system, whose various elements acted independently, without centralized control and independent of PLO or PA leadership. The police, security mechanisms, and the judicial system were completely paralyzed after Defensive Shield, and control over the civilian population was assumed by local armed activists. The anarchy allowed for the intervention of external parties such as Iran and

> The perception of the conflict – as opposed to the official intelligence assessments – as a military struggle, planned and initiated by the PA to undermine the State of Israel and deny its existence, ignores the complex socio-political context of the conflict.

Hizbollah, especially once the terrorist groups were willing to receive external assistance (and on occasion even appealed for assistance).

During the first months of the violence, Israel was hard pressed to define the essence of the conflict. Prime Minister Ehud Barak wanted to continue with the negotiations and restore the situation to its previous status; therefore, the IDF was mandated to contain the violence, which was legally defined as an "uprising." The IDF's inability to implement the directives of the political echelon to contain the violence, however, and the escalation that occurred (in the number of incidents; their severity, including the many shooting attacks at solders; and the responses by the IDF, including aerial attacks) created an urgent need to redefine the legal nature of the extant situation. There were important ramifications for rules on opening fire, legality, interrogation and indictment policies, the question of targeted killings, the definition of an area considered residential, wide scale demolition of homes, and compensation claims for damages.[7]

Ariel Sharon, who was elected prime minister in February 2001, hoped to establish a new strategic reality based on delegitimizing Arafat and anchoring a long term interim situation. With the backing of the outgoing prime minister, the conflict was redefined as an "armed conflict" planned and initiated by Arafat, who was intent not on achieving a two-state solution, rather the destruction of the state and Israeli society in the framework of the PLO's "strategy of stages." This estimate departed radically from the official, written intelligence estimations, whereby the conflict was a popular outburst. According to this view, Arafat wanted to capitalize on the conflict to advance his own interests both vis-à-vis Israel and on the domestic front, and after the negotiations ended he hoped to return to the political process and exploit it to the fullest, or alternatively, to bring about an internationalization of the conflict.[8]

Subsequent to the redefined outlook, the political echelon urged military force to thwart what was defined as "existential danger." The military level was asked to increase military activity in order to remove the strategic threat by means of eradicating the terror organizations, including the Palestinian security apparatuses.[9] The military and civil legal systems found it difficult to define the situation in legal terms, since the Palestinian lands were defined as under "belligerent occupation," where the military authority is in control and is also responsible for the

security of the civilian population. Under the influence of the military and political levels, the legal system defined the conflict with the Palestinian Authority as a military conflict with war-like characteristics, i.e., like a war between two countries, in which the laws of war supplant rules and means of law enforcement. As such, from a legal perspective the incidents were defined as an "armed conflict" governed by the laws of war.[10]

The intervention efforts of various international parties, including the American delegations led by emissaries George Mitchell, George Tenet, and Anthony Zinni failed. The dynamics of ongoing and escalating violence reinforced the idea that the failure of the negotiations and the subsequent violence embodied Arafat's plan of deceit, which was exposed at Camp David and dramatized by the intifada. The incidents of September 11, 2001 and subsequent international terror attacks allowed the political and military leadership in Israel to embrace a common perspective and define the essence of the violence with the Palestinians as part of the global Islamic terror that must be wiped out. Significantly, even over the past two years, when the military echelon wanted to examine the relevance of the policies implemented, following the interim report on the management of the "limited conflict" and out of a sense of responsibility and recognition that there is no military solution to the conflict, it did not question the prior definition of the factual situation. No joint examination of the essence of the conflict, its causes, and its objectives was conducted by the military and political leaderships, and the topics of discussion were primarily the military activities, their operational approvals, and especially the targeted killings, which became Israel's main policy against the Palestinian terror organizations.[11]

Implementation of the "Limited Conflict" Doctrine

The IDF's conclusion from the political echelon's new definition of the situation was that this was a prolonged armed conflict against an irregular enemy directed by the Palestinian Authority. Numbering tens of thousands of armed activists from among the Palestinian security establishment, the enemy's purpose was "attrition" and the challenge to Israel's endurance. Against this background, and on the basis of a preliminary study on the new form of fighting against the Palestinians, including in the event of a failed political process, the IDF formulated its operational plans for conducting an ongoing campaign, which was called

a "limited conflict" or "low intensity conflict." The campaign resembled a conflict between two different states, and its objective was to shape a future situation that would best serve the political-strategic goal. Therefore, a comprehensive conceptual framework was formulated, linking elements from political objectives to tactical operations, and was intended to coordinate between the different ranks (nine in number) of those engaged in the campaign – from the political level down to the soldier at the checkpoint.[12]

The IDF emphasized to the political echelon and to the Israeli population that conducting a limited conflict obliged a combined, coordinated campaign, entailing maximum coordination among the many elements involved – political, military, economic, humanitarian, diplomatic, and public diplomacy[13] – and in addition, obliged social resilience, which would facilitate unity, resistance, and endurance. The policy formulated by the IDF included intense force against the Palestinian rioting and terror attacks. In extensive staff work on the level of the General Staff (Planning Division, Operations Division, Commands, Coordination of Government Activities in the Territories), many "pressure levers" and varied military means of operation were applied against the Palestinian leadership, the security forces (including mechanisms that did not take part in the conflict), the civilian population, and the terrorists. The military operations included the targeted killing of "ticking bombs" and political officials, arrests deep in the Palestinian areas, disclosures, networking, severe movement restrictions through enclosures and curfews, and the seizure of territory during Operation Defensive Shield.

Defining the conflict from a legal perspective as an armed conflict between states governed by the laws of war[14] and the application of the "limited conflict" doctrine by the IDF embedded the idea in the consciousness of both sides and shaped the security reality.[15] On the Israeli side, the definition was interpreted as willingness to apply extensive force to intentionally and steadily attack the Palestinian Authority and its mechanisms as a punishment for their not fighting the terror, if not for assisting it. Among the Palestinians, it was understood that Israel was set upon using its military strength in order to force them to capitulate to its dictates, and therefore they must respond in order not to submit. Destroying the Palestinian Authority and its mechanisms ultimately led to the rise of a revolutionary system, social unity ("a solid stand"),

a blurring of differences between the organizations, and operational cooperation between them, which intensified their operational capability to organize terror attacks over an extended period of time.

Two central features characterized the management of the campaign against the Palestinians. One was seeing military power as the only means of achieving a change in the Palestinian consciousness. This element had an internal flaw, because a change in consciousness cannot be enacted by applying military force alone; rather, it requires presentation of an additional option to the other side, which will serve as the lesser of two evils. Without presenting a political alternative[16] to the path of conflict, the use of power and the effort to create deterrence for the purpose of achieving a change in consciousness lose all validity. In this situation, the Palestinian population became confined to a "solitary consciousness" of sorts, whereby continuing the conflict is preferable to submission, and thus the result is the opposite of what was desired and actually leads to basking in the consciousness of the struggle. Therefore, even Operation Defensive Shield only had a temporary, limited influence on the Palestinian public; when doubts were raised regarding the continuation of the armed conflict but without a political option in sight, no substantial change of consciousness was achieved.[17]

A second element in the management of the campaign was the lack of distinction between the terrorists and the civilian population. Despite the awareness by the military level that the Palestinian Authority encompassed different bodies (leadership, civilian population, pragmatic organizations, extremist organizations), each of them with its own agenda, the reality was that the differences between them were not outlined clearly and they were lumped together as one entity. The IDF indeed viewed the differences between them as important for attaining psychological achievements that it believed would help in attaining political objectives. However, it implemented a reverse approach for achieving the objective set for it by the political echelon: the IDF applied heavy pressure on the civilian population so that it would in turn put pressure on the Palestinian Authority to stop the intifada. This activity caused significant damage to the Palestinian routine and included the imposition of closures and sieges, bisection of the Gaza Strip, closing the safe passage, damage to infrastructure, and entry into Area A. The directives of the political echelon to differentiate between those involved

and those not involved in terror were not implemented, since in the military operations, when deterrence was necessary the considerations of not harming civilians were often neglected.[18] The continued harm to the civilian population achieved an antithetical effect to what was desired: the various Palestinian power elements remained unified in their goal of the struggle against Israel and put their different agendas aside. The ethos of the martyr was glorified as was the desire for revenge among the civilians, who joined together to support the struggle.

The "limited conflict" doctrine and the related theories did not allow Israel to achieve its objectives. The talks between the political and military echelons reflected the absence of a common goal throughout the duration of the violence.[19] The political echelon did not define their conflict objectives, aside from the use of military power to thwart what was defined as an existential threat ("a war on our homeland"). As such, the military level defined its objectives in negative terms: "deterring the Palestinians from using force and engraving in their consciousness their inability to dictate political processes to Israel in accordance with their interests."[20] Furthermore, the political echelon recoiled at dealing with the concepts entailed by a "limited conflict" (e.g., "influence on consciousness," "limitations of the system," "limitations of the campaign"), and with time, an opposite, asymmetrical situation occurred, in which the military level needed the political context in order to implement its military policy effectively, while the political echelon only supported the military path.

During the third year of the violence, a maturation process occurred among the military and political echelons that reflected the mutual sobering from the hopes that a military response alone could manage the struggle with the Palestinians while the political standstill continued. When the military was unable to meet the expectations of the political level and force the Palestinians to lay down their weapons, it came to understand that there is no military solution to the struggle given the nature of the violence and the limitations in managing it according to traditional army logic.[21] Under these circumstances, the military echelon initiated a change in the concepts of "victory" and "decision,"[22] indicating they were irrelevant to the struggle. It anticipated political directives that would reflect the understanding that it was impossible to reach a clear victory (and defeat of the Palestinians) in the conflict, and that it was vital

to renew the political process and talk with the Palestinian partner.[23] The political echelon, disappointed by the lack of resolution of the conflict, continued to adhere to the perception that "there is no one to talk to and nothing to talk about," but reached the realization that their original paradigms and basic approaches were obsolete. Thus, for example, it was understood that stopping the terror completely would be impossible, the civilian population cannot be held under occupation for an extended period of time, and Israel cannot take responsibility for 3.5 million Palestinian residents. At the same time, unilateral action, including the withdrawal from territories and uprooting of settlements under fire, was preferred over both political solutions and the ongoing stagnation, which feeds the political ambitions of various (non-governmental) parties.[24]

The military's desire to review the relevance of the chosen policy was to a large extent tied to the tension with the political echelon. One example of the lack of shared strategic goals was that the political echelon initiated the Gaza Strip disengagement plan without first talking with the military level, and therefore, there was no joint thinking regarding the plan. As a result, there were conflicting assessments between the two levels regarding its potential effects on Israel's security interests and the optimal way to implement the disengagement − with or without an agreement with a Palestinian partner that would receive the authority for the area. While the political echelon hoped that the disengagement would "buy time," limit the Palestinians' ability to attack Israel, and bring about changes that would lead to the rise of a new, more pragmatic leadership for negotiations, the military echelon tended, from the security point of view and other contexts,[25] to prefer withdrawal with agreement. It feared, for example, that withdrawal might be interpreted as a reward for terror[26] and that it would prompt a negative effect, as in the case of the unilateral withdrawal from Lebanon.

Given Israel's lack of a defined strategic political goal beyond the stages of the conflict, the practical result of managing the limited conflict with the Palestinians was itself limited regarding achievement of the campaign's goals. The marked differences in perception of the essence of the conflict between the Israelis and the Palestinians, and the attempt to decide the conflict militarily without a political context, accelerated deterioration of the conflict into a cycle of violence characterized by action-reaction-action-reaction that produced an all-out prolonged conflict, with each

side trying to deliver the last blow. In practice, each side influenced the actions of the other: the terror attacks influenced the nature and intensity of IDF action, and IDF action in turn influenced the violent Palestinian activities. Thus, for example, the killing of Abu Ali Mustafa, secretary general of the Popular Front for the Liberation of Palestine, and of Ra'id Carmi, a leader in al-Aqsa Martyrs Brigade from Tul Karem,[27] escalated the Palestinian terror ante; conversely, the suicide bombing at the Park Hotel in Netanya influenced the launching of Operation Defense Shield. This situation indicated entanglement in a policy that is to a large extent a reaction to the steps taken by the other side, i.e., following the incidents and not controlling them. Even after this situation changed as a result of Operation Defensive Shield, which enabled the IDF to control the incidents and shape the security situation, a few months later the former dynamic returned, due to the absence of a political process.[28]

Consequences and Lessons

The perception of the nature of the conflict − as opposed to the official intelligence assessments − as a military struggle, planned and initiated by the Palestinian Authority to undermine the State of Israel and deny its existence through demographic means, ignores the complex socio-political context of the conflict.[29] It created the impression of an entire Palestinian society committed to absolutist political goals that are embodied in the Palestinian national narrative, namely, the annihilation of Israel as a Jewish state and the establishment of Greater Palestine. However, as was clear before, during, and after the conflict, the established Palestinian position, which is accepted by the PLO, the Palestinian Authority, and the majority of the Palestinian population, calls for the establishment of an independent and viable Palestinian state alongside the State of Israel, and not in its place, and the attainment of a just solution to the refugee problem. Even if some continue to embrace the dream of eliminating Israel, expressed for example by figures from the pragmatic movement (such as Sakher Habash), it will not become the basis of a practical plan of action. While Palestinian terror was harsh and threatening, it must be understood as a local, national conflict, rather than a global religious one.[30]

The policy that intended to distinguish between the various forces operating in the Palestinian territories failed, since all sectors of the Palestinian population were treated as one unit during military operations

and when pressure was applied. Consequently, the various forces, with their respective political ideologies, joined together in the struggle against Israel and earned broad public support. In turn, Israel's goals regarding Palestinian consciousness, which were seen as a tool toward the achievement of the political targets, were not achieved.[31] The attempt to pressure the civilian population in hopes that it would in turn pressure the Palestinian Authority to end the conflict failed as well, serving rather to intensify the feelings of revenge and mobilize the civilian population to the struggle. In the absence of a political option, the application of more and more force magnifies the asymmetry in the balance of power, thus reinforcing the attitude in the Palestinian consciousness there is nothing to lose. This in turn fuels the desire for self-sacrifice through suicide attacks, in the belief that it is the only way to achieve a balance in face of Israel's military strength.

The IDF's ongoing military operation and the overall pressure on the Palestinians did not deter the civilian population or the leaders of the armed uprising. The basic sense that Israel was the main source of Palestinian suffering since 1967 (rather than the Palestinian Authority or terrorist operations), as well as in the present conflict, joined the Palestinian belief that they had no option other than surrender or struggle. Even if the military operations are directed at targeting terror, the way that the civilian population and the leadership perceive these operations is what shapes their concept of the conflict, and thus will influence their approach toward continuation of the struggle.

Tactical and operational military achievements do not necessarily mean "victory," as they may potentially create a reality that undermines Israel's interests. Although the IDF displayed exceptional intelligence and military capabilities and gained many achievements in preventing and thwarting attacks, the desired goals were not attained. First, the conflict did not ease up: on the contrary, it escalated and spread, as the Palestinian public legitimized suicide attacks and viewed them as vehicles for revenge. Second, the fact that there was no viable alternative throughout the duration of the conflict established the Palestinian sense of "confinement of consciousness" and strengthened its struggle mentality. In these conditions Israel's deterrent capabilities were weakened, sine strong military force did not deter suicide attackers or those seeking revenge in the name of the national struggle. Third, the blow suffered by

the Palestinian central government and by the security forces weakened the middle class and the pragmatic sector, thereby strengthening Hamas and creating a vacuum, which drew in external parties such as Hizbollah and Iran. Fourth, the conflict did not create any flexibility among the Palestinian public and leadership in their political stance on the issue of a permanent agreement, and they continued to demand their rights once negotiations resumed. The majority of the public continues to view the uprising and resistance against the occupation as a legitimate alternative in the national struggle in order to attain national rights.

The failure of the national leadership's political efforts and the collapse of the PA created a political vacuum, played into Hamas' hands, and brought about Hamas' empowerment during the years of the conflict. The situation also helped establish jihad and violent uprising as the only option. The lack of alternatives to violence led to the nullification of differences and the blurring of lines between the pragmatic national camp and the various groups that oppose recognition of Israel and reject any political process. This phenomenon caused the struggle mindset to spread throughout the society, and even if the majority of the public did not take an active part in the uprising, the society as a whole accorded legitimacy to the continuation of suicide attacks. From the viewpoint of the public and the forces that did take an active part in the conflict, Israel's disengagement from the Gaza Strip and the northern West Bank was testimony to their achievement and victory in the uprising.

At the same time, it appears that the IDF's actions did indeed generate a reassessment regarding the state of the conflict. The toll taken on lives, property, the economy, daily life, and especially the danger of social and political disintegration that hung ominously over society as a result of the armed struggle brought about a reassessment of the cost and benefits of using violence to advance national interests. These sentiments remained primarily below the surface in Arafat's time, and they only assumed some legitimacy with the change of government. Mahmoud Abbas and Prime Minister Salam Fayyad, together with most of the public, are currently united in the opinion that the only chance to achieve the Palestinian national objectives is through nonviolent means, and in recent years they have advanced on-the-ground programs to build a state.

Despite the depth of the anger and hatred toward Israel during the years of conflict, the Palestinian public's image of Israel, its views on

achieving peace with Israel, and its attitude to the struggle remained constant throughout the conflict, i.e., context-dependant.[32] In other words, even in the most difficult hours of conflict, the public supported the political alternative and the option of "two states for two peoples." The Palestinian public was prepared to abandon its support of the armed struggle and bring it to an end, but it was not prepared to do this sans political prospects. It thus continued to support the armed struggle and oppose a unilateral Palestinian show of restraint. Hence the widespread public support for the violent struggle expressed an extremism that was evident in the mindset and in the support for terror attacks, but it was not a consequence of fundamental extremism, such as abandoning a recognized pragmatic position (the two-state solution), or a move towards extreme support for the "armed struggle" for the purpose of subduing Israel. The extremism that was evident in public opinion was a consequence of the political stagnation and the absence of political alternatives, and therefore the change in the conflict mentality had the potential to occur only in the event of a change in reality on the ground and in the appearance of political horizons.

The successful attempt by the IDF's Central Command in the West Bank, beginning in 2005, proved that by distinguishing between the war on terror and the civilian population through focused preventive operations with minimal effects on the environment and the public, it is possible to attain significant operational successes and at the same time bring about an economic improvement and the reduction of the number of those joining the terrorist ranks. This raises the question of whether it would have been possible to reduce the Palestinians' support for terror in a faster, more effective way, had the IDF operated in a more effective manner throughout the conflict, and whether it would have been possible to exercise a more selective use of force. This question involves specific operative issues, such as were all the roadblocks necessary, as well as moral and social-structure questions, such as whether the military echelon, which is responsible for the prevention of harm to the state's citizens, has the moral mandate to take a risk and remove roadblocks where it is reasonable to believe that the roadblock has a preventive value (which cannot be determined unequivocally). Is it the army that must take this risk in such a situation of uncertainty, or should this decision be made

by the political level? This question is relevant regarding every element of IDF activity, such as targeted killings, exposures, and house demolitions.

Either way, the conclusion is that a popular uprising and the struggle for national liberation cannot be contained though military measures alone, even if a long term strategy of limited conflict is adopted, in which the military's power is expressed via focused or broader military operations. Historical experience shows that a decisive military success cannot be attained over an insurgent people, and it is impossible to sear values into its consciousness that signify the relinquishment of national rights and principal political positions. Rather, a political solution is required. The alternative to a political agreement in the Palestinian case may potentially be anarchy and the final disintegration of the Palestinian Authority, and/or the Islamic movement's takeover of power, and/or unilateral action by Israel, as occurred with the disengagement and the separation fence.

Notes

1 Officials from all the intelligence organizations acknowledged in retrospect that the intifada was a grassroots uprising and not a move planned by Arafat. See the statements made by Avi Dichter, head of the General Security Service during the years of the al-Aqsa intifada, at a conference at the Jaffee Center for Strategic Studies, March 1, 2006. Dichter stated that interrogation of the many Palestinians arrested after the violence erupted in September 2000 made it irrevocably clear that Yasir Arafat was not behind the incidents, which broke out spontaneously on the ground. Similar comments were made at the same time by the deputy head of the GSS, Yuval Diskin, as well as by Dr. Matti Steinberg, special advisor to the head of the GSS. The head of Military Intelligence, General Amos Malka, author of the main paper on the Palestinian issue in the Research Department, as well as Mossad researcher Brig. Gen. (ret.) Dr. Yossi Ben-Ari, determined explicitly that the intifada broke out as a popular protest. See for example: *Haaretz*, February 13, 2006; *Haaretz*, April 4, 2006; http://www.haaretz.co.il/hasite/pages/ShArtPE.jhtml?itemNo=682159&contrassID=2&subContrassID=3&sbSubContrassID=0; and http://www.haaretz.co.il/hasite/pages/ShArtPE.jhtml?itemNo=702315&contrassID=2&subContrassID=3&sbSubContrassID=0.

2 "Belligerent occupation" is a term in international law that refers to territories that are occupied as a result of war.

3 Chief of Staff Shaul Mofaz, his deputy, Moshe Ya'alon, and others defined the violence on various occasions as "a war on the homeland" and as "a sword at the country's throat." A decade later, head of Military Intelligence Amos Yadlin challenged these definitions when he stated, "I suggest that we be careful when speaking in terms of an existential threat to Israel. Early in

the decade, there were those who saw the Palestinian terror as an existential threat to Israel. Even then, I believed that this conclusion was problematic and incorrect." "Milestones in 2009: Threats and Opportunities for Israel," lecture at Tel Aviv University, November 17, 2008.

4 Incisive critical evaluations of the IDF's method of operation in the clashes with the Palestinians were written by those holding governmental positions at that time. Shlomo Ben-Ami, *A Front without a Rearguard* (Tel Aviv: Yediot Ahronot, 2004), pp. 319-20: "The instructions of the political echelon approved this operation or another, but always with a minimizing tone and with the intention of containing the events and not widening them. The IDF commanders had a different agenda, and its commanders radiated explosive fury, which in the end brought about a widening of the circle of violence, instead of reducing it...Minister Amnon Lipkin-Shahak expressed his frustration at the fact that the army was conducting a completely different war on the ground than that which the political level had ordered. Brigade commanders and other commanders on the ground conducted the war as they saw fit...[using] the policy of punishment." Gilad Sher, *Just beyond Reach* (Tel Aviv: Yediot Ahronot, 2001), p. 368: "One would have expected the IDF to join the repeated attempts to achieve a state of calm, which were conducted under the previous chief of staff, Amnon Shahak. But testimonies from the field pointed to a number of cases in which they deviated from the instructions of the political echelon. At a certain point, Shahak gave up: it was impossible to continue in this manner. Some of the summaries and commitments by the prime minister, which were transmitted to the IDF by his military secretary, 'evaporated.' Tanks were not moved back; the commanders sufficed with moving the artillery. The fishing area in Gaza was not opened. Palestinian workers were permitted to enter Israel in very small numbers, against explicit orders."

5 As with the outbreak of the first intifada in December 1987, the eruption of violence in September 2000 was spontaneous, an unplanned event that developed from the charged atmosphere on the street, where a single event served as a trigger to ignite it. What happened in 2000 is exactly what happened in 1987: the Palestinian national leadership took advantage of the violence to control and use it for its own political, national purposes. Linda Tabar, who analyzed the processes that occurred in Palestinian society during the violence, claims that the second intifada was a reaction by the lower classes in society, and especially by the refugees, to the "betrayal by the elite," i.e., veterans of the Fatah and PA nationalist stream, which created in the Oslo process a virtual situation and a false dialogue of peace, while below the surface the occupation continued. The outbreak was thus a clear rejection of this elite's perpetuated hegemony, which remained loyal to the Oslo mindset even during the violence, and saw the violence as no more than a tactical maneuver instead of a strategic choice. In this context Tabar also criticizes the statements by Abu Mazen against the violent conflict. See

"The Jenin Refugee Camp: A Model of National Regrouping," *Between the Lines* 21 (March 2003).

6 The overwhelming majority of the PA veteran leadership (including Abu Mazen, Abu Ala, most of the ministers, Tayeb Abd al-Rahim, and others), National Security commanders (Haj Ismail and Abd al-Razek Majaida), and heads of other apparatuses (Jibril Rajoub and Muhammad Dahlan) opposed the militant nature of the ensuing conflict. They pointed at the damage that the violent struggle caused to the Palestinians, feared the loss of control and the undermined stability, and called for the return to popular non-violent struggle.

7 For example, the question arose as to whether there was a need to continue to allow each Palestinian resident to submit to the Israeli courts a compensation claim for damages caused during incidents resulting from military operations. According to the law, civil suits cannot be pressed for damages caused by war activities.

8 See Ephraim Lavie, "Intelligence Work in the Palestinian Arena: A Critical Evaluation," Israel Intelligence & Heritage Commemoration Center, IICC Newsletter, No. 52 (December 2008): 30-33.

9 The increasing activity of the military echelon, primarily at the operative level, in analyzing the "limits of the system" and the "limits of the campaign" in order to conduct a "prolonged low intensity conflict" and setting objectives such as "consciousness burning" was foreign and excessive in the eyes of the political echelon.

10 In the response of the attorney general to the Supreme Court regarding the state's position on which legislative system applies to the conflict – the laws of war, laws of "armed conflict short of war," or a different system – it was argued, "The combat activity of the security forces aimed at terrorists and their emissaries is regulated both according to Israeli law and the directives of international law, following the rules of customary martial law as stated in international law." See the detailed notice from the attorney general of April 18, 2002 following the Supreme Court request.

11 This was a clear expression of what Yehoshafat Harkabi called "tacticization of the political strategy," as well as of military thinking: the military tactic turned into the strategy.

12 This description of the policy of the military echelon and its preparation for conflict is taken from the article by the deputy chief of staff. See Moshe Ya'alon, "Preparing the Forces for Limited Conflict," *Maarachot* No. 380-381 (December 2001): 24-29.

13 Since late 2000, the Intelligence Research Division was actively integrated in public diplomacy efforts and the political echelon's attempts to delegitimize Arafat and the Palestinian Authority.

14 In effect, there was no informed alternative to the conceptualization by the legal system and the IDF regarding the definition of the struggle as an "armed conflict" and as a "war." The written evaluations by Intelligence's

Research Department lost their value when they spoke with two voices: the one pointed consistently to Arafat's intention to use the political process with the objective of reaching a two-state solution, and explained the events of September 2000 as a popular uprising; and the second unconditionally supported the legal and military conceptualization, which matched the explanations of the political echelon regarding the reasons for the failure of the political process and the outbreak of the conflict.

15 The shaping of the security situation influenced the shaping of the political-diplomatic situation as well, and contributed to the perception that "there is no partner," obviating any possibility of reaching a political settlement and therefore indicating the need to turn to unilateral action.

16 To the Palestinians, Israel's offers at Camp David and Taba were a large advance in negotiations, but the negotiations were not completed. (The negotiations regarding a permanent settlement were halted in early 2001 by the Israeli elections. Both sides proudly made a joint official announcement of the major progress that was achieved, and promised to renew the negotiations in order to conclude them.)

17 The conflict continued and escalated even until Taba (January 2001), i.e., with negotiations and a political option. The reason for this was twofold: the Palestinian feeling that Israel's offers did not constitute a promise for the establishment of a viable state, and the use of intense military force by the IDF at that time, which caused many casualties on the Palestinian side.

18 According to the head of the Civil Authority in the West Bank, Brig. Gen. Ilan Paz, though every commander knows that one of the central elements of the fighting is the separation between terrorists and civilian population, the IDF was not successful in putting this into practice during the first three years of the conflict. In his opinion, only later did the Central Command begin to successfully make the distinction via focused preventive actions whose influence on the surroundings is minimal and does not harm the infrastructure, members of the public, or their freedom of movement. Through this focused activity even more operational successes were achieved, the economic situation improved, and the circle of terror was narrowed, since "despair and a lack of hope are the primary causes that cause youths to join the terrorist side." See the lecture by Ilan Paz in the booklet: "Army and Society in Limited Conflict," published by the IDF and the Israeli Institute for Democracy, April 18, 2005, pp. 68-69.

19 The Palestinian side likewise did not have a defined national objective throughout the duration of the violence, as discussed above on the transition from a grassroots uprising to popular resistance.

20 In fact, the military echelon accepted the unclear nature of the political directive and saw itself as responsible for clarifying the ambiguity and applying a military policy that would shape the situation to the advantage of Israeli goals. See the interview with Brig. Gen. (ret.) Eival Giladi, Ben Caspit, *Maariv*, January 2, 2004. Former Head of Central Command, General Yitzhak

Eitan, said: "This is the nature of the relationship between the political and military echelons in Israel. We were never tasked with a clear mission, and explanations and trial attempts were required to understand the instructions," *Maariv*, March 29, 2002.

21 The commander of Judea and Samaria Division said: "Israeli deterrence did not prevent the outbreak of the violence, and the military power will not decide it. We are talking about a strategy of waiting, which says that the struggle will continue for a very long time, that offers no quick fix victory, and that the military effort is meant to achieve a political result." See Brig. Gen. Gadi Eisenkot, interview with *Yediot Ahronot*, April 11, 2004.

22 The head of the Strategic Planning Division himself objected to the term "decision." "When I came to this task, I saw the phrase "to achieve decision vis-à-vis the Palestinians" written in the plans. I asked myself, 'What is this nonsense, what absurdity this is? Whom exactly are we defeating, what does it mean to defeat, what does this signify?" See Eival Giladi, interview in *Maariv*, January 2, 2004.

23 "Ya'alon is careful to emphasize that he prefers to have a partner on the other side, in order to reach an agreement, rather than conducting a unilateral process." See interview with the chief of staff by Alex Fishman, *Yediot Ahronot*, December 25, 2003; "In internal discussions in the defense system, the chief of staff indicates the need to give Abu Ala a chance. The ceasefire which the Palestinian leader is working to achieve is, in his words, 'a positive step toward dismantling the terror infrastructures.'" See Ben Caspit, *Maariv*, November 14, 2003.

24 One of the indications of this trend was that the political echelon did not view favorably attempts outside of the government to achieve understandings with the Palestinian side on a permanent agreement (e.g., Nusseibeh–Ayalon, the Geneva initiative), which in part were intended to prove that there is a Palestinian partner with whom to talk about a two-state solution. These attempts were decried as damaging to the struggle against Palestinian terror and weakening the stamina of Israeli society.

25 The chief of staff and the head of Military Intelligence stated publicly that a unilateral operation might be interpreted as a victory for terror. This position in the military echelon angered the political echelon: "The prime minister is angry at the comments that he heard in the media regarding the statements of the head of Military Intelligence...In parallel, the tension between the prime minister's office and the defense establishment increased significantly." See Ben Caspit, Amir Rapaport, and Arik Bender, *Maariv*, February 11, 2004.

26 Palestinian public opinion polls show that most of the Palestinian public (75 percent) viewed Israel's disengagement from Gaza as testimony to the victory of the Palestinian armed conflict. From their point of view, this was a plan of withdrawal and capitulation, confirming yet once more that "Israel only understands the language of power." See Danny Rubinstein, "Proof of the Victory of the Armed Conflict," *Haaretz*, March 21, 2005.

27 The killing of Ra'id Carmi interrupted a quiet period that lasted for about three weeks. On December 13, 2001, Arafat condemned the terrorist attacks, declared a ceasefire, and gave instructions to close the Hamas and Islamic Jihad offices. The killing of Carmi on January 14, 2002 led to Fatah's ending the ceasefire; the killing of four Hamas leaders in Nablus on January 22, 2002 led to Hamas' declaration of war and "quick, painful revenge." In practice, the operational-operative context was what shaped the reality on the ground, without the ramifications and strategic results bearing much weight.

28 Gal Hirsh, "From 'Cast Lead' to 'A Different Way': Developments of the Campaign at Central Command, 2000-2003," *Maarachot,* No. 393 (February 2004): 26-31.

29 While the events of September 2000 erupted as a popular uprising and the Palestinian leadership seized the opportunity to control and use them for their internal and external needs, the political and military levels were wont to interpret the events as an initiative from above, reflecting the radical ideology of the Palestinian leader and his people, who deny Israel's very existence, despite the fact that the official intelligence assessments maintained that Arafat intended to make the most out of the political channel and not to launch an all-out confrontation. From here, it was a short path to the conflict being defined as "a defensive war on our homeland," or a "no-choice war" that must be won.

30 According to Aviezer Ravitzky, "The Clash of Civilizations is not our War," (*Haaretz*, April 11, 2004.), the Jewish and Israeli interest obligates presenting the current struggle with the Palestinians as a local, regional, national, and political struggle, and not as the igniting of an inclusive, all-encompassing conflict, over and above region and nation. Prof. Ravitzky decries the irresponsible declarations by political and military decision makers who put Israel and the Jewish nation at one defined pole of the "clash of civilizations," without understanding that this is a flawed policy that damages the national interests in the short term and threatens the Jewish future in the long term.; to him, when we draw Yasir Arafat in the image of Osama Bin Laden, we are creating the dangerous transition from the political to the religious emphasis, and from the local to the international focus.

31 Ya'alon, "Preparing the Forces for Limited Conflict," pp. 24-29.

32 This issue is illustrated well in public opinion polls, which chart a consistent rationale among the Palestinian population. Since 1993, the surveys by Khalil Shikaki show that the rate of Palestinian support for the continuation of armed conflict is a function of the impression that the Palestinian public receives of the advancement of the political process, which is meant to bring about their independence. Thus, for example, in November 1994, 56 percent of the public supported a continuation of the struggle, while later the support dropped to 40 percent and to 20 percent in May of 1996. The rates of support for the conflict rose again during the period of the Netanyahu and Barak governments, when the political process was quashed.

2000-2010: An Influential Decade

Oded Eran

Looking back at the past ten years several decades from now, it may well be that this period will emerge as among the most important in the history of the Arab–Israeli conflict. Processes and events that occurred over the past ten years may well prove to be among the most decisive. Naturally, analyzing processes by decades entails an artificial division into chronological units, and is done only for the purpose of sharpening perspective. Clearly some of the processes began before the beginning of the decade and some will certainly continue into the next decade. Moreover, the selection of issues that are considered decisive and having shifted the balance is by no means exhaustive, and other observers of the period might choose to modify or expand the list.

Changes in Israeli and Palestinian Public Discourse

The peace process, and beyond that, the underlying process of mutual understanding and acceptance, is more complex than rounds of formal talks between official teams. Public discourse on both sides of the divide is a critical factor in the success of a process, both prior to an agreement and in its implementation. The absence of this element or a one-dimensional perspective on the parts of the Egyptian and Jordanian side is one of the causes of the cold peace with Israel. Public discussion in Israel, certainly leading up to and following the Camp David conference in the summer of 2000, is an example of its importance and influence. Then-Prime Minister Ehud Barak risked and perhaps even paid a political price by placing the future of the settlements and the future of Jerusalem up for public discussion. From that time on, it was possible to debate openly whether all of the settlements would remain intact following an agreement with

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the Palestinians, and to discuss whether Jerusalem might not indeed be divided one way or anther within the framework of an agreement.

The proposals of then-Prime Minister Ehud Olmert in 2008 to his Palestinian counterpart Abu Mazen reflect in part the impact of public discourse on one who in 2000 opposed any concession to the Palestinians on the matter of Jerusalem. Olmert assumed, as he stated in public, that he would have enjoyed parliamentary support had he brought an agreement in the spirit of his proposals for territorial compromise for approval. (The proposals envisioned approximately 6.5 percent of the West Bank remaining under Israeli sovereignty, partitioning Jerusalem in the spirit of the late 2000 Clinton parameters, and a token return of refugees.) The reciprocal influence between a leader and public opinion is a known phenomenon, but it is interesting to track it in the context of efforts to achieve an agreement with the Palestinians, particularly in terms of taboos that are broken or in what is called − unfairly − the "zigzagging" of the leader.

What has occurred this past decade in Israeli society has no equivalent on the Palestinian side. It is difficult to point to similar breakthroughs in Palestinian public discourse, although some interesting phenomena in this regard should not be ignored. Take, for example, the proposals of Sari Nusseibeh and Ami Ayalon, or the Geneva initiative. The divide between Hamas and Fatah also represents the Palestinian debate over political orientation and ideology, centered naturally on the attitude towards Israel, primarily, its right to exist and the recognition of Israel. The initiative of the Arab League in 2002 was not the outcome of a broad public discussion in Arab society; it perhaps might not have emerged had it depended on public discussion. But it represents an expression of flexibility, limited though it might be, in Arab attitudes as to the question of refugees and recognition of Israel.

In the context of efforts to achieve an agreement with the Palestinians, taboos have been broken and leaders have reversed opinions. What has occurred this past decade in Israeli society has no equivalent on the Palestinian side.

New Generations in Israeli and Palestinian Leadership

The death of Yasir Arafat may not have brought about an immediate change in Palestinian positions on core issues, but it freed the Palestinian

camp from a man who saw himself as the prophet of the Palestinian national movement. No longer does the person negotiating on the Palestinian side see himself as having to carry a gun, wear a uniform, and boast his rank. The departure of Prime Minister Sharon symbolized the continued exit from the stage (with Shimon Peres a notable exception) of a generation that established the state and was active in the 1948 War of Independence, and was personally involved in a confrontation that left indelible harsh imprints of the "other."

The combination of changes in public opinion and the departure of the 1948 generation of leaders opens the door to further flexibility in official Israeli negotiating positions. An Israeli leader who wishes to arrive at an agreement with the Palestinians making "painful concessions" will be able to rely on Israeli public opinion to facilitate such an agreement. This is indicated by public opinion polls conducted by the Institute for National Security Studies and other groups. All Israeli prime ministers in the past two decades have been addicted to polls and consume them on an almost daily basis. Israel's leaders are thus presumably aware of the ongoing changes in public opinion and their significance.

The Security Fence Effect

The wave of terror attacks in the first part of the decade spawned and accelerated implementation of the plan to erect a security fence (in some areas, for example the Jerusalem area, a wall) that in part coincides with the June 4, 1967 line and in part runs east of the line. The combination of Israeli anger following hundreds of casualties due to acts of terror and the positioning of a physical obstacle to block entry from the territories generated several results. The first outcome was a dramatic reduction in the number of terrorist acts and, consequently, the number of casualties. Although the fence was not the only cause of this decline in the mind of the Israeli public and among some decision makers and officials, the perception has been sealed that the fence is the primary factor behind this development.

Furthermore, beyond limiting the movement of terrorists, the fence has drastically reduced the inflow of Palestinian workers, more than 125,000 of whom used to enter Israel daily. For over 30 years, a generation of Palestinian workers and businesspeople grew familiar with Israeli social, economic, and political life. Some even spoke the language. It is

hard to quantify the influence of this phenomenon, but it presumably had at least in part a moderating effect on hard-line opinions. The interaction with Israel was a significant factor in the economic situation of Gaza and the West Bank. The generation that followed has been totally disconnected from Israeli society, which it perceives as soldiers, jailers, and deniers of free movement and transit. Thousands of Israelis who used to visit principal cities in Judea and Samaria stopped doing so due to terror and later due to the fence, which blocked the access to the markets set up on roads passing from west to east. Thus the interaction between the Israeli and Palestinian populations, which had been a positive phenomenon, ceased almost entirely.

The combined influence of the fence and the suppression of terror, especially in Judea and Samaria, led to the almost total elimination of the Palestinian issue and its deferment from the Israeli public consciousness. Such a mental disengagement has a dual effect. On the one hand, it obviates public pressure on the political leadership to act in one direction or the other regarding the Palestinian issue. On the other hand, it also allows the political leadership to work more freely towards an accord that includes "painful concessions," if it so wishes.

The third result is the perception of the fence as a final border. The establishment in the Israeli subconscious of the fence as an effective line of defense allows the political leadership to rally around this line and, in negotiations, demand that it become the agreed upon border between Israel and the Palestinian state. The fence's demarcation was based on two major considerations: the level of security the fence provides in its given route; and demographic considerations aimed at including a maximum number of settlements and a minimum number of Palestinians east of the Green Line. In Jerusalem the route was determined with the aim of adhering as much as possible to municipal boundaries drawn up in the wake of the 1967 war. If the final border is demanded by Israeli negotiators based on the demarcation of the fence, it would be far removed from the maximalist Palestinian position in this regard. The fence as a final border would amount to an annexation of about 8.5 percent of Judea and Samaria, which exceeds the

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Palestinian position that accepts at most 4 percent, offset by a land swap. Creative negotiations could bridge this gap. In the matter of the fence as a permanent border, Israel can also be helped by American support. Since 1967, the US has been in favor of defensible borders for Israel and has supported the preservation of large settlement blocs under Israeli sovereignty in an accord with the Palestinians.

International Involvement

This decade's levels of international involvement in the attempt to solve the Israeli–Palestinian conflict were unmatched in previous years. To some extent this is a positive development as far as Israel is concerned, although it may entail restrictions on Israel's freedom of action. In the economic sector, the separation between Israel and Palestinian Authority territory has led to the PA's increasing dependence on international financial assistance. Such assistance had already begun to flow since the Oslo accords in 1993. But territorial separation on the one hand, and fears of corruption and the diversion of international financial assistance to fund terror on the other, have led to increased international involvement in economic activity within the Palestinian Authority. To some extent this too is positive as far as Israel is concerned, since such involvement minimizes the damage of economic separation if it is forced by a worsened security situation. However, Israeli military action that resulted in damages to internationally financed projects, especially in Gaza, sparked tension, for example, between Israel and the European Union.

In tandem with – and as a direct result of – failed Israeli–Palestinian negotiations in 2000–2001 and the outbreak of the second intifada, international involvement has increased in an attempt to draft the outlines of a future accord. Associated with this process are the ideas proposed by President Clinton in December 2000, the Arab peace initiative of 2002, the Roadmap of 2003, the Annapolis conference in 2007, and renewed bilateral negotiations in September 2010 through US mediation. While these efforts reflect more US involvement than that of other international actors, the Quartet (comprising the US, the EU, Russia, and the UN) represents a new significant player in political and economic activity. Involvement of the Quartet is indeed felt mainly in economic matters,

but the overall activity of this framework has the effect of creating a precedent that Israel will be unable to ignore in the future.

An equally important precedent, perhaps even greater in its long range implications, is international involvement in security aspects. Obligations of the Palestinian Authority under the Roadmap include demolishing the terror infrastructure. The establishment of organized, trained security mechanisms intended to achieve security capability occurred through cooperation between the PA and the US on the one hand, and the EU on the other. Such direct involvement created an additional precedent that Israel will not be able to ignore or prevent from recurring. Indeed, Israel had also agreed to the presence of EU observers on the Gaza-Egypt border, as a partial substitute for its own presence at the crossing.

If an accord with the Palestinians is reached, Israel's demand for the presence of Israeli security forces as part of tight, effective security arrangements that will prevent the export of terror from the Palestinian state will likely meet with Palestinian refusal. This could invite the presence of international security personnel in order to provide a response, albeit only partial in Israel's view, to its security-related demands.

Two States as the Ultimate Political Solution

Although the two-state solution principle has been mooted at least since the Oslo agreement in 1993, it first received official American approval in President Bush's June 2002 speech and then in the Roadmap of 2003. When the Roadmap was accepted by Israel, albeit with reservations, it represented the first time that a majority of the right on the Israeli political map accepted the two-state principle (if the government formed by Ariel Sharon in 2001 is deemed reflective of the right wing mainstream). Only two ministers resigned from Sharon's government; not one resigned from the government of Binyamin Netanyahu following his Bar-Ilan speech in June 2009.

This is a significant ideological reversal within the right wing of the Israeli body politic that constitutes a necessary, though not exclusive, condition for attaining a solution to the Israeli-Palestinian conflict acceptable to both sides. Clearly in the framework of negotiations, a heated argument will ensue concerning the nature of the Palestinian

state and the attributes of its sovereignty. However, the willingness of the right to accept the solution's basic premise is of historic significance.

Parallel or complementary to this Israeli recognition is the demand for Arab recognition of Israel as the national home of the Jewish people. This is also a novelty, as in all previous incarnations of Israeli–Palestinian negotiations the demand was never raised. Arguably, an end to the conflict and the end of claims by both sides, which will be part of a comprehensive agreement, provide a response to this demand. However, the Palestinian—Arab recognition that Israel demands implies a full acceptance of Israel's existence. There are ways to assuage Palestinian and Arab concerns as to the status and rights of the Arab minority in Israel, a concern that is offered as the reason for refusal to grant Israel's request. Additional legislation that ensures equality – should Israel adopt a constitution – and other practical measures could serve as a fitting additional response to a legitimate Arab concern.

Naturally the question of the legal status of Israeli Arabs and their social status is not new and was raised with the establishment of the State of Israel. However the issue has escalated, with radical expressions sounded over this past decade by both Jews and Arabs. These are liable to complicate the attempt to reach a solution to the overall conflict between Israel and the Palestinians.

Building Institutions of the Future State

The notion of establishing a Palestinian national home began to surface only about a decade following the Six Day War. The 1974 Rabat Conference, the autonomy agreement (part of the 1979 Camp David accords between Israel and Egypt) and the 1980 Venice Declaration of the European Union are some of the stepping stones in the idea's evolution over the years.

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Israel's total control over territory in Gaza, Judea, and Samaria prevented full development of pre-state institutions that in the future could serve a nascent state. Israel's response to the second intifada was, practically speaking, the destruction of any seeds of those potential institutions. The years that followed, however, saw the Roadmap; increased involvement

of major countries; the rise of Salam Fayyad, a Palestinian technocrat and representative of the International Monetary Fund, to the helm of the Palestinian government; and the creation of Palestinian institutions and security forces, mainly through US involvement. Fayyad's August 2009 plan to set up state institutions before a state was proclaimed constitutes the first attempt in Palestinian history during the new age to address the process of state-building in an institutional and methodical manner. Historians identify the 1920s–1930s as the period during the British Mandate in which institutions of the Jewish *yishuv* were formed in preparation for a state. Similarly, the Palestinians will look back on the decade as the period in which the infrastructure of the Palestinian state was destroyed and subsequently rehabilitated and expanded.

A Decade of Existential Challenges

Two types of challenges have intensified during this decade. The first is the attempt to undermine and topple Israel's moral-legal basis. It is important to distinguish between criticism (although critics are often unable to distinguish between Israel and an activity or policy implemented by it) and the challenge to Israel's justification for existence. But there is no doubt that this is the decade in which the floodgates were opened. The most egregious example of this, though not the only one, was the first Durban Review Conference. From hostile media to boycotts of Israeli products, even those coming from pre-1967 Israeli territory, this campaign broadened in the first decade of the 21st century.

The Palestinians will look back on the decade as the period in which the infrastructure of the Palestinian state was destroyed and subsequently rehabilitated and expanded.

The second existential threat that intensified in this decade is Iran's military development of a nuclear capability. Due to the repercussion of the nuclear effort and Iranian actions, directly or through proxies such as Hamas and Hizbollah, Iran has become a factor that directly and indirectly influences prospects for a political solution to the Arab–Israeli conflict. Therefore, the conflict has gone from being an Arab–Israeli matter to a Middle East concern, involving additional regional actors that up to the year 2000 had no direct bearing on the character and substance of negotiations between Israel and its neighbors. This "addition"

makes negotiations between Israel and Syria, and to a certain extent also with the Palestinians, more intricate and complicated. In renewed negotiations with the Palestinians, and certainly with Syria if and when they resume, Iran will become a dominant factor, even if not present at the table – and not just because Israel will demand the severance of the Iran-Syria-Hizbollah military connection. Therefore, the linkage created during this decade between both the nuclear and subversive aspects of the Iranian threat and the peace process will have a decisive effect on chances of achieving a comprehensive Arab–Israeli settlement. Although the Iranian nuclear-subversive threat seemingly unites Israel and Arab states that feel threatened, this is not a natural alliance. Furthermore the life expectancy of the nuclear threat is unclear, and it does not serve as an incentive for existential decisions on the part of Israel in negotiating with either the Palestinians or Syria. In addition to the Iranian threat, the process of the US withdrawal from Iraq and Afghanistan adds factors of instability and uncertainty that will make it difficult for Israel to take decisions with long range implications.

Conclusion

The decade of 2001–2010 was not distinguished by dramatic political and military decisions. On the other hand, processes occurred in this decade that will create decisive influence on future directions of the Arab–Israeli conflict and the search for its solution. The peace process between Israel and the Arab world is not a perfectly linear one, but despite the disappointments and failures, one can discern positive developments and trends. Between well publicized milestones in the form of peace agreements with Jordan and Egypt and partial ones with the Palestinians, a quiet below-the-surface process has taken place that amounts to a paradigm shift. It is process that has made the glittering ceremonies on the White House lawn possible.

Resuming the Multilateral Track in a Comprehensive Peace Process

Shlomo Brom and Jeffrey Christiansen

Since his speech in Cairo in June 2009, President Obama has yet to make any significant progress in the Middle East, whether with respect to relations with Syria, the Iranian nuclear program, stabilization in Iraq, or the Israeli–Palestinian peace process. His most recent project – bringing Prime Minister Netanyahu and President Mahmoud Abbas into effective direct negotiations – is fraught with obstacles, and even after the parties agreed to move to direct negotiations the potential for success in the negotiations remained slim. It is not clear whether with his right wing coalition Netanyahu can work towards the establishment of a Palestinian state, and the weakness of the Palestinian government and the Fatah–Hamas split seriously complicate the scope of any agreement and prospects for its implementation. Meanwhile, mounting tensions over Iran's nuclear program and opposition from Hizbollah and Syria over the upcoming judgments of the Special Tribunal for Lebanon inflame an already volatile region. In this difficult environment, progress in the Arab–Israeli political process is dependent to a great extent on President Obama's ability to build a credible supporting framework that will encourage and assist the parties to advance towards an agreement.

The purpose of this essay is to propose resumption of the multilateral working groups in a revised format in the context of a comprehensive approach to Middle East peace. When the Madrid process was launched in 1991 it was hoped that the multilateral talks would assist the bilateral talks in concluding peace agreements with Syria, Lebanon, and at that time the Jordanians/Palestinians. These groups generally failed in

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fulfilling this role, although some of them had important achievements. The current idea is to tailor the multilateral groups so as to support the negotiations with the Palestinians.

Distinct political leadership is essential, but by expanding the scope of the negotiations between Israel and the Palestinians, Obama might set in motion a comprehensive process that exceeds what was achieved in Madrid in 1991. The Madrid conference succeeded in developing a comprehensive approach to Arab–Israeli peace negotiations based on bilateral and multilateral regional tracks. This time the process would encompass several other components evolving in tandem and supporting one another.

The proposed process comprises four components. The first is a re-focus of the Israel–Palestinian negotiations on a permanent agreement, and a re-launch of the Israel–Syria negotiations. The second component is the gradual movement towards implementing the two-state solution by changing the reality in the West Bank on the ground through interim Israeli–Palestinian agreements. The third component is a regional umbrella based on the Arab Peace Initiative (API), while the fourth is an international umbrella that supports the process as it unfolds.

Permanent Status Negotiations

The first step in this process, focusing the direct negotiations on permanent status issues, is important for several reasons. First, negotiations focused only on reaching partial agreements might lead the Palestinians to suspect Israel of trying to maintain the status quo and avoid the implementation of an acceptable two-state solution. Second, Israel might be concerned about making concessions on the ground without obtaining an end to the conflict or concessions by the Palestinians on issues that are central to them, such as a solution to the refugee problem. Third, a process focused only on partial agreements risks undermining confidence, rather than building it, should the sides fail to meet their commitments, as happened with the Oslo process. To be effective in changing the reality on the ground, partial agreements must be made in the right context: as interim agreements in the context of a broader process and implemented in coordinated fashion by both sides.

Interim Agreements

To be durable, however, permanent status negotiations should take place alongside a second process: gradual movement towards the two-state solution that changes the reality on the ground. Israelis and Palestinians alike have lost confidence in the negotiations process because they have not witnessed positive changes on the ground. Palestinians have not seen the end of the occupation or sufficient improvement in their freedom and standard of living, while Israelis have not seen enough actual work by Palestinians towards a viable, capable, and responsible state that will exist alongside Israel in peace and security.

However, for a real change on the ground a change in the Israeli approach is also needed. Traditionally the Israeli government has advocated a one-sided bottom-up approach: Palestinians must change first – by building institutions and demonstrating their capability and credibility – and then Israel can treat them as a partner with whom a permanent status agreement can be concluded. That is a passive approach, with the Israeli side a spectator watching and grading Palestinian performances. However, the Palestinians cannot succeed in this project without Israel doing its share. Salam Fayyad's state building program should be seen in this context. His two-year plan aims to complete some 2,000 projects in areas A, B, and C related to improving the effectiveness of public institutions, enhancing the role of the private sector, and developing infrastructure in rural areas. Fayyad has already completed about 1,000 of the projects, but given the present situation many of the remaining projects cannot be initiated or completed without Israeli cooperation. Israel, therefore, should not be a passive observer of this process, and would do well to take steps that will enable the Palestinians to realize this plan of state building, which is an initiative highly beneficial for both parties.

The most important obstacle to Palestinian state building is the current delineation of different types of territories in the West Bank as A, B, and C. The tri-fold territorial categorization prevents Palestinian territorial contiguity, restricts freedom of movement, and denies the Palestinians land for development projects. For example, construction of the new Palestinian city Rawabi is more difficult because the access road runs through several kilometers of Area C. Israel, however, could gradually transfer control over territory in the West Bank to the Palestinian Authority and change C status areas to A or B status, or B areas to A, thus

encouraging the PA to continue building its institutions and capabilities and strengthening the economy under more auspicious conditions. At a later stage a few isolated settlements could be dismantled, which would give the PA better territorial contiguity. Furthermore, the process of interim agreements should include the beginning of settlement dismantlement in order to send a credible message of Israeli intent to implement the two-state solution despite the inherent difficulties in arriving at a permanent agreement. The pace of this process will depend on progress in the cultivation of Palestinian capabilities, the security situation, and both sides' political ability to move forward. Presumably, the more the process advances, especially in its early stages, the more politically empowered both sides will be to transition to the next stages.

The Regional Umbrella

Permanent status negotiations will be neither easy nor brief. Nor are they particularly likely to succeed in the absence of regional and international support that enhances the respective support structures for Israelis and Palestinians. Thus, the third component of the political process is a regional umbrella based on the Arab Peace Initiative. The API was announced in March 2002 as an expression of intent by Arab states to have peaceful relations with Israel. It offers Israel a comprehensive peace settlement with all Arab states in exchange for full Israeli withdraw to the June 1967 borders, including the Golan Heights and occupied Lebanese territory, and for agreement by Israel to the establishment of an independent Palestinian state with East Jerusalem as its capital. The API also calls for a negotiated resolution to the problem of Palestinian refugees according to UN Resolution 194. In return, Arab countries would consider the conflict with Israel ended and provide Israel with security guarantees.

The API is significant in a number of ways. First, it is the first time Arab states have collectively agreed to the principle of ending the conflict with Israel and normalizing relations with it. Second, the API reinterprets Resolution 194 in favor of "a just and agreed upon" solution, rather than leaving the issue to refugees' unilateral decisions, as called for by the resolution. Third, although it calls for Israeli withdrawal based on the 1967 borders, the API leaves room for land swaps that can accommodate large settlement blocs that would remain under Israeli control in an agreement.

Though the API received little recognition in Israel because it was announced at the height of the second intifada, the fact that Arab states have since reaffirmed the initiative each year signals their continued interest in it. Attempts have even been made to market it to the Israeli public: Jordan distributed the resolution in Hebrew to Knesset members in 2007, and Fatah published the API in the Israeli press in November 2008. If Arab states remain interested in ending the conflict with Israel and consider the Israeli-Palestinian conflict at its core, how can they contribute to the negotiations process?

The most important precondition for Arab involvement is evidence of real intent and progress in direct negotiations. It seems that Arab governments do not believe that Prime Minister Netanyahu wants to reach an agreement with the Palestinians or is willing to make the necessary concessions to advance an agreement, e.g., a cessation of settlement construction. Just as Saudi Arabia refused Obama's July 2009 request for intermediate normalization gestures to Israel, so are they likely to balk at supporting negotiations that they have no confidence in.

However, should Arab states see real progress on the Israeli-Palestinian track, Obama could encourage them to enter a process akin to a Madrid II. This time, instead of pressuring Arab states to take unilateral steps toward normalization with Israel, Obama could encourage them to renew multilateral negotiations groups on some of the various relevant topics: regional arms control and security, refugees, water, economy, and environmental issues. The role of the different groups should be to agree on ways the Arab states can facilitate an agreement between Israel and the Palestinians and between Israel and Syria in their specific areas. Thus the water group should focus on water arrangements that can facilitate these agreements. Other groups – led by Egypt, Jordan, and Saudi Arabia – might provide backup and assistance for the Palestinian state building enterprise throughout the negotiations with Israel, such as assisting the PA in capability-building and security force training. Others could lend political coverage and practical support in negotiations over Jerusalem and refugees. Support from Arab states could also come in the form of aid for the rehabilitation of the refugees in the West Bank, participation in an international security force, and help with rehabilitation and full citizenship for those refugees choosing to relinquish the right of return and remain in Arab states. Finally, at an appropriate point in the process,

Obama could encourage Arab states to revive their liaison offices or interest sections with Israel.

This new multilateral process does not have to emulate the Madrid multilateral process exactly. Changes can be introduced in the subjects of the groups, their composition, and their modus operandi. Perhaps only the groups that are more tightly knit and are relevant to the bilateral tracks will be established. It will probably be necessary to have groups that deal, respectively, with security, refugees, Jerusalem, and water, and possibly also an economic group. Not every group has to include all the Arab states. Some of them, the water group for example, may include only the relevant states, those that border Israel and the Palestinian areas and share water with them, while other groups would comprise a coalition of willing states. The pretension of the Madrid multilateral process to deal comprehensively with problems of the whole Middle East did not make it an effective tool in facilitating the bilateral tracks. It only made the Arab parties suspicious that it is an instrument for premature normalization with Israel and Israeli dominance in the area through other means.

The International Umbrella

The fourth component of the process is an international umbrella, which would support several levels of the process. First, in the framework of the Quartet and led by the US, the international community should devise a long term strategy for the course and timetable of the bilateral and multilateral talks, as well as the resources and means available to the international community for encouraging the parties to stay on track. Without such a strategy, direct negotiations may lead nowhere, and excessive focus on procedure could obstruct actual progress. Second, the terms of reference for the overall process and the rules of procedure for the multilateral negotiation groups must be reiterated by an international forum (perhaps the Quartet). Third, the international community could continue assisting the Palestinians in general capability building: strengthening their institutions, their economy, and their security apparatus. The international community could also support the implementation of any relevant agreements reached between Israelis and Palestinians − for example, by deploying an international force as part of an interim or permanent status agreement over Israeli withdrawal. Finally, in order to encourage Palestinians to seek progress

in this process, Palestinians will need guarantees on the results of the permanent status – for example, that any land swaps will exchange areas of equal size – and the international community and specifically the US can make such guarantees.

Risks and Opportunities

Of course, there are reasons to doubt the viability of such a process. The US is much weaker today than in the early 1990s; before the first Madrid conference, the US was stronger than it had been since WWII. It had won the Cold War and forged an impressive coalition of Arab states to expel Saddam Hussein from Kuwait. Now, however, the US is bogged down in Iraq and Afghanistan and saddled with a large national debt and high unemployment. In the US, President Obama's job approval rating is now under 50 percent – an all time low and unlikely to improve significantly over the coming months.[1] Similarly, approval ratings of the president in Egypt, Iraq, Algeria, Mauritania, Lebanon and the Palestinian territories have all declined since the fall of 2009,[2] largely out of disappointment that Obama has thus far failed to achieve any sort of breakthrough in the region. For a risk-averse president, these trends are hardly emboldening.

Nonetheless, should the bilateral tracks show signs of progress, there are reasons to believe that Obama could in fact launch a Madrid II process. Before the first Madrid conference, there was no peace process at all and the Arab Peace Initiative did not exist. The US had to drag the parties to the table and force them to start one. At the time, Israel was a serious obstacle: Prime Minister Yitzhak Shamir's basic strategy was to buy time in order to expand settlements, with the goal of ensuring that the West Bank and Gaza remain part of Israel. Now the situation is different: the peace process is a fact; almost all governments in the Middle East – and in the case of Israel this includes also most Israelis – support the continuation of negotiations and await their successful conclusion. There is strong support for the two-state solution in Israel. Moreover, there are strong indications that Arab states want to pursue the Arab Peace Initiative and would be amenable to Obama applying enough procedural pressure on all parties concerned.

Such a process based on the Arab Peace Initiative holds promise for the Middle East on more than one count. First, it could help moderate Hamas and other spoilers by essentially defusing them. Currently, Hamas

in Gaza has a basic desire for a period of calm because this would allow it to consolidate its control of the Gaza Strip and because it is protective of its status as a party in Palestinian politics. Hamas opposes direct negotiations with Israel. However, if such negotiations were supported by the Arab world and resulted in more Palestinian control over the West Bank and eventually the establishment of a Palestinian state, Hamas would find it more difficult to interfere. This means, however, that for the time being Israel and the PA will have to accept the fact of Hamas governing Gaza (when in any case Israel and the PA can do nothing about it), and in so doing, give Hamas an interest in proving that it is a capable government that can maintain calm and security, and provide public services to Palestinians in Gaza on the level of the PA. Israel could continue the process that started after the flotilla incident and allow a freer flow of goods and people in and out of Gaza. If the process also includes a revival of the Syrian–Israeli negotiations it will at least partially neutralize Syria as a spoiler.

Second, the Palestinians cannot offer Israel regional security arrangements. Only a framework like the API can address Israel's long term national security concerns. Perhaps most importantly, a Madrid II could help isolate Iran and rein in Hizbollah. Iran has been mixed in its support for the API, publically rejecting it but privately expressing potential support. But if the Palestinians were to reach an agreement with Israel under the principles of the API, then Iran would be hard pressed to defy the entire Arab world in openly opposing the agreement. In the absence of such a framework, non-state actors such as Hizbollah can pursue their agenda; in face of such an agreement, they would be more restricted.

For more than eighteen months there has been overall calm between Israel and the Palestinians, and this calm should not be taken for granted. The renewal of the direct negotiations between Israelis and Palestinians promises a very fragile process, and Hamas' derailing attempts only attest to this fragility. However, this in fact underscores the urgent need for a comprehensive approach to the negotiations that will enable the establishment of the necessary support structures for the negotiations.

Notes

1 Gallup, http://www.gallup.com/poll/141461/Obama-Averages-Approval-Sixth-Quarter.aspx.

2 Gallup, http://www.gallup.com/poll/137759/Arab-Countries-Turn-Leadership-2010.aspx.

The Core Issues of the Israeli–Palestinian Conflict: The Fifth Element

Shiri Tal-Landman

The first bilateral political conference to address the core issues of the Israeli-Palestinian conflict, the July 2000 Camp David summit, ended with a resounding failure that to a great extent encouraged the outbreak of the violence of the second intifada. Exactly one decade after the Camp David fiasco, the permanent status negotiations between Israel and the Palestinians were again launched with much pomp and celebration – and accompanied by much skepticism. Although the first decade of the twenty-first century began and ended with historic diplomatic milestones in Israeli–Palestinian relations, it will largely be remembered as a decade of conflict and not as a decade of peace. Indeed, while the end of the twentieth century brought with it prospects of conflict resolution, in the decade that followed conflict management assumed center stage, i.e., management of the status quo and prevention of outbreaks of deadly violence. Consequently, the political arena seems frozen in time: at first glance, the starting point of the Netanyahu–Abbas talks of summer 2010 appears almost identical to the starting point of the Camp David talks between Barak and Arafat ten years earlier.

What, however, did change over the past decade?

Even if a decade after the opening of the permanent status negotiations it seems that the gaps between the two sides are too wide to bridge, it is the Camp David summit that can be seen as the watershed marking the emergence of two trends that became turning points in the Israeli–Palestinian negotiations regarding the core issues of the conflict. First, in these ten years the widespread consensus among the Israeli public against the very idea of placing these issues on the negotiating table has

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eroded, and public, political, and social debate on possible alternatives has earned increasing legitimacy.[1] Nabil Sha'ath', a member of the Palestinian negotiating team at Camp David, said to President Clinton, "Please do not put on a sad face and tell the world [the summit] failed. Please say we broke down taboos, dealt with the heart of the matter and will continue."[2] Indeed, this decade of the Israeli–Palestinian process may be called a stage of breaching the talks' longstanding boundaries.

This trend was manifested first of all in the many track-II meetings between Israeli and Palestinian public figures, which yielded various detailed and comprehensive formats for settling the conflict (such as the Geneva initiative,[3] the Ayalon–Nusseibeh initiative of 2002, and documents that dealt with ways of resolving specific points of contention, such as the work of the AIX group on the economic implications of an Israeli–Palestinian peace agreement). Second, there was a fairly steady rise in Israeli public support for compromise on central aspects of the core issues, apparent in public opinion polls since their inclusion on the public agenda in the summer of 2000.[4] Third, lively public and media discussions emerged, as well as the beginning of a formal political discussion, aiming to differentiate between the relative importance of different aspects of the charged issues, and extract from them Israel's real red lines and essential interests.

The second trend on the core issues of the conflict, which toward the end of the decade captured extensive public and political attention, was the addition of another core issue to the four central issues already on the negotiating table in 2000 (borders and settlements, Jerusalem, refugees, and security): recognition of Israel as the state of the Jewish people. With the opening of the political talks of summer 2010, this issue even commanded primary importance on the agenda presented by Netanyahu for the political process. This article analyzes this fifth core issue, which will likely play a major role in the future of the political process.

The Fifth Element: Recognition of Israel as the State of the Jewish People

In his address to the people of Israel in honor of the Jewish New Year in September 2010, Prime Minister Netanyahu referred to the peace process with the Palestinians, newly launched at a festive ceremony in Washington:

> And we insist that among our other important national interests, any agreement between us and the Palestinians will be based upon two principles – security and recognition. Security, because no peace will last without strong anchors of real security arrangements on the ground...and the second item is, of course, the recognition of the State of Israel as the nation-state of the Jewish people. We are being asked to recognize the Palestinian state, and it is worthy and natural that we demand that the other party recognize the Jewish state as the state of the people of Israel. The deep understanding and the belief in our right to live here in this land, our homeland, the land of our forefathers, is vital to our dealing with the challenges of the upcoming year, with the challenges of the upcoming decade, with the challenges of the future in general. There is no more just struggle than our struggle to return to our homeland and to build our lives upon it as a free, sovereign nation. There is no question, and we will not allow there to be any question, regarding our right, our legitimacy, or our existence as a free nation in our land.[5]

This is not the first time that Netanyahu demanded recognition of the State of Israel as the nation-state of the Jewish people, planting it (along with Israel's security requirements) as one of the two essential pillars of a permanent settlement with the Palestinians. This demand has become a primary motif in many of the headlines generated by the Netanyahu government since its establishment,[6] and has been the central demand by Netanyahu in his main political speeches since his entry into office as prime minister, including the Bar-Ilan speech of June 2009 and his speech to the Council on Foreign Relations in New York on July 8, 2010. This demand was previously presented by him not only as a mandatory component of a permanent settlement with the Palestinians, but even as a precondition for the very renewal of the political process.[7] Furthermore, the refusal of the Palestinians to meet this demand was named in some of Netanyahu's speeches as the root of the conflict, and it is also defined as such on the official website of the Foreign Ministry.[8] With this policy, Netanyahu has established the issue of recognition as the fifth element in talks about a permanent settlement, joining the four central issues that were previously the focus of the negotiation. In addition, he has elevated this issue in importance over the others.

Netanyahu is not the first to relate to the issue of mutual recognition as an essential element in the Arab–Israeli political process, and it was also included in previous political settlements that Israel has concluded. However, since Camp David the Israeli leadership's attitude on this issue has evolved, specifically along two tracks. One track entails a stronger demand vis-à-vis the nature and content of the recognition sought by Israel, as will be explained below. On the second track, pushed heavily by Netanyahu, the issue has been crowned with new importance, until it was presented as one of the most important core issues on the negotiating table.

This demand for recognition between sides in a process of conflict resolution may have several dimensions, or "levels," embodied in the concluding sentence from Netanyahu's September 2010 New Year's address, quoted above: "There is no question, and we will not allow there to be any question, regarding our right, our legitimacy, or our existence as a free nation in our land." Until the last decade, Israel demanded Palestinian recognition on the first level, which is also the accepted version in international diplomatic processes (primarily when new countries are established): recognition of the existence of the partner to the agreement as a sovereign political entity, and of its right to continue to exist in peace and security within its agreed borders. This type of recognition was demanded and included in the peace agreements between Israel and Egypt, and between Israel and Jordan,[9] as well as in the Oslo accords between Israel and the Palestinians, in the form of letters of mutual recognition exchanged by Prime Minister Rabin and PLO leader Arafat before the signing of the Declaration of Principles in Washington in September 1993, and in the Declaration itself.[10]

The second level in the demand for mutual recognition between former adversaries exceeds recognition of the de facto existence of political entities, and aims rather at a recognition of their existence de jure: a recognition of the rights upon which their political existence is based, and specifically, the right of each state to sovereign self-determination on the basis of a national collective identity. This type of declaration reflects the gap between *recognition of the existence of the state* and the *acceptance of its existence*. In the Israeli–Palestinian context, this type of recognition translates into recognition of Palestinians and Jews as national groups, which therefore grants them the right to political self-determination.

Finally, the "highest" level of the demand for mutual recognition is the demand for recognition of the justice or the legitimacy of the situation – the demand that adversaries recognize the legitimacy of their opponents' aspiration to realize their rights in the manner they were historically realized, even if this process resulted in damaging the rights of the other. In the Israeli–Palestinian context, this type of recognition demands that the Palestinian side not only recognize the right of the Jewish people to a national homeland, but also the right to establish its country as a *Jewish state* in the land of Israel. This level of recognition is the most difficult to agree upon, because it requires the sides to relinquish the central narrative that drove the conflict. In effect, the Palestinians are asked to surrender the claim that stands at the basis of their national identity and their historic struggle – that the establishment of the Jewish state wronged the Palestinian residents of the land, whether they were forced to leave their homes, whether they were left as a national minority within the territory of Jewish Israel, or whether they were subsequently subject to Israeli control as residents of Judea, Samaria, and Gaza.

The heightened demand of the second and third types of international recognition first appeared as part of the political process between the Israelis and the Palestinians in 2003, when it figured among the Sharon government's reservations to the Roadmap.[11] It was emphasized even more strongly by the Olmert–Livni delegation at the talks that drafted the Annapolis statement, which opened the round of Israeli–Palestinian peace talks in 2007. The novelty in Netanyahu's policy is his demand to include this condition as a mandatory, binding condition of negotiations. As such, it is important to analyze the motivation behind this policy, the possibility of its being incorporated in the various stages of Israeli–Palestinian negotiations, and possible alternatives for flexibility. Netanyahu himself has already begun to address all of these dimensions in his statements.

> At issue is a debate over the fundamental values of national identities, and first and foremost, the right of the Jewish people to its historic homeland.

Netanyahu's Approach

Two common explanations of Netanyahu's policy cast his demand for recognition as a tactical means of achieving other objectives. Many

political commentators believe that Netanyahu is not interested in renewing the political process, and is using the demand for recognition as a tactical means of sabotaging the chances of engaging in permanent status negotiations. It might even be a means to assist him in proving the "there is no partner" paradigm, while blaming the Palestinian side for the failure.

If this interpretation is correct, the potential success of this tactic is far from assured. The Palestinians have indeed made it clear that a demand such as this is unacceptable to them, and thus it poses an obstacle to negotiations. However, contrary to Netanyahu's expectations, the demand has not earned sufficient backing from Israel's allies (which would be necessary in order to blame the Palestinians for the failure of the process). There are two reasons for this. The first is the lack of a precedent in accepted diplomatic proceedings for the recognition of the sovereignty of political entities for the demand to recognize a country's ideological character; this joins with the lack of such a precedent in the peace treaties that Israel has previously signed (since in the treaties with Jordan and Egypt, and in the Declaration of Principles between Israel and the PLO, the demand for recognition remains on the level of "the recognition of the right to exist" of the signatories).

The second objection concerns the ramifications of such a declaration regarding the rights of non-Jewish minorities in Israel. In the National Security Strategy published in May 2010, the Obama administration emphasized, "The United States seeks two states living side by side in peace and security—a Jewish state of Israel, with true security, acceptance and rights for all Israelis; and a viable independent Palestine with contiguous territory."[12] This declaration demonstrates that rather than strengthening the commitment by the international community to the principle of the Jewish state, Netanyahu's demand urged even Israel's closest ally to address for the first time the controversial implications related to this principle (i.e., the equality of rights and national belongingness of non-Jewish minorities in Israel), in order to meet the concerns the demand raised among the Palestinians. Given the lack of support from the international community, and assuming that Israel is interested in advancing the peace process, the insistence on this demand presumably stems from more fundamental reasons than an attempt to defer the political process.

A second explanation of Netanyahu's insistence on the demand for recognition of Israel's national character is the reason given by the prime minister himself in his public speeches, whereby there is a direct correlation between symbolic recognition and three central disputed issues that must be addressed in a permanent status agreement and that are in Israel's eyes real threats to its very existence. These are: the "right of return" of the Palestinian refugees (which threatens the Jewish demographic majority); the status and collective rights of the Palestinian citizens of Israel (given the concern that in the future, this will involve demands for autonomy and formal separation from the state); and a declaration of the end of the conflict and an end of claims (which encompasses the latter two issues and which has constituted a fundamental demand by Israel regarding the permanent status agreement since the beginning of the Arab–Israeli peace process). Netanyahu contends that official recognition by the Palestinians of the Jewish character of the state will effectively obstruct these potential threats.

This reason is also tactical in nature, in that it views symbolic recognition only as a means of achieving a practical outcome, namely, an impact on the nature of the agreements resolving the core issues. However, it seems that here too, as with the first possible reason for the demand, the means does not necessarily serve its objective. On the one hand the means do not necessarily guarantee the end: even if the Palestinian Authority accepts the demand for symbolic recognition of Israel as a Jewish state, this recognition does not constitute proof that it will rescind demands regarding other specific issues, and certainly does not obligate the leaders of the Palestinian citizens of Israel. On the other hand, the opposite is also true: the practical objective may be realized, even without the support of the symbolic means. That is, there is no need for symbolic recognition of Israel as a Jewish state in order to negotiate a resolution of the core issues at hand, driven by Israel's interests and limited by its red lines, along with a binding declaration on the end of all claims. In other words, Netanyahu's argument that a priori symbolic recognition regarding the Jewish character of Israel is linked to the resolution of the other core issues is dubious.

In discounting the demand for recognition as a tactical measure, a third possible reason – which has so far commanded less attention –

for the government's insistence on this demand emerges, namely, as an ideological moral motive, which sees the demand for recognition as a strategic objective in and of itself, *recognition for the sake of recognition*. From this perspective, the demand for Palestinian recognition of the national character of Israel stems from the desire to create an essential change in the main issues on the table of the permanent status negotiations, and out of ideological reasons, add a layer of negotiation about the historic narrative of the conflict to the existing agenda.

Inclusion of the historic narrative as a central layer in the political process constitutes a significant change in the posture Israel has assumed since the political process began with the Oslo talks. From the beginning of the process, Israel's position was to skirt discussions on the injustices of the past and the perceived roots of the conflict in the framework of the negotiations. Rather, in an approach called "Forward-Looking Negotiations,[13] it applied much pressure to focus the negotiations on maximizing the current interests of the parties and ending the violence. This approach was later heavily criticized by analysts of the process, and was even presented as one of the central causes of its failure, claiming that it took advantage of Israel's relative power to dictate an agenda that ignores the Palestinian need to resolve the injustices of the conflict. Indeed, for Israeli interests, there is a significant advantage in focusing the talks on dividing the tangible assets between the sides (issues mainly of territory and governmental control) by basing this on the post-1967 situation and by avoiding the issue of the "Palestinian catastrophe of 1948" (the *Nakba*), which would invite a challenge to the very legitimacy of the establishment of the Jewish state, and would challenge the reference to the borders of the armistice – the Green Line – as the starting point for dividing up the land. Against this background, the demand to raise the issue of recognizing Israel's national rights in context of the negotiations constitutes a significant change with many ramifications, and opens the door for similar demands from the Palestinian side, i.e., that Israel recognize the basic elements of the Palestinian narrative on the conflict.

If so, why is the demand to open the "justice file" pushed by the current government? The underlying argument is that a review of the political negotiations conducted thus far invites opposite conclusions from those presented above. Specifically, the government – joined by others, who are primarily of the right wing camp – suggests an opposite interpretation

of the asymmetry that was characteristic of the process and that (among other causes) brought about the failure of the negotiations. According to them, Israeli strength did not dictate an easy agenda that only addressed Israel's needs, nor was this the root of the problem in the Israeli–Palestinian political process. Rather, its own weakness entrenched Israel in a haggling negotiation over disputed physical property, instead of presenting a decisive, confident position about its moral and legitimate national rights to the land of Israel.

Thus, for example, at a conference that took place at the Knesset on May 25, 2009 entitled "Alternatives to the Two-State Approach," the conference organizer, MK Tzipi Hotovely of the Likud party, stated its central message:

> We must return to speaking the language of rights. The agents of our national consciousness contained the discourse on our right to exist in Israel and in Jerusalem. If we speak of other claims and don't respond to the Palestinians in the language of rights, we will lose our moral right to the land...The moral claim must stand at the basis of the talks. We must speak in the name of Jewish morality that is connected to our roots, to our history...It is our turn to become part of the consensus.

At the conference, Vice Prime Minister and Minister of Strategic Affairs Moshe Ya'alon repeated the demand to return to the discussion of rights:

> The Oslo process increased the asymmetry favoring the Palestinians against Israel, pitting the Palestinian claim to a right to the land, as opposed to the Israeli demand for security. The Palestinians claim the right to live everywhere, and a lack of a parallel demand for Israelis. This is a convention that must be broken.

Minister of Information Yuli Edelstein affirmed: "The premise is that the land of Israel belongs to the people of Israel – and on these grounds, I am willing to discuss how we compromise in light of the reality we face. But we must begin from such a premise as the starting point of our talks."[14]

Netanyahu himself raised the demand for Palestinian recognition of Israel as a Jewish state with historical rights even prior to his entry into office as prime minister for the second time. In 2007, as head of the opposition, he presented the idea that Palestinian recognition of Israel as a Jewish state, accompanied by symbolic steps such as changing the

content of the books used to teach history in the Palestinian Authority, is a precondition to opening negotiations.[15] This demand from his tenure as opposition leader underscores that the demand for recognition is not a newly-recruited tactic to repel pressure to advance the political process.

A bill submitted in the Knesset for ratification in late July 2010 by MK Nissim Ze'ev of the Shas party likewise attests to an essential change in the understanding of the issues that must be negotiated in permanent status negotiations. Entitled "Bill for implementation of a 'Culture of Peace' as a basis for negotiation in the framework of the peace process with the Palestinians and Arab states," the bill, signed by ten members of the Knesset, stipulates that "In the framework of negotiations regarding a treaty or accord with a country, body, or authority whose purpose is an actual political settlement, the government will include a commitment by the other party to apply in legislation the principles of a culture of peace." These principles are set forth clearly: "These norms include universal moral and legal values that are accepted by every society and nationality, in accordance with their own particular values." The rationale for the bill is that "in recent years, we have also witnessed attempts to revoke the legitimacy of the State of Israel as a Jewish state. Any peace initiative that does not set the grounds for mutual respect and basic understanding of the values of each side's culture by the other side is doomed to failure."[16] In other words, the objective of the bill is to anchor in law the demand for recognition of the Zionist values in a permanent settlement with all Arab states.

The demand to recognize the State of Israel as the nation-state of the Jewish people as part of the Israeli–Palestinian peace process is likely derived from a combination of the three motives discussed, and is not the product of a single interest.[17] At the same time, from the political discourse it seems that one of the central reasons for the importance ascribed to this demand is a change in the significance attributed to the Israeli–Palestinian negotiations in general: these are not just negotiations regarding the division of physical property between the sides or competition over the extent of the compromise they will accept. Rather, at issue is a debate over the fundamental values of national identities, and first and foremost, the right of the Jewish people to its historic homeland. As such, formal recognition of this right by the actors involved in the conflict conveys to the Israeli public, the Palestinians, and

the entire international community a message that even the willingness to compromise on core issues, and specifically sovereignty over Judea, Samaria, and Jerusalem, does not constitute a waiver of the fundamental value underlying these issues. In fact, the political process may serve as a tool to reinforce the commitment to this leading value and its international legitimacy.

Achievement of Recognition

It has been suggested that Israel's current demand for recognition be realized in one of two ways: as a preliminary declaration before entering official negotiations, or as an issue to be negotiated during the permanent status negotiations.

A preliminary declaration is one means to foster a positive atmosphere as the negotiations open and establish the principles that will guide them, without committing to particular resolutions of the points in dispute. The joint statement from Annapolis in 2007 is an example of such a process that sought to emphasize the common denominator shared by the parties before the opening of negotiations. This sort of declaration must typically meet some conditions: it must be mutual and agreed upon, stated publicly and clearly, and most important, it must balance between innovation (i.e., something new, but not trivial, in relation to prior declarations and the existing political dialogue) and implementability, meaning it must not threaten the positions, interests, or founding narratives of the sides or limit the possibilities for negotiation of the disputed issues.[18]

According to these principles, there is justification in Netanyahu's request for recognition of the national character of both states as the logical next stage in the developing relationship between Israel and the Palestinians. This relationship has advanced significantly over the last decades, in terms of both the political and the public discourse: from a starting point of rejection of any type of relationship with Israel (the three "nos" of the 1967 Khartoum summit), to the official adoption of the UN partition plan as the basis for the Palestinian declaration of independence at the Algiers Summit of the Palestine National Council in 1988, to the joint Declaration of Principles in Washington in 1993, which stated it was time to "recognize [the parties'] mutual legitimate and political rights,"[19] and ending with the Annapolis statement of 2007, which included an explicit commitment by both sides to the principle of

two states "living side by side in peace and security."[20] Therefore from the Palestinian side, the recognition of the fact that Israel exists is already solid, rooted in many commitments and declarations and even officially adopted by all the Arab League countries in the Arab Peace Initiative of 2002. Thus, the next logical stage is recognition of the rights upon which Israel's existence is based – in other words, recognition of Israel as the nation-state of the Jewish people.

Netanyahu is also correct in his claim that progress in the relationship is not completely mutual or symmetrical. Israel not only demonstrated a similar process of recognition over the years vis-à-vis the Palestinians, but even advanced one step further in its willingness to recognize the Palestinian people as possessing the right to a nation-state of its own. In his remarks at the cabinet meeting on September 12, 2010 (two days before the opening of the Sharm el-Sheikh talks), Netanyahu said: "Just as Israel recognized the Palestinians' right to a state, so must they recognize Israel as the nation-state of the Jewish people."[21] In other words, both sides have already passed the hurdle of public acknowledgment of the need to divide the land into two states, but only Israel took the first step toward ideological recognition of the right of the Palestinians to a state in part of the land, as per the formula "two states for two peoples."

However, because at this stage the Palestinians cannot not afford to accept such a demand by Israel, it is possible to seek a preliminary declaration as an interim version that will not upset the balance between innovation/progress and a threat to the underlying goals of the negotiations.

The first principle for formulating an acceptable version would be to settle for the second level of recognition, recognition of the right to national self-determination, and waive the demand for recognition on the higher level, the Jewish character of Israel, which undermines Palestinian nationalist claims. Netanyahu himself has acknowledged that if his purpose is indeed to achieve agreement with the Palestinians on the issue and not to torpedo the process, he will need to compromise and recede to this level of recognition. Already in his speech before the Council on Foreign Relations, he presented a more moderate version of the demand for recognition of Israel as a Jewish state: "The solution of legitimacy means that we recognize the Palestinian state as the nation-state of the Palestinian people, and they recognize Israel as the nation-

state of the Jewish people."[22] The important nuance is not the recognition of a "Jewish state," rather the recognition of Israel as a "state for the Jews," a phrasing that does not dictate any claims as to the exclusive nature of the state as a state for one people only. This is also the wording that Clinton adopted in his outline for the permanent settlement in 2000, as well as the wording that was proposed as a compromise by Livni during negotiations on the Annapolis statement. There too, however, it was not accepted by the Palestinians.

Another alternative to the recognition formula, which is based on the same principle, was presented in the Geneva initiative: "The recognition of the right of the Jewish people to statehood and the recognition of the right of the Palestinian people to statehood, without prejudice to the equal rights of the parties' respective citizens."[23] This formula also takes a significant stride forward in its demand that the Palestinians recognize the Jewish people as a nation and not just as a religious ethnic group, who are therefore entitled to definition as a nation de jure and not merely de facto.

A third alternative is recognition of each party's ties to the land in a reciprocal phrasing: "The Palestinian people, like the Jewish people, have historical and cultural roots in the area between the Jordan and the Mediterranean Sea" (without specifying rights to any specific part of the territory). This terminology would likely evoke less opposition because it does not deal with national entitlement, rather with an historical-cultural-religious description that does not contradict either party's national narrative.

The three proposed versions avoid the trap of defining the national rights of the parties as a zero-sum conflict, whereby exercising one side's rights necessarily negates the rights of the other side. Nonetheless, to the Palestinians, all three formulae denote a significant concession on what has been the founding narrative of their national struggle for decades, which will be difficult to accept without adequate compensation.

Recognition as an article on the negotiations agenda: The second possibility regarding the demand that the Palestinians recognize the right of the Jewish people to the State of Israel is to include it as one of the topics on the negotiations agenda. This would entail the establishment of a committee responsible for studying the subject, determining Israel's

red lines on the matter, and integrating in the negotiations framework as one of the committees to negotiate the core issues.

There are three advantages to the integration of the issue in the permanent status negotiations. First, it will enable each party to place the recognition of its opponent's rights within the wider context of settling and ending the conflict, and create a preliminary basis of trust in the parties' intentions to reach a peace agreement. Consequently, this would reduce the suspicions that this is just a political or diplomatic exercise for utilitarian purposes (dooming the process or limiting agreement on the core issues). Second, recognition could constitute a trade-off against other key issues, which could be conceded for justifiable compensation. Third, the negotiations for the resolution of the core issues will need to serve both parties' interests – including the end of the conflict, the refugee issue, and the issue of the Palestinians who hold Israeli citizenship – and thus the reservations and concerns regarding the potential tangible implications of the symbolic declaration would be addressed. It may even be possible to consider a trade off between Israel's flexibility regarding its claims for recognition, and the gains in related interests, for example, flexibility on Israel's demand for recognition, in exchange for a Palestinian concession on its demand for the right of return. From here it seems that choosing this alternative – i.e., integrating the symbolic recognition of the national natures of the states (as well as its specific phrasing) as a core clause of the permanent status negotiations – could facilitate the attainment of the goals set out in the demand as well as the parties' agreement in its regard.

At the same time, if this alternative is chosen, Israel's government will have to take into account that it opens the door to a completely new dimension of negotiations – one of values, identities, justice, and injustice – that could potentially force Israel to deal with parallel demands by the Palestinian side that challenge the very legitimacy of Israel's existence and the manner in which it was established. This would certainly impact on the nature of the settlement that will be attained regarding the core issues as well. This price obliges the Israeli government to rethink the importance of insisting that this issue be included as an element in the process.

Many who engage in international conflict resolution claim that only after signing official peace agreements that settle the central topics of dispute may a sufficient basis of trust between the parties to the conflict

be created in order to enable reconciliation measures, among them the beginnings of mutual recognition of the historical narratives that lie at the heart of the conflict. Perhaps the smartest move for Israel's government in attaining the ideological goals inherent in its demand for the recognition of Israel's Jewish character would be to postpone the discussion of this issue until the reconciliation stage, which would be stipulated as the next binding step after the permanent status agreement is signed. Either way, one may expect that this issue will play a key role in the political process arena in the coming years.

Notes

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1 The first official breakthrough should indeed be ascribed to the Oslo process during the 1990s, when Israel undertook to place all of the issues of the conflict on the table in negotiations toward a permanent settlement. However at this stage, even in light of the seeming historic revolution, the accepted public discourse still ruled out any real discussion regarding the core issues, and this was apparent in the politicians' rhetoric as well. For example, see Prime Minister Rabin's speech in the Knesset after the signing of the Declaration of Principles in Washington: "There are no differences of opinion in this House on the eternity of Jerusalem as the capital of Israel. Greater, united Jerusalem is not subject to bargaining, is and will forever be the capital of the Jewish people, under Israeli sovereignty" (Knesset Minutes, September 21-23, 1993). Furthermore, even Menachem Begin stated in the Knesset in 1977 that he would be willing to discuss "everything," including the issue of Jerusalem, but then he too qualified this statement by saying that he was willing to talk, but completely ruled out any actual division of the sovereignty over the city.

2 Quoted in Deborah Sontag, "Quest for Middle East Peace: How and Why it Failed," *New York Times*, July 26, 2001.

3 The Geneva initiative is largely based on the principles outlined confidentially and non-officially by Yossi Beilin and Abu Mazen as far back as 1995.

4 Yehuda Ben Meir and Dafna Shaked, *The People Speak: Israeli Public Opinion on National Security 2005-2007*, Memorandum No. 90 (Tel Aviv: Institute for National Security Studies, 2007), pp. 56-57; Yehuda Ben Meir and Olena Bagno-Moldavsky, *Vox Populi: Trends in Israeli Public Opinion on National Security 2004-2009*, Memorandum No. 105 (Tel Aviv: Institute for National Security Studies, 2010, forthcoming).

5 The Prime Minister's address for the Jewish New Year 5771, September 7, 2010, Prime Minister's Office website, http://www.pm.gov.il/PMO/Communication/Spokesman/2010/09/spokeroshhashana070910.htm.

6 For example, his demand was also mentioned in July 2010 in regard to the proposed amendment to the citizenship law, whereby an individual applying for citizenship in Israel must declare allegiance not just as "a loyal citizen to the State of Israel" (as stated by law since 1952), but as a loyal citizen to Israel "the Jewish, democratic state." For the complete text of the proposal, see http://go.ynet.co.il/pic/news/150710/377s.pdf, specifically Section 4.

7 Akiva Eldar, "United States to Israel: Negotiations without Preconditions," *Haaretz*, April 19, 2010.

8 "Israel, the Conflict and Peace: Answers to Frequently Asked Questions," Israel Ministry of Foreign Affairs website, updated on December 30, 2009.

9 The peace treaty between the State of Israel and the Arab Republic of Egypt, March 26, 1979, Article III, includes: The parties "recognize and will respect each other's sovereignty, territorial integrity and political independence; they recognize and will respect each other's right to live in peace within their secure and recognized boundaries." Almost identical language is used in the peace treaty between the State of Israel and the Hashemite Kingdom of Jordan, October 26, 1994, Section 2.

10 In the letters of mutual recognition exchanged by Rabin and Arafat before the signing of the Declaration of Principles in Washington in 1993, Israel recognized the PLO as the legitimate representative of the Palestinian people, and the PLO recognized the right of Israel to exist in peace and security.

11 Point 6 of Israel's response to the Roadmap, which was submitted to the American government on May 25, 2003, reads: "In connection to both the introductory statements and the final settlement, declared references must be made to Israel's right to exist as a Jewish state and to the waiver of any right of return for Palestinian refugees to the State of Israel." See http://www.knesset.gov.il/process/docs/roadmap_response_eng.htm.

12 National Security Strategy, May 2010, p. 26, http://www.whitehouse.gov/sites/default/files/rss_viewer/national_security_strategy.pdf.

13 I. William Zartman and Victor Kremenyuk, eds,. *Peace versus Justice: Negotiating Forward- and Backward-Looking Outcomes* (Lanham, Md: Rowman & Littlefield, 2005).

14 Statements by speakers at the conference at the Knesset, "Alternatives to the Two-State Approach," May 25, 2009.

15 Scott Atran and Robert Axelrod, "Reframing Sacred Values," *Negotiation Journal* 24, no. 3 (2008): 221-46.

16 For the complete text of bill see www.knesset.gov.il/privatelaw/data/18/2596.rtf.

17 Some claim that another reason led to the prominence of this issue at the negotiating table: the evolving dynamics of the negotiations. In response to the revolutionary suggestions made by Barak regarding a concession on Jerusalem at Camp David in 2000, the Palestinian delegation began a propaganda campaign completely negating the rights of the Jewish people in Jerusalem, claiming that the Jewish people have no historic-religious connection to the city. Not long after Camp David, Abu Mazen commented up the summit:

"They claim that 2,000 years ago, they had a holy place there. I question this fact." Quoted by M. Klein, *Shattering a Taboo: The Contacts Towards a Permanent Status Agreement in Jerusalem 1994-2001* (Jerusalem: Jerusalem Institute for Israel Studies, 2001), p. 51. Dennis Ross summed up the Palestinian contribution to the summit as follows: "The only new idea that Arafat raised at Camp David was that the Temple didn't exist in Jerusalem, but existed in Nablus." Quoted by Shlomo Ben-Ami, *A Front without a Rearguard: A Voyage to the Boundaries of the Peace Pro*cess (Tel Aviv: Yediot Ahronot, Hemed Books, 2004), p. 210. The demand for recognition of the rights of the Jewish people in Israel as early as the framework of the negotiation process also possibly arose from this experience.

18 Herbert C. Kelman, "Acknowledging the Other's Nationhood: How to Create a Momentum for the Israeli-Palestinian Negotiations," *Journal of Palestine Studies*, 22 no. 1 (1992): 18-38.

19 "Declaration of Principles on Interim Self-Government Arrangements," September 13, 1993, http://www.mfa.gov.il/MFA/Peace%20Process/Guide%20to%20the%20Peace%20Process/Declaration%20of%20Principles.

20 Annapolis Conference, November 27-28, 2007, "In furtherance of the goal of two states, Israel and Palestine, living side by side in peace and security, we agree to immediately launch good-faith bilateral negotiations in order to conclude a peace treaty." See http://www.knesset.gov.il/process/asp/event_frame.asp?id=61.

21 Barak Ravid, "Prime Minister Binyamin Netanyahu: Palestinian recognition of the Jewish state is the basis for peace," *Haaretz*, September 12, 2010.

22 Speech at the Council on Foreign Relations, July 8, 2010, http://www.pmo.gov.il/PMOEng/Communication/PMSpeaks/speechCFR080710.htm. This is different from prior statements when his government demanded explicit recognition of the Jewish character of Israel, for example in his meeting with the Special Envoy to the Middle East George Mitchell, where he stated that the Palestinian Authority must recognize Israel as a Jewish state before the two-state solution is discussed (reported on radio stations Reshet Bet, Galei Tzahal, April 17, 2009). In addition, in his meeting with Mitchell (April 16, 2009) Foreign Minister Avigdor Lieberman "stressed that Israel expects absolute support from the international community on the issue of security as well as its unequivocal commitment to the concept of Israel as a Jewish state and as the state of the Jewish people," http://www.mfa.gov.il/MFA/About+the+Ministry/MFA+Spokesman/2009/Press+releases/FM-Liberman-Meets-US-Special-Envoy-Mitchell-16-Apr-2009.htm.

23 Geneva initiative, http://www.geneva-accord.org/mainmenu/english.

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