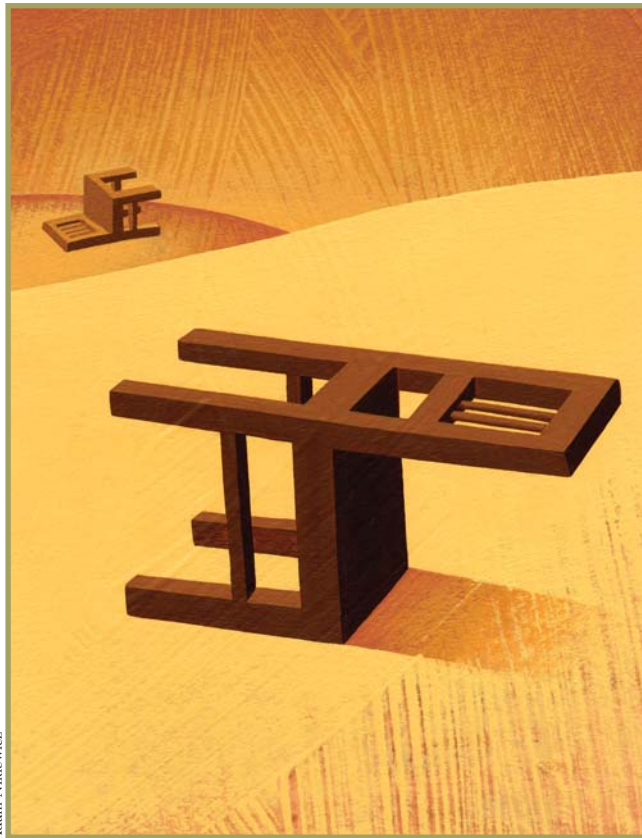


U.S. POLICY AND THE ISRAELI-PALESTINIAN CONFLICT



Adam Niklewicz

I PRESIDENT BUSH HAS NOT HELD ISRAEL TO ACCOUNT FOR ITS FAILURE TO PURSUE PEACE WITH ITS NEIGHBORS.

BY NADIA HIJAB

In her speech to the American Task Force on Palestine on Oct. 11, Secretary of State Condoleezza Rice pledged her personal commitment to a Palestinian state living side by side in peace with Israel. She asserted that President George W. Bush was the first American president to make “the creation of a Palestinian state, with territorial integrity, with viability, living side by side with Israel, in peace and security” a matter of policy.

As one example of U.S. efforts to “help the Palestinian people to lay the economic foundations of a successful state,”

Rice recalled her personal involvement in reaching the 15 November 2005 Agreement on Access between Israel and the Palestinian Authority. To be sure, Rice did invest considerable political capital in securing Israeli agreement to the document. But in fact, that agreement is an illustration of what has been *wrong* with American policy to date, not a shining example of sustainable peacemaking.

The agreement provided, among other things, that:

- Israel would “on an urgent basis ... permit the export of all agricultural products from Gaza during this 2005 harvest season.”
- The Rafah, Karni, Erez and Kerem Shalom crossings would “operate continuously.”
- Bus and truck links between Gaza and the West Bank were to be facilitated.
- The U.S. and Israel were to establish a list of “obstacles” to movement within the West Bank, with a view to reducing them.
- A Gaza seaport was to be constructed and the airport was to be rebuilt.

Yet, in the end, the pact’s only tangible achievement was the posting of European Union monitors at the Rafah crossing. It did not even rescue the Palestinian harvest, which was left to rot because it could not be transported to market. And what was Washington’s response to the Israeli refusal to live up to its pledges? Nothing that made a difference on the ground.

The Gap Between Rhetoric and Reality

Today, the situation is indescribably worse than it was a year ago, in large part due to U.S. support for Israel’s actions and its imposition of sanctions on the government the Palestinians elected democratically in January 2006. The United Nations estimates that there are over 540 checkpoints in the West Bank, far more than in 2005, while the Gaza crossings are almost always closed. The U.N. has repeatedly warned of an impending humanitarian disaster in Gaza and is urging open access, as did the

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European Union Council at its Sept. 15 meeting.

Severely limited access to food and medicine due to Israel’s border closures, and to safe water and electricity due to its bombing of Gaza’s power plant, has been reflected in a dramatic increase of diarrhea in children, among other health impacts. At least 68 Palestinian women have had to give birth at checkpoints, leading to 34 miscarriages and the deaths of four women.

Donations from Arab states and the European Community’s Temporary International Mechanism have done little to alleviate the desperate situation of some 160,000 Palestinian Authority employees. Around 80,000 of them, including teachers and health workers, began an open-ended strike in early September.

Meanwhile, Israel continues to arrest Palestinian politicians to force the release of a soldier captured by three Palestinian militant groups on June 25 in retaliation for the killing of a family on the Gaza beach. A third of the Cabinet, including Education Minister Nassereddin Shaer, and a quarter of the parliament, including Speaker Aziz Dweik, have been added to the more than 9,000 Palestinians in Israeli jails. Most of the detainees are West Bank Hamas moderates. Even Israeli commentators speculate that “Israel is ... seeking to eliminate every sign of sovereignty.”

The International Parliamentary Union has called on Israel to respect the “parliamentary mandate,” but the United States remains silent. And instead of easing access within, between and to the Occupied Palestinian Territories, Israel has increased restrictions on the entry of Palestinian holders of foreign passports, including U.S. citizens — an issue that Rice has also promised to address.

The Palestinians are now arguably *further* from achieving a sovereign state than at any time during the past 50 years. They could thus be forgiven for feeling considerable skepticism about U.S. policy statements, given the massive gap between stated intent and action. Nor are they alone in despairing of meaningful moves toward peace led by Washington.

Nongovernmental bodies such as the International Crisis Group are stepping into the policy breach. On

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Sept. 22, the ICG launched an initiative to generate new political momentum for a comprehensive settlement of the Arab-Israeli conflict. In addition, a bipartisan group of former senior diplomats convened at the Israel Policy Forum in early October to urge the Bush administration to engage in the region.

Three Critical Errors

From a Palestinian perspective, there are three things wrong with the current administration's policy toward the conflict:

False even-handedness. U.S. policymakers deal with Israel and the Palestinians as though they were equal adversaries, ignoring the fact that Israel is the strongest military power in the region and one of the strongest in the world; it is a U.N. member-state; and it has controlled Palestinian economic, social and political development in the Occupied Territories for nearly 40 years. The Palestinians are stateless, and have lived in exile, under Israeli rule or under Israeli occupation, since Israel was created in 1948. Palestinian security forces and militias are no match for the Israeli army, as the toll of dead and wounded clearly shows.

Lack of reciprocity. Washington demands from the Palestinians results that are not demanded from the Israelis: an end to violence, recognition of past agreements and political recognition. To back up its demands, the U.S. has led the international community in imposing an economic siege on the Palestinian Authority. To be fair, Washington should push for reciprocal recognition and a mutual ceasefire.

No accountability. Israel has continued to build settlements and construct a so-called security wall on Palestinian land. It has doubled the number of Israeli settlers in the West Bank from 200,000 to 400,000 since 1993, when Israel and the Palestine Liberation Organization signed the first of a dozen painstakingly negotiated agreements.

The Israeli economic and military pressures on the Palestinian Authority predate both the current crisis and the election of Hamas. They began in the mid-1990s and escalated after the collapse of the Camp David talks and the outbreak of the second intifada in 2000. By the end of 2002, major Israeli military offensives had led to the destruction of PA security forces and severely damaged much civilian infrastructure. Yet the past two American administrations have taken no action, even though the

United States is Israel's largest donor and political supporter.

Arguably, if the U.S. had used some of its considerable leverage with Israel to support Palestinian President Mahmoud Abbas after he was elected in January 2005 — a full year before the election of Hamas — his party, Fatah, might have remained in power. However, Abbas was unable to point to any concrete benefits from any of the past peace agreements — e.g., release of some of the Palestinian prisoners in Israeli jails, an end to settlement-building in the West Bank, or greater freedom of movement. In addition, reports of American financial support for Abbas have enabled his opponents to paint him as a U.S. lackey, further undermining his already weak position.

If Rice and Bush want to achieve their personal and policy commitments in the Middle East, they will have to move beyond negotiating piecemeal agreements that are not implemented. They should instead move to promote a *comprehensive* agreement to end the conflict once and for all. Experience has shown that an incremental approach renders progress a hostage to any escalation of violence on either side.

Israeli-Palestinian accords since 1993 have been billed as a series of small confidence-building steps, but have instead perpetuated a vicious cycle: Israeli settlement-building, land confiscation and the separation barrier provoke Palestinian protests, both non-violent and violent. Those, in turn, lead to Israeli military incursions, targeted killings and closures. The result: increasing Palestinian loss of life and freedom, poverty and despair, and a constant state of war for Israel.

Missing the Signals

Against this background, the international community has ignored the signals from Hamas — both before and after it was democratically elected to head the Palestinian government — that it is willing to accept a Palestinian state side by side with Israel, and is capable of maintaining a unilateral ceasefire with Israel for months. Reinforcing that point, in mid-October Khaled Meshal, the Damascus-based head of Hamas (frequently described as a hardliner), declared on television that what Hamas wants is a Palestinian state within the 1967 borders, which constitutes an implicit recognition of Israel. Meshal pointed out that Hamas has repeatedly stated its support for this aim.

Furthermore, as Pres. Abbas and others recognize, Hamas is a deeply-rooted social and political movement. The evolution of Hamas has been carefully monitored by leading experts in the field who certainly cannot be accused of being apologists for terrorism. They include the International Crisis Group and Henry Siegman, a former executive director of the American Jewish Congress who is now a Council on Foreign Relations senior fellow. The simple fact is that Hamas is now part of the mainstream of the Palestinian political spectrum and its demands are also in the mainstream: a Palestinian state, freedom, sovereignty and the right of return for Palestinian refugees and exiles.

But instead of engaging Hamas, the Middle East Quartet (the United States, Russia, European Union and the United Nations) has focused on its inability to meet the letter of their many preconditions. In particular, the demand that Hamas unilaterally recognize Israel quickly torpedoed efforts this past September by Pres. Abbas and former Prime Minister Ismail Haniyeh to negotiate a unity government.

However — and here is the crux of this matter — Israel does not *need* Hamas' recognition. It is already a member-state of the United Nations and enjoys international recognition. And because any Palestinian state would eventually become a member-state of the U.N., it would have to deal with its fellow member-states, including Israel, in line with the U.N. Charter.

This is a reality that even some leading Israelis accept, according to Margarita Mathiopoulos, a professor of American foreign policy at the University of Potsdam. She quoted a number of former Israeli military and security officers who acknowledge that "Hamas was not likely to unequivocally recognize Israel's right to exist. But from their point of view, Israel's legitimacy and viability as a state do not rest on some grudging and insincere recognition extracted from its neighbors, but on its own military and economic power." Further, they noted that once Israeli-Palestinian borders were demarcated, it would be up to the Palestinians to police them.

For all these reasons, the best way to bolster Israel's national security would be to set up a Palestinian state, not thwart it. The most likely alternative to engagement by the U.S. is an uncontrollable situation of civil war and chaos. Attempts to support security forces that report to Abbas and Fatah against those that report to Hamas can only exacerbate the clashes between the Palestinians.

Thus, if Rice really wants to support Abbas, she will accept the compromise language he and Hamas reached in September during their negotiations on a unity government.

The Lebanon Model

Fortuitously, Israel's political disarray after its July-August invasion of Lebanon provides the Bush administration with an opening to tackle the fundamentals of the conflict with the Palestinians. The scale and intensity of the Lebanon-Israel war finally forced the international community to hammer out a ceasefire after six weeks of bloodshed. But it has yet to act on ending the bloodshed on the Israeli-Palestinian front, where conflict has raged since September 2000, with over 4,000 Palestinians and 1,000 Israelis killed and massive destruction on the Palestinian side. During a visit to Israel in August, Italian Foreign Minister Massimo D'Alema remarked that a successful international force in Lebanon could presage a similar one in Gaza, "and the presence of a U.N. force to bolster the Palestinian government." The U.S. security coordinator in the West Bank and Gaza, Maj. Gen. Keith Dayton, has also proposed international observers at the Karni crossing to prevent repeated Israeli closures.

Such measures would bring great relief to the Occupied Palestinian Territories and provide security for Israel. But beyond short-term measures, perhaps the main lesson to learn from Lebanon is the way in which it marked the limits of military power and spelled an end to unilateralism — both Israeli and American.

The explanations for Israel's decision to escalate what could have been just another border skirmish with Hezbollah into all-out war include the desire to: re-establish its image of military superiority, dented by its unilateral withdrawal from Lebanon in 2000; wipe out Hezbollah's military infrastructure, if not the movement as a whole; and eliminate the last pockets of Arab resistance — Hezbollah and Hamas — before setting Israel's final borders in the West Bank.

Israeli Prime Minister Ehud Olmert was elected in March 2006 on a platform of completing former Prime Minister Ariel Sharon's unilateral approach to the Palestinians. He pledged to follow the unilateral withdrawal from Gaza (which, however, continues to be under siege) with plans for a unilateral withdrawal from the West Bank.

Sharon believed he had secured American blessing for

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his vision of the final settlement of the conflict in his exchange of letters with Bush in 2004: no withdrawal of major Israeli settlement blocs, no return for Palestinian refugees, and maintenance of Israel's identity as a Jewish state (meaning no equal rights for more than one million citizens of Israel who are Palestinian). But after the latest fighting in Lebanon, the limits of unilateralism were exposed — neither the unilateral withdrawal from Lebanon in 2000 nor that from Gaza had brought peace. Olmert's plan for unilateral withdrawal has completely disappeared from his agenda, its absence formalized in a speech laying out his program for the coming year at the opening of the Knesset's winter session on Oct. 16, 2006.

In spite of Bush and Olmert's attempts to paint a glowing victory, Israel's own politicians and public do not

Washington deals with Israel and the Palestinians as though they were equal adversaries, which they are emphatically not.

believe its objectives were met. Several analysts and commentators argue for a different approach. Professor Mathiopolous quotes other retired army generals as saying it is "time for Israel to return the Golan Heights to Syria. The military's preference, the generals say, would be for the Heights to be ceded back to Syria but still controlled by Israel on a long-term lease. If nationalistic sentiments in Syria made such an arrangement impossible, then it should still be possible to negotiate the area's demilitarization." They further note that the conditions for peace are never going to be perfect and negotiators have to work with what they had.

Many in the region believe Hezbollah's resistance has made this a very different Middle East. Rice referred to the moderates in the region seven times in her speech at the AAFP dinner. But the new Middle East is one in

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which moderate countries will find it even harder to take pro-American positions.

Toward a Comprehensive Settlement

If the Bush administration really wants a sustainable solution in Lebanon, it will have to acknowledge the links to Syria's determination to recover the Golan, the Palestinian struggle for self-determination, and Lebanese demands that Israel respect its sovereignty. Bush may find himself finally forced to implement the second paragraph of the July 16 G-8 statement issued in St. Petersburg: "The root cause of the problems in the region is the absence of a comprehensive Middle East peace." Such a settlement will require meaningful negotiations, leading to an end to unilateralism.

The Palestinians and Arabs have been ready for peace with Israel for years. They restated this commitment in the Arab Peace Initiative launched by Saudi Arabia's then-Crown Prince Abdullah in 2002. Under the plan, they would sign a peace agreement and normalize rela-

tions with Israel if it withdraws to the 1967 borders, accepts a sovereign Palestinian state encompassing the West Bank, Gaza and East Jerusalem, and agrees to a just solution for Palestinian refugees. These are all proposals fully upheld by international law.

Indeed, the majority of people throughout the Middle East have been ready for peace for decades. There can be no doubt that the majority of the populations in Israel and in the Occupied Palestinian Territories continue to support a two-state solution: for the Palestinians, freedom, self-determination, sovereignty and the right of return; for the Israelis, peace and security; and for all, equal rights.

It will not be easy to move back from the brink of chaos, but it can still be done. In her speech Rice noted that what today seems a distant dream can become reality. Washington should support such an outcome in every possible way. If it cannot, for whatever reason, it should step aside and let others, including the Europeans, do so. ■

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