SHLOMO AVINERI

PROSPECTS FOR PEACE IN THE MIDDLE EAST

The great hopes for the “Road Map” to peace in the Middle East, initiated by The United States, remain unfulfilled. To many seasoned observers this may not come as a surprise. Yet when President Bush launched the plan at Aqaba in June 2003, there was considerable hope in the air. That the initiative had the support of the other members of the “Quartet” (the European Union, Russia and the United Nations) – all consultative partners on Middle Eastern affairs – appeared to give it an extra impetus.

The initial indications were indeed encouraging. As a condition for launching the Road Map, the United States insisted on at least partially sidelining the chairman of the Palestinian Authority, Yasser Arafat: his ambivalent attitudes towards terrorism and suicide bombings, as well as his authoritarian style of leadership, including exclusive control of the numerous Palestinian security services and of financial affairs, were considered by both Israel and the United States as a hindrance to effective negotiations. The appointment, for the first time, of a Palestinian prime minister at least signalled a less militarised leadership in the person of Mahmud Abbas. His promises to curb violence and control the various Palestinian militias were acknowledged by Israel, and there was a discernible decrease in terrorism against Israeli civilians.

Similarly, Israel handed over effective control of most of the Gaza Strip and a number of cities in the West Bank to the Palestinian Authority, and began dismantling several settlement outposts erected without government permission. While not part of the Road Map, Israel’s expressed willingness to free some Palestinian terror suspects from detention was also considered a positive contribution to the creation of a favourable climate for further negotiation. A number of meetings between Israeli and Palestinian leaders, at both the political and the operational level, did take place. Despite much scepticism on both sides, it looked, at least in the short run, as if the beginning of a period of stabilisation was on the horizon, thus – hopefully – paving the way for negotiations about the additional and more complex issues of a final status agreement: Palestinian sovereignty, borders, settlements, the status of Jerusalem, and refugees.

Yet the setbacks the Road Map has since suffered, as well as the collapse of the Abu Mazen cabinet, which had sought to establish an alternative leadership to that of Arafat, give apparent credence to the scepticism voiced from the very beginning by some observers – a scepticism rooted in the events of previous chapters of the Arab–Israeli conflict and the complexity of the issues.

Some of the reasons for this scepticism stem from the seeming unwillingness – or inability – of the Palestinian Authority to confront the

armed militias, semi-legal gangs and militant organisations that have made the Palestinian territories resemble Lebanon of the 1970s and 1980s. There is grave doubt whether the Palestinians are capable of asserting the basic requirement of sovereignty – a monopoly of the legitimate use of force. This was borne out in the reasons for the resignation, in early September, of Prime Minister Abu Abbas: the failure of Yasser Arafat to relinquish effective control of the numerous Palestinian security services.

Yet the difficulties may go deeper. Perhaps one of the hidden dilemmas inherent in any attempt to arrive at a settlement resides in the very different ways in which the two sides view the conflict. To Israelis, whether of the right or of the left, the conflict is between two national movements – the Jewish national movement, or Zionism, and the Arab, or Arab Palestinian, national movement. Construing the conflict in such terms implies at least the possibility of a compromise, based in one way or another on a territorial compromise. From the Arab perspective – and this is the way it is portrayed in the Arab historical narrative, as well as in all Arab school textbooks, including those of the Palestinian Authority, in those introduced after the signing of the Oslo Agreement – the conflict is not between two national movements, but between one national movement – the Arab national movement – and something that is perceived as a variant of European imperialism and colonialism. Israel in the Arab consciousness is something like Algeria, and the historical parallel has become part of the Arab narrative. Given such a definition, compromise is not only difficult, but also morally and politically reprehensible. In the Arab political mind, there is only one legitimate nation in the region: the Arab. Thus the right of self-determination is denied not only to Jews but also to Kurds and even to the Berbers of Algeria. It does not matter whether one agrees with the Israeli or the Arab definition of the conflict: it is clear that such normative and conceptual gaps are a serious obstacle on the road to peace.

This suggests just how difficult it may be, even if the immediate violence is curbed, to reach a lasting solution. Moreover this was also the context of the failure of the most recent attempts to reach a settlement – at Camp David and at Taba in 2000–2001. At the Camp David summit, President Clinton tried to reach a final status agreement, and at Taba the two sides continued to negotiate, but failed to achieve a breakthrough.

As in the case of most diplomatic negotiations, the details of some aspects of the negotiations are open to conflicting interpretation. Nevertheless a number of central aspects are clear. Given that the colossal failures at Camp David and at Taba as well as subsequent events have proved a watershed in the history of Israeli–Palestinian relations and the cause of a major shift in Israeli politics (with two election victories in a row for the Likud party led by Ariel Sharon), a summary of some of the events is crucial to an understanding of the current political and diplomatic situation.

At Camp David, Israel's Labour-led government under Prime Minister Ehud Barak offered the Palestinians a peace package that was more far-

reaching than what had been offered by any Israeli leadership before. Making these offers entailed considerable risks for Barak and his shaky coalition government – as became clear when the negotiations collapsed and Palestinian terrorism resumed. Yet Barak, sensing (wrongly, as it turned out) an historical opportunity to end the conflict, was ready to make the following offers to the Palestinians:

• Barak stated clearly and openly that he was ready to accept the establishment of a Palestinian state alongside Israel. No Israeli leader had ever made such a statement before – not even Yitzhak Rabin or Shimon Peres, both recipients of the Nobel Peace Prize. While it was clear that the emergence of such a Palestinian state would be the end-product of the Oslo process initiated in 1993, the political risks in Israel of stating this publicly were obvious – and this was underlined when one of the coalition partners left Barak's government following his statement;

• Barak declared that he was ready to withdraw from 92%–96% of the occupied territories. Again, while Oslo had obviously implied a significant Israeli withdrawal from the West Bank and Gaza, no previous Israeli leader had ever used explicit figures;

• In order to implement such a major Israeli withdrawal, Barak stated that between 30 to 40 Jewish settlements in the territories would have to be dismantled and between 25,000–30,000 Jewish settlers evacuated. When this position of Barak became public, a second coalition party left his government, leaving Barak with virtually a minority government, yet he continued with the negotiations;

• To compensate Palestinians for the 4%–8% of the occupied territories that would not be relinquished to them, Barak offered the Palestinians a comparable tract of land within Israel's pre-1967 boundaries: this was a novel idea, never before contemplated or raised in Israeli political discourse;

• Furthermore, Barak offered to divide Jerusalem and to hand over the Arab quarters, officially annexed by Israel after 1967, to the future Palestinian state so that they might become the capital of an independent Palestine. In this he broke a thirty-year-old Israeli taboo, accepted also by the Israeli left, that Jerusalem would remain "the eternal, united capital of Israel, never to be divided again";

• Barak also agreed to share sovereignty with the Palestinians on the Temple Mount, so that the two Muslim mosques would not be under Israeli control – thereby breaking another long-standing Israel taboo;

• And lastly, as a humanitarian gesture, Barak expressed readiness to accept, on the basis of a family unification plan, a limited number of 1948 Palestinian refugees.

Never before had the Palestinians been offered such a comprehensive Israeli plan. While obviously less than what the Palestinians wanted, they received a proposal that went beyond anything previous Israeli governments had been ready to offer them.

The Palestinian response shocked not only the Israelis but also President Clinton. Not only did the Palestinians reject the Israeli offer – thereby contributing to the fall of the Barak government and the holding of early elections, which were then won by Sharon's Likud – but they also began demanding Israeli acceptance of the principle of the right of return to Israel of all 1948 Palestinian refugees (as well as their descendants). While the Palestinians admitted that it would be unrealistic to expect Israel to accept all refugees – between 3 and 5 million people – they still insisted on Israel's acknowledgement of their right of return.

For most Israelis, this became a watershed in their perception of a possible historical reconciliation between the Israeli and Palestinian sides. The parallels emerging in the ensuing Israeli debate were clear: People asked what would have happened if in 1990 a West German chancellor had insisted – in return for Germany's acceptance of the Oder–Neisse line – that Poland, Czechoslovakia and other Eastern European countries should accept, in principle, the right of return of all ethnic Germans expelled after 1945 from Eastern Europe *(Vertriebene)* as well as their descendants; that all these people should be given the right of return to their ancestral lands in Poland, Czechoslovakia, Hungary and Yugoslavia, where their ancestors had been living for centuries. Had the Bonn government made such a claim, people would immediately have accused it of trying to negotiate not the reunification of Germany but the undoing of the consequences of World War II. In other words, such a demand by Germany – which, of course, was never made, precisely for these reasons – would have signified a reluctance to accept the outcome of 1945 and the political reality that emerged in central Europe as a consequence of Nazi Germany's defeat.

This is how Arafat's demand concerning the 1948 refugees was perceived in Israel: that is to say, many Israelies have become convinced that the Palestinians were not negotiating about the end of the post-1967 Israeli occupation of the West Bank and Gaza, but that their implicit aim was to undo the consequences of their defeat in 1948. It should be recalled that in 1948 the Palestinian Arabs – and four Arab member states of the United Nations – went to war not only against Israel but also against international legitimacy as encapsulated in the 1947 UN General Assembly resolution on the division of British Palestine into two states – a Jewish and an Arab state. Despite the troubled history of the UN, this is the only instance in which member states went to war against a UN resolution. To most Israelis, it seemed that the Palestinians, defeated in 1948 in a war they had waged against international legitimacy, were now seeking to reverse the consequences of that earlier defeat.

A further cause of the deep shift in Israeli public opinion was the Palestinian response to the failure of negotiations: the recourse to violence,

terrorism and suicide bombing. There is no doubt that the provocative visit of Ariel Sharon – then leader of the Likud opposition to Barak's Labour government – to the Temple Mount compound should not have taken place. Yet the ensuing Palestinian violence had very little to do with this visit: if, as a consequence of the visit, there had been three or four days of fury and street violence on the Palestinian side, many Israelis would probably have understood, even if they could never have publicly acknowledged this. But the Palestinian violence following the failure at Camp David and Taba was systematic and prolonged, and at least partially directed – or at least condoned – by the Palestinian Authority. To many Israelis it appeared that Arafat's commitment at Oslo to forgo the use of violence was of little real consequence. Indeed, in the wake of the failure of Oslo, it appeared to most Israelis that Arafat – and the Palestinian leadership in general – were enacting a variation of Clausewitz's dictum: it seemed that Palestinians regarded terrorism as merely the continuation of diplomacy by other means.

This was compounded by the manner in which the Palestinian leadership dealt with the issue of suicide bombers – a phenomenon that truly terrorises Israelis and for which there is no effective response. While the official Israeli contention that terrorism was directed by Arafat and the Palestinian Authority appears an exaggeration, the following is clearly a fact: when the physical remains of a suicide bomber were handed over by Israeli police to the Palestinian authorities for a decent burial, what followed on the Palestinian side was something totally different: an official Palestinian state funeral, with an official Palestinian police armed guard of honour; the suicide bomber was officially designated a *shahid* (martyr) and his family granted a special martyrs' pension; Palestinian school children marching in formation with mock guns and shouting "we are all martyrs"; and the next day also Palestinian schools received official faxes from the Palestinian Ministry of Education with the CV of the martyr and an order to teach his life and heroism as a role model to be emulated by Palestinian school children. All this was also shown on TV and watched by millions of Israelis. In their eyes, the Palestinian Authority had become a failed state, deeply contaminated by terror, before it ever became a fully-fledged state.

Obviously, the severity of some of the Israeli measures to counter suicide bombings (the reoccupation of Palestinian towns; closures and curfews; targeted killings of leaders of terrorist groups; blowing up of houses belonging to suicide bombers or to their families; detention of suspects in large numbers) created a parallel anger and frustration on the Palestinian side. While we still do not know why Arafat rejected in the way he did Barak's offers at Camp David, it is also the case that no Palestinian opposition to this catastrophic policy emerged: there were no anti-Arafat demonstrations, no members of the Palestinian legislative council or any other Palestinian organisation have ever voiced even the slightest criticism of Arafat's strategy at Camp David. This is rather surprising given that if Arafat had accepted Barak's offer, made with Clinton's support, he would have returned from Camp David with a Palestinian state – and with himself as

the universally recognised President of an independent Palestine. Israeli right-wing commentators maintain that the reason for Arafat's *"nyet"* was his unwillingness to accept a final status agreement, because that would have amounted to an acceptance of Israel. Perhaps this is going too far. Still, the hope that Arafat would become a Palestinian Nelson Mandela – a hope felt by those Israelis who supported negotiations with the PLO, a two-state solution and Oslo – proved unfounded. When Arafat announced repeatedly and against a background of almost daily suicide bombings – whose perpetrators were declared "martyrs" by the Palestinian Authority, that he too aspired to be a *shahid* ("martyr") and to march at the head of a million *shahids* to Jerusalem, most Israelis felt that he was still a man of war and terrorism rather than a man of peace.

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All this meant that the atmosphere in which the Road Map was launched was characterised by more bitterness, fear and hatred on both sides than the atmosphere at the time of Camp David or even Oslo. Never had there been such enmity between Palestinians and Israelis, deepened daily by Palestinian suicide bombings and the harshness of the Israeli response.

It is this that lies at the root of the current scepticism. It is true that Ariel Sharon surprised all, especially members of his own Likud party, by publicly stating that Israel has to accept the future existence of a Palestinian state and that Israeli control of the Palestinians amounts to "occupation" – language never before used by a Likud leader. And it was equally encouraging that on becoming Prime Minister, Abu Mazen stated in Aqaba, in the presence of President Bush, that Palestinian terrorism has to stop – the first time a Palestinian leader used the term "terrorism" in reference to what Palestinians invariably view as legitimate resistance. But still nobody knew what both leaders were really willing – and able – to do beyond such changes in their respective rhetoric. How far would Sharon go in confronting the settlers – an important element in his constituency – when it came to serious negotiation about the possible dismantling of settlements? On the other hand, it is now clear that despite his rhetoric Abu Mazen did not do much in imposing his Authority's monopoly on the legitimate use of force – the cornerstone of effective sovereignty – when confronted by the various armed militias of fundamentalist Islamic groups like *Hamas* and *Islamic Jihad*.

To put it another way: Is it conceivable that an Israeli government under Sharon will be prepared to make the Palestinians a more generous offer than the one made by Barak in 2000–2001? And is it conceivable that a Palestinian Authority will be willing to accept now what it rejected at Camp David?

Yet there is also a fundamental diplomatic problem involved in the strategy implied by the Road Map. The plan calls for three stages, lasting two to three years; at the end of the final stage, two states – Israel and Palestine – should be living side by side in peace, with all the Arab states having agreed

to accept Israel and to normalise their relations with the Jewish state. This is, of course, the most noble of hopes. But the question is not whether it is commendable, but whether it is tenable. These doubts were well known to the initiators of the plan, and especially to the United States, which – unlike the European Union – has had years of experience of trying to solve the Middle East puzzle and has just recently – in 2000–2001 – undergone the traumatic experience of a US President failing to bring the two sides to the finish line. It is for this reason that the Bush Administration has understood that both sides will have to be accompanied by an outside power – in particular the United States – during every stage of what will be complex and multi-faceted negotiations. Fortunately, the other members of the Quartet have realistically understood that the United States is the only external power that can push both sides to an agreement. Absit America, nulla pax.

Yet as previous attempts at peace making in the Middle East have shown, there is a limit to American power – and to the staying power of the United States in focusing on one issue over an extended period of time. American power is enormous – but the context is also crucial. As recent Middle Eastern history has shown – and similar lessons have been learnt elsewhere too – there are two scenarios in which US power is effective and there is another scenario in which it is not.

The first scenario in which American power is effective is where there is a shooting war going on and an imminent danger of it getting out of hand and spilling over into something much wider and more dangerous: in such cases, effective American pressure can put an end to hostilities or prevent new ones. Examples: in 1956, US pressure was effective in bringing about an Israeli withdrawal from Sinai (as well as putting an end to the abortive French–British intervention at Suez); in 1973, in the last phases of the Yom Kippur War, US pressure stopped Israel from taking advantage of its counter-offensive after crossing the Suez Canal and prevented it from totally destroying the Egyptian Army and possibly marching on towards Cairo; in 1982, during the Lebanon War, one phone call from President Reagan to Prime Minister Begin stopped Israel from taking over West Beirut after the assassination of the Israeli-backed Lebanese President Bashir Jemayel by Syrian agents; and in the first Gulf war in 1991 an effective American veto prevented Israel from retaliating against Iraq after Saddam launched 39 missiles against Israeli civilian targets. In all these cases, American pressure was effective because it was focused, in a highly dangerous situation, and required for merely a short period of time to deal with a single specific action.

The other scenario is the exact opposite: where there is a situation of peace-making and political will on both sides and where both sides have already made politically important (and sometimes to them dangerous) steps leading to substantive agreements – yet still need an extra push from outside to settle some of the remaining disagreements that threaten to unravel the whole process. In such a situation, American mediation – and the projection of presidential power – is extremely helpful to force both sides to agree to concessions they are otherwise unwilling to make but can

be persuaded to make ostensibly to the American president. This was the case under President Carter in 1978 at Camp David, when President Sadat of Egypt and Prime Minister Begin of Israel agreed (in the wake of Sadat's dramatic and historical visit to Jerusalem) on most of the issues involved, but needed Carter to smooth out some rough edges. And the same happened in 1993, when after reaching an agreement in Oslo, both Israel and the PLO needed a push from President Clinton to resolve some of the sticky details on which there was still no bilateral agreement.

There is, however, also a third scenario – a situation in which there is no political will on both sides, and the agreement and its implementation call for numerous and prolonged negotiations on minute details. In such a case, even an American President cannot bring about the alchemy of reaching an agreement when the ingredients are missing. This is what happened at Oslo and at Taba in 2000–2001.

The Road Map may also fall into this third category. It calls for prolonged negotiations about hundreds of details over a period of up to three years; meanwhile the political will is – as has been demonstrated above – at least weak if not non-existent. Can one really imagine an American President, with many other agendas, both domestic and global, concerning himself with the details of every step? Obviously not: and sending an assistant secretary of state is not the solution either. What is needed is the power of the US presidency rather than some mid-level bureaucrat, in order to persuade both sides to make concessions on what to them are enormously significant issues of legitimacy, historical narrative, security and sovereignty. Can anyone imagine President Bush – assuming his re-election in 2004 – having that much political time and political capital on his hands over the next three years? Previous experience indicates he is unlikely to do so; numerous well-intentioned peace initiatives in the past have ground to a halt, bogged down in minute details and derailed by the procrastination of both sides, with the US having lost interest in pursuing diplomacy vigorously and at the highest level and more concerned by other crises and issues on the international agenda drawing the attention of the White House. The current difficulties facing the Bush Administration in Iraq only compound these problems. Simplistic talk about "the need for US pressure on Israel" merely distracts from the political realities of the limits of American presidential power as well as its short span of attention. This may be regrettable, but it is a fact. If one realises that the text of the Oslo Accords – which were, after all, no more than a set of interim agreements – was bulkier than the text of the Peace of Westphalia, one begins to comprehend the enormity of the task: this not a one-off dramatic act, but a continuous, daily effort.

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There is another aspect that merely adds to the scepticism about whether the current plan is really capable of forging an agreement to end the conflict in the Middle East: this is the comparative dimension.

The Israeli–Palestinian conflict is not unique in its contours: it is a conflict between contending national movements, involving issues of sovereignty, legitimacy, territorial control, holy sites and competing national narratives. In this it is not so very different from the conflicts in Bosnia, Kosovo, Cyprus or Kashmir – although it may be more intensive. Despite its intensity, it has been less deadly than the conflicts in the former Yugoslavia, where more people were killed, wounded and displaced in a much shorter period of time than in the five decades of conflict between Israel and the Palestinians.

Yet in all those conflicts – in which the international community has been involved, both through the instrumentality of the UN, but also through NATO, the EU and the OSCE – the conventional wisdom has not been the need for a "Road Map" to a solution. In the case of Bosnia, nobody in the international community will dare to predict the ultimate future of Bosnia-Herzegovina: Will the planned complex and multi-layered double federal structure envisaged at Dayton be implemented? Or will it remain a de facto fractured polity without an effective central authority and with multi-ethnicity still a distant and unattainable goal? And what, for instance, will Kosovo be like in five or ten years? Will it be an independent state, a part of a Greater Albania, or somehow re-united with a truly democratised and pluralistic Serbia/Yugoslavia? Even the best efforts, made over the years, of the international community to draw up what appeared to all a decent proposal for a unified Cyprus, foundered when the so-called Annan Plan was undermined by the recalcitrance of the contending parties – with even the prospect of EU membership failing to be a strong enough incentive to overcome decades or even centuries of mistrust and enmity. And last and not least, while it turned out to be possible for the international community – and primarily the US – to find ways to avoid a violent and possibly nuclear confrontation between India and Pakistan, nobody in his right mind has any idea about how to "solve" the Kashmir issue, which is so much at the centre of the Indo-Pak conflict.

In all these cases, conventional wisdom and politics is satisfied when it manages to find instruments for stabilisation, consolidation, and a lasting cease-fire: in Bosnia the killing has stopped, though most of the refugees have not returned to their homes, nor have the ethnically-determined partial governmental structures been superseded by an overall coherent central government. In Kosovo, the international status of the province remains murky, even slightly absurd: it is still considered in international documents as part of Yugoslavia, yet even the rump-Yugoslavia does not exist anymore – meanwhile the Serbian refugees have not been allowed to return, and Mitrovica is still a divided and tense city. In Cyprus, the only meaningful change has been the unilateral decision of the Turkish Republic of Northern Cyprus (not recognised by anyone except Ankara) to reopen the border crossing on the "Green Line" in downtown Nicosia, thus achieving at least the physical ability of Greek and Turkish Cypriots to move from one part of the island to the other – a step that the international community

failed to achieve during almost three decades of negotiations. And in Kashmir the post-1947 “Line of Control” still divides Kashmir into Indian-occupied and Pakistan-occupied zones, with no prospect of a solution.

In all these cases there has been a realisation that a permanent solution, an end-of-conflict agreement, is beyond the capacity of the local players and the international community to achieve, either through multilateral organisations or through the power and prestige of the United States. This realisation has been followed by legitimising in one way or another a series of stop-gap measures, which have successfully – especially in the Balkans – put an end to violence and have helped stabilise the situation.

Only in the Middle East has there been an attempt to find a “Road Map” to a final status agreement. And yet looking at the examples cited here, it seems that the same logic calling for partial solutions and partial steps towards stabilisation may, in the end, be the only feasible strategy. One needs to be convinced that what has not worked in Kosovo or for that matter in Cyprus will work in the Middle East.

Paradoxically, the possibility of a limited and much less ambitious approach is implicitly a part of the Road Map itself. For instance, elements of Stage I – a cessation of violence, the dismantling of the Palestinian terrorist organisational structure and the disarming of their members, an end to Israeli settlement activities and the eventual evacuation of a number of settlements – may form the basis for a stabilisation plan. If these steps could be achieved, and since further steps (“resolving” such irresolvable problems as refugees and Jerusalem etc.) turn out to be beyond the current reach of the contending parties, perhaps the best strategy would be to consolidate these achievements as a framework for a temporary stabilisation.