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Alternatives for Resolving the Israeli-Palestinian Dispute

- Working Paper -

By

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This paper presents eight possible ways of resolving the Israeli-Palestinian dispute. It is organized by presenting each outcome followed by the benefits and dangers. In some cases the methods are not totally mutually exclusive, but they do present different ways of dealing with the issue.

1. The Road Map

Outcome: The Road Map is a security first, performance-based concept which involves institution building for the Palestinians and envisions a final-status process in three stages: Phase 1 in which both sides make mutual concessions to end the current Intifada; Phase 2 in which a provisional Palestinian state is established; and Phase 3 in which a permanent settlement is reached. In this sense, the Road Map encompasses both the interim and comprehensive alternatives discussed below but in a staged and fairly structured manner. It assumes heavy American involvement as well as the other members of the Quartet (EU, Russia, UN) playing a role and the Arab states engaging in a variety of supporting efforts. It is designed to reduce the position of Arafat (even though so far it has had the opposite impact).

Phase 1 requires early concessions by both the Israelis and the Palestinians. It also demands heavy doses of coordination between the United States and Israel as well as among the various parties. Israeli and Palestinian security officials would have to work with each other to make Phase 1 function properly. Both would have to be in close contact with American-led international monitors and other international officials who may be called upon to facilitate implementation. There would also be regional conferences in Phases 2 and 3 and intense negotiations. Initially the plan had a series of timelines that have in effect been set aside.

Benefits: This is a creative plan that sets out a mechanism for eventually transforming the Israeli-Palestinian dispute from the current crisis into a permanent settlement. It has the strong backing of President Bush and has the support of the EU, the Russians, and the UN and several Arab states. It is at the moment the only internationally recognized official approach for dealing with the issue. Of all the alternatives that follow, it is the only one that has a built-in positive role for neighboring Arab states and a series of obligations for them to fulfill. It is the only one where implementing the Arab initiative or a revised version of it fits the plan.

Costs and Dangers: The Road Map is well-conceived, but vague regarding specifics and this vagueness has become the source of the problem. The formula assumed continued negotiations and heavy American involvement, none of which has happened.. Thus, it has gone nowhere, though the rate of casualties on both sides has at times

declined since it was first presented by the President in April 2003. Many would argue that despite looking good on paper, this formula is unworkable. Without strong political will, many of its requirements are difficult to implement, such as the effective change in Palestinian leadership and reform of political institutions, the end to violence, Israeli withdrawals from checkpoints, and freezes on settlements. The Road Map ultimately depends on performance at a time when no party has been performing adequately.

2. Incrementalism

Outcome: Many have advocated a concept of stages similar to Oslo but without the five-year target date. They maintain that given the collapse of Oslo into Intifada, a series of slower stages would create better conditions for a permanent settlement than exists at the present time. There are several permutations. Prime Minister Sharon himself has suggested a plan under which approximately 42% of the Palestinian territories would become a temporary Palestinian state. A non-aggression pact between the two sides would yield a period of approximately 10 years for rehabilitating the Israeli-Palestinian relationship. Others have suggested that following agreement under Phase 2 of the Road Map on a temporary Palestinian state, there should be a 5-10 year hiatus in which cooler conditions are created for addressing final status issues. Others have suggested a long armistice in which the Palestinians continue to control the territories in Areas A and B to be followed by a period of quiet (non-aggression, reconstitution, or however it is phrased.) Still others have talked about a limited unilateral Israeli disengagement as discussed in option 4 below.

Benefits: Advocates of this approach say the Palestinians presently do not have the social and political structure to reach a final deal. Those who maintain this position assume that the PA is a failed state, unable to act; meanwhile, the consensus for movement on a final settlement which existed in Israel prior to the end of the year 2000 has been destroyed and needs to be rebuilt. These advocates maintain that both the Palestinians and Israelis would be ready to move, make more concessions and reach a viable deal were a waiting period of 5-10 years to transpire. Both sides would then prepare themselves both internally and externally for dealing with final negotiations. Meanwhile, an interim accord of some type would bring a modicum of stability.

Costs and Dangers: Many argue that the Palestinians would never accept what to them would be too long a period of waiting without any indication whatsoever of what Israel would give when the transition period was over. They would fear that Israel would get off relatively free. Especially if violence ended and settlements continued, many Palestinians would argue there would be very little to negotiate when the interim period of waiting ended. On the Israeli side, the dangers of this long waiting period would be that frustrated Palestinians would soon break the agreement and resume the violence. Alternatively, they might use the period to enhance mechanisms of violence against Israel. Perhaps without any obvious gains for the Palestinians from a suspended peace process, the role of Hamas and other radical and fundamentalist groups would increase during this phase.

3. Gaza First

Outcome: Another type of interim arrangement is territorial rather than time-bound. Instead of creating a Palestinian state in several small areas and then delaying a move toward further steps, this approach suggests a mutually negotiated permanent Israeli withdrawal in stages from all of Gaza. A mini-Palestinian state would be created that would serve as a model for continuing the process in the West Bank.

Benefits: Concentrating on Gaza has several advantages: It is a smaller area where the Palestinian Authority has greater control. It is more enclosed and therefore containable. It already has a fence. It is a logical first step, so its proponents argue, toward the creation of a final settlement. No matter what other approaches are employed (Road Map, comprehensive permanent settlement), a withdrawal from Gaza and the creation of a Palestinian state there would allow both parties to experiment with possible solutions on the ground, which could then presumably be applied to the West Bank. Proponents of this alternative argue that a Gaza first withdrawal would be viable and would facilitate progress on any other approach, such as the Road Map.

Costs and Dangers: Palestinians would be very reluctant to accept only Gaza in such an arrangement for fear that Israel would take over the West Bank. They would undoubtedly demand some kind of simultaneous move on the West Bank to protect their interests. Gaza is also a very different area from the West Bank so that a model developed there might not necessarily apply to the second arena. Moreover, in a Gaza first exit by Israel, the main disputes (e.g., borders, Jerusalem refugees, and settlements) would still remain.

Israel would have to withdraw from its settlements in Gaza as part of this arrangement. Despite the small number of settlers in Gaza, they possess major political clout in Israel, especially in the current government. Hence, the Sharon administration might believe that it was being called upon to expend considerable political capital in return for very small benefits when Palestinian demands would presumably escalate as soon as the pilot Gaza deal was complete. The Palestinians would presumably believe that this move could turn out to be an Israeli trick and they would be on guard against any hint of permanence to the new arrangements.

Therefore, Gaza first might not facilitate the process but merely sidestep it by isolating that territory. It could still lead to an intensification of the dispute in other areas, especially because suicide bombers have come from the West Bank and not from fenced-in Gaza. Thus, instead of facilitating the process, as proponents maintain, a pilot Gaza might actually lead to its exacerbation by focusing both parties on next steps. The Israelis would feel that they had just made a major concession and negotiations could be delayed. The Palestinians would believe that quick action was more important than ever in order to include the West Bank. The disconnect between the two parties might therefore only intensify. In addition, Gaza first is by definition only a transition to whatever is second; it cannot stand alone, and it cannot succeed without heavy

American pressure. But its greatest deficit is that without a prior agreement on follow-up, Gaza first may well become Gaza last.

4. Unilateral Disengagement

Outcome: In this approach, Israel unilaterally disengages from all or part of the West Bank and Gaza. Assuming a security fence had been built, the withdrawal would be to behind the security fence. By withdrawal, we mean here all settlements, all aspects of the Israeli military presence, indeed, all vestiges of Israeli control in the area from which it was removing itself. This action would therefore constitute a complete separation between Israel and the Palestinians.

How would the security fence fit into a unilateral disengagement scenario? True disengagement would mean a fence that is basically along the Green Line, with the incorporation of settlements approximately under the Clinton parameters. If the fence is deep inside the West Bank, however, it would not only preclude separation but the Palestinians would see it as either a land grab or an interim measure, both of which they would oppose. At least the interim approaches discussed above under Option 2 would have Palestinian support.

A limited unilateral disengagement, even if Israel withdrew totally from all territories “on the other side” of the fence, should therefore for the purposes of this paper be seen as an interim measure. While it might enhance Israeli security and improve relations with the United States in the short run, the advantages of actual agreement with the Palestinians, something the incremental and Gaza first scenarios above depend on, would not apply to this form of incrementalism. Of course, it is possible that a limited unilateral disengagement would be coordinated with the Palestinians either directly or through a third party (presumably the United States). At that point, there would be no formal agreement, but in effect it would not be a strictly unilateral action, but instead more similar to the other interim accords discussed in option 2.

The costs and benefits below apply only to a unilateral disengagement in which Israel has withdrawn from most of the West Bank roughly following the Clinton parameters.

Benefits: To the two peoples, the major benefit of this arrangement is that Israel would have more control of its fate while the Palestinians would rid themselves of the Israelis. The Jewish state would at least temporarily have determined its borders which would be more viable and defensible. At a minimum, the Palestinian issue would be more controllable and security would be enhanced. Similarly, the Palestinians would not have to deal directly with Israelis on a day-to-day basis. Israel would no longer have to deal with problems of settlers surrounded by Palestinians, especially in a post-fence environment. In the best of all worlds, the Palestinians would proceed to create their state in the territories in which Israel was no longer present. Negotiations on a permanent settlement would eventually follow.

Costs and Dangers: It is doubtful that the Palestinians would be satisfied with the new status quo, and they would believe that whatever territories Israel had left to them was an unacceptably small area. Hence, they would certainly be making further claims on such issues as final borders, Jerusalem, and refugees. Whether or not they formed their own state after Israeli withdrawal, Palestinian frustration would grow if they believed that a new permanent and unsatisfactory status quo was setting in. The problem for Israel with a unilateral disengagement is that the Palestinians would have no obligations. There would be no treaties, no mutual written statements, no internationally recognized agreements. They could align themselves with anyone, and there would be no military restrictions on their moves. They might come to see the Israeli unilateral disengagement as some have viewed Israel's withdrawal from southern Lebanon – as a great victory, to be followed by others. There could be new military challenges to Israel, requiring an Israeli re-intervention into the territories.

Of course, the Palestinians might not organize themselves into a state and instead chaos might ensue, radicals might come to power, and/or some kind of international body (the UN, the EU, the US, etc.) might find it necessary to take over the area to prevent a total deterioration. (See option 6 below.)

5. Permanent Status Now

Outcome: Oslo, the Road Map, incrementalism, and pilot Gaza attempt to build up toward a final stage when there is enough confidence and understanding between the two sides to reach a final accord. Others argue instead that the two leaderships should start from the end and negotiate a final status agreement first, perhaps with the aid of outside parties, especially the United States. Then they should move from there to convince their respective populations to accept the resulting arrangements that had been reached. They argue that there will be inevitable conflicts and problems in any kind of approach which relies on stages because it takes as much political capital to get to most steps in an interim agreement as it does to reach a permanent accord. Therefore, those who advocate this policy reverse the process and argue for moving immediately to permanent status discussions and a final agreement now. The Geneva exercise, recently completed, was in part an attempt to convince the two polities that such an approach was viable and that there were significant figures on both sides which would be ready to make an effective deal.

Benefits: Obviously, this approach assumes an Israeli-Palestinian agreement to settle all outstanding issues and end the conflict between the leadership of the two parties. Of course, the need to gain domestic backing would remain a very difficult challenge, but advocates of this approach argue that the prospects for gaining support would be enhanced if everyone knew where the process was headed. They argue it would be easier to harvest support in a context which promised a Palestinian state and a viable society to the Palestinians, and an end to the conflict for the Israelis. Advocates of this posture assume that once an agreement was reached, both societies would be sufficiently relieved that the majority would defeat doubters and naysayers. Obviously, the major benefit of this approach, if it were workable, would be the end of the conflict.

Costs and Dangers: To many it seems inconceivable that such an agreement would be reached on the highest levels in both countries at the present time, especially after the violence and deep bitterness since 2000. Indeed, there are those on both sides who argue that the concessions necessary for an agreement would either be perilous or foolish, depending on one's point of view. The skeptics further argue that even the attempt to reach an official permanent deal at this point would only raise expectations to an unreachable level. The ensuing disappointment would only plunge the area into further conflict, as happened after the letdown of Camp David. In addition, we might witness civil strife on both sides, with a parallel breakdown in national unity. This approach, some claim, is a recipe for further disaster.

6. Trusteeship

Outcome: In this arrangement, there is a negotiated takeover of the Palestinian territories by some outside body. It could be NATO, some kind of internationally approved coalition, the US, the British, the EU, or the Quartet. Israel would not be part of this trusteeship. The takeover would be temporary for either a set amount of time or until certain preconditions had been met (i.e. prescribed elements of stability and reform.)

This Palestinian mandate might transpire in response to: an Israeli unilateral disengagement described above, utter chaos in the territories, some kind of severe terrorist incident, or even following some form of negotiated agreement or interim process. The purpose would be to resuscitate the Palestinian society, polity, and economy so that the Palestinians would have the opportunity to recreate their institutions and to reform every aspect of their society. If settlers still lived on the West Bank or Gaza, they would come under the rule of the Trustee. In terms of the territory that the Trustee would control, it would either be the area on the other side of Israel's security barrier plus most if not all of the Gaza Strip, or the area designated as Palestine in a pre-trustee negotiated agreement. While other conceivable arrangements such as return to the 1967 borders are possible, these seem the most likely.

Benefits: If the Palestinians cannot control violence, and their internal situation continues to deteriorate, an international body might be the only way to maintain legitimacy and stability. A trustee would be far preferable to a deterioration of civil society and an increase of violence both among Palestinians and against Israelis. If this type of mandate provided reform, it would alter the leadership framework and context of Palestinian society. Moreover, for Israel there could be many benefits if the Trustee were to achieve a new stability and reform. Israel would then have as its neighbor an anti-violent, moderate, responsible leadership.

Costs and Dangers: As we have seen in Iraq, any kind of international dominance of another country, however benevolent, is likely to have internal opposition. Its success might depend on whether the Palestinian people accepted the rule of the mandate power or if a significant opposition arose to physically attack the Trustee's personnel

and installations. The assumption of those who advocate trusteeship is that an outside power could succeed in both dismantling Palestinian militias and reforming the Palestinian entity. That would depend in no small measure on the degree of Palestinian cooperation and the talents of the state(s) or international body which assumed responsibility for the country.

If the Trustee failed or if Israel soon found itself in a series of major disputes with it, then the approach could backfire and cause severe international, security, and ultimately domestic problems.

For all these reasons it would be difficult to find a willing state or international actor to play the Trustee role. If the trustee fails, the question of an exit strategy and next steps would be exceedingly complex, leading perhaps to the next alternative.

7. Imposed Peace

Outcome: In the light of the continuing violence and instability in the area, some analysts have discussed imposing peace on both the Israelis and Palestinians. Matters would have to become much worse than they are at present before this occurred. But if the status quo continues indefinitely, it is conceivable that at some point significant international players would decide that the parties are incapable of reaching a solution to this conflict. They might conclude among themselves on what a viable Israeli-Palestinian resolution might be and proceed to impose it. This alternative could only occur with the cooperation of the United States.

This outcome is very different from Trusteeship because here a resolution would be imposed on both Israel and the Palestinians without either side's prior approval. Some means of gaining acceptance from both sides would have to be devised by the imposing body. This mechanism might involve the use of international forces. On the other hand, it could occur through gaining both sides' diplomatic acceptance of a final settlement which they had not been able to negotiate themselves. The analogy might be to arbitration in a labor dispute, though it is unlikely that both the Palestinian and Israeli parties in this case would agree voluntarily to submit their differences to outside judges.

Benefits: The advocates of this approach argue that the Israeli-Palestinian dispute will never be resolved between the two sides on their own. They cite the events of the last decade to reinforce their point. Since the dispute continues to poison attitudes and relations throughout the region, it seriously impedes the interests of outside parties. Advocates maintain that the world cannot wait for the possibility of Israeli and Palestinian mutual reciprocity, which in any case, they contend, will not occur. Therefore, they believe that only an imposed peace from outside, fair and just to both, will work.

Costs and Dangers: Since it seems inconceivable that both sides will voluntarily accept such an approach, it is hard to understand how it could be enforced. One or both sides would presumably have serious issues with some of the key elements of any

imposed agreement, which is in a sense the nature of such a mechanism. As a consequence, an attempt to impose a peace might result in greater violence and conflict, and in the process it is possible that the dispute would be internationalized. If it worked, an imposed peace might be viable but the greater likelihood is that it would fail with accompanying instability and turmoil.

8. Status Quo

Outcome: If all the other policies fail, we are left with the status quo. In this policy, the situation remains fairly steady as it is now, marked by sporadic but continuing violence, suicide bombings by the Palestinians, responses by Israel, and the concomitant impact on the polities, societies, and economies of both sides. Presumably, a security fence would be completed and would become part of the status quo. Israel would continue to construct settlements at the present rate, including the proliferation of illegal outposts. On the Palestinian side, there would continue to be a juggling for power but it is likely that Yasser Arafat would remain at the top of the Palestinian political pyramid, with some gains by Hamas. Both parties would simply react to ongoing events.

Inherent in an indefinite continuation of present conditions is the notion that the Palestinian Authority would not take actions to measurably stem the violence. If the status quo continues, then no American involvement is likely. Other outside country engagement, especially from Arab countries and Europe, would likely continue at low levels.

Benefits: In this situation, decisions would be easier for political leaders and government officials who would be spared the necessity of making difficult and painful decisions, despite facing politically damaging problems. It is supremely ironic that this alternative is probably more conducive to national unity than the seven others discussed above.

Costs and Dangers: There are few benefits from this outcome. Casualties on both sides would continue. Both economies would continue to suffer severe unemployment, mass emigration, little or no foreign investment, and no tourism. Since in the Middle East a status quo can rarely be maintained, it is likely that without progress, the situation would continue to deteriorate. Both sides would be relying on military force alone while forsaking diplomacy. Hence, it is likely that the level of destruction would increase. On the Palestinian side, they might improve their capacity for inflicting damage on Israel and might eventually produce a 9/11 style “mega-terror” attack in which hundreds if not thousands died.

On the Israeli side, there would be little choice but to increase the level of destructive responses to any escalation, yielding an ever-greater impact on the Palestinian society and polity. This would most likely further radicalize the Palestinian side. Meanwhile, as settlements proceeded to expand and the demographic gap between the two societies continued to narrow, the Palestinians would talk more about returning to the one-state solution and settlers would focus more on cantonization within a Greater

Israel or the idea of a Palestinian state in Jordan or the Sinai. The destruction of Israel or the transfer of the Palestinian population are the kinds of rotten fruit this option could well generate. .

Conclusion:

These various approaches will appeal to analysts and policy makers on both sides with different fundamental assumptions and intentions.

- Those Palestinians and Israelis who believe that a mix of incrementalism and comprehensiveness is necessary with a heavy dose of American engagement are likely to advocate the Road Map. This policy tends to be favored particularly by moderates on both sides.
- Israelis who think that Israeli security or ideological aims can only be achieved by gradualism usually favor some form of incrementalism, an approach whose devotees are relatively rare among Palestinians out of fear that interim steps will become permanent. This policy seems to be favored by center and right-wing Israelis, and would appear to be the preference of the Prime Minister.
- Those on both sides who favor movement but fear there are only limited options now, sometimes flirt with pilot Gaza. Palestinians who do so want airtight assurances that an Israeli withdrawal from Gaza is only the beginning of a new process, and not the last. They naturally want similar moves on the West Bank. Center and left-wing Israelis would be most likely to favor this policy and it has from time to time received the support of some moderate Palestinians. There have been hints that under some circumstances the Prime Minister might favor it.
- Unilateral disengagement is an Israeli alternative for those who believe that it is not possible to negotiate seriously and successfully with the Palestinians, but Israel cannot accept the status quo. They prefer to rely on Israel taking matters into its own hands, however flawed the idea, than for it to simply continue reacting to ongoing events. This policy which as defined here involves the withdrawal from most of Gaza and the West Bank is mentioned favorably by some center and left Israelis, including Ehud Barak and Amram Mitzna. Some Palestinians such as Hamas would celebrate major unilateral withdrawals as similar to Israel's withdrawals from Lebanon.
- Advocates of a comprehensive settlement now believe that there are no alternatives; all others will result in delay, deterioration, and death for both Israelis and Palestinians. This policy is the favorite of some left-wing Israelis and many Palestinian moderates.

- Trusteeship is favored by those who think that the only way to reform and revive Palestinian society so that Israel can deal with it is for some party besides Israel to simply assume control over Palestine for a limited amount of time. Few Israelis or Palestinians favor this policy, but rather it is advocated by prominent observers such as Martin Indyk, Senator Richard Lugar, and New York Times columnist Thomas Friedman.
- Those who despair of any of the other alternatives working, but who believe something must be done about the Israeli-Palestinian conflict given its corrosive impact on the region speak, often softly, about the necessity of some effective political force in the international community simply imposing a settlement and then making sure both sides accept it. Though few local parties prefer it, Palestinians are more likely to be enamored with this idea than Israelis because they think that except for America, the international community would provide their preferences with more support. Thus far, however, there is no American support for this idea and only limited backing in Europe and even in the Arab world.
- Israeli proponents of a Greater Israel and Palestinians who wish to destroy or devour the Jewish state favor the status quo. Thus, this policy is likely to be favored by radicals and extremists on both sides.

It is difficult to conceive of a solution to the Israeli-Palestinian conflict that is beyond the scope of one of these alternatives or some creative combination of elements of two or more of them. For over a century this dispute has proven both unpredictable and immune to prophecy. Yet, barring some unanticipated approach, for the foreseeable future those who would seek to alleviate this conflict will have to deal with the ramifications of these eight alternatives.