



**WHAT TO DO ABOUT STALLED  
ISRAEL - PALESTINE NEGOTIATIONS**

# ESCAPING THE CUL-DE-SAC

Daniel Serwer • I. William Zartman

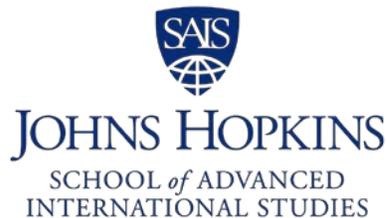
**Conflict Management Program  
Field Trip to Israel/Palestine**

**Escaping the Cul-de-Sac  
What To Do About Stalled Israel/Palestine  
Negotiations**

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# Escaping the Cul-de-Sac: What To Do About Stalled Israel/Palestine Negotiations

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## Acronyms

AASA	Asian American Studies Association
ASA	American Studies Association
API	Arab Peace Initiative
ARIJ	Applied Institute of Jerusalem
BATNA	Best Alternative to a Negotiated Agreement
BDS	Boycott, Divestment and Sanctions
CARIM	Consortium for Applied Research on International Migration
CBM	Confidence Building Measure
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CMWU	Coastal Municipal Water Utility
CSO	Civil Society Organizations
EU	European Union
GDP	Gross Domestic Product
GOI	Government of Israel
GPP	Gaza Power Plant
HRO	Human Rights Organizations
ICJ	International Court of Justice
IDF	Israeli Defense Forces
ILO	International Labor Organization
IMF	International Monetary Fund
INSS	Institute for National Security Studies
ISIL	Islamic State of Iraq and the Levant
JWC	Joint Water Committee
kWh	Kilowatt Hours
MAS	Palestine Economic Policy Research Institute
MEI	Middle East Institute
MENA	Middle East and North Africa
MEO	Mutually Enticing Opportunity
MHS	Mutually Hurting Stalemate
MK	Member of Knesset
MW	Megawatts
mWh	Megawatt Hours
MSME	Micro, Small and Medium-Sized Enterprises
NAISA	Native American and Indigenous Studies Association
NEET	Not in Education, Employment, or Training
NGO	Non-Governmental Organization
NIS	New Israeli Shekels
NSC	Israeli National Security Council

NWSA	National Women's Studies Association
OCHA	Office for the Coordination of Humanitarian Affairs
OECD	Organization for Economic Cooperation and Development
OIC	Organization of Islamic Cooperation
OPT	Occupied Palestinian Territories
OSS	One State Solution
PA	Palestinian Authority
PASSIA	Palestinian Academic Society for the Study of International Affairs
PCBS	Palestinian Central Bureau of Statistics
PFLP	Popular Front for the Liberation of Palestine
PIJ	Palestinian Islamic Jihad
PLC	Palestinian Legislative Council
PLO	Palestine Liberation Organization
PRI	Public Radio International
PRIME	Peace Research Institute in the Middle East
PWA	Palestinian Water Authority
SMEs	Small and Medium Enterprises
TSS	Two State Solution
UN	United Nations Organization
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Programme
UNGA	United Nations General Assembly
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNFPA	United Nations Population Fund
UNPK	United Nations Peacekeepers/Peacekeeping Forces
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East
UNSC	United Nations Security Council
UNSCR	United National Security Council Resolution
UO	Ultra-Orthodox
WB	West Bank
ZOPA	Zones of Possible Agreement



Source of the map on the opposite page

OCHA: [https://www.ochaopt.org/sites/default/files/westbank\\_2017\\_draft\\_6\\_march\\_2017.pdf](https://www.ochaopt.org/sites/default/files/westbank_2017_draft_6_march_2017.pdf)





## Introduction

### I. William Zartman

The Israeli-Palestine conflict has been simmering since Abraham had two sons and has resisted all attempts at resolution. It was thus inevitable that the Conflict Management Field Trip to a conflict area of the Johns Hopkins University School for Advanced International Studies (SAIS) take on the challenge of learning in depth about the situation on the ground. On 14-23 January 2018, thirteen students, with two professors, interviewed over 50 people from all walks of life in Israel and Palestine for the Program's 16<sup>th</sup> annual Field Trip and returned wisened and perhaps saddened at the seemingly intractable nature of this conflict.<sup>1</sup>

The conflict, in its modern form, began in 1947 with the UN partition of the British mandate of Palestine into an untenable double-hourglass division into a "Jewish state and an Arab state" of 60% and 40% respectively, and an international zone (*corpus separatum*) around Jerusalem. The surrounding Arab states attempted to regain the whole territory but the ensuing war ended at the 1949 armistice line (Green Line, until 1967) with a contiguous state of Israel covering 78% of the land; Jordan held sovereignty over the remaining 22%. A second war in 1967 ended with an Israeli military occupation of the entire territory, divided into the West Bank and the Gaza Strip. Of that 22%, 61% percent of West Bank and Gaza (Area C) is entirely under full Israeli control, with the remaining 10% of the original mandate consisting of Area A entirely under Palestinian control and Area B under shared control. Areas A & B are indiscriminately fragmented by the creeping expansion of colonial settlements from Israel and roads connecting them. A wall—in some areas an electric fence with razor wire, in others an eight meter concrete wall—reaching out from the Green Line around much of the settlements protects and prevents them from contact with Palestinians (and sometimes traps Palestinians into isolated enclaves). Israel is doing well economically, thanks to its dedication, industriousness, and foreign support. The conflict is over the disposition of Palestine.

The Palestinian Liberation Organization (PLO) renounced its claim over the entire area of Palestine in 1988 and in the 1993 Oslo talks recognized Israel as a state with "the right to exist," indicating a "two-state solution." At the same time Israel recognized the PLO as the spokesperson for the Palestinians and set up the Palestinian Authority to govern Area A and non-security functions in Area B. Negotiations on the promise of Oslo continued sporadically and inconclusively, at Paris and Cairo in April-May 1994, at Oslo II in September 1995, at Camp David in December 2000 under President Clinton and Prime Minister Ehud Barak, at Taba in January 2001, under Senator Mitchell in April 2001-March 2002, in the Saudi-proposed Arab Peace Initiative of March 2002, revived in March 2008, by President Bush in October 2001 and the Quartet Road Map in April 2002, in Geneva in 2003, in Annapolis under President Bush (Secretary Rice), between Prime Minister Ehud Olmert after March 2006, in Jerusalem under President

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<sup>1</sup> Previous books are Ukraine 2017; South China Sea 2017; Sri Lanka January 2016; Senegal/Casamance January 2016; Colombia January 2015; Mindanao January 2014 and 2011; Nagorno Karabakh 2013; Tunisia 2012; Kosovo 2010; Cyprus 2009; Northern Ireland 2008; Haiti 2007 and 2006. Reports from previous Field Trips are available at <https://www.sais-jhu.edu/content/conflict-management#research>.

Obama (Secretary Kerry) in 2013-2015, and in the Paris Peace Conference that neither party attended on January 2017. Many of these efforts reached agreement asymptotically, leaving unresolved a few details, mainly on Jerusalem and the right of return. The return of Benjamin Netanyahu to power as prime minister in March 2009 replaced the Israeli policy of limited negotiations with one of colonial settler expansion, which has continued ever since. New elections in Israel are scheduled for 2019 but may occur before, and a succession to President Abbas may occur sometime.

Our interviewees usually claimed that the situation faced two choices: a One-State Solution (OSS) or a Two-State Solution (TSS). In fact there are four possibilities, each major option containing two alternatives. For long, TSS has been the prominent choice toward which negotiations have tended, meaning the formal recognition of a Palestinian state with boundaries along the 1949/1967 Green Line, with some swaps of territory of about 5% involving some settler land around Jerusalem for equivalent (size? value?) land around Gaza. The strongest argument holding this option in place was the inadmissibility of OSS, since the Palestinian population in one Israel would begin to outnumber the Jewish population within the coming decade and thus destroy the Zionist dream. But that logic assumed equal rights for all people, following a usual liberal Jewish proclivity for civil rights, as the bruited condition for One State, and thus shifted the weight of preference for both sides to TSS.

However, the Israeli population heavily favors a Jewish state, at the potential cost of equal civil rights, bringing up the other One State outcome that our interviewees often raised, an “apartheid state” or rather a Bantustan state, with Palestinian reserves to which their population was confined, surrounded by Israeli settlements, roads, and military outposts. That would amount to the present situation formalized and aggravated under one state. The alternative remains TSS, but it too contains two possibilities. The “regular” Two States would end the conflict, or enter it into normal squabbling among states in the Middle East, and would allow the Palestinians to launch their own efforts at development. But an imposed outcome would leave a spotty collection of Palestinian “reservations,” unconnected across Israeli highways and separated from the Jordan valley by the Israeli Defense Force and nature preserves. This is a further elaborated version of the 1967 Allon Plan. The United States has a choice to make in furthering any of the four outcomes.

Our interviews frequently brought the response, “it can just go on like it is,” with guarded satisfaction from the Israelis and dejected resignation by Palestinians. The PA is working on a strategy for change, involving disengagement from Israel, efforts for support and recognition on the international level, and non-violent resistance; each has its vulnerabilities. The present Israeli government is continuing its activity of removing Palestinians from Jerusalem and encouraging expansion of current settlements and outposts. It doubtless will go on like this, while both sides wait for a change of leadership. There is a loss of support for the tired and corrupt administration of Mahmoud Abbas and a polarization of opinion over the wily and corrupt government of Benjamin Netanyahu. It is to an analysis of this situation in its many facets that this study turns.

Our authors start with examining in depth why negotiations are currently stalled. Emma Bates in Chapter 2 examines the situation from the perspective of canonical negotiation theory: the conflict is not ripe for resolution, as there is no mutually hurting stalemate and no “way out,” the adversaries are pursuing their best alternatives to a negotiated solution, there is no zone of possible

agreement, and the leadership to define one is lacking. Kamille Gardner in Chapter 3 unpacks the hostile and mutually exclusive narratives on both sides, while suggesting that a common narrative is still possible. After all, both Ishmael and Isaac attended Abraham's funeral in Hebron, despite the earlier estrangement of their mothers. Swetha Ramachandran in Chapter 4 examines the power asymmetry in the current situation from the perspective of occupation. That is the frame Palestinians insist upon while Israelis resist it, even if their courts and military as well as the international community think the 4<sup>th</sup> Geneva Convention applies, at least to the West Bank if not also to Gaza.

Occupation has material impacts. The economic imbalance between Israel and Palestine is particularly striking. Overcoming it would help to put the conflict on a more even playing field. Sarah Kouhlani-Nolla in Chapter 5 suggests that the path to a stronger Palestinian economy that can generate the jobs its youthful population requires lies in the private sector, which depends on a more attractive business environment. Gaza's energy needs are Melanie Snail's focus in Chapter 6, because they are partly responsible for the desperate humanitarian conditions and represent an opportunity for Israel to help in ways that would prevent security and environmental threats to its own population. Kristin Caspar sees comparable opportunities in water cooperation, both with Gaza and the West Bank, in Chapter 7.

Social conditions in Palestine are not conducive to peace. Paras Khan in Chapter 8 discusses popular dissatisfaction with both the Palestinian Authority and the Israeli occupation. He sees the likelihood of renewed violence, possibly on a major scale and with worldwide Muslim support. Elizabeth Goffi discusses attitudes and conditions for Palestinian youth in Chapter 8, while the impact of the occupation on Israeli as well as Palestinian women is the focus for Mona Oswald in Chapter 9. Emma LaFountain takes up the difficult issue of refugees in Chapter 10, including both their current needs and the array of eventual outcomes for them.

The Israel/Palestine conflict has always attracted international attention, as it stems from a UN decision and affects interests the United States, Europe, the Arab states, and many other countries still regard as a priority, even if it has slipped down the ranking in recent years as other regional issues like Iran and the Islamic State have taken precedence. Gillea Benitez in Chapter 11 looks at how the Trump Administration has repositioned the United States to support Israel's right-wing ambitions, while Aaron Huff in Chapter 12 examines regional initiatives that may or may not bear fruit. George Mastoris ends in Chapter 13 by looking at the logjam different aspects of international law have created and how it might be overcome.

All the SAIS professors and students owe an enormous debt of gratitude to three people who made this study trip the success it was: Moty Cristal, Waleed Salem, and Galia Golan are untiring, judicious, informative, committed, and deeply knowledgeable observer/participants who generously loaned their expertise, experience, and networks to our cause. We could not have hoped for more willing and amiable colleagues, all devoted for many years to a real peace between Israel and Palestine. Our fulsome thanks go as well to Isabelle Talpain-Long, the Conflict Management program's administrative coordinator, who carries enormous burdens both in planning and executing a trip of this sort and enabling the publication of this report.



## **Part I: Stalled Negotiations**



## Prospects for a Final Negotiated Settlement

Emma Bates

When the Oslo Peace Process between Israel and the Palestinian Liberation Organization broke down in 2001, it dealt a severe blow to the peace camps on both sides, and to the prospects for a future negotiated settlement. Many blamed the mediation style or leadership's intransigence, but in the end the fundamental problem was that neither side's domestic constituency was prepared for the compromises that would have been necessary (Quandt 2005, 18). Almost twenty years and several negotiating attempts later, the Trump administration has refocused attention on the issue, but is the conflict any more tractable than it was at Camp David? The likelihood of a successfully negotiated final status depends on the distribution of power, any overlap of interests, narratives and positions, and the alternatives to negotiation that each side faces.

When a conflict develops into a "mutually hurting stalemate," that is, when both parties are suffering and unable to achieve unilateral victory, negotiations can open to provide a "way out." This sense of a way out opens a search for some point within the zone of possible agreement, the overlap between the minimum of what one party will accept and the maximum of what the other will concede. Once a zone of possible agreement is created, the conflict can move from "ripeness" toward an agreement (Zartman 2001, 8).

### **Indivisibility**

Part of the reason why it is difficult to find a zone of possible agreement in this conflict is the indivisible nature of many of the factors involved. For example, peace talks have often broken down because the issue of Jerusalem proves to be too difficult to overcome, even when delayed until after every other issue has been negotiated (Albin 1993, 115). The core issue for each side is sovereignty, and many proposals have been put forward attempting to create a shared, expanded, or divided concept, redefining it in ways such that Palestinians could accept one form of sovereignty while Israelis undertake another. Because of settlement building patterns, it would be difficult—though not impossible—to draw a state border around Jewish neighborhoods in East Jerusalem and still allow territorial contiguity for a future Palestinian state. From what has been reported in memoirs and news publications covering the negotiations, it appears that the most contentious, perhaps even the only, remaining point of deadlock is sovereignty over holy sites, particularly what the Jews call the Temple Mount and the Muslims call the Haram Al-Sharif, which could be administered internationally (Lehrs 2016, 188-190).

However, joint sovereignty over the city of Jerusalem would need to comport with Israeli security concerns, which currently require preventing the vast majority of Palestinians from entering the city. If sovereignty over some part of East Jerusalem were to be meaningful, Palestinians would have to be allowed to travel there. Under the prevailing atmosphere of suspicion and fear, it is difficult to envision a shared solution that does not involve a physical barrier.

### **Intractability**

Because of the long-cultivated distrust and fear between the two sides, this particular conflict seems quintessentially intractable. Each time the two sides or outside parties attempt to resolve

it and fail, it dashes hopes and hardens people's perceptions of their opponents as "unwilling" to make peace (Crocker 2007, 5-8). Neither side trusts that concessions will be reciprocated and agreements faithfully upheld. Each nurses an obsession that precludes meaningful compromise—Israel with security and Palestinians with the land division formula from UNSC Resolution 242—meaning that every terrorist act and new settlement block serves as proof that "there is no partner" for peace.

Since the construction of the separation barrier began in 2005, daily human interaction between the two nations has plummeted. As a result, an entire generation of Palestinian children knows Israelis only as armed soldiers who control their movements; an entire generation of young Jewish Israelis sees Palestinians as lower-class manual laborers secretly bent on violence. Each group deeply fears and resents the other. This affects the psychological ability of people on either side to see concessions as positive, rather than suicidal or treasonous.

Moreover, the political and physical playing field has shifted. Since the Oslo process failed, the number of Jews living in the West Bank has risen to about 750,000 (Bar-Tal 2017, 44). This has resulted in a map that shows swathes of the West Bank designated as off-limits to Palestinians in one way or another, whose towns are reduced to islands in a sea of Israeli settlements, checkpoints, and segregated roads. There has been an increase in proportion of Orthodox and Ultra-Orthodox Jews in Israel, as well as Russian immigrants, all of whom tend to be more right-wing (Morris 2010, 185). Israeli and Palestinian schoolbooks reflect increasing bias, highlighting persecution of their own people while ignoring injustices against the other (Del Sarto 2017, 153). Political leadership on both sides is characterized by increasing deference to the extreme and inability to control violent nationalism (Kurtzer 2017, 13). At this point, the narratives are so deeply infused with grievance, racism and alienation that preserving an identity of victimhood seems more important to each side than reaching an end to the conflict.

### **Narratives**

The two narratives are similar in their focus on victimhood, a deeply historic right to sovereignty over the land, and a conviction that the other side's intransigence and extremism is the only impediment to peace. The refrain on both sides is some formulation of, "All we want is peace, and all they want is to drive us out."

Jewish Israelis across the board believe that they have a legitimate right to a state in the Holy Land that is Jewish in character, whether because of the Holocaust or because it is ordained in the Bible, and that there is no alternative to fighting hostile neighbors who deny that right. After the failure of Oslo and the Second Intifada, previously controversial policies of deterrence, unilateral action, and use of force against the Palestinian collectivity gained acceptance as the only option (Del Sarto 2017, 98). Almost 50% of the population identifies as Right-wing, with Moderates comprising another 20-30%. The Left, once a dominant force in Israeli politics and home to the peace camp, commands no more than 15-20% of the vote. Strikingly, younger Israelis tend to be more hardline than their parents, auguring poorly for a future ripening of negotiation prospects.

In general, Israelis resent what they see as anti-Semitism and Palestinian propaganda in the international community's condemnation of their actions, which fortify a siege mentality. A persistent focus on the incidences of terrorism against Jews serves as justification for measures that otherwise might seem excessively punitive and arbitrary. When asked about home demolitions, one Jewish Israeli citizen said, "It has to have been because there was a

terrorist who lived there. I know it seems harsh, but the IDF is desperate to prevent terrorism, and clearly the threat of imprisonment doesn't work. So maybe you have to demolish their family's house."<sup>2</sup>

Palestinians see the state of Israel as a colonial enterprise that upset a religiously diverse region living in peace before the sudden influx and domination of Jews. They feel that giving up almost 80% of their homeland (by accepting the 1967 borders of Israel) is already enough of a concession, and that they should not have to compensate for the atrocities Jews experienced in Europe and around the world. They feel traumatized by the *Nakba*, the loss of the 1948 war, which caused 700-800,000 Palestinians to lose their homes; the current encroachment by settlers on the land they have left is a constant reminder of that original trauma (Quandt 2005, 15). Palestinians point to measures of control and restriction beyond what can reasonably be attributed to security concerns (such as a prohibition against importing certain animals or planting certain seeds) as evidence that Israel's intent is to make their life so difficult that they choose to emigrate.

The most critical aspect of the narratives today is the way in which Israelis have erased the occupation, and by extension the Palestinians themselves, from their own narrative. Most glaring is the use of words like "liberated" and "disputed" territories, rather than "occupied" or "Palestinian." "Jews in Israel who see the reality of the OPT (the Occupied Palestinian Territories) as liberation release themselves from the harsh psychological implications created by the term "occupation:" a blow to the individual and collective positive image, cognitive dissonance, gaps in the self-image and in collective guilt... At the end of 2016 about 70% of Israeli Jews did not view the situation in the West Bank as an occupation" (Bar-Tal 2017, 47). Israeli maps tend not to include the line delineating the separation barrier or the Green line, which "does not appear in the cognitive system of the younger generations. Thus, the territory between the Jordan River and the Mediterranean Sea is seen by them as one unit of homeland. The majority among these new generations do not recognize the reality of the occupation" (Bar-Tal 2017, 48).

### **Spoilers**

At the extreme end of every narrative, and among those who believe that a negotiated peace would threaten their power and interests, are what are called "spoilers" (Stedman 2000, 178). A spoiler may be afraid that his opponent will take advantage of a peace deal and eliminate him; he may have developed a business model that depends on insecurity; he may be fanatically religious and feel that sovereignty over a holy site is worth any price. Spoilers often use violence to disrupt the trust and empathy required to negotiate a peace deal. Spoilers can be co-opted with inducements, socialized to a set of more constructive norms, or coercively restrained (Stedman 2000, 184). Each side in the Israel/Palestine conflict has been unable to constrain its spoilers, and instead has empowered them.

Israelis complain about the PLO's inability—or unwillingness—to control Hamas and Islamic Jihad's violence and rhetoric. Moreover, the Palestinian Authority provides extra welfare support to the families of "martyrs" who died or were imprisoned in the course of a violent attack against Israelis—a clear signal to the faction of Palestinian spoilers that their

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<sup>2</sup> 1 According to B'Tselem, an Israeli Human Rights organization, hundreds of homes have in fact been demolished as a form of collective punishment after a family member attempted or perpetrated an attack. However, in Area C (60% of the West Bank,) it is Israel's policy to demolish any new homes built without a permit. Only about ten permits were issued each year from 2014 to 2016 (Lietz 2017, 29).

actions are acceptable. This has a massively detrimental effect on the Israeli public's willingness to make concessions for peace. The 2001 suicide bombings convinced even many of those Israelis who had tended to support negotiations that the Palestinians' ultimate goal would always be to kill Jews and eliminate the Jewish state.

Likewise, Palestinians can point to the Israeli government's overt support of settlement growth within what presumably would be a future Palestinian state, as well as its unwillingness to thoroughly investigate and deter violence by settlers against Palestinians. One of the reasons Israel's government has proven thoroughly incapable of reining in its spoilers is the demographic shift within Israel to the nationalist and religious Right since the breakdown of Oslo. Due to various factors (including the previously discussed erasure of Palestinians from the Jewish narrative, higher birth rates among the far-Right Jewish sects, and increased immigration from Russia) the extreme view that Judea and Samaria cannot be allowed to become a Palestinian state has come to predominate in Israel. Its proponents have accumulated great power within Israeli politics, exercising outsize influence over the IDF and the selection of Knesset members (Bar-Tal 2017, 51-52). With that power, groups of settlers who believe that dividing the land of Israel would contravene the Bible have lobbied to great effect with the aim of preventing a negotiated division into two states (Bar-Tal 2017, 50).

### **Power**

The three aforementioned factors—indivisibility, narratives, and spoilers—polarize the interests and positions of the two sides, and therefore make it difficult to negotiate. However, the most important reason why there have not been successful negotiations in the past few decades is the asymmetry of power. Conflict and negotiations are resolved through the relative possession and the skilled use—or threatened use—of power, whether it be physical force, powerful allies, economic leverage, legal power, or moral authority (Hopmann 1998, 102). Power can be borrowed from third party enforcers to equalize a disparity, but a non-coercive negotiated solution that does not reflect the balance of power is untenable.

Israel is the more powerful party in several different ways. Israel has a modern economy, with a GDP per capita that is roughly twelve times that of the West Bank and Gaza. Israel is a recognized sovereign state; its government is viewed as legitimate by its people, and despite corruption scandals it is effective and authoritative. The moral legitimacy Israel may have sacrificed by occupying another people is balanced by its strategic importance as an island of Western-style democracy in the Levant, not to mention the emotional debt owed the Jewish people after the Holocaust. And, in terms of hard power, Israel spends about \$20 billion per year on its military, receives about \$3 billion per year from the United States in Conflict, Peace and Security aid, and can expect to rely on further American support in the event of a crisis.

Having such a close relationship with and influence on the United States is an immeasurable negotiating advantage because US support would be necessary to enforce any agreed peace deal. For this reason, the US has been the mediator by default almost throughout the conflict. Amplifying this advantage, President Trump has indicated (by announcing the American Embassy move to Jerusalem and suggesting that a one-state solution is on the table, among other indications) that he would like to see the conflict resolved on Israel's preferred terms.

By contrast, in Palestine there is no coherent, legitimate government that can exercise authority over territory and people. This is partly because of its status as a not-yet-fully-recognized state, partly because of internal failures of leadership, partly because of the

fragmented nature of the territory, and partly because Israel's government controls borders, imports, exports, permits, and movement. Moreover, when the Oslo Agreement failed to deliver meaningful improvement to Palestinians' daily lives, or to prevent further settlement building on Palestinian land, it undermined the authority of those who had negotiated it (Dajani 2005, 49). PA President Mahmoud Abbas is faced with a crisis of legitimacy among his own people, with 70% of his constituency favoring his resignation. Any final status agreement will require immense concessions on the part of both sides, and it is discouraging to any serious effort at negotiation when one party does not have the kind of trust and buy-in of his people that would be required to enforce it.

The Palestinians could borrow power by demanding a new mediation paradigm, in which the United States is not predominant. Until recently, Palestinians have calculated that America's ability to influence or "deliver" Israeli concessions outweighed American bias, but now that the bias has become more overt under Trump, that calculus may have changed. The European Union could step into a leadership role on this issue. Its relationship with Israel as the latter's main trading partner gives it a limited, but not meaningless, degree of leverage (Lietz 2017, 28). The EU could start with the parameters agreed at the 2017 Paris Peace Conference, and incorporate elements of the Arab Peace Initiative, which has the support of the majority of Arab leaders.

However, borrowed power requires powerful foreign actors to sympathize with the Palestinian cause. In terms of the moral power from which that sympathy develops, the Palestinian narrative of occupation is deeply tarnished by their own policies and extreme actors. They could enhance their moral position by restructuring their welfare system to serve all needy families, rather than prioritizing the families of "martyrs" or those imprisoned for violence against Israeli Jews. Palestinians can and do also use social media as a resource that can be used to publicize incidents, stories and video, to demonstrate the reality of the occupation and influence public opinion around the world.<sup>3</sup> Agitation for a one-state solution with equal rights for Jews and Arabs could serve as a lever forcing Israelis to confront the prospect of losing their Jewish majority. However, it runs the risk of halfway completion; a one-state solution without equal rights seems more likely under present conditions.

Finally, Palestinians have the power to terrorize, and some have made use of it. Many Palestinians certainly believe that they have a right to violently resist the occupation. However, the vast majority do not view violence as a realistic option; Palestinians are acutely aware of the imbalance in military power, and they remember the backlash that occurred after the Second Intifada.

International and even Israeli law has been broken countless times in the course of the occupation. The problem with legal power is that it requires an enforcing authority, which only exists through the Israeli government, and which for the most part does not take action when law is broken by settlers or government activity. Negotiation, like law and international legitimacy, is ultimately the tool of the weak, for the strong can achieve their aims by force.

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<sup>3</sup> A topical example of this is Ahed Tamimi, a young Palestinian girl who can be seen slapping and kicking armed Israeli soldiers in a viral video, reportedly after her cousin was shot. Israelis see an example of Israeli soldiers' restraint and maturity in the face of Palestinian violence, while Palestinians emphasize that Tamimi's family members had been arrested, she was only sixteen years old, and is to be tried in military court, along with bystanders, for assault. The case has been used to question the Israeli practice of governing Palestinians by martial law, and to humanize Palestinians living under occupation.

### **Alternatives to a Negotiated Agreement**

Central to the decision each party has to make regarding negotiation is what, exactly, it could achieve by instead acting unilaterally—through violence, appeals to international intervention, changing of facts on the ground, or any other measure. This option is known as the party’s Best Alternative to a Negotiated Agreement (BATNA) (Fisher and Ury 2011, 99). A party will only negotiate if there is some achievable outcome within the zone of possible agreement that is more favorable than its best alternative. For the most part, the Israelis’ and Palestinians’ respective BATNAs are to continue along the present path, which is not “mutually hurting” to the same degree.

There is a disparity in the living situation on either side of the separation barrier. Palestinians in the West Bank face severe restrictions on movement, construction, and economic activity, to say nothing of the catastrophic humanitarian situation in Gaza. According to figures published by the Israeli Defense Force and B’tselem, there has been a “comprehensive checkpoint closure” an average of 73 days per year between 2000 and 2017, effectively preventing most travel between Palestinian towns, blocking normal economic functioning, leaving crops to rot in fields, and threatening the lives of people in need of medical care. Even under normal checkpoint operation, many towns are separated from hospital facilities by checkpoints that only open for short intervals at designated times, leading to preventable deaths.<sup>4</sup> The Israeli human rights organization B’tselem has documented “countless” incidences of settler violence against Palestinians, as part of what it alleges is a broader strategy to drive Palestinians “from more and more locations in the West Bank, making it easier for the state to take over land and resources” (B’tselem 2018). The perception of such a plan is reinforced by the previously discussed policy of severely restricting home and building construction in Israeli-controlled Area C. The current living situation in the West Bank criminalizes essential functions and activities of life for Palestinians; it is therefore a strong motivator to negotiate.

The Palestinians’ alternatives to a negotiated agreement are conditioned by the imbalance of power described above. They range from publicity and appeals to international legitimacy, to calling for punitive boycott/divestment/sanctions activity, to disengagement from partnerships and integration with Israel, to a violent attempt to overthrow the occupation. The first has been vigorously attempted and for the most part had limited success, though more use of the Israeli court system could highlight the injustices involved in subjecting Palestinians to military courts while Israelis operate under Israeli civil law. Changing the status quo through violence is precluded by the extreme disparity in power. Disengagement from the customs and monetary union established at Oslo and Paris would provide some leverage and an element of statehood, but it is questionable what currency could be used that would be recognized by the international community, and tariff control may prove an empty achievement while Israel still maintains sovereignty over borders, imports, exports and essential permits.

The current situation for Israelis is not ideal, but it is normalized and acceptable. Israelis continue to fear and suffer acts of violence on the part of Palestinian extremists, but security has improved significantly in the past decade—many argue that this is because of the separation barrier, the checkpoints, and all of the other tough measures for which Israel faces criticism. Israeli Jews can move freely about to visit friends and relatives, and they have access

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<sup>4</sup> The United Nations Population Fund identifies checkpoints as the driving reason behind high rates of home delivery, fatal complications and miscarriages among Palestinians in the West Bank, and they note the particularly high risk to women who must give birth while waiting to get through the checkpoint.

to social services as in any other developed state. Most importantly, the situation of tense stalemate and occupation is not part of daily life for Israelis the way it is for Palestinians.

Israel's BATNA, therefore, is to live with sporadic violence and continue to change the facts on the ground through settlement construction. The status quo also offers the benefit of territorial ambiguity. Any negotiated agreement would involve making a choice between giving up most of the area many Israelis call "Judea and Samaria" in order to create a Palestinian state, or officially annexing that area and confronting the demographic dilemma that would entail. Of three essential characteristics—territorial completeness, Jewish majority, and representative democracy—Israel will be able to choose only two. By deferring that decision and maintaining ambiguity over the final status of the West Bank, increasing numbers of Israeli Jews can settle and live there while the state of Israel maintains its Jewish electoral majority and classification as a democratic state. Israel's BATNA therefore is continuation of a one-state reality in which rights are not equal and the territorial division is vague.

In order to overcome the fact that Palestinians are not ready to fulfill the minimum of Israeli demands, and vice versa, a regional agreement could be pursued. Regional and international benefits can be introduced as "mutually enticing opportunities" or MEOs to incentivize negotiation and concessions, adding more to the benefit of each party than the other party itself can concede or provide (Zartman 2000, 241). This avenue offers significant hope, but it does not appear likely in the near future. A consistent frustration for the Palestinians has been that Arab leaders fail to provide meaningful support and attention to their cause, and the turmoil in Syria, Iraq, Libya and Yemen draws attention away from the abeyant Israeli-Palestinian issue.

In conclusion, there does not appear to be a zone of possible agreement between the two sides, because of the asymmetry in power that allows Israel to accomplish its aims unilaterally, without making concessions. Moreover, this asymmetry is growing, and the lack of meaningful interaction between the two peoples continues to push the two narratives to their extremes. Were Israel willing to make a deal, the Palestinian leadership is not widely supported enough to make politically difficult decisions and implement them successfully. Israel has little incentive to negotiate because the status quo is in many ways preferable to a negotiated agreement.

### **Policy Recommendations**

- **The EU should focus as potential mediators on the parameters agreed at the 2017 Paris Peace Conference and build on elements of the Arab Peace Initiative.** After the Trump administration has passed from power, the United States should return to the table as mediator based on the Clinton Parameters and UN Resolution 234.
- Regional leaders should explore options for a **region-wide deal involving regional MEOs**, which could include enhanced aspects of recognition for Israel and for a future Palestinian state; an overtly recognized security cooperation regime among Israel, Jordan and Egypt as well as the Palestinians; development aid for the Palestinian territories; a region-wide trade deal designed to resurrect the regional economy; and favorable trade agreements with the United States and the European Union.
- Israeli and Palestinian leaders, as well as regional leaders and international organizations, should make more careful **use of words based on factual conditions on the ground**. For example, "occupied" and "terrorism" should be used in place of

“disputed territories,” “liberated territories,” and “martyrs.” This may be most feasible among international groups, but it would be more useful if adopted by the parties involved.

- Israeli and Palestinian leaders should renew, robustly fund, publicize and celebrate **People to People programs, especially those that normalize relationships between Jewish and Arab children**, as a way to cultivate respect for different narratives as young generations enter politics.
- **Israeli and Palestinian leaders should design and implement small but meaningful, unilateral concessions as confidence-building measures.** Examples include:
  - Classes in Hebrew and Jewish history should be taught in schools under PA jurisdiction, and classes in Arabic and Muslim history taught in Israeli Jewish schools; textbooks for these courses and general history textbooks should be developed with input from both sides.
  - Israeli and Palestinian leaders, including local and religious leaders, should demonstrate a commitment not to tolerate action or speech that denies any religious or ethnic group’s fundamental right to life, livelihood and security in the area between the Jordan River and the Mediterranean.
  - The Israeli government should invest more in East Jerusalem’s infrastructure and services as well as halt removal of inhabitants and denial of their civil rights.
  - The Palestinian government should reconfigure its welfare system to provide assistance without consideration of “martyrdom” or imprisonment.
  - Palestinian life and economic development should be decriminalized. Building permits should be issued as a matter of course in the absence of a demonstrable security concern. Existing structures should be regularized, and compensation should be made for structures demolished in the past. Measures should be taken in the occupied territories to provide secure transportation for people in need of medical care. A campaign could be launched advocating against the impulse among Palestinians to resist investment and development in the name of maintaining the salience of grievances.
  - An interfaith and mutually recognized reconciliation commission could be established, including victims’ groups from both sides, and tasked with establishing a common understanding of the facts of the conflict and creating a dialogue for how to reconcile the two narratives.

## **Unpacking the Israeli and Palestinian Narratives: Creating New Pathways for Dialogue**

Kamille Gardner

The way one defines him or herself often hinges on a variety of factors, including history, personal experiences, emotions, and the way those experiences and histories are interpreted and internalized. The way history is taught in schools or recounted by friends, family members, or peers can influence the way a person engages with his or her community or outside individuals. A person's sense of self may also often be shaped by the sense of collective identity that frequently emerges among others who identify as having a similar race, ethnicity, religion, or set of beliefs. These factors help give rise and form to individual and collective identities of the "in-group" that can contribute to perpetuating harmful stereotypes of the "out-group" (Nets-Zehgnut and Bar-Tal 2014). These identities can also harden personal narratives that contribute to the persistent "othering" of individuals or groups who may hold differing or conflicting beliefs or personal narratives. In the case of protracted conflicts, these conflicting narratives of opposing historical and religious interpretations can hinder opportunities for positive and productive discourse to try to bring the conflict to an end.

On our recent visit to Israel and Palestine, a salient theme that emerged from prominent voices on both sides was the role that conflicting narratives have played and continue to play in inhibiting the prospect of future peace talks, negotiation, and reconciliation. Scholars, peace activists, politicians, civil society groups, and civilians alike have identified these conflicting Zionist and Palestinian narratives as one of the leading sources of the widening gap between "us" and "them" that is often described by state and non-state actors on both sides. As Brescó de Luna describes, "Groups transmit and use narratives about the past in order to underpin their identity as well as their respective position within conflicts. These narratives act as mediational tools through which the members of the group not only reconstruct the past...how the conflict originated—but also anchor and give meaning to present events as well as the conflict's future horizon" (Brescó de Luna 2017). In the case of the Israel-Palestine conflict, it has been stated by various actors involved that the narratives on each side have hardened over time in opposition to the other. The sheer length of this conflict—one of the most protracted in recent history—has given rise to deeply entrenched negative perceptions and stereotypes held by each party towards the other. In addition, the perception that "the other side" is uninterested in making peace has become commonplace in both the Israeli and Palestinian narratives.

Given the prolonged nature of the conflict, extensive research and analysis has been conducted to capture the depth and complexity of these Israeli and Palestinian narratives. Many of these narratives are rooted in decades of frustration, grief, and a real or inherited sense of distrust for "the other" passed down from generation to generation. Others are rooted in more recent experiences of new trauma generated by the loss of relatives or loved ones or in growing indifference towards or waning interest in the ongoing nature of the conflict that, to many, may

seem to have no end in sight. Some narratives speak more to the agitation and frustration with the status quo felt by some, and the desire to seek change through either violent or nonviolent means. The more devout often frame their narratives around religious interpretations of historical events or around the perceived right to occupy the region's land, based on a divine mandate.

It is important to address the issue of narratives as they relate to the Israel-Palestine conflict because, by analyzing the history of how those narratives were formed and have evolved over time—and throughout previous peace processes—it may be possible to facilitate more constructive dialogue between Israelis and Palestinians. Such dialogue could help relax the hardened views of “the other” that have been formed by many on both sides, particularly by those who may sit around future negotiation tables. Failure to do so could present a major challenge to reaching a mutually agreed-upon resolution satisfactory to both sides. These narratives should be taken into account given how integral they could be to any prospect of sustainable cooperation between the two states and to any future rounds of negotiation.

I will discuss some of the defining characteristics of the prominent narratives expressed on each side and provide examples of how they have interfered with previous peace processes or sparked new waves of violence. I will also provide policy recommendations that aim to ensure that recognition of and dialogue about these narratives are cornerstones to any future Israeli-Palestinian peace process.

## **A Brief Look at Prevailing Narratives on Both Sides**

### The Israeli Zionist Narrative

Political Zionism emerged and consolidated as a formal movement in the late 19<sup>th</sup> century after Theodor Herzl, an Austrian-Jewish journalist, published a pamphlet titled “The Jewish State” (Ben-Gurion n.d.). Herzl was discontented with the anti-Semitism he experienced both in his birthplace of Austria and in France, where he moved to advance his journalism career and struggled to integrate into Parisian society. He began writing on the increase in anti-Semitic views he observed and experienced at the time.

In 1897, Herzl travelled to London to attend the First Zionist Congress, where he spoke before a crowd of fellow Zionist enthusiasts on his vision “to create a publicly guaranteed homeland for the Jewish people” in Palestine (Ben-Gurion n.d.). After Herzl's death in 1904, The Zionist movement continued to grow in popularity among Jews living in Central and Eastern Europe throughout the early 20<sup>th</sup> century. This rise in Zionism sparked a new wave of emigration, also referred to as the Second and Third Aliyahs, to “Eretz Yisrael,” today known as Israel and areas of Occupied Palestinian Territory (OPT) (Jewish Virtual Library n.d.). In 1947, following World War II and the Holocaust that claimed the lives of an estimated six million Jews, the United Nations Special Committee on Palestine proposed a plan to partition Palestine into eight parts in which “three were [divisions] allotted to the Arab State and three to the Jewish State; the seventh, the town of Jaffa, was to form an Arab enclave within Jewish territory” (United Nations Department of Public Information 2003). As part of this 1947

partition plan, Jerusalem, the eighth division, would remain a UN-controlled territory. After Israel was established, “Between 1948 and 1951, almost 700,000 Jews emigrated to Israel, including 136,000 Jewish displaced persons from Europe” (United States Holocaust Museum Memorial n.d.). Since then, the Israeli population has experienced more than a tenfold increase, and as of 2017, Israel’s population was nearly 8.7 million (World Bank 2016).

Following the 1948 Arab Israeli war, a partition resolution in the UN General Assembly formally recognized Israel as an independent state (United Nations Department of Public Information 2003). Many Zionists today characterize the events of 1948 and the establishment of Israel as a nation state for the Jewish people as a long-overdue process and necessary reparation for the “persecution of Jews over millennia around the world” (Jewish Virtual Library n.d.). This justification for the creation and preservation of Israel as a Jewish state is considered a central point of the Zionist narrative. In addition, Paul Scham, managing editor of the *Israel Studies Review* and editor of both *Shared Histories: A Palestinian-Israeli Dialogue*, describes how the Zionist narrative goes beyond simply providing explanations for why retribution is viewed as necessary. Scham describes how this narrative also seeks to emphasize the Jewish people’s historical ties and presumed right to their ancestral lands in today’s Israel:

The legitimacy of the Zionist enterprise of returning Jews to Eretz Yisrael is based on Jewish descent from the ancient Israelites. The Jewish people has inherited their right to the land, religiously, legally, and historically. Jews have always looked and prayed toward Zion (Jerusalem), never relinquished their relationship to the land, and have always maintained a presence since ancient times, despite expulsions. Jews were treated as foreigners and persecuted wherever they were during their long Exile (Scham n.d.).

This sustained sense of persecution and expulsion from the ancestral land of the Israelites that Scham describes has also manifested itself as a fundamental part of the Zionist narrative today, and sheds light on the reason why many Zionists in Israel view Judaism as not only their religious background, but also their nationality.

As things stand, most Jewish Israelis do not interact with Palestinians on a regular basis and vice versa. This limited communication has been aided by the creation of a separation barrier between Israel and the West Bank, which has hindered opportunities for civilian interaction. Zonszein describes the imposing nature of this separation barrier in detail:

Most of the barrier comprises a set of 2-meter-high, electrified barbed-wire fences with vehicle-barrier trenches and a 60-meter-wide exclusion zone on the Palestinian side. But in more densely populated urban areas, particularly those around Jerusalem, like Anata...space limitations prompted the Israelis to instead build a concrete wall to the height of 8 meters. The approximately 15,000 residents of the [Antaa] village are surrounded on three sides by the barrier, which keeps its residents from regular access to the businesses, hospitals, cultural centers and other services in the Holy City (Zonszein 2014).

This barrier can be perceived in differing ways by actors on both sides—menacing and segregating to some, or protective and necessary to others—creating an even greater disconnect in the narratives held by each party.

However, the effects of a lack of contact go beyond simply hardening narratives. The lack of people-to-people interaction has also led to what some scholars refer to as a cognitive dissonance among many Israelis who deny the difficult economic and social realities of the Palestinian people living under occupation and surrounded by settlers (Lupovici 2012). Recent polls also illustrate that, while Israeli public support for the peace process is high, faith in that process is low and support for a two-state solution is waning on both sides—but even more so among Israelis—indicating a significant level of Israeli contentment with the status quo (SAIS Group Meeting, Dr. Dahlia Scheindlin, Tel Aviv, 14 January 2018). It is interesting to note that the relationship between the Palestinian and Israeli people, particularly Israeli Jews, is growing increasingly tense, even as interaction between the two sides has been on the decline. This brings to the fore the role that sustained narratives continue to play in hardening identities and points of view, even in the absence of significant contact.

A more recent development in the Israeli Zionist narrative is related to the perceived level of Palestinian violence. According to polling data from the Palestinian Center for Policy and Survey Research, Jewish Israelis tend to fear Palestinians and Arab Israelis far more than either of those two groups report feeling fearful of the Jews (2017). The poll findings indicate that “nearly half of Jews agree that they fear Israeli Arabs” (Palestinian Center for Policy and Survey Research 2017). This is compared to just a quarter of Arab Israelis who reported feeling fearful of Jewish Israelis. According to some scholars, this fear stems in large part from the portrayal of Palestinians in the Israeli media, which often characterizes young Palestinians as “terrorists,” “dangerous,” and “violent”—even in media pieces that cover petty crime (Barghouti 2017). This appears to be a growing sentiment, particularly given the rise in influence of the Muslim Brotherhood-backed Hamas in the Palestinian political sphere. Hamas is a more right-wing political party that does not condemn the use of violence as a tool to defend the Palestinian people’s right to sovereignty and statehood.

### The Arab Israeli Narrative

Many view the Jewish-Zionist narrative as synonymous with the greater Israeli narrative—yet this assumption overlooks a critical minority population in Israeli society: the Arab Israelis. While it is evident from recent public opinion polls that most Jewish Israelis support many aspects of the aforementioned Zionist narrative, and that roughly 81 percent of Israel’s population does identify as Jewish, there is still a minority narrative that is often overlooked and poorly recognized. According to Pew Research Center data, 19 percent of the country’s population identifies itself as Muslim, Druze, Christian, other, or non-religious (2017). The Muslim and Arab Israelis who comprise most of this minority group express a wholly different narrative than that of the Jewish Israeli majority—one that is largely similar to the Palestinian perspective, but that also embraces some allegiance to the State of Israel.

Despite accounting for nearly 20 percent of the Israeli population, Arab and non-Jewish Israelis hold only 18 of the 120 parliamentary seats in the country's Knesset, the unicameral legislative branch of the Israeli government. On the trip, we met with an Arab Israeli Knesset member who described the internal identity conflict that Arabs in Israel face, particularly after being physically and emotionally separated from their families and extended Palestinian relatives for more than seven decades. During this meeting, the Knesset member described the identity crisis that this minority group often faces because of the uncertainty some feel over whether to define themselves as Palestinian, Arab, Israeli, or as some combination of the three. He stated, "My state is in conflict with my nation...and my people are in war with my state" (SAIS Group Meeting, Knesset Member, Jerusalem, 17 January 2018).

This dilemma is further compounded by Israel's demand that the Palestinian Authority (PA) recognize Israel as a state for the Jewish People, and its refusal to confirm equal rights to Arab Israelis in a hypothetical two-state solution. A recent study found that "Arab and Jewish citizens alike feel Israeli Arabs are discriminated against; 53% of Jews and 91% of Arabs agree that Arab citizens are discriminated against" (Friedman 2017). Furthermore, according to recent 2017 poll results of the Israel Democracy Institute's Peace Index, many Arab Israelis (55 percent) are proud to be Israeli, recognizing the right of the state to exist (Friedman 2017). More than two-thirds of those who were surveyed rejected the notion that Israel should be defined as a Jewish state (Newman 2017). Many of these Arab Israelis report feeling torn between their place of citizenship and residency in Israel—where they have built their lives and raised their children, and their ever-strong cultural and historic connections to the Palestinian people.

### The Palestinian Narrative

Much of the Palestinian narrative is centered around the perception of consistent Israeli denial of the Palestinian people's right to self-determination and statehood. Following the 1948 war, Israel controlled nearly 80 percent of historic Palestine, and nearly 750,000 Palestinians were expelled from their homes and communities. In 1967, another war ensued—often referred to as the "Six Day War"—in which Israel usurped the 22 percent of the Palestinian territories that had been controlled by Egypt and Jordan following the 1948 war. Following this Six Day War, nearly 430,000 Palestinians fled the region to elsewhere in the Middle East, Europe, and the United States in search of refuge from the conflict (Tahhan 2016). Following this war, the 1967 border lines were drawn as part of an armistice agreement between Israel and Palestine. Today, many Palestinians cling to hope that a future Israeli-Palestinian peace agreement will respect these 1967 border lines, also referred to as the "Green Line."

Much like the Zionist narrative, the Palestinian narrative also emphasizes its people's ancestral and historical ties to the land in question. For example, we heard on the trip how many of the older Palestinian residents of the Old City of Hebron were forcibly removed from their homes to make way for a new wave of Israeli settlers, although some were permitted to maintain their small tourist shops located in the city's narrow street corridors that lead to the

tomb of Ibrahim. As we heard from a former resident of Hebron, many of these elderly Palestinians walk past the homes they were born in, raised in, or spent a great deal of their adult lives in on their way to work or pray each day, homes which are now occupied by what are described by many as an unwelcome group of strangers. As a result, many Palestinians have incorporated a strong sense of resentment into their narratives towards the outcomes of the 1967 war and the growing number of settlers who have established new and increasingly insular Jewish communities in cities that historically had a Palestinian majority population. We also heard throughout the trip how Palestinians are beginning to increasingly draw parallels between Israeli occupation and South Africa's apartheid system, as have scholars who have studied the conflict. As Julie Peteet states, "...comparison also unfolds in the context of the muting of an Arab narrative, history, and presence in Palestine. Palestinian narratives have been dwarfed by the hegemony of Zionist constructions of history. This may animate, in part, assertions of an Israeli/apartheid comparison" (Peteet 2014).

Over time, several factors have led to the solidification of the Palestinian narrative. One such factor is the growing negative sentiment towards the Israel Defense Forces (IDF), which closely monitor and restrict Palestinian movements in and around the OPT. As a consequence, interaction with the Israeli military has replaced the limited people-to-people interaction between Israeli and Palestinian citizens, both in Israel and in the OPT. While in Hebron, we heard of the Palestinian children whose direct contact with Israelis has only ever consisted of fearful, uncomfortable, and often humiliating interactions with the IDF soldiers or of the verbal or physical assaults inflicted on Palestinians by the settlers (SAIS Group Meeting, Hebron, January 2018). In addition to the case of Hebron, the heavily-guarded checkpoints that surround the OPT, through which many Palestinians pass on their way to work each day, have contributed to the growing sense of distrust and the feeling of confinement often described by many Palestinians. As of 2011, there were 522 checkpoints and roadblocks established that obstruct Palestinian movement in the West Bank, and that number has continued to steadily climb in recent years. While this increase in checkpoints has arguably created more opportunities for interaction between Israelis and Palestinians, these interactions are increasingly militarized. In response to this and many other factors, the Palestinian narrative which seeks retribution, self-determination, and atonement for the difficult circumstances they describe as having been imposed upon them is expressed in politics, activism, and even education (Nets-Zehgnt 2014).

Some scholars have identified education as a major driving factor behind the solidification of the incongruent narratives that are described here, particularly among the Palestinian people. In 1994, after the Palestinian Liberation Organization (PLO) signed an interim peace accord with Israel on self-governance, the PA was officially established and "Palestinians were granted powers to write their curricula and textbooks" (Mazawi 2011). As Mazawi states,

Prior to 1994, Palestinian students used an assortment of textbooks, Egyptian in the Gaza Strip and Jordanian in the West Bank, introduced during the period 1948–1967.... Between 1967 and 1993, following Israel’s military occupation of these territories, the Israeli military excised from textbooks references to Palestinian national history and identity and geographic terms that referred to Palestine were also removed (Mazawi 2011, 172).

Before the PA was created and the right to self-governance over Palestinian curricula was recognized, Mazawi describes how this Israeli military censorship and omission of important “references to Palestinian national history and identity” resulted in “the distortion of facts as they relate to the [Palestinian] students’ understanding and perception of their socio-cultural heritage” (Mazawi 2011).

The PA has attempted to reconstruct this historical narrative in the wave of textbooks that were created after 1994. As some scholars contend, these new Palestinian textbooks, created by an appointed committee, sought to “boost democracy and to integrate the curriculum across subjects” (West 2003). Deborah West describes this phenomenon in greater detail in her report “Myth and Narrative in the Israeli-Palestinian Conflict,” which captures a 2003 debate around the issue at the Harvard John F. Kennedy School of Government:

[...] the committee wanted to create a national, an Israeli, and an international narrative, without those narratives conflicting with each other. Sensitive issues surrounding the conflict were avoided in the texts, which were published in 2000 and are in use in the West Bank and East Jerusalem. These textbooks attempt to depict a continuity of Palestinian identity. Maps drawn of the region, even in the Middle Ages, show Palestinian national borders, and these are reflected in the books. One participant said that he saw the narrative in these textbooks as one in which everything is contested. The books do not know what to teach to the children because the adults have not figured out the issues yet...It is not clear if the spasm of textbook writing reflected a stage in nation building or an attempt to compose a national narrative under occupation (West 2003).

While the PA being granted autonomy to develop and implement its own educational curriculum marked a monumental moment in the Palestinian people’s history, in some ways this may have contributed to the increased sense of polarization felt today between the Palestinian and Israeli Zionist narratives. Without a shared consensus on narratives, even among the various Palestinian political factions, it is difficult for these textbooks to serve their intended function of unifying the Palestinian people, particularly Palestinian youth, around a mutually-agreed upon resolution to the conflict and the means through which this outcome should be reached.

To address educational incongruences between education provided to Palestinian and Israeli youth, particularly as it relates to historical accounts of the conflict, the Peace Research Institute in the Middle East (PRIME) devised a project to develop a more inclusive, dual-narrative text to expose children to each side’s understanding of the conflict. Since 2002,

PRIME has brought Israeli and Palestinian scholars and academics together to produce educational literature inclusive of both parties historical and political narratives and perceptions of the conflict. According to a study of this project:

Each unination group wrote its narrative, and then these texts were translated into Arabic or Hebrew and given to the other group for feedback. After the teachers read each other's narratives, they identified and discussed parts that sounded, to them, like propaganda or misinformation or that made them feel uncomfortable or angry. The two sides then negotiated a version acceptable to both groups. The final textbook presents the two narratives side by side on each page, with an empty place in the middle for students to write their reaction (Steinberg and Bar-On 2009).

This unique, iterative approach has served the important function of reducing the bias and propaganda present in many current educational materials and gives students a chance to engage with the texts and conflicting narratives in a constructive fashion, and so that they may draw their own takeaways.

In addition, community-based peace education programs have also been successful in addressing concerns related to the polarizing effect that education is said to have had on developing these opposing narratives. As Kupermintz and Salomon describe in their review of Israeli and Palestinian peace education programs, interventions of this kind “are likely to foster participants’ ability to acknowledge the adversary’s collective narrative, engage in constructive negotiations over issues of national identity, and express a less monolithic outlook of the conflict” (2005). Peace education has a proven track record of success and can help prepare Israeli and Palestinian communities for more constructive and pacific people-to-people interaction and help mitigate or avoid violence.

### **Implications of Opposing Narratives in the Peace Process**

As some scholars contend, the narratives described above are not mere historical depictions and interpretations—they in fact have had and continue to have real implications for the prospect of peace between Israel and Palestine. The narratives denote an important element of the conflict that Palestinian, Israeli, and international leaders cannot continue to ignore.

As one senior Israeli Ministry of Foreign Affairs official described, the protracted nature of the conflict has created unavoidable “emotional and psychological landmines” in which each side is looking for confirmation of its own narrative, ultimately creating a zero-sum conflict in which neither side is necessarily better off as a result (SAIS Group Meeting, Israeli Ministry of Foreign Affairs, Jerusalem, 16 January 2018). In this government official’s view, the Palestinian identity is defined by being in a perpetual and innate sense of conflict with Israel, given that today’s generation of Palestinians have only ever known and lived in such unavoidable proximity to the conflict. He prescribed the need for “therapy on a national scale” in order to encourage more mutual empathy and recognition of the irreconcilable aspects

of each narrative (SAIS Group Meeting, Israeli Ministry of Foreign Affairs, Jerusalem, 16 January 2018).

This sentiment is also shared by scholars who have studied the conflict intensively. Some authors assert that differing narratives have created an ideological conflict, which has permeated into negotiation rooms and hindered cooperation among both Israeli and Palestinian leaders, and even third-party participants in past peace processes. For example, in the *Palestine-Israel Journal of Politics, Economics, and Culture*, Riad al-Khouri describes the way in which this conflict of narratives interfered with negotiations during the 1993-1995 peace talks. Al-Khouri states, “[N]ot surprisingly, each side was caught up in its own narrative. For example, in the Israeli view the 1993-5 agreements with the Palestinians represented recognition of Israel and promised ending violence against it. Israelis understood that their recognition of the [Palestinian Liberation Organization] PLO was a fundamental shift, but didn’t see that the Palestinian narrative, encompassing such issues as Israeli responsibility for the events of 1948 and Arab suffering, continued” (al-Khouri 2006). As al-Khouri describes, each side’s failure to recognize the narratives held by its adversary was one of the main reasons why previous peace talks never resulted in lasting amity or accord.

In addition to the Oslo process, conflicting narratives also played a key role in the 2000-2005 Second Intifada. As Amir Lupovici writes in his article “Ontological Dissonance, Clashing Identities, and Israel’s Unilateral Steps towards the Palestinians,” “The attacks and Israel’s initial response to them aggravated threats to a number of Israel’s identities and, more importantly, emphasized existing and potential future clashes among these identities” (Lupovici 2012). Lupovici describes how in response to this clash in identities “Israeli policy makers advanced unilateral steps to reduce these threats and to ease the accompanying ontological dissonance. These unilateral measures can thus be understood as measures of avoidance, and as such they complicated further cooperation between the Israelis and the Palestinians” (Lupovici 2012). According to this assessment, the frustration Palestinians felt due to the repeated clashes between narratives and the perceived Israeli threat to Palestinian collective identity was what initially sparked the Second Intifada, an uprising triggered in September 2000 when Israeli opposition leader Ariel Sharon, surrounded by some 1,000 Israeli police, made a controversial decision to visit the Al-Aqsa Mosque at Temple Mount in the old city of Jerusalem, a sacred site for the Muslims, Christians, and Jews (Pressman 2003). After Sharon’s visit to the mosque, heated demonstrations among angered Palestinian Jerusalemites broke out that eventually devolved into violent rioting. This violence, in turn, threatened Israel’s sense of security—given that the perceived need for security is a critical element of the Zionist narrative—and resulted in the IDF’s retaliation and the Israeli government’s limited cooperation with the Palestinians thereafter.

Throughout the course of this conflict, there are numerous examples one could reference to describe the role conflicting narratives and the differing collective identities have played in perpetuating violence and mistrust, and in hindering communication and constructive dialogue between the two parties involved. These examples not only shed light on the historical

context within which these narratives were born, but also on the present-day realities that have contributed to the increasingly polarized views each side currently holds in opposition to the other—contributing to a political, geographical, religious, and emotional gridlock that could carry grave implications for future peace in the region if not addressed.

### **Policy Recommendations**

The conflict of Israeli and Palestinian narratives poses a significant threat to the prospect of peace, as it discourages people-to-people interaction and inhibits cooperation, negotiation, and agreement between the Israelis, Palestinians, the international community, and the supposed “neutral” external mediators who may be charged with brokering a potential peace deal in some near or distant future. It is therefore important to ensure that the prevailing narratives on both sides are recognized and addressed in the lead-up to future peace talks. But it is arguably even more important that narratives that lend themselves to peace are nurtured and spread within both Israeli and Palestinian communities. To achieve this, I recommend both a bottom-up and a top-down approach in order to facilitate constructive dialogue and a greater degree of acceptance and tolerance both at the leadership level and among the Israeli and Palestinian people.

#### Bottom-Up Approach

*To the Civil Society Organization (CSO) and international NGO community*

- **Create a forum to share perspectives from Palestinian and Israeli beneficiaries who have been impacted by the ongoing conflict**, particularly from underserved Palestinian communities whose voices are frequently marginalized in Israeli media. It will be important to share this feedback with the Israeli government, PA, and international donor community. This collective action to more widely share the impact felt on the ground by those living under occupation and affected by settlement growth in Occupied Palestinian Territories can help to better inform the Israeli public of the economic, political, and social realities faced by Palestinians on the ground. Similarly, it would be imperative to also share insight from Israelis who may have been affected by Palestinian violence with representatives the PA and Palestinian CSO and NGO community, in order to understand how this aggression has had harmful effects on Israeli morale, creating more apathy towards the Palestinian cause. The creation of such a safe space for dialogue on how the conflict has impacted and continues to impact both Israeli and Palestinian civilian populations within a moderated forum could shed a great deal of light on each side’s perspective and rationale for their past and current actions.

*To the Israeli Ministry of Education and Palestinian Authority*

- **Promote community peace education programming for youth and adults and facilitate greater cross-cultural communication** in order to change the narrative of noncooperation and non-engagement. In light of the challenges with the polarizing

effect that traditional education can have, and in addition to the broader education reform described below, promotion of community-based peace education for both Israelis and Palestinians can help defuse some of narrative tension felt on both sides and instill the desire to learn from the perspectives of actors on each side. Peace education has a proven track record of success and can help prepare Israeli and Palestinian communities for more constructive and pacific people-to-people interaction and help mitigate or avoid violence.

#### Top-Down Approach

*To the Israeli Ministry of Education and the Palestinian Authority*

- **Enact mutual education reform to minimize historical bias and help create a less polarizing narrative for Israeli and Palestinian youth.** It is recommended to do a joint review of the results of a project undertaken by PRIME, as previously described. Such a joint-education reform project could help bridge narratives, particularly among Israeli and Palestinian youth. It could also allow for construction of narratives that are more tolerant and inclusive of each side's perspective, which would be a critical step in the right direction as each state prepares itself for future rounds of more peaceful and productive negotiation.

*To the Israeli Ministry of Education and Ministry of Defense*

- **Enforce more comprehensive cultural sensitivity education for existing, new, and upcoming military recruits** to help facilitate more positive interaction between Palestinians and IDF soldiers. While programs do exist to promote cultural awareness, diversity, and inclusion among IDF soldiers, reports from Arab Israelis and Palestinians alike indicate ongoing concerns over discrimination and racial profiling, particularly at checkpoints. This could be an opportunity for the Israeli government to partner with Palestinian scholars or the PA to ensure greater military cultural competence and foster improved cross-cultural communication. By including a more comprehensive diversity and inclusion curriculum for new and prospective IDF recruits, and a recurring discourse on cultural sensitivities for those in active duty, this can help mitigate, diffuse, and prevent future tensions between the IDF soldiers and Palestinian civilian populations.



## The War Over Names: Because What You Call It Matters

Swetha Ramachandran

June 2017 marked 50 years of Israel's occupation of Palestinian territory, making it one of the longest occupations in modern history. The term 'Occupation' itself is hotly contested. Close to 63% of Israeli Jews think that Israel's control over the West Bank and Gaza should not be described as occupation while 94% of Israeli Arabs agree with the label (Winer 2017). Whether or not one supports the label, 50 years on, Israel has undertaken *de jure* and *de facto* annexation of large parts of occupied Palestinian territory through an elaborate institutionalized system of political, legal, social and economic control.

This essay explores different facets of the occupation, explains how it has persisted for over 50 years, the implications of framing the conflict as an 'occupation' and what each party should do to best advance its interests within this frame. The underlying argument is that despite ground realities serving as a proof of occupation, Israel resists the term and gets a pass while Palestine holds on to the occupation narrative but with little practical success. The chapter concludes with policy recommendations for both Israel and Palestine.

### Understanding the Occupation

International law recognizes the military occupation of an enemy's territory as legitimate method of warfare. The Law of Armed Conflict (also called International Humanitarian Law or IHL) regulates military occupations and lays out rules and responsibilities for the occupier, which comes into effect as soon as a situation of occupation arises. IHL posits that there is an occupation when a state that is "not the recognized sovereign of the territory gains effective control over a foreign territory by force" (ICRC 2014).

Maintenance and expansion of settlements in the West Bank, exploitation of resources to benefit the Israeli economy, policies that encourage transfer of Israeli citizens into Palestinian territories and other acts by Israel raise cries about its violation of responsibilities as an occupier under international law governing military occupation.

However, Israel has long argued that the Law of Occupation does not apply to Palestinian territory since there was no sovereign Palestinian state before 1967 as Jordan and Egypt were in control and that the territory is "disputed."

Even if the legal arguments are put aside for the moment, the realities on ground clearly point to a situation of occupation whereby Israel has monopolized control over the social, political, economic, legal and even psychological aspects of Palestinian life:

### Land and Resources

Today, between 600,000 and 750,000 Israelis live in settlements constructed on the Palestinian land captured by Israel after the 1967 war (Tahhan 2017). Settlements serve as a form of geographical manipulation through which Israel maintains direct control over land. Spread of

outposts throughout West Bank (232 till date) exacerbates the situation as they are strategically located to enable clustering of settlements. An organized network of bypass roads that link these settlements beyond the Green Line coupled with security measures like the separation barrier and checkpoints have created a new physical reality. Furthermore, control over construction, water and electricity has been monopolized by Israel through an elaborate system of permits (SAIS Group Meeting, Bethlehem, January 2018). While these actions have been justified claiming that Israel is expanding on “State Lands,” there is a clear lack of consensus on where these state lands begin and end.

### Political

On the political front, control is ensured through a complex system of citizenship and residency cards. Palestinians residing in East Jerusalem are technically eligible for citizenship, but the process has been halted for the past 3 years. From 2003-2013, only half the applicants were granted citizenship (Hamze 2016). Furthermore, non-citizen Palestinians in East Jerusalem cannot vote for Knesset but only for local municipal elections. On the other hand, any non-Israeli Jew can claim Israeli citizenship and vote under the Law of Return. Apart from restrictive political participation, Palestinians can also face administrative detention (imprisonment without trial) for up to 6 months for exercising dissent against Israeli administration (SAIS Group Meeting, Jerusalem, January 2018).

### Economic

Estimates show that the Palestinian economy could have been twice its size had the occupation not occurred (UNCTAD 2016). The occupation did not simply prevent realization of economic potential but reduced the GDP, employment and income levels drastically over time. Apart from deforming markets by placing restrictions on labor movement and land acquisition for businesses, dependence on the Israeli economy was reinforced through the common currency and customs union. Over time, both agriculture and industries in Palestine have suffered, making an autonomous economy impossible.

### Legal

The prevailing legal situation can be understood as “One Rule – Two Systems” model (Yehuda et al. 2014). All Israelis (including settlers) face the regular Israeli civil law while West Bank Palestinians live under the Israeli military occupation court system. This implies that a settler and a West Bank Palestinian can commit the same crime in the same location, but face very different punishments as meted out under different legal systems. The military court system has a conviction rate of about 99.74% (Sheizaf 2011) while conviction rates in Israel proper courts are anywhere between 70% and 88% (Peled-Laskov and Shoham 2015).

Security

To expand security for Jewish settlers in the West Bank, Israel constructed a “separation barrier” surrounding the settlements beyond the Green Line. This barrier, apart from isolating Palestinian areas from each other, has made difficult for the average Israelis and Palestinians to interact, thereby thwarting any potential for humanization of the other. Moreover, checkpoints serve as added security but at the cost of angering Palestinians, who are often humiliated by the Israeli Defense Forces (IDF) forces at these crossings (SAIS Group Meeting, Ramallah, January 2018). Post-Oslo Accords, this situation has only become more asymmetric as IDF often patrols inside Area A, which is under Palestinian civil and security control according to the Oslo Accords, antagonizing the Palestinians further.

Psychological

As a consequence of the political, economic, legal and security structures, Palestinians living under occupation feel constricted in their ability to move, express and act. Their individual and collective image has been impacted. Over time, this attitude has been internalized so strongly that all inefficiencies and problems are attributed to the occupation. Furthermore, life under occupation has divided Palestinians on the question of whether self-interest is more important than a sense of national collectivism. As a result, perceptions about actions like working in Israel range from acceptance to accusations of betraying the Palestinian cause (Dhaher 2017).

These forms of control dynamically interact with each other to create a cycle of Israeli dominance that reinforces the power asymmetry. Given Israel’s active control over Palestinian life, the IHL criteria for qualifying as an occupation are met, even though the legality of sovereign control in Palestinian territories pre-1967 is debated. That debate has little consequences for realities on the ground, where an occupation-like situation is sustained.

**How Has the Occupation Been Sustained for 50+ Years?**

Successive Israeli governments have long left unfulfilled their responsibilities as an occupying power under international law while simultaneously prejudicing the future rights of Palestinians. IHL dictates that an occupation must be “temporary” and that the occupying power can use force only for genuine military necessity. If so, why has this ‘temporary’ occupation continued for more than 50 years? The factors that facilitated this can be best understood using two approaches: Inside-Out and Outside-In.

Inside-Out

While Israel has long maintained that the law of occupation does not apply to Palestinian territory as it is “disputed,” Israel’s Supreme Court on multiple occasions has affirmed applicability of provisions in 1949 Fourth Geneva Convention and 1907 Hague Regulations (PASSIA 2017). However, the courts have never rejected the claim that 1949 Geneva Convention does not apply *de jure* or *en bloc*. Israel has also relied on self-selecting laws that best serve its cause. For instance, the law from 1948 which states that “Any law applying to

the whole of the State of Israel shall be deemed to apply to the whole of the area including both the area of the State of Israel and any part of Palestine which the Minister of Defense has defined by proclamation as being held by the Defense Army of Israel” (European Council on Foreign Relations 2017) is still cited by Israel to justify its actions. Hence legal structures coupled with other domestic aspects like maintenance and construction of settlements, denial of basic human rights to Palestinian people, appropriation of resources and mis-allocation of property rights, have helped sustain the occupation at the cost of Palestinian self-determination.

### Outside-In

Third party states are required in international law to act cohesively to ensure non-recognition of unlawful situations and deny its effectiveness (European Council on Foreign Relations 2017). However, the affinity of European Union (EU) countries and the United States to Israel through interstate relations, trading ties, and domestic lobby puts them in an uneasy situation. According to the Congressional Research Service, Israel is the largest cumulative recipient of US foreign assistance since World War II. From a realist standpoint, the United States, and EU have a direct strategic interest in maintaining a strong Israeli state in the Middle East to strengthen their own role in the region’s geo-politics (Sharp 2018). This realist consideration is amplified by the fact that some countries feel morally obligated to support the greater Zionist cause, owing to the horrific past of the Holocaust. As a result, soft statements condemning breaches of international law are provided by foreign leaders from time to time, or peace efforts are undertaken. However, no strong unilateral measures are taken as they would be self-defeating unless other countries collectively pledge to do the same.

This complex geopolitical configuration removes most of the pressure on Israel to fulfill its responsibilities towards Palestinians and blurs the perception of boundaries. These attitudes are best illustrated through a study by Israeli political scientist Oded Haklai (2017), who showed that about 60% of Israelis think that Ariel, Kiryat Arba and Maaleh Adumim, three of the most prominent settlements, are located inside Israel. In another study (Fleishman and Salomon 2006), less than one-third of college students could draw the Green Line, the supposed boundary separating Israel and Palestine.

These internal and external dynamics have allowed Israel to sustain the occupation for 50+ years with low costs and simultaneously permit the continued domestic and international acceptance of Israel as a democratic state (Shafir 2017).

### **Crux of the Label Wars**

Israel has constantly maintained that the West Bank is a “disputed territory” and that laws of occupation are not applicable as Israel’s control is not “temporary” and it is not a ‘foreign power’ taking over territory in this context (Israel Ministry of Foreign Affairs 2003). It has long resisted this term not just for semantic or reputational concerns but to evade responsibilities and obligations under international law. Occupation is governed by the Fourth

Geneva Convention (United Nations Document 1949) which posits that an occupier must ensure, among other things:

- Rights of protected persons as enshrined in Article 4(1)
- That no physical suffering or extermination of protected persons is caused (Article 27)
- That protected persons are not forcibly transferred or deported from occupied territory (Article 49)
- That real or personal property of private persons or state is not destroyed, unless deemed absolutely necessary by military operations (Article 53)
- That food and medical supplies of the population is ensured (Article 55)
- That objects like drinking water installations, supplies and irrigation works, indispensable to survival of the civilian population cannot be destroyed, removed or rendered useless (Article 54, II)

Since the Fourth Geneva Convention falls under the ambit of Customary Law and General Principles, meaning that it is a general practice accepted as law and exists independently of other treaty laws that have a strict enforcement mechanism, Israel continues to face no consequences for non-adherence (PASSIA 2017). It has violated several articles on account of construction of settlements (which are also illegal under international law, according to UNSC Resolution 2234), evicting and destroying Palestinian homes, physical and mental harassment at checkpoints and arbitrary detentions/searches. This is despite the fact that the United Nations Security Council (UNSC), United Nations General Assembly (UNGA) and the International Court of Justice (ICJ) have repeatedly recognized the Convention's applicability to the Palestinian case (Sabel 2005; (Diakonia 2013).

The Palestinians have repeatedly attempted to internationalize the issue by calling this an 'occupation' and even resorting to harsher rhetoric of "colonialism" and "apartheid." While it can be argued that the situation resembles a colonial style set-up of extraction and domination and a South African system of segregation, these terms carry a different set of obligations in international law for each party.

Since Palestine already unilaterally declared independence with moderate success (135 countries now recognize the Palestinian state), the harsher narratives are more useful to rally domestic support rather than for international use. Framing the current situation as colonization would imply that Palestine must give up on its non-state observer status at UNGA and rescind its application to enter other UN bodies as colonies do not have the capacity or ability to do so. Hence, the tougher rhetoric of colonialism and apartheid serves as a unifying storyline rather than a strategy leading to Palestinian self-determination.

While Palestine has long called this an "occupation," it has been unsuccessful in getting Israel to adhere to its obligations or to garner enough international pressure against Israel. UNGA Resolutions 2252 and 2254 (which calls upon Israel to rescind all measures that would change the status of Jerusalem post 1967 war), UNSC Resolution 478 (which calls annexation of East Jerusalem "null and void"), the ICJ's Wall Advisory Opinion (which calls for non-recognition of the situation resulting from construction of the wall in Occupied Territories)

were resolutions in Palestine's favor with international approval. However, these resolutions are not legally binding and there is no real consequence for non-adherence apart from reputational concerns.

Hence, Palestine has had little success in leveraging the "occupation" label to hold Israel internationally accountable while Israel has been successfully resisting the label and getting away with repeated violations.

Each party is framing the conflict and influencing public discourse in a manner that best suits their needs and interests. Palestinian leaders vehemently argue that the current situation is an "occupation," "apartheid" or "colonization" while Israeli leaders call it a "disputed territory" (SAIS Group Meeting, Tel Aviv, January 2018). Each side nevertheless faces internal challenges that thwart their framing objectives:

#### For Palestine

##### *Top Leadership: Corrupt and Old*

The Palestinian Authority's long-time president, Mahmoud Abbas, faced a string of failures after the elections in 2006 when Hamas came to power in Gaza followed by a Palestinian Parliament freeze. This was topped by the unceremonious dismissal of Palestinian reformer Salam Fayyad and corruption, nepotism allegations against Abbas breaking out. In recent years, he has increasingly clamped down on civil society, freedom of expression, and the activities of his political rivals by implementing draconian laws to stifle criticism of his leadership on social media and purging members of Fatah who oppose his rule (The Tower 2018). The 82-year-old leader now faces record low approval ratings from Palestinians, who have been calling for his resignation and fresh elections (Rumley 2018). At the Cairo Talks led by Egypt in 2017, Hamas, Fatah and other rival factions agreed to hold general elections by the end of 2018 (al-Mughrabi and Awadalla 2017). It is crucial for the parties to keep up this promise to avoid any major domestic backlash.

##### *Lack of Unity Among Factions (Fatah and Hamas)*

The West Bank and Gaza are both Palestinian territories but with seemingly separate governments. Hamas, which is listed as a global terrorist organization, rules Gaza while the Palestinian Authority governs West Bank. They are not just geographically separated but are also distinct in terms of governance and legal structures. Growing political disconnect between the two factions has weakened the Palestinian cause and given rise to disjoint strategies with poor results.

##### *Counter-Productive Usage of Rhetoric*

The conflict over identity has become so extreme and existential that Palestinians define their identity largely in terms of the conflict with Israel. This conflict-based identity is deeply entrenched and reinforced by the education system, graffiti in physical spaces and the rhetoric of Palestinian politicians. The entrenchment has prevented Palestinians from making use of

strategic opportunities like participating in Jerusalem's municipal elections, which would give them an opportunity to influence Israeli politics from within the system.

#### *Lack of Sustained International Support and Attention*

Owing to other burning crises in the Middle East, the Palestinian question is often sidelined by Arab allies. While Palestine's allies demonstrate solidarity in words and statements at regional and international fora, sustained oversight and an action plan are lacking (SAIS Group Meeting, Jerusalem, January 2018).

#### For Israel

##### *Settlements Hurting Image at Home and Abroad*

Settlements have always been a contentious issue for Israel and United States, especially at the UN. Whenever a resolution condemning construction of settlements is voted upon in UNSC, Israel is catapulted onto front pages. Domestically, 81% of Jews on the political left say that settlements hurt security but six-in-ten Jews on the political right say settlements help Israeli security (Starr 2017). Hence, there seems no overall consensus domestically among Israeli Jews regarding the impact of settlements on security. The debate on settlements often reflects poorly on Israel and the United States, which represents Israeli interest at the UNSC.

##### *Security Threat from Gaza*

More and more voices within the Israeli defense establishment have been warning that the worsening humanitarian crisis in the Gaza Strip could explode any moment and that Israel has to take measures to protect the civilian infrastructure from collapsing (SAIS Group Meeting, Tel Aviv, January 2018). If Gaza collapses, Israel's internal security would be severely threatened.

##### *Rising International Pressure*

Israel has increasingly had to deal with ultimatums and punishing measures not just from Arab countries but also the EU, the United States and former UN Secretary General Ban Ki-moon (Shuttleworth 2016). These external attempts to induce pressure on Israel towards a peaceful, two-state solution have complicated Israel's political calculus.

In this light, the following section provides policy recommendations for what each party can do to best advance their interests within the frame of occupation. For Palestine, this implies strategies to garner greater international support against Israel and leveraging international law in its favor; for Israel, it implies undertaking measures to shed the "occupier" or "oppressor" image and signal a willingness to change the status quo. Meanwhile, the EU and other powerful third parties should push for greater compliance with international laws to improve their credibility and to ripen the conflict. As mediators, they offer the greatest scope for resolution given their past involvement in the conflict and their liberal value systems that expound qualities of fairness, justice and equality.

## **Policy Recommendations**

### For the Palestinian Authority (PA)

- **Hold General Elections in 2018 as agreed upon in the Cairo talks.** A close contestation should be anticipated. Potential candidates Mohammed Dahlan, Ismail Haniyeh, Saeb Erekat, Salaam Fayyad, and Marwan Barghouti (though the feasibility of his candidacy given imprisonment is unclear). Given the widespread disillusionment with Abbas and his age, he is unlikely to win future elections.
- **Encourage participation in municipal elections in East Jerusalem.** If Palestinians participate, they might constitute a significant minority, if not the majority, in the municipality and would be able to influence policies of Israel towards Palestinian people from within the Israeli establishment.
- **Lobby for recognizing Israel as an “Illegal Occupier” in the UNGA, UNSC and other multilateral avenues under Chapter VII of the UN Charter.** UNSC resolutions under Chapter VII of the charter are considered legally binding and would provide Palestine with the much-needed leverage against Israel.
- **Lobby the EU and its member states to ensure non-recognition of Israel’s unlawful acts in line with EU laws and policy**

### For the Israeli Government

- **Halt approval of new settlements.** Halting settlements or issuing a public statement that no new settlements will be approved would signal willingness for compromise to the Palestinians.
- **Alleviate the situation in Gaza by initiating a cycle of concessions.** Israel could promise loosening of border control to extract security concessions from Hamas (or the future ruling faction) in return for restoring the standard of living in Gaza. This would serve as a win-win for both parties as Israel gains greater security cover from Hamas and does not face international wrath for the humanitarian crisis. Gazans in return would have a better standard of living.
- **Moderate the rhetoric from the Knesset and government to avoid potential escalation**

### For EU Member States

- **The EU should proceed in relations and dealings with Israel only if Israel is willing to align its conduct with the positions of the EU on the correct application of international law.** Specifically, the EU should pose a threat of sanctions if the violations continue and should be a more vocal supporter of adherence to international law in UN forums.
- **Push for non-recognition of Israel’s unlawful activities among other EU nations and at the UN.** Strong rhetoric/condemnation statements could send the diplomatic signal to Israel that its unlawful activities will not always get a pass.

## **Part II: Economic Prospects**



## The Path to a Strong Palestinian Economy

Sarah Kouhlani-Nolla

The Palestinian territories have resources to exploit and abundant skilled labor; nonetheless several internal and external constraints are restraining the growth of the Palestinian economy. This chapter examines the ways in which it can reach its full potential even in the current political situation. First, it will give an overview of the Israeli and Palestinian economies, after which it continues to anatomize the various constraints on the development of the Palestinian economy.

### Overview of the Israeli and Palestinian Economies

Israel is a high-income country with a well-functioning economy and a member of the Organization for Economic Co-operation and Development (OECD). Its Gross Domestic Product (GDP) per capita was \$37,293 in 2017. Israel's economy is based on a well-performing high-tech sector, as well as diamond and pharmaceutical industries that provide its main export products (CIA 2017). It imports mostly grains, raw commodities, crude oil and military equipment. Israel has sustained an annual GDP growth averaging 3.2% in the last decade, with recessions during the financial crisis and the Arab Spring. The country's unemployment rate currently stands at an average of 4%.

The situation in the Palestinian territories (West Bank and Gaza) is dramatically different: GDP per capita stood at just \$2,943 in 2017 and economic growth is volatile and unsustainable. The Palestinian economy was hit hard by the Gaza war in 2014, causing a recession throughout the Palestinian territories. Since 2014, growth figures have been positive but at levels that are unsustainable. In 2016, GDP growth in Gaza reached 7.4%, mainly due to the postwar reconstruction activities. Meanwhile in the West Bank, GDP growth rose to 3.4%, but this is driven mostly by private consumption, which, in turn, is driven by increased lending from commercial banks. The most important sectors of the Palestinian economy are services, manufacturing (mainly ceramics, marble, stone and cement), wholesale and retail trade. The unemployment rate in the Palestinian territories is high at 29%. However, there is a striking difference between Gaza and the West Bank: while Gaza's unemployment rate is around 44%, the West Bank's is 18%. Moreover, almost 80% of Gaza's residents receive social assistance. Poverty rates are high: the last count in 2011 indicated that 25.8% of the Palestinian population lives below the national poverty line—17.8% in the West Bank and 38.8% in Gaza.<sup>5</sup> 12.9% of Palestinian households were found to live in deep poverty—7.8% in the West Bank and 21.1% in the Gaza Strip.<sup>6</sup> However, if measured by the international poverty line of \$1.90 set by the World Bank the rate of population living in poverty would be less than 1%.

<sup>5</sup> The poverty line by national standards for Palestine, as set by PCBS in 2011, is 2,293 NIS (\$637) per month for a family of two adults and three children (UNDP 2015).

<sup>6</sup> The PCBS considers 'deep poverty' as living on a monthly income of NIS 1,832 (US \$509) or less per month for food, clothing, and housing (PCBS 2015).

A recent report by the Palestinian Central Bureau of Statistics (PCBS) noted that in the past 20 years Palestinian economic indicators have substantially deteriorated. For instance, while from 1995 to 2014 the population grew at a rate of 3.6% per annum, real GDP per capita grew just by 1% and the unemployment rate increased from 9% to 27%. The trade deficit is vast at 40% of imports. Dependence on Israel is high. Trade with Israel makes up 58% of the Palestinian trade deficit. The Palestinian economy also relies heavily on foreign assistance, which accounts for 10% of its GDP. According to UNCTAD (July 2016), if the growth of the Palestinian economy had continued as it was in the years before 1994, it would now be 88% higher than what it was in 2010.

### **The Main Challenges to the Palestinian Economy**

A strong Palestinian economy is seen as one of the key pillars for building a fully functioning Palestinian state. There have been numerous attempts to improve the Palestinian economy. One of the latest attempts was initiated during the period in which Salam Fayyad was Prime Minister of the Palestinian Authority (PA). Fayyad and his cabinet tried to implement a project to develop a strong and fully functioning Palestinian state by building national institutions, strengthening governance, and creating a robust economic base in the West Bank. The United Nations, the United States, The European Union and the Government of Israel (GOI) showed their support to the state-building plan, as part of an idea of ‘economic peace’ to solve the conflict (Simanovsky 2011). The obstacles to Fayyad’s projects were manifold: security and political tensions between Israel and the PA and within the two Palestinian leaderships; restriction of movement inside and outside the Palestinian territories, lack of job creation; and lack of investment.

The International Monetary Fund (IMF 2017) expects that the Palestinian GDP growth rate will remain at 3%, which it considers insufficient to supply the number of jobs needed for the young Palestinians who enter the labor market each year. Moreover, the IMF also considers the restriction of movement by Palestinians and control over resources exercised by the GOI, including in Area C, as a major constraint to private sector growth. The IMF also regards the inability to move easily and consistently as a cause of social instability, which increases the likelihood of renewed violent conflict.

The following two sections analyze the Palestinian labor market and the development of the Palestinian private sector in light of the current political climate and the restrictions on movement of goods and people.

### **The Palestinian Labor Market**

A well performing labor market can enhance economic growth by allocating labor where it will be most efficient. It also encourages more investment in human capital and hence increases the competitiveness of the economy (Cho et al. 2010).<sup>7</sup> Low unemployment is also one of the

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<sup>7</sup> A well performing labor market with strong employment protection policies enhance economic growth by reallocating labor in its most efficient uses, encouraging investment in human capital, improving the

keys to maintaining peace in fragile contexts. Young men in fragile contexts, if they don't see perspectives of a better life, are more prone to engage in crime and violence when there is an occasion to do so since their opportunity cost is very low. Hence, high unemployment can be an important driver behind continued or exacerbating fragility (Collier 2017).

The Palestinian population is mostly young.<sup>8</sup> In the West Bank the youth segment of the population is expected to stay above 25% until 2030. In Gaza, 75% of the population is under the age of 29. If this youth has the opportunity to obtain productive employment they can be a key factor for the economic development of the territories. As stated by Dhillon (2009) "human capital is the main comparative advantage that Palestinian Territories have over naturally resource-rich countries in the Middle East."

Thus, if the Palestinian territories use their young labor force effectively it would result in a positive impact in the economy. At this moment, however, the Palestinian labor market is not providing enough jobs to Palestinian youth, given their education level and skills. Currently, youth unemployment rates in the Palestinian territories are much higher than the overall unemployment rate, with 60% of the youths Gaza unable to find a job and 30% in the West Bank.

In the last decades, the Palestinian labor force has been increasing annually at an average of 4%. Since 1994, the labor force has increased by 0.8 million people, while just 0.5 million jobs were created. This resulted in an increase of 300,000 unemployed people and an unemployment rate fluctuating between 20 and 31% in the post-Oslo accords period (World Bank May 2017).

Most of the Palestinian labor force has become more educated over the last two decades, i.e., completed secondary or tertiary level of education. This change in the characteristics of the labor force has not been matched in the job market. Jobs have been primarily created in low value-adding sectors and the government (PASSIA 2017). The private sector employs 65% of the labor force; 13% works in Israel and Israeli settlements in the Palestinian Territories, while the remaining 22%, i.e., 1 in 5 Palestinians, work in the public sector, which is higher than the MENA average of 20% (World Bank September 2011). The many unemployed graduates entering the public sector is a phenomenon sometimes labeled as "hidden unemployment" as many public-sector jobs are unproductive (SAIS Group Meeting, Ramallah, January 2018). The public sector is absorbing a disproportionate number of employees, creating a large and ineffective civil service. Moreover, wages in the public sector are often higher than those in the private sector, which distorts the incentives of employees.

With regards to the private sector, the constraints on its development inhibit the absorption of the Palestinian youth joining the labor market. The main constraints, which will be discussed below, are restrictions on the movements of goods and services, restrictions on

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competitiveness of the economy and its adaptability to shocks. If combined with incentives for unemployed to seek for employment opportunities, the balance of labor supply and demand improves, resulting in lower and shorter unemployment. These effects are more likely to occur in contexts of macroeconomic stability, competitive product markets and favorable business climate.

<sup>8</sup> In this chapter youth is defined as those persons between the ages of 15 and 29 years.

exports and imports and the complex legal framework currently governing the Palestinian territories. At the same time, the existing Palestinian private businesses complain that Palestinian graduates may have degrees but that the education system has not equipped its graduates with the necessary skills to work in the private sector. Specifically, they point at lack of technical and personal skills (CARE 2015).<sup>9</sup> Hence, businesses tend to prefer to hire older workers than the younger generation.<sup>10</sup>

The lack of employment opportunities has led to many Palestinian workers leaving the Palestinian territories to look for better employment opportunities elsewhere. Today, many Palestinian labor migrants work in Israel (13.3% of the labor force) or have emigrated abroad (24.2% of the Palestinian population currently lives abroad) (Di Bartolomeo, Jaulin and Perrin 2015). Labor migration is different depending on the destination: low-skilled immigrants opt mostly for Israel while immigration to the Arab Countries consists of both low and high-skilled migration (Abu Hantash, Mataria and Wajeeh 2008). Hence, regarding migration of high-skilled workers, Palestine is also suffering from a brain drain.<sup>11</sup>

From the labor demand side, Israel and Israeli settlements employ Palestinians in mainly low-skilled jobs.<sup>12</sup> The motivation for Palestinian workers to work in Israel is mainly the higher wages they can earn, sometimes more than triple the wage earned in the West Bank for the same type of work (ILO 2015).<sup>13</sup> Although the Paris Protocol provides for free movement of people between Israel and the Palestinian territories, Israel maintains a quota on the number of Palestinians that can work in Israel. Today, 160,000 workers cross border from the West Bank to work in Israel.<sup>14</sup> It has been recommended by several multilateral organizations<sup>15</sup> to increase the number of working permits and ease movement restrictions

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<sup>9</sup> The technical skills include oral communication, technology, marketing using social media. The personal skills include communication and interpersonal effectiveness, work ethics, customer oriented skills, integrity and transparency and adaptability.

<sup>10</sup> The problem lies in the failure of universities and schools to provide students the necessary skills to integrate successfully the labor market. Not enough students pursue vocational training. More resources need to be invested in order to provide skills to increase the efficiency and competitiveness of the Palestinian private sector.

<sup>11</sup> In 2017, 19.2% of males and 57.8% of females with a graduate degree were unemployed (Kanafani 2017). Hence, this forces a lot of high-educated high-skilled Palestinians to look for opportunities abroad.

<sup>12</sup> 57.6% work in the construction sector, 12.7% in the service industry (transportation, storage and communication), and 12.6% work in the mining, quarrying and manufacturing sector.

<sup>13</sup> In Israel, wages earned by Palestinians have increased by 5.7%. Yet, the Palestinian real wages have not evolved as the inflation: in the public sector the wages have increased by 0,9 % in the West Bank and have decreased by 3,8% in Gaza. In the private sector, wages have increased by 1, 4% in the West Bank (but still lower than the average: NIS 2 741, 8); and it has decreased 7, 5% in Gaza.

<sup>14</sup> 125.000 workers are estimated to work in Israel and 35.000 workers are estimated to work in the settlements (ILO 2015).

<sup>15</sup> The World Bank (May 2017) recommends in its latest report to monitor the situation in the Palestinian territories as 'it is not in anyone's interest to have high levels of Palestinian unemployment—especially among the youth. Opening up access to Gaza and removing the obstacles to trade, and allowing access to the resources in Area C would help improve the competitiveness of Palestinian businesses and encourage the jobs and investments that are needed.' In that same sense, the ILO (2015) recommended to ease the freedom of movement between Israel and the Palestinian territories to alleviate the high unemployment and promote sustainable growth of the Palestinian economy. The IMF (2017) also recommended freedom of movement to promote investment and the development of the private sector.

between the Palestinian territories and Israel in order to allow more Palestinians to work in the latter and thereby increase household incomes, their purchasing power and increase the collection of taxes.<sup>16</sup> According to the ILO (2015), the high unemployment rates in the West Bank has been forcing people to look for work in Israel, in uncertain conditions that often contain elements of exploitation. Due to a lack of effective work placement systems, workers have been relying on middlemen who find jobs without all the required permits. In case of an accident at work or litigation with the employer, a Palestinian worker would be unprotected. The ILO (2015) also indicates that it is becoming increasingly easy for Palestinians to find undeclared work in Israel and the settlements, but they are often precarious and low-paid jobs in very bad labor conditions.

Hence, although free movement of people to Israel can alleviate unemployment rates in the Palestinian territories, the desperate situation of workers can lead them to accept any type of work under any conditions. Therefore, the long-term solution cannot be more Palestinians working in Israel, but rather increasing job creation within the Palestinian territories through private sector development.

To conclude, the current situation of the Palestinian labor market is as follows: there is high unemployment, mainly among the youth; there is incapacity of the private sector to develop and absorb the increasing labor force; and there is restriction of movement for Palestinians to work in Israel. The next section will analyze the obstacles to private sector development in Palestine.

### **Palestinian Private Sector Development**

Liberal economics, the economic theory applied by the Bretton Woods institutions, assumes that the private sector is not only the main provider of employment but also the main driver behind economic growth. To enable private sector growth a pro-business investment climate is needed.

According to the World Bank's Doing Business survey (2018) on the business climate in the Palestinian Territories, several constraints were salient in encumbering private sector development. First, political uncertainty and security threats increase the risk to investments. High perceived risks often have a discouraging effect on potential investors. Second, different legal frameworks between West Bank, Gaza and East Jerusalem complicate doing business in the Palestinian territories. Although mandated to do so, the Palestinian Legislative Council has to date proven unable to address these differences.

Third, the limited availability of land constrains the options for the establishment and operation of companies in the Palestinian territories. The high complexity and restrictions on land in the West Bank, which is divided in Areas A, B and C, limits possibilities for new investment and business expansion. Area C represents 61% of the West Bank and is under Israeli civil and military control. The World Bank (October 2017) projects that if Israel were

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<sup>16</sup> With higher household income, more goods and services are consumed, which increases the collection of value-added taxes and income taxes (Lockwood 2015).

to remove specific restraints in Area C; it would directly boost the size of the West Bank's economy by 33% in 8 years. Only 1% of Area C is currently used by Palestinian for economic activity.

Area C is important for planning an expansion of the Palestinian private sector because it is the only contiguous territory in the West Bank and therefore crucial for movement of people and goods. Areas A and B are isolated enclaves. The continuous expansion of settlements in Area C is diminishing the land that can be used by the Palestinian private sector and worsens the prospects for future land use. In addition, the current arrangements limit the usage and exploitation of natural resources by Palestinians. The West Bank would have more access to water and land for agriculture as well as the ability to establish quarries if it had access to Area C. In Gaza, where the restrictions of movement of people and goods in and out are almost absolute, there is natural gas and oil to be exploited along its shores (Green 2010). Uncertain land rights and a lack of updated real estate registers also pose challenges to private sector expansion. The Israeli government does not recognize property laws drafted under the Ottoman Empire and is imposing Israeli property law in the Palestinian territories. Poor infrastructure due to the geographic fragmentation also limits the range of options available for entrepreneurs.

Fourth, non-tariff barriers such as restrictions on certain goods because of their potential dual use and other logistic and bureaucratic inefficiencies further restrict the freedom of movement and goods between the Palestinian territories and Israel (Isaac et al. 2015).<sup>17</sup> The Paris Protocol established that there would be a customs union, in which Israel would allow Palestinian goods to enter and leave from some of its ports via the sea, by air via Ben Gurion airport and on the land via the Allenby Bridge into Jordan. After the Second Intifada, however, Israel tightened its control measures and the flow of Palestinian goods became more difficult. Moreover, administrative barriers, inefficient logistics, and the security restraints change with political events.<sup>18</sup> This uncertainty discourages business expansion, increases

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<sup>17</sup> The dual use list is a list established by the GOI where certain types of goods are listed as having both civilian and military use, and hence they are not permitted to enter into the Palestinian territories. In Gaza the list is more exhaustive than in the West Bank. The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) has criticized that in Gaza most of these goods include basic construction materials as well as equipment critical for the provision of basic services. For the West Bank, the list includes minimal amounts chemicals and fertilizers, as well as raw materials for industry, machinery (steel pipes, lathe and milling machines) and equipment (including telecommunications). In order for Palestinian companies to be able to import dual-use goods, the companies need to obtain a license through a complex bureaucratic process that allows them to import those goods (Applied Institute of Jerusalem (ARIJ) 2015).

<sup>18</sup> More than 75% of Palestinian goods are shipped through Israeli ports. These goods need to go first through one of the commercial crossings control by the Israeli Authorities that are alongside the way of the "security wall." There are numerous bureaucratic, logistic and technical obstacles that raise the cost of the movement of these goods. The crossings are open on specific times and the Palestinian goods are processed slowly which increases the cost and the waiting times, with long security checks. In addition, all the Palestinian goods need to be transferred from a Palestinian truck to an Israeli truck. This procedure takes even more time where these goods come/go from the Gaza strip. (World Bank October 2017).

transaction costs and diminishes the competitiveness of Palestinian products.<sup>19</sup>

All these restrictions force the Palestinian private sector to limit itself to small-scale operations that involve low capital intensity and low labor productivity. As a result, the Palestinian private sector is currently dominated by micro and small-scale firms, with 90% of the firms employing less than 20 workers. Their productivity is only a third of larger Palestinian firms (World Bank October 2017).

Another obstacle to private sector development and investment is the restriction of movement of people, regardless of their nationalities, between Israel and the Palestinian territories. For instance, Israel currently limits the number of business visas issued for potential foreign investors who would like to travel to the Palestinian territories, including the West Bank. This constraint demotivates foreign entrepreneurs and investors.

Foreign assistance could play a more effective role in stimulating private sector development through innovative financing mechanisms. Until now, foreign assistance has mainly consisted of transfers of international aid and assistance for the development of infrastructure projects. These flows of financial aid have encouraged increased government-funded services and fueled consumption-driven growth but have encouraged neither private investment nor private sector growth. The World Bank (May 2017) is encouraging more innovative financing instruments that lower the risks of investing in the Palestinian private sector. This would provide financial back-up that would lower the risks and encourage national and international investment in infrastructure projects in Palestine. International donors could also provide technical support not only in the development of infrastructure but also in the development of private sector. Technical assistance rather than only financing is required.

#### The Role of the Palestinian Authority in Improving Private Sector Development

According to the World Bank (October 2017), there is an urgent need to implement legal reforms and improve the domestic business environment. This would allow the Palestinian economy to accumulate capital, achieve higher economic growth and eventually more job creation.

#### *Financial Inclusion*

Financial inclusion allows individuals and businesses to access financial services and products that enable them to perform transactions, to save, to contract insurance, or to obtain credit in a safe and sustainable way. Financial inclusion is thus crucial to starting or expanding a business, investing in projects and hedging against financial shocks.

According to the World Bank (2018), financial inclusion could be improved in the West Bank and Gaza. A large part of the adult population lacks financial education and does not have confidence in electronic products and services, including high-school and university

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<sup>19</sup> The Doing Business team at the World Bank (2018) showcased recently its data where it accounted that the Trade costs for a Palestinian business are approximatively three times higher than for an Israeli firm, and it takes four times longer for a Palestinian firm to import goods than for an Israeli firm.

graduates (Kanafani 2017). A large majority of Palestinians do not have savings. To meet financial goals (e.g., buying a car or starting a venture) they cut spending, increase the limit of their credit cards, save money, or look for another job. Going to a financial service provider is not one of their options. Many refrain from having bank accounts.

In this context, starting or expanding a business, and investing are not enticing. For this, a common action plan by the PA and commercial banks is needed to increase awareness about the advantages of financial services and to incentivize the development of MSMEs.

### *Public Spending Efficiency*

Several multilateral organizations have criticized the high rates of hiring of the public sector in the West Bank and Gaza—more than necessary for the operation of public services—which inflates the public sector wage bill. The high number of public servants limits the PA’s ability to invest in infrastructure (mainly water sewage and road building at a smaller scale),<sup>20</sup> develop public services such as waste management and electricity and develop other matters such as supporting MSMEs (USAID 2017).<sup>21</sup>

### *Legal Reform*

The PA needs to improve the legal framework in which firms operate. The Palestinian territories not only lack homogenous legislation between the West Bank and Gaza but there is also an urgent need to update the existing business legislation. Currently, the legal framework contains a mix of Ottoman, British Mandate, Jordanian, Egyptian and Palestinian laws along with Israeli Military orders. Reform of the legislation regulating businesses and their activities would spur private sector development in the Palestinian territories.

Many Palestinian firms complain about the lack of uniform legislation on property and land rights. Today, just 30% of Areas A and B have a property title valid under current law and for all parties. The World Bank assessed that with the current bureaucracy it would take the PA 80 years to correctly register all the existing and unregistered land. A more efficient process of land registration is necessary which would release significant assets and resources into the economic space, with related benefits to the financial sector through collateralized lending (World Bank October 2017). Land is today often used for rent-seeking and rarely as collateral for productive investments.

### *Governance and Transparency in the Palestinian Authority*

The PA has made remarkable progress in economic governance and in implementing anti-corruption measures. Nonetheless, a lot of work still needs to be done in this regard. Corruption

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<sup>20</sup> It is important to note that the situation regarding infrastructure is very different in the West Bank and Gaza. In Gaza, the lack of access to clean water, electricity and proper sewage management is the main problem reflecting the humanitarian crisis that the Strip is facing. In the West Bank, water management is considered the main problem.

<sup>21</sup> The Palestinian electricity companies purchase electricity from the Israeli Electric Corporation, but have a lot of outstanding accumulated (World Bank October 2017).

affects all levels of public institutions as well as the private sector. For instance, a report by the Middle East Monitor in 2013 pointed out that firms trading with other Arab States incorrectly listed false prices, creating a loss for the Palestinian public on import and export duties. Moreover, \$2 billion of European development assistance were “lost” due to corruption of the PA during the period of 2008 to 2012 (Swasawn 2013).

A World Bank report on improving governance and reducing corruption in the West Bank and Gaza (May 2011) reported that businesses believe that the major corruption obstacles they face are abuse of market power and dominance of powerful business groups, as well as “patronage of public officials towards certain powerful business groups. In addition, “unregulated monopolistic operations,” mainly in the telecommunications sector, were pointed out as another obstacle in business operations and expansion.

### **Conclusion**

Economic growth is necessary to avoid the renewal of conflict in fragile contexts. A dynamic economy would provide opportunities to young people and build a strong foundation for a future fully functioning Palestinian state. The current high unemployment rates in the Palestinian territories are a symptom of a malfunctioning Palestinian economy that cannot provide sufficient job opportunities to the growing labor force. Increased movement of Palestinians to work in Israel would allow the former to be able to find labor opportunities in the latter. Nonetheless, this cannot be the only solution. The PA needs to undertake strong efforts to improve the skills of its labor force but also to develop the private sector and attract investment. The restrictions in Area C as well as Israel’s trade are major constraints to the economic growth of the Palestinian territories. Internally, the PA has to improve the efficiency and transparency of its public spending, develop policies to enhance financial inclusion and establish an improved legal framework to encourage the private sector development.

### **Policy Recommendations**

#### To the Government of Israel

- **Alleviate the restrictions on movement to Palestinian workers**, both in the West Bank and Gaza, in order to allow more Palestinians to join the Israeli labor market. This will reduce unemployment in both Gaza and the West Bank and benefit the Palestinian economy.
- **Lift restrictions for Palestinians in Area C**. This area represents an important potential source of investment opportunities and economic profits for business expansion and for access to resources (mining, quarries, and agriculture).
- **Reduce restrictions on the movement of goods in and out of the Palestinian territories as well as measures that limit international trade**. Revise the lists of goods allowed to be traded—mainly the dual goods list—and reduce the logistic and bureaucratic inefficiencies of transporting goods in and outside the West Bank and

Gaza. This will allow business expansion and productivity as well as reduce the high dependency of the Palestinian economy on Israeli imports.

- **Urgently lift the blockade in Gaza.** The humanitarian and economic crisis of the Gaza Strip could be alleviated if more goods were allowed into Gaza and more people allowed to move in and out of Gaza, both for employment and trade.

#### To the Palestinian Authority

- **Improve the education system by providing better skills to Palestinian graduates.** The Ministry of Education should coordinate with the private sector to see which skills need to be developed in young graduates joining the labor market.
- **Reduce the number of people hired in the public sector and implement policies to enhance job creation by the private sector while providing incentives for entrepreneurship to young graduates.** This could be done through several means: increasing credit to support SMEs (through government loans or commercial banks); providing more information about the different financial instruments that exist in the market (credits, insurances, savings accounts, credit and debit cards); providing tax incentives for starting companies; and reducing the initial capital for young entrepreneurs starting a private venture.
- **Strengthen the customs and the border management institutions** for future implementation of independent trade policies.
- **Homogenize the regulations on property and land rights, competition and company law among different areas within the Palestinian territories** to reduce legal costs of Palestinian business and reduce the time necessary for the completion of administrative procedures.
- **Improve the transparency and accountability of the public sector** in terms of corruption and public spending. A good start would be stricter implementation of competition laws and the establishment of a competent regulatory agency to avoid abuse of power by large influential firms.

#### To the International Donors

- **Provide more active financial assistance through innovative financial mechanisms** that incentivize investments in Palestine by mitigating risk.
- **Provide technical support to develop the private sector and improve public infrastructure and services.** International donors should prioritize water management and sewage, roads and power and electricity infrastructures grids.

## **(Em)Powering Gaza: Toward a More Energy-Secure Future**

Melanie Snail

The situation in the besieged Gaza Strip is becoming increasingly dire—so much so that the United Nations has had to reaffirm that it will be unlivable by 2020 (UNCT July 2017). Deeply entangled in the myriad challenges facing Gaza, including water sanitation, medical access, decimated infrastructure, unemployment, and poverty, is energy insecurity—a central and daily challenge for the 1.8 million Gazans who live on only approximately 141 square miles of land. Across the West Bank and the Gaza Strip, comprehensive energy security is elusive. According to the International Energy Agency (IEA), energy security is “the uninterrupted availability of energy sources at an affordable price” (IEA 2018).<sup>22</sup> Put simply, energy security deals with affordability, access, availability, reliability, and diversity of supply. Based on this definition, it is clear that both the Gaza Strip and the West Bank suffer from acute energy insecurity. The situation in Gaza is more severe given the economic blockade on the territory, so this chapter will primarily focus on its issues.

Besides human capital and labor, all thriving cities and their economies around the world depend on reliable and affordable energy supplies: it is what powers growth, exchange, and development. Energy insecurity severely impacts many industries including education, telecommunications, waste management, agriculture, transportation, infrastructure, healthcare, and commercial industry. While energy security is a concern across the entirety of the Occupied Palestinian territories (OPT), Gaza’s energy challenges are particularly worth examining given the precariousness of the current situation, as well as Gaza’s history as a starting point for protest and revolt. When hospitals cannot treat patients because there is no electricity (and ultimately shut down as one recently did in January), students cannot study because there is no light, water cannot be sanitized because treatment facilities require electricity, supermarkets cannot stay open because there is no refrigeration, families cannot turn on the air conditioning in the sweltering summer or turn on their heaters in the dead of winter, and homes cannot get water because the pumps will not turn on, desperation ensues.

Last summer, hundreds of Palestinians in Gaza took to the streets to protest the economic conditions and challenges they endure—many of which can be traced back to the energy crisis (Zanoun 2017). These demonstrations followed the decision by authorities to turn off the strip’s only working power plant due to massive fuel shortages.<sup>23</sup> Though in July, Egypt shipped nearly four million liters of fuel to help restore the plant’s operations, it was not sufficient to significantly ameliorate the crisis (Al Jazeera, 12 July 2017). As recently as

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<sup>22</sup> The IEA adds that, “Energy security has many aspects: long-term energy security mainly deals with timely investments to supply energy in line with economic developments and environmental needs. On the other hand, short-term energy security focuses on the ability of the energy system to react promptly to sudden changes in the supply-demand balance.”

<sup>23</sup> A similar shutdown previously occurred in April 2017.

February 6, 2018, the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) warned that “Emergency fuel for critical facilities in Gaza will become exhausted within the next ten days” (OCHA 2018).

This chapter will address the energy challenges in Gaza (against the backdrop of the broader issue of energy across the OPT), and subsequently what needs to change in order to ensure Gaza’s energy security—security that is a pre-requisite for any resolution to the ongoing conflict. By maximizing energy independence and security, the literal and symbolic asymmetry of power—while not corrected—will be improved, putting both Israel and the OPT in a better position to be able to negotiate a political solution to the conflict.

This chapter is comprised of four parts: the current energy situation in Gaza and the West Bank, Gaza’s energy potential, Gaza’s challenges, and what can be done to bring about the goal of energy security for Gaza.

### **Background: Energy in the OPT**

In order to contextualize the energy crisis, it is important to provide some background to current supply and demand trends. The Office of the Quartet (OQ) estimates that electricity use in the West Bank is about 860 MW annually, though the need will be closer to 1310 MW in 2020. In Gaza, electricity use is about 210 MW annually, but need is nearly double that and will be four times that amount by 2020 (Office of the Quartet Representative Tony Blair 2014, 2). The West Bank depends almost entirely on electricity exports from the Israeli Electric Corporation (World Bank June 2017, 7). Despite the presence of natural gas off the coast and solar energy potential in Gaza, the strip has been unable to reach energy self-sufficiency, which has further exacerbated the difficult humanitarian and economic conditions there. Due to the difficulties of accessing reliable energy supplies, Gazans have faced years of blackouts. Today, Gazans sometimes get as little as three to four hours of electricity daily (B’Tselem January 2017).

As the population continues to grow, the need for reliable and affordable energy is especially critical. Currently, only about half of Gaza’s energy demand is being met by the available supply (PASSIA 2018). In the West Bank, even though electricity supply is more constant, high points of demand in the winter and summer have led to some shortages. Overall, Palestinian electricity demand will continue to grow as the population expands—growth estimated at 3.5% a year over the next few years for both the West Bank and the Gaza Strip, though this figure is slightly higher in Gaza (World Bank June 2017, 7). If the economic blockade is eventually lifted and Gaza is permitted to develop economically, energy demand will undoubtedly increase further and will require a resilient infrastructure as well.

Though estimates vary due to changing political and security situations, typically, less than two-thirds of Gaza’s electricity supply comes from Israel (usually about 120 MW), over one fifth is generated domestically (about 60MW), and the rest comes from Egypt (slightly over 120 MW) (Gisha 2018). However, Gaza’s dependence on Israeli energy and international assistance means their supply is not necessarily secure. Israel sells electricity to Gaza and

“deducts the payment from the tax money it collects on behalf of the Palestinian Authority,” thus Gaza is dependent on both the goodwill of Israel and the Palestinian National Authority (PA) (Gisha 2018). Last year’s feud between Hamas and the PA over payments and President Mahmoud Abbas’s request to Israel to cut electricity exports to Gaza demonstrate the precarious supply of electricity, often subject to politics. Last summer, Israel was only selling 70 MW of electricity to Gaza, though Israeli officials indicated in January that they will resume the sale of electricity to Gaza. Similarly, damage done to the Gaza Power Plant (GPP) during various Israeli military operations has also hindered Gazans from having reliable domestic supply. The plant also requires fuel to operate, and thus if fuel exports from Israel slow down or stop (as has been the case twice for extended periods in 2017) the plant cannot function. Additionally, power lines from Egypt have been damaged as a result of fighting in the Sinai and are at times subject to technical malfunctions (Al Jazeera July 2017; Gisha 2018). None of Gaza’s supply sources are guaranteed or reliable, and thus Gaza remains energy insecure (Greenwald 2018).

This energy insecurity has significant impacts on water availability, potability, and sanitation as the water infrastructure of Gaza depends on electricity for pumping water to houses, desalination, and treatment. As of 2016, the inadequate electricity supply meant “70% of Gaza’s population only has piped water for 6-8 hours per day, every 2-4 days” (UNSCO 2016, 16). The electricity crisis has begotten a water and environmental crisis, further exacerbating the dire conditions in Gaza and opening the door to serious health emergencies relating to disease and waste management.

Though the Israeli population is less than double the Palestinian population in the West Bank and Gaza, it consumes exponentially more energy, which is evidence of a serious power asymmetry and perhaps an apt metaphor for the asymmetry of political power and economic imbalance between the two peoples. For comparison in 2015, Israel consumed approximately 52.78 billion kilowatt hours (kWh) of energy, while the West Bank only consumed about 5.85 billion kWh, while in 2009, Gaza only consumed a meager 202,000 kWh of energy (CIA 2017). Energy security is at the heart of any thriving society. The absence of energy security has stunted the Palestinian economy.

### **Gaza’s Potential**

Though Gaza lacks enough energy resources to become a significant exporter, it has enough resources at its disposal to be able to become more self-reliant and more energy secure. Notwithstanding the various challenges, which will be discussed in more detail in the next section, Gaza has numerous options including its gas field, solar potential, and waste to energy that could help all sectors of Gazan society function productively.

Gaza’s most promising resource for energy security and greater financial independence are the natural gas reserves off its coast. The Gaza Marine field was discovered in 1999, but to this day has not been developed due to Israeli obstruction, as well as political instability over the past two decades, which has deterred investors. The field is estimated to hold 1.2 trillion

cubic feet of gas, thus relatively small by both regional and international standards; nevertheless, unlocking its potential could drastically improve Gaza's energy supply. According to the World Bank, it would cost between \$0.25-1.2 billion to develop the field, with costs varying depending on whether existing Israeli infrastructure is used. Their 2017 report on Palestinian energy explains that one sticking point in the development of the field is the necessity of a "gas supply contract of adequate volume with a credible off-taker..." adding that "...it will take some time before Palestinian gas demand builds up to the requisite levels" (World Bank June 2017, 10). However, if Gazan authorities successfully manage to begin development, the World Bank estimates that the field is expected to produce for 25 years and bring in \$2.7 billion in revenue, a serious boon for both Gaza and the PA.

The PA awarded the BG Group the license for exploration and drilling in 1999. In the 2000s, BG Group was interested in potentially exporting the gas to Egypt and other world markets, but the Israeli government (GOI) thwarted this proposal, preferring that BG negotiate with Israel for exports instead (Barron 2017). In 2016, Shell became the Gaza Marine field's primary shareholder and operator after it acquired BG Group that year. Shell has since been trying to find a buyer for the field, an indication of its apprehension about further entangling itself in what is viewed as a risky investment (Bouso 2018). The firm is reportedly discussing with the Palestinian Investment Fund to help find a buyer for its stake in the field, but unsurprisingly, the precarious humanitarian and economic situation in the Gaza Strip has made this difficult (Bouso 2018).

In the Office of the Quartet's July 2017 report, they highlight the central importance of Gaza being able to develop its field, arguing that "Natural gas is approximately half of the price of diesel (per MWh generated) and is a more efficient and cleaner fuel for generating electricity. The availability of reliable and cost-efficient natural gas in Gaza will allow the Gaza Power Plant to be converted to gas operations, increasing the availability of cost efficient electricity in Gaza" (OQ July 2017, 5). Furthermore, the spillover effects across the Gazan economy will be vast, allowing the development of new "large-scale infrastructure projects" that will enable Gaza to avoid total collapse. The effects may even extend to benefit the entire Palestinian economy. One observer noted last year that with the recent Palestinian attempts toward reconciliation, the PA appeared to mobilize efforts toward the exploitation of the gas field, but as of February 2018, significant movement does not appear to be forthcoming (Hadi 2017).

Another important area that would contribute toward energy security is renewable and sustainable energy, particularly solar, given that the OPT display "promising capacities in the potential use of solar, wind and biomass energies. Almost the whole country has high sunshine hours throughout the year; the total annual sunshine hours exceed 3000" (Juaidi et. al 2016, 944). Levels of solar in the OPT generally average around 5.4 kWh/m<sup>2</sup>/day, which puts it in line with cities like Madrid and Sydney. Though solar energy systems are financially out of reach for most Gazans, subsidies provided by the PA and international sponsors would do much to help Gaza unlock its solar potential. Furthermore, as photovoltaic technology

advances, solar is expected to become cheaper, which will make it more accessible to lower-income Gazans. According to the World Bank, rooftop solar in Gaza could potentially add 160 MW, which is not enough to meet total demand but still an important and necessary contribution (World Bank June 2017, 11). Last May, the National Economy Ministry in Gaza made it easier for Gazans to pursue solar energy when it declared that it was “lifting all fees, import taxes and customs duties on equipment for generating electricity, including solar power systems” (Abu Jahal June 2017). Though solar energy systems are by no means a permanent or one-stop-solution for Gaza’s energy crisis, they can greatly contribute to the energy security of the strip by diversifying energy supply sources, capitalizing on already existing sources of energy, and making Gazan households and firms more independent from the currently unreliable central grid. Solar energy projects have already started to take hold in the Gaza Strip, but boosting and facilitating their installation would do much to alleviate the situation.

Another option for Gaza is waste to energy, the process in which electricity is generated through waste treatment. This option is particularly attractive because biomass is a renewable energy resource abundant in Gaza. Pursuing such an energy recovery scheme would also help Gaza with waste management, as burning municipal solid waste can reduce “the volume of waste by about 87%” (EIA 2018). For context, in the United States in 2016, “one ton of MSW burned in waste-to-energy plants...generated about 474 kilowatt hours (kWh) of electricity, the amount of electricity used by about 16 U.S. households in one day.” Though it would be unreasonable to expect that the same amount of energy could be produced in Gaza, it is clear that this is an option with tremendous potential.

### **Gaza’s Challenges**

Gaza has many good options that would provide it with greater energy. The challenge is overcoming the legal, bureaucratic, and political obstacles that accompanies each and creating consensus on the fundamental need for Gazan energy security, which could be achieved through these various sources. The primary obstacles in way of energy security are domestic factors, including socio-political instability, financial constraints and mismanagement, the PA, and perhaps most significantly, Israel and its economic blockade of the territory. The presence of so many obstacles appears to indicate that energy security is a far off goal for Gaza, but in fact, by taking certain key steps outlined in the recommendations later in this paper, the primary actors can do much to vastly improve energy security in Gaza, and prevent the total collapse of the territory.

### Domestic Constraints

The instability in Gaza, furthered by internal fighting between the PA and Hamas, the economic blockade, a lack of freedom of movement, population density, infrastructural failure, substantial unemployment, electricity shortages, and Israeli military operations, may soon reach a tipping point. Soon after Israel’s withdrawal from the Gaza Strip in 2005, Hamas won elections in 2006 and formed a government in 2007. However, the sharp divide between Fatah

in Ramallah and Hamas in Gaza has led to ongoing conflicts—both violent and political—between the two. The Hamas-Fatah conflict was particularly violent in June 2007, and tensions have continued ever since. The lack of political unification, despite many attempts at reconciliation between the two parties, has created a disjointed and fractured polity. Furthermore, the continued American designation of Hamas as a terrorist group on the State Department’s list of Foreign Terrorist Operations complicates international cooperation to solve Gaza’s crises.

A lack of significant (accessible) domestic resources is also at the heart of Gaza’s energy insecurity. Though Gaza does have its Marine gas field, which in theory could provide enough natural gas to help Gaza reach energy self-sufficiency, the timetable for production is still far off and investors are scared by continued political and social instability in the strip. In the meantime, Gaza could look to solar and waste to energy, but these take considerable financial investment and require extensive coordination. More importantly, these alternatives most likely cannot reach sufficient production levels soon enough as to alleviate the crisis in a meaningful way. Even if the gas field is developed, the GPP is only able to run on diesel, meaning that the GPP (and any other energy infrastructure) would have to be converted to be able to run on gas, which will be another massive financial investment for the PA (World Bank June 2017, 18).

Corruption and mismanagement, particularly in the provision of services in Gaza, contributes to domestic instability as well. But perhaps even more urgent is the basic inability of Gazans to afford services, such as electricity, due to the bleak economic conditions in the Gaza Strip. Two fifths of Gazan families live under the poverty line, and nearly three quarters depend on external financial aid. In 2016, unemployment in the Gaza strip was at 42%, and youth unemployment was at 58% (Shawish and Weibel 2017; World Bank April 2017). According to many analysts, Gazans simply cannot pay for the electricity they need. As Diana Greenwald has explained, “Gaza stands out as an especially serious breakdown in the contractual model of service provision, because the ability and willingness to pay has been decimated on both sides—the government’s and the governed” (Greenwald 2018). Gazans also face higher costs of electricity than their counterparts in the West Bank or Israel (World Bank June 2017, 22). Families are suffering from lack of reliable access, as are Gazan companies, which reported electricity as the “top binding constraint...second only to political instability” (World Bank September 2017, 18). According to the OCHA, Gaza requires \$6.5 million to purchase 7.7 million liters of emergency fuel—the “minimum needed to stave off a collapse of services.” To fully fund critical facilities, the cost would be \$10 million a year (OCHA 2018). While this is a relatively small sum, it is out of reach for Gazan society, and a lack of political cohesion between Fatah and Hamas means that Gaza cannot necessarily count on the PA either, even though the latter claims to be the sole legitimate representative of the Palestinian people.

### Palestinian Authority Sanctions and Cooperation

Another major obstacle for Gaza comes from the Palestinian leadership in Ramallah. Earlier last year, the PA—in an effort to exert pressure on Hamas—enacted various sanctions on Gaza, including ending its payments to Israel for electricity it supplies to the Gaza Strip, worsening the energy crisis. While the reconciliation agreement signed by Fatah and Hamas promised positive effects on Gaza’s energy crisis given that the PA announced it would resume its payments to Israel, it does not appear that will fully solve Gaza’s issues (Rasgon 2018). Since the imposition of sanctions last year, many Gazans often only had electricity for several hours a day, even though it only costs \$11.6 million a month to fund Gaza’s current electricity consumption (Eldar 2018). Other disagreements between the PA and Gazan authorities regarding diesel payments, as well as the difficulty the PA has collecting energy payments from Gazans, have only further complicated the energy crisis.

Gazans pay more for their electricity than their Israeli or Palestinian counterparts—thanks in part to the economic blockade but also Israeli and PA taxes on the electricity they import. The PA imposes a “blue tax” on Gaza in order to “ensure fuel prices in the Palestinian territories stay within a certain range of Israeli prices, as mandated by the Oslo accords, [which] amounted to 100 percent of the refined fuel price” (Greenwald 2018). Now that many tunnels from Egypt are unusable and power connections are unreliable, this gives the PA more leverage over Hamas since Gaza is wholly dependent on external sources of energy.

There is a clear crisis of leadership in Palestinian politics. As of December 2017, nearly 70% of the Palestinian public wanted Mahmoud Abbas to step down, and his approval ratings stood at 31% (Palestinian Center for Policy and Survey Research 2017). Whichever leader can deliver electricity, jobs, and services, will see their legitimacy boosted in the eyes of Palestinians. Thus, it comes as no surprise that it is in the best interest of President Abbas to weaken Hamas’s governing position and maintain an influential role in Gaza’s electricity access. If Gaza were to become self-sufficient in energy, President Abbas would lose all credibility and legitimacy in the Gaza Strip, further splintering the two territories and any political unity between them. By controlling how much electricity Gaza gets, he can delegitimize Hamas as a ruling authority. When he decides to restore payments to Israel, for instance, he can take the credit for easing the Strip’s energy crisis. Moreover, the PA, in addition to the GOI, maintains authority over infrastructural development in Gaza. In order to expand and retrofit the GPP for gas, Gazan authorities must seek PA approval, which the latter can choose to deny. Similarly, Gazans must get approval from the PA for solar licenses if they want to install solar panels on their roofs (Office of the Quartet Representative Tony Blair 2014, 11, 15). The Fatah-Hamas political rivalry only aggravates the conditions in Gaza and contributes to the energy insecurity there. Being able to provide electricity, which in turn powers the economy, is an extremely important bargaining chip. Until incentives change, the PA will continue to exercise control over the energy situation in Gaza, since authority over energy helps facilitates the PA’s political power, allowing it to keep Hamas in check.

## Israel

The biggest obstacle to achieving energy security in Gaza is the GOI, resulting from a prolonged economic blockade, repeated military operations targeting infrastructure (both energy and residential), and its key bureaucratic position as a distributor of permits and approvals required for building, development, and any other significant energy-related changes in Gaza (Office of the Quartet Representative Tony Blair 2014). Indeed, the Israeli human rights organization Gisha contends, “Gaza’s inability to produce its own electricity in sufficient quantities is a direct result of prolonged Israeli control and restrictions...as well as limitations on economic activity” (Gisha 2018). The Oslo II accords impose production and import limits, which affect Gazans’ ability to import energy (and theoretically produce it one day) (Israel Ministry of Foreign Affairs 1995). Of Palestinian imports from Israel, more than 40% are from the “energy and oil derivatives sector,” which places a significant financial burden on the PA, particularly in light of collection and non-payment issues (Abu Jahal 2018). Gazans are forced to only buy Israeli fuel, and at the same price Israelis pay, despite GDP per capita in Israel being nearly six times higher. As a result, Gaza residents, firms, and authorities often cannot afford to buy fuel and thus are left unable to work, study, produce, and offer critical services (B’Tselem 2017). As Tareq Baconi contends, “...Palestinian energy security is pinned to Israel’s goodwill. Israel can and has in the past used its power to effectively turn the taps off for Palestinian consumers” (Baconi 2017). The more Gaza becomes reliant on Israel for its energy supply, the less energy secure it becomes, first due to a lack of diversity of sources, but second, due to politics.

Regarding bureaucratic approvals, the development of the Gaza Marine field has been repeatedly delayed due to Israel having implemented “unyielding restrictions that have prevented any measures from taking place,” even though analysts say that developing the field would be relatively simple since the gas reserve is shallow and close to the shore (Baconi 2017). Legal disputes over territorial claims between the two sides have also contributed to the delay. Additionally, GOI permits are required for distribution grid and substation upgrades, and GOI approval is needed to upgrade and retrofit the GPP, or build any new power plants (Office of the Quartet Representative Tony Blair 2014). These are often difficult, if not impossible, to obtain.

In October 2017, eight European countries accused Israel of destroying humanitarian structures and confiscating solar panels in the West Bank and demanded compensation (Ravid 2017). The countries are all part of the West Bank Protection Consortium—a group that provides financial and humanitarian assistance to at-risk families in the West Bank. Though Israeli officials argued that the European nations neglected to obtain necessary permits, others have argued that “Israel makes it too difficult to obtain such permits, effectively imposing a ban on development for Palestinians living in Area C” (Times of Israel 2017). Similarly, in November 2016, the village of Jubbet ad-Dib, near Bethlehem, finally had received regular access to electricity for the first time in its existence after the Dutch funded a \$400,000 initiative to install solar panels (O’Connor 2017). But in July of last year, Israeli soldiers

dismantled the project and confiscated the solar panels, leaving the residents of Jubbet ad-Dib once again powerless. Israeli officials deemed the project illegal, leaving Palestinians without permits and punished therefore through demolitions and confiscations if they build regardless (O'Connor 2017). These incidents, though not in Gaza, demonstrate the legal and bureaucratic hurdles Palestinians face as they try to become energy self-sufficient.

Gaza has been subject to numerous military offensives that have severely impacted existing infrastructure and the ability for Gazans to enjoy a constant and affordable supply of energy. In the summer of 2006, the Israeli Defense Forces (IDF) destroyed a majority of the GPP's transformers after targeting them with missiles, causing it to operate at only half capacity today (when it does not run out of fuel) (Li and Lein 2006, 5). The IDF targeted the GPP again in 2014, during Operation Protective Edge. Not only has Israel targeted the only domestic power source in GPP, but to this day "prevents the repair and restoration of the power station...keeping it from operating at full capacity" (B'Tselem 2017). Israel has repeatedly prevented necessary materials, parts, and equipment from entering Gaza, which would enable the rebuilding of the GPP, as well as other new desperately needed energy projects (Gisha 2018).

The challenges facing Gaza in its quest toward energy security are vast and complex, but not necessarily insurmountable. Overcoming them would require a tremendous amount of coordination, but perhaps more importantly, political goodwill from both the PA and the GOI. As has been illustrated, whether Palestinians strive for energy security independently, or with the help of international enablers, they are thwarted at every turn. The situation will not change until the primary actors recognize the requirement for Palestinian energy security and codify this need in their policies and actions.

## **Conclusion**

As the population in Gaza continues to increase, energy will continue to be a central concern given that population increases necessarily lead to increases in energy demand. Without any changes on the ground, a growing population will strain the already delicate energy infrastructure and risk pushing Gaza to the brink of collapse. Currently it is estimated that energy demand in Gaza will increase to 550 MW by 2020. If the political and humanitarian will is found to move forward on crucial economic and infrastructural projects, the United Nations estimates energy demand could reach 850 MW, as the completion of these projects would allow the economy to function more effectively (UNCT 2017, 19). Fixing the energy crisis will not be cheap. Estimates for achieving energy security in the OPT are in the \$4-5 billion range (half of which would be required for Gaza), and would require substantial private sector contributions, as well as some public sector investment (World Bank June 2017, 28).

Gaza struggles to meet even half of its energy demand and if the development of its energy infrastructure remains stalled, the World Bank forecasts that unmet energy demand would rise 63% by 2030 (World Bank June 2017, 18). In light of the recent decision by the PA to explore "disengagement" from Israel, the re-energization of Gaza would need to depend

heavily on the PA, the support of regional Arab countries, and the international donor community. While it is certainly feasible to pursue an energy-secure future for Gaza through these means, bypassing preexisting linkages with Israel, such as already installed power lines, will prove to be a costly endeavor (Abu Toameh 2018). If disengagement becomes the modus operandi, promoting the creation of more microgrids that incorporate renewable and cleaner energy<sup>24</sup> may help to alleviate some of Gaza's shortages. Microgrids in Gaza will be especially useful in the case of a central grid blackout since microgrids can isolate themselves from the central source of power (Chang and Roberts 2017).

In order to help ease the humanitarian crisis in Gaza in a serious way, energy security needs to be a central focus of the PA, the GOI, and all other major players involved. Energy security—which entails affordability, access, reliability, and diversity of supply—affects all sectors society. As such, its absence has unquestionably throttled Gazan livelihoods, the Gazan economy, and the efficient functioning of Gazan society, hence the fears of an impending total collapse. While both sides have politicized Gazan energy security, it is at its core a humanitarian issue. There has been relatively little movement toward energy security in Gaza over the past twenty years. The two major parties to this standoff—the PA and the GOI—can both agree that Gaza is facing a humanitarian crisis, but neither side has been incentivized to act resolutely and finally end the suffering in the strip, perhaps due to a belief that the achievement of energy security for Palestinians is a zero-sum game. What needs to change then is the perception of the issue of energy security.

As conditions deteriorate daily, even Israeli leaders are beginning to wonder if the territory may soon collapse, creating a massive security threat for Israel right at its doorstep (Mualem 2018). A major positive externality of Palestinian, and specifically Gazan, energy security would be increased national security for Israel, given that an energy secure society in Gaza would be more gainfully employed, productive, and prosperous—all of which are certainly desirable qualities in a neighbor. It would potentially provide a new supply source for Israel as well, though this is contingent on the PA's disengagement policy. Though it is important not to ignore the power asymmetry created by Israel's status as an occupying force (and thus understand that the PA's power in this arena is very much limited by Israel), the PA can itself also stop seeing Gazan energy security gains as a political gain for Hamas and stop punishing the civilians of Gaza in order to sanction Hamas. It should instead focus on Palestinian unity, and the considerable financial revenues and economic growth new energy projects will bring to the OPT. A wealthier and more stable Gaza means the same for Palestine as a whole and Israel as well. It is not the responsibility of Gazans to prove their humanity—the world is already witness to the crises they face; it is thus the world that must show the PA and the GOI that Gazan (in the context of broader Palestinian) energy security is beneficial for both sides and can only bring political resolution that much closer to fruition.

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<sup>24</sup> These microgrids can, but do not necessarily have to be connected to a central grid in Israel or the West Bank.

## **Policy Recommendations**

### To the Palestinian Authority

- **Promote Gazan energy security** by promoting and financially supporting projects that encourage energy independence, accessibility, and sustainability.
- **End measures of collective punishment** against the citizens of Gaza, such as sanctions.
- **Work with international partners to develop Gaza's energy infrastructure**, particularly its offshore gas field, and update the Gaza Strip's power plant to be able to accommodate natural gas.
- **Dedicate funds to improve the energy grid**, and expand and convert the GPP.
- **Work with Hamas to end disputes** over payments and taxation.

### To Israel

- **End the economic blockade of Gaza** in order to allow building materials to enter the territory, which will be used to repair and reconstruct Gaza's energy infrastructure.
- **End the practice of targeting Gaza's energy infrastructure** (i.e., electricity plants) during aerial bombardments over the territory.
- **Allow for the repair and expansion the GPP**, and contribute to the costs associated with its reconstruction.
- **Issue permits and licenses for Palestinian households and firms** to develop self-sustaining energy infrastructure.
- **Permit regional and international actors to enter the Gaza Strip for rebuilding purposes**, and allow the free movement of personnel, finances, and materials to facilitate the restoration of Gaza's electricity grid.
- **Accept Palestinian energy security as a requirement** in any future political negotiations.

### To the United States

- **Provide neutral oversight** to ensure these goals are pursued and **withhold funding to Israel** if it obstructs such projects.
- **Provide financial and technical support and expertise to Gazan authorities** to foster energy independence and security through public and private initiatives.
- **Politically and financially support the development of the Gaza Marine Field**, and other renewable energy projects in the OPT.
- **Promote Palestinian energy security as a requirement** in any future political negotiations.



## The Responsibility of Hydro-Hegemony

Kristin Caspar

While water is a pressing problem in Gaza and the West Bank, Israel is meeting its own water requirements. With new advances in desalinization and wastewater treatment, Israel is now able to expand the “water pie” and better prepare for the impending water shortages that haunt the region. As a result, it has opportunities to engage in a water nexus with its neighbors that could provide a win-win for all parties. From a security perspective, Israel’s advancements in the water sector can help build much-needed capacity in Palestine and prevent a crisis reminiscent of Syria. The potential of the water sector for peace and war is profound.

This chapter argues that as a hydro-hegemon, Israel bears the obligation to advance a sustainable solution to the water issue in Palestine, and soon. Treating water as a final status issue is incorrect and dangerous. A final agreement on the Palestine conflict is not in the near future, yet the consequences of water inequality for Palestinians are mounting. Interim projects and agreements are increasing the volume of Israel-provided water to the West Bank and Gaza, and at the same time reinforcing Israel’s dominance and Palestine’s dependency. There needs to be a solution that recognizes equity and creates a management system that reflects this ideal. The costs of postponing such a solution will have adverse, and wide-spread, security implications.

### Water Relations Between Israel and Palestine

The Oslo Accords are the foundation of water relations between Israel and Palestine today. The 1993 Declaration of Principles (Oslo I) agreed on water cooperation, and proposed studies and programs on water rights for both parties (Water Authority 2009).<sup>25</sup> The 1995 Israeli-Palestinian Interim Agreement on the West Bank and Gaza Strip (Oslo II) contains Article 40 of Annex III and the related Schedules 8-11. These sections discuss the quantitative allocation of water between Israel and the Palestinian Authority (PA), with a focus on the Mountain Aquifer, the mutual obligation to treat or reuse wastewater, and the establishment of a coordinated water management body called the Joint Water Committee (JWC) (Eran, Bromberg, and Giordano 2018, 13). Although Oslo II was intended to be a 5-year arrangement, the agreement still dictates water relations today in the absence of a final peace agreement.

Despite these frameworks for cooperation, water diplomacy over the years has been strained. Palestinians blame Israel for extracting inequitable volumes of water from the West Bank and Gaza, especially for use by Israeli settlements. There are complaints regarding the rules of governing water extraction. Whereas the Palestinian Water Authority (PWA) is responsible for Areas A and B of the West Bank, all projects involving water extraction in Area C (60% of the West Bank) must not only be approved by the JWC (similar to Area A and B), but they must also obtain additional permits from the Israeli Civil Administration (Melhem 2017). The PWA claims that Israel has rejected or foiled numerous requests for water projects,

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<sup>25</sup> The area has 4 aquifers: the low-quality Coastal Aquifer about 4 km wide along the Mediterranean; the highly water-productive Western Aquifer covering western Palestine and Israel east of Ramallah, Jerusalem, and Hebron to the coastal strip; the low productive Mountain Aquifer east of the Coastal Aquifer and Nablus to the Jordan Valley; and the medium-productive Northern Aquifer underlying the land from Nablus to Haifa and the Sea of Galilee into Lebanon.

which has undermined Palestinian water security. As a result, Palestinians are forced to buy water from Mekorot, the national water company of Israel, to meet their water needs, a task that is becoming more difficult considering current economic burdens. From the Israeli perspective, the water challenges of Palestinians are a reflection of the poor capacity and corruption of the PA. On numerous occasions, Palestinians have breached their joint agreement by drilling wells and creating water extraction sources without approval by the JWC. In addition, Palestinians are stealing water by illegally connecting to Israeli water infrastructure.

The past year has seen some important shifts in water diplomacy between Palestine and Israel. From 2010 until 2017, the JWC failed to meet due to the PWA's claims that Israel conditioned its approval of Palestinian water projects on Palestinian approval of Israeli settlement projects in the West Bank. However, due to impending humanitarian crises and the resulting security risks, the JWC has decided to resume its meetings as of May 16, 2017 (Melhem 2017). A 23-year strategic plan to provide water to the West Bank and Gaza until 2040 is currently underway (Lazaroff 2017). In July 2017, the Red Sea-Dead Sea project was revitalized after several years of deferment. Once implemented, water will be transferred from the Red Sea via Jordan to the southern part of the Dead Sea. Upon arrival, the water will be desalinated, the brine will be deposited in the Dead Sea, and the fresh water will be transferred into Israel. Amman, the capital of Jordan, will receive water through a pipeline and Israel will increase the amount of water that it provides to Palestine (Siegel 2017). While the Palestinians welcome this deal, they have made it clear that it does not change the terms of a final agreement. The deal was made to address immediate water needs and to pave the way for a return to negotiations between the two sides.

### **Water as a Security Concern**

Israelis and Palestinians are hydrologically intertwined (Lipchin 2017), which means that their neighbor's water security is their own national security. Making cooperation more difficult is that both parties are located in the most water scarce region of the world (Reliefweb 2017). Already, a lack of adequate clean water has led to food shortages, outbreaks of epidemic disease, mass migration, and political instability in the Middle East and North Africa (MENA) (Eran, Bromberg, and Giordano 2018, 4). Syria is an example. There is increasing evidence that inappropriate national policies, water shortage, and the failure of the government to properly respond were catalysts for the current conflict in Syria. In the 1970s, the government decided to strengthen the economy by expanding the agriculture sector, especially the production of cereal for export to Jordan and Egypt. When drought hit the region in 2006, groundwater resources could not meet the needs of the farmers, leading to the displacement of over 1.5 million people from rural to urban areas by 2011. Grievances surrounding unemployment led to protests, and the response of the government was violent (Eran, Bromberg, and Giordano 2018, 6).

While the drought itself was not the direct cause of violence in Syria, it was part of a "broader pattern of rural neglect" (Weinthal, Zawahari, and Sowers 2015) that resembles the current circumstances in the West Bank and Gaza. Similar to pre-crisis Syria, agriculture is essential to the Palestinian economy. It contributes significantly to food security, exports, income, and job creation. Undermining the productivity of the sector are several restrictions

imposed by Israel.<sup>26</sup> For example, the PA and Palestinian farmers are unable to create and rehabilitate water infrastructure without Israeli endorsement. Due to slow and absent approvals, the growing demand for water is not being met. Consequently, despite nearly identical natural environments, the Palestinian yield (metric ton per dunum) on average is only 43 percent of the yield in Israel. This has important implications not only for food security, but for employment as well. The agricultural sector is the third largest employer in Palestine. In 2011, roughly 110,000 rural families depended on agriculture as a source of livelihood. Some of this dependency results from restrictions on working in Israel, such as the constraints put in place after the second intifada. As Palestinian employment in Israel fluctuates, the agricultural sector absorbs any excess labor (UNCTAD 2015). Therefore, challenges to the agriculture sector threaten overall employment.

Water security has implications for migration as well. A change in the availability and access to water directly affects the demand for migration. The actual migration depends on whether there are arrangements in place to manage water and natural resources crises, or on whether communities can negotiate support with their neighbors. If one of these conditions are met, then mass migration is avoidable. In the MENA region, migration often takes place inter-regionally and from rural to urban settings. If urban spaces do not have the adequate infrastructure or market demand for labor, the increase in population puts pressure on the political and social systems (Miletto, Caretta, Burchi, and Zanlucchi 2017). Unfortunately, Palestine does not have the tools or the diplomatic relations to fulfill these conditions. If water insecurity worsens, Palestinians will be forced to leave their homes and farms in droves. Regional trends indicate resettlement will impact cities such as Ramallah, where the already demanding economic strain would be compounded by an increase in population. Climate change makes this situation even more unpredictable. The question is: if this scenario unfolds, what role will Israel play? What would it mean for Israel's security, especially in consideration of their other fragile neighbors? As Israel and Palestine enter into their fifth year of drought, circumstances are becoming reminiscent of Syria.

### Competition in the West Bank

The Palestinian population in the West Bank is one of the fastest growing in the world, and its demand for water is increasing. Currently, its residents are dependent on the Mountain Aquifer as a source of natural fresh water. The Oslo Accords established a cap for allowable Palestinian extraction from existing aquifers, and prevent Palestinians from drilling sufficient new wells or increasing extraction from existing wells. The PA does not desalinate or treat water for agriculture and one-third of the water supplied to the West Bank is lost to poor infrastructure and leakages (Lazarou 2016, 5). Additionally, Palestinians in the West Bank are vulnerable to the water cuts of Mekorot, which reduces and sometimes turns off running water for weeks in order to manage shortages. In the summer of 2016, homes in Salfit had no running water for more than two weeks. Factories were shut down, gardens and plant nurseries were ruined, and animals died of thirst or were sold to farmers outside the affected areas (Hass 2016).

Magnifying the competition for water is the growth of settlements. Before the Declaration of Principles in 1993, there were an estimated 255,172 settlers in the West Bank. Twenty years later, the population had risen to 547,000. The movement of settlers has been

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<sup>26</sup> According to a 2015 report by UNCTAD, Israel has placed restrictions on the importation of fertilizers to Palestine; the movement of farmers, services and agricultural trade; and access to the most fertile and best grazing lands.

facilitated by several factors, but the primary motivation has been economic. Owing to its increasing population, the cost of living in Israel's cities is getting more expensive. In order to incentivize people to move, the Israeli government provides significant financial benefits, such as discounts on utilities and transportation, loans, and agricultural land. Settlements are also provided with a large supply of water for agricultural and domestic consumption, delivered by its own water infrastructure and water network in the West Bank. In times of need, water can be transported from Israel to the settlements. On average, settlers consume 369 liters of water daily per person. In comparison, West Bank Palestinians consume 73 liters, which is well below the World Health Organization recommended minimum of 100 liters. Furthermore, some settlements plant water-intensive crops for exporting, which further displaces Palestinian water (al-Shalalfeh, Napier and Scandrett 2018, 117-124).

A common Palestinian perception is that settlers are intentionally "stealing" their water. El Ojah, a community near Jericho, had a spring whose waters were diverted to an Israeli settlement when the settlers constructed a deeper well. When the cultivated area dried up, the farmers became wage laborers in the settlements (SAIS Group Meeting, Ramallah, 21 January 2018). Reports of settlers attacks on Palestinian water sources support this belief. In 2011, the United Nations reported a total of 56 springs, 93% of which are in Area C. Settlers had taken over 30 of the springs, with 26 at risk of settler confiscation, while their Palestinian owners have been prevented access by "acts of intimidation" (al-Shalalfeh, Napier, and Scandrett 2018, 121). Knowing that desalinization is an option, and an affordable one at that, there is a prevailing question as to why these settlements are utilizing sources so vital to Palestinians.

Settlements have also been known to create notable levels of water pollution. In 2016, 83 million cubic meters of wastewater flowed through the West Bank, of which 19 million cubic meters originated from settlements. Not all settlements have waste treatment facilities, which means that about 12 percent of settlement sewage remains untreated with the potential to contaminate local water sources. Sewage has increased the number of pests on farms, and decreased the quality and quantity of produce. Livestock and wild animals are also victims of water pollution. The community of Wadi Abu Hindi has struggled to prevent their animals from drinking local water when settlers release their pool water into the nearby valley. The chlorine makes the animals sick, causing some to die (Ashly 2017). In addition to settlements, fifteen Israeli waste treatment facilities exist in the West Bank, six of which process hazardous waste. Industrial wastewater is of primary concern (Aloni 2017).

Not only are the settlements increasing in number and size, but they appear to be strategically placed. Experts studying settlement development have suggested that Israel is facilitating the creation of several corridors to Jordan that not only create access to its eastern neighbor but also establish buffers between Palestinian communities (SAIS Group Meeting, Bethlehem, 19 January 2018). These settlements are able to grow in areas where Palestinian communities cannot because of their water security. Settlement economies are not based on water, but rather residents commute to nearby cities for employment. In addition, many settlements are subsidized by the government, diminishing their economic dependence on the land (SAIS Group Meeting, Ramallah, 21 January 2018). Palestinians, on the other hand, sometimes must leave their communities for multiple weeks during the summer to avoid water shortages. There is concern that the growing inability for Palestinian communities to survive without water in parts of the West Bank will make their land susceptible to Israeli purchases, thus further spreading the invasion of settlements and weakening prospects for a two-state solution.

The water situation in the West Bank continues to be addressed as a shortage, rather than a system failure. Many non-governmental organizations and foreign governments provide temporary solutions that maintain the status quo by distributing water tankers, drilling cisterns, and establishing filling points (al-Shalalfeh, Napier, and Scandrett 2018, 121). None of these are considered permanent remedies. According to the World Bank, if efforts were shifted to more viable, long-term solutions, it would unleash tremendous economic potential in the West Bank. If Palestinians gained access to 50,586 dunums of uncultivated land in Area C, the economy could generate \$1 billion of revenue annually. There can be no viable economy in the West Bank without Area C, now under total and exclusive Israeli control, and water is an essential ingredient to that formula (Roy 2012, 86).

#### The Humanitarian Water Crisis in Gaza

For several years, there have been warnings of Gaza as a “ticking time bomb.” As this chapter is being written, there are concerns that thousands of Gazans may soon storm into southern Israel, as there are no other options available to them. The only source of freshwater is the Coastal Aquifer. Around 220 million cubic meters of water are drawn from the aquifer each year, but the annual replenishment from rainwater is only 70 million cubic meters. At this rate, the PA says that the aquifer will be exhausted by 2020. Furthermore, the water quality is extremely low. The over-extraction of water from the aquifer through wells has led to saltwater intrusion. Combined with the seepage of agrochemical discharge, 97% of the water is now unsuitable for drinking (Abou Jalal 2017).

The Israeli blockade of Gaza undermines the development of the water sector. Israel has restrictions on the items that can be used for civilian and military purposes, including 23 essential items needed for water and sanitation. This includes pumps, drilling equipment, and chemicals for water purification (Efron, Fischbach, and Giordano 2018, 86). Additionally, Israel refuses to “license household cisterns, rainwater harvesting cisterns, minor well rehabilitation projects, water connection repairs, and electrification of wells” (Stein 2011, 182).

Failures in the energy sector undercut water access in Gaza. When there is not a power outage, civilians have only six hours of electricity a day, providing a limited window for pumped water to reach their homes (SAIS Group Meeting, Jerusalem, 18 January 2018). The Gaza Coastal Municipal Water Utility (CMWU) has only limited available power, which it uses to operate 55 sewage pumping stations and five partially operational wastewater treatment plants. When the plants do not have the energy to treat wastewater, it is dumped into the Mediterranean. This pollution was the cause of the death of a five-year-old boy in July 2017 following a swim in seawater polluted with sewage (Efron, Fischbach, and Giordano 2018, 85). In the long-run, the water issue in Gaza can only be solved by large scale desalinization. There are several plans in development to construct these facilities, but the inadequate power supply prevents them from being realized.

Up to 108,000 cubic meters of untreated or partially treated wastewater are being discharged into the Mediterranean every day (Efron, Fischbach, and Giordano 2018, 90). In 2016, Israel was forced to close down its Ashkelon desalinization plant for several days as a result of sewage flows out of Gaza. The closure of this plant was of no small consequence, as Ashkelon supplies 15% of Israel’s domestic drinking water (Akram and Cheslow 2016). In 2017, the Zikim Beach in Israel, north of Gaza, was closed down as were several wells in Israel as a result of uncontained sewage (Udasin and Lazaroff 2017). Concerns of a cholera outbreak that could extend beyond Gaza are growing. Cholera bacterium is spread in poor sanitary

conditions, especially in standing sewage and in the absence of clean drinking water. Viral pathogens like polio also have the potential to travel through sewage and waterways. Cholera outbreaks in Iraq (2015) and Yemen (2017) demonstrate the dangerous potential of these circumstances.

### Risks of a Failed State Neighbor

Most Israelis and Palestinians are still in favor of a two-state solution. However, if such an option is to be pursued, what needs to be ensured is that a Palestinian state is viable and stable (SAIS Group Meeting, Tel Aviv, 14 January 2018). Israelis are concerned that their neighbor, under such an agreement, would be a failed state and continue to threaten their security, but Israel would be unable to use the Israeli Defense Forces (IDF) to control unrest as they are used today. The proper management of water could mitigate such a threat, as it could facilitate the growth of the Palestinian economy. Not only could there be larger investments in traditional sectors such as agriculture, but Palestine could join Israel and Jordan in an energy-nexus plan. EcoPeace completed a two-year study looking at the comparative advantages for each party, and has proposed they divide responsibilities related to water desalinization and solar energy production to meet their needs in a more affordable manner (Bromberg 2017). Such a program would require close collaboration between Israel and Palestine, including the sharing of technological competencies. In order to avoid a failed state neighbor, groundwork preparations should be underway in the immediate future for a partner with increasing economic capabilities.

### **Conclusion**

There are solutions. However, Israel has been dressing up domination as cooperation for years, keeping a sustainable solution at bay. The complications that stem from perpetual water insecurity will only further complicate the road to a final status agreement, and may potentially create bigger barriers with a greater cost to Palestinian lives. By drawing parallels to the Syrian narrative and outlining the festering problems that feed off the status quo, this chapter hopes to encourage added attention to the gravity of the situation. A functional and equitable water management system is needed now, and should not be “dammed” by political stalemate.

### **Policy Recommendations**

#### To Israel

- **Provide Israeli settlements with more desalinized and treated water, rather than pulling from aquifers shared with Palestinian communities.**
- **Ensure that all Israeli settlements have effective waste management systems.**
- **Guarantee that settler activities involving the destruction of Palestinian water resources (wells, etc.) are met with legal action.**
- **For immediate needs, increase the amount of water provided to the West Bank and Gaza at a lower, more affordable price similar to rates in Israel.**
- **Provide the energy needed to support the proper functioning of Gaza’s water and wastewater facilities.**
- **Allow for the opening and funding of desalinization plants in Gaza.**

- **Lead the charge on a more equitable water agreement *prior* to the establishment of a final agreement.** This includes proactive and honest collaboration with Palestine through the JWC.

To the Palestinian Authority

- **Provide detailed and constructive information to the JWC** concerning the water needs in the West Bank and Gaza, and share data concerning the quantity and quality of illegal activities being committed.
- **Maintain proactive participation in the JWC.** While there are concerns surrounding what membership means for the legitimacy of settlements, the water sector is too fragile to not make collaboration a priority.
- **Invest in water and waste infrastructure.**

To the International Community

- **Urge attention to the water needs and distribution to Palestine in conformity with legal and human requirement.** The water angle for pressure for human needs in the Occupied Territories has a strong international appeal and responds to moral values held by Israelis.
- **Provide funding for water facilities in the area, with pressure on the Israeli Government and the PA to accept and implement the offers.** This will address more immediate needs amidst long-term political negotiation.
- **Reactivate the Multilateral Meetings provided by the Oslo Accords to bring additional attention to the water problem, either by positive action or by deadlock open to criticism.** This will begin work on the water issue instead of waiting for a final status agreement.
- **Bring the water situation to the active attention of the World Health Organization.** The organization will publicize information on the status of water and the risks of a water crisis, which will incentivize action.



## **Part III: Social Dimensions**



## From Tel Aviv to Tel Megiddo

Paras M. Khan

“Where now are the horse and the rider? They have passed like rain on the mountain, like a wind in the meadow; The days have gone down in the West behind the hills into shadow” (Tolkien 1954). There is a feeling of anticipation in the Middle East today. It can be felt on the wings of the swallows, in the bellies of the cats, and within the eyes of every child. Stone to stone testifies today of this anxiousness, this anticipation, this waiting. But waiting, for what? Or, for whom? Something is happening hidden from the world, something strange, something profound, and perhaps, something deeply dangerous. The occupation is causing a reciprocal radicalization among the Israelis and the Palestinians. Therefore, I will now walk through the sands of time to explain what is causing this fundamentalism, steps that can potentially contain it, and where if unchecked, this road will lead.

### The Golden Gate

The occupation has changed Israel. It has birthed a new political culture that is as Freedman calls, “motivated by nationalism, racism, anti-democracy, and xenophobia” (Freedman 2014, 68-77), or as Filc defines it, “Netanyahu has made fear the linchpin of his discourse. Fear is construed along the border separating ‘us’ (the true people) from ‘them’ (the foreign enemy, the Arabs, and their domestic allies)” (Filc 2010, 74). Israel thus today even while possessing a nuclear arsenal lives in a constant state of fear (Jafari 2016, 36).

The most critical component of this new ideological tidal wave is the changing demography. Within Israeli society the most radical, fundamentalist, and Messianic trends come from the Mizrahi (Del Sarto 2017, 165), the Ultra-Orthodox (UO), and former Soviet immigrants (Del Sarto 2017, 165-66). Take the UO for example: only 51% of men work, can receive daycare without having to search for employment, and income support for unemployed students. They have never had it better (Surkes 2017). As for the Russians, as Pedahzur found, “they regarded Arabs as the main obstacle towards achieving the “state’s ethno-Jewish character,” which fueled xenophobia and led them to condemn the peace process/Labor” (Pedahzur 2012, 124). Meanwhile, others like Jafari noted how Russians brought cultural baggage “that glorified conquests as well as the wide-open spaces of the motherland” (Jafari 2016, 34). Some like Dropkin believe that anti-Muslim tendencies among the Russians stem from a hatred of the Central Asians (Dropkin 1993, 468). One political consultant in Tel Aviv averred to us that Jewish youth increasingly believe that “Arabs only understand force,” a notion that may have its roots in Russian nationalism (SAIS Group Meeting, Tel Aviv, January 2018).

The settlers have shifted the lexicon and narrative of what the West Bank (WB) is. As one influential member of the settler community stated, “Israel liberated Judea and Samaria” (Ravivi 2016), while another noted how “the land wasn’t taken from another nation that had

legal rights to it” (Frank 2017). Some peddle the notion that there is no Muslim claim to Jerusalem and that Israel is incomplete without the reconstruction of the Temple (Shani 2018). Member of Knesset (MK) Yehudah Glick, Public Security Minister Ardan, Culture and Sports Minister Regev, and the Jerusalem police chief all support this movement (Shani 2018). Regev in particular was recently seen not stopping anti-Arab and Islamophobic chants taking place during a soccer match (RT 2018). The settlers are also highly armed, and the Israel Defense Forces (IDF) often defers to them (Kamin 2013). This then is the most dangerous of all developments, the tainting of the IDF. In fact, increasingly, the IDF has helped demolish Palestinian homes to make way for settlers (Hass 2018). So dangerous is the settler community becoming, that the former head of the Shin Bet warned that the Likud is enabling “thousands of racist, violent, and messianic youths” to form a parallel “State of Judea” (Ynetnews 2015).

This new right was born through the massacre at Hebron and the assassination of Rabin (Jafari 2016, 20). Murderers Baruch Goldstein and Yigal Amir were both part of the settler movement, the UO community, and the IDF. In tandem, Rabbi David Cohen of the Kfar Tapuach settlement, believes that “killing a gentile cannot be defined as murder according to the Halacha” (Norlen 2010, 259). Avraham Burg, the former head of the Jewish Agency and a MK “warned that for many Israelis the commandment to erase the memory of Amalek is practical and literal, a command by the Torah to commit genocide” (Norlen 2010, 258). Unsurprisingly, Goldstein chose Purim, the victory over Haman, a grandson of Amalek, to cleanse his “sons” (the Palestinians). And even though Goldstein’s shrine was destroyed, his tombstone remains a sight of pilgrimage (Waldman 2014). While in the case of Amir, one third of all Israelis and at least two-thirds of the religious believe he should be released from prison (Norlen, 2010 384). As Del Sarto notes, “with the rising influence of religion and the growing fusion of revisionism with Jewish fundamentalism, the settlers and their supporters succeeded in penetrating all levels of the state, from politics to economics and the Israeli army” (Del Sarto 2017, 166).

During meetings across Israel’s political and social spectrum, these changes could be acutely felt. On the government side (SAIS Group Meetings, Jerusalem, January 2018), a member of Israel’s National Security Council (NSC) put forward the claim that Israel was “resurrected,” while at the Foreign Ministry one official stated that the “real danger” was growing “Islamic influence.” Another noted how “Palestinians would have no identity in peace” and that any Israeli leader accepting peace would be seen as a traitor. Meanwhile, a member of the “centrist” Kadima stated openly (SAIS Group Meeting, Tel Aviv, January 2018) that Israel is “not a Democracy,” the final “veto” is God’s, and how only 20-25% of Israeli society remained non-religious and fast dwindling. Furthermore, the settlers believe the land belongs to them, and if given up, it would in fact “falsify the Jewish faith.” Most interesting among their statements was when the Kadima member stated that the Gods of Israel and Islam are not the same, showing just how far the exclusivist doctrine has spread into Israeli minds.

As for the left, much of it has been assimilated. In meeting after meeting it became painfully obvious that Israel's "left," has either become the right, or is too maligned and outdated to be able to bring peace. The changing discourse has infected much of Labor. One former high-ranking official for instance called the Palestinian right of return "alleged," another stated that Palestine would be a "danger to the region and part of an Islamic apocalypse" (SAIS Group Meeting, Tel Aviv, January 2018). A sitting member of Labor (SAIS Group Meeting, Jerusalem, January 2018) went so far as to state that in 1777 the land in dispute was actually called "Zion" and claimed that UNWRA has no right to exist. Subsequently, in a meeting with a prominent political consultant (SAIS Group Meeting, Tel Aviv, January 2018) we were shown how in 2000, 40% of Israelis were Right-Wing, 31% Left-Wing, and 16% Center, yet by 2016 the Right-Wing had become 50%, the Center 24%, and the Left-Wing had fallen to 14%. When you couple in the fact that the "center" is Sharon's breakaway from Likud, Kadima, it becomes increasingly clear how dominant the right actually is. As Del Sarto notes, "it was the Zionist Left that converged toward the positions of Israel's political center and right-of-center" (Del Sarto 2017, 21).

Most of the far left meanwhile is trapped in people-to-people initiatives, which have come two generations too late. A member of a kibbutz (SAIS Group Meeting, Ma'anit, January 2018) acknowledged that "hope was fading," while a member of Meretz openly noted (SAIS Group Meeting, Jerusalem, January 2018) how the Knesset is filled with "daily incitement" and minorities are increasingly afraid. Most dangerous were the changes to the education system, which demonizes Arabs, and politicians who state that "hospitality for 'guests' will end one day." Bennett, the education minister, stated according to a member of Kadima (SAIS Group Meeting, Tel Aviv, January 2018), that "God gave us Area C and we will annex it." Meanwhile, a MK of Balad (SAIS Group Meeting, Jerusalem, January 2018) also noted increasing racism, while a senior member of Israel's civil society recalled that the 1967 war was the root of increased religiousness (SAIS Group Meeting, Jerusalem, January 2018). Coupled with the government's manipulation of the Holocaust, a new "strong-man and sword rule," now reigns. The senior member of civil society went so far as to allege that at least 62% of Israelis no longer believe there is an occupation, and they and a former Israeli ambassador were frank in noting that belief in divine intervention and the fulfillment of prophecy is on the rise within Israel. The illusion that "a two-state solution is still viable is thus a myth—or wishful thinking—perpetuated by moderate Israeli academics and intellectuals who communicate with the outside world. Their numbers are shrinking and their influence is waning while society is becoming increasingly polarized" (Norlen 2010, 334).

Others are demonized as outright traitors. Israelis who support a boycott can now be sued for damages without proof, and the Israeli Supreme Court continually sides with the government (Del Sarto 2017, 135, 169-170). A member of the Oslo process noted how populists have taken control of the Knesset, and the RW wants to kill the Palestinians (SAIS Group Meeting, Tel Aviv, January 2018). Those involved in Oslo are seen as "criminals." In tandem, an influential member of the settlement community, also noted how some see them as

a “traitor,” for not doing what is “necessary” to the Arabs (SAIS Group Meeting, Efrat, January 2018).

This ethno-homogenization trend can be seen in the recent deportations of the migrant community. As Kristen Verwey, stated, “if you tell Israelis that you’re volunteering here [Eritrean Women’s Community Center], you get very negative reactions. Most of the reactions are that I’m bringing down the state” (Green 2018). Or as Rabbi Idit Lev noted, “It’s really hard for them to distinguish between the refugees [African] and the Palestinians they were taught to be against” (Green 2018). In fact it could be then, as Green found, that “Israelis may be conditioned to see non-Jews in the state as a threat – whether to their safety or to Israel’s Jewish majority” (Green 2018).

The media in particular have played a key role in this phenomenon. Norlen for instance, alleges that radio station Arut Sheva played a key role in the assassination of Rabin (Norlen 2010, 362). Israeli news and prints outlets, such as Channel 1 and 2, denounce any condemnation of military operations. This led to what Del Sorto calls “a construction of Israeli identity as a nation under siege” (Del Sorto 2017, 29). Furthermore, coverage never touched upon the Palestinians living under siege/occupation (Del Sorto 2017, 79) and even called the United Nation’s Goldstone Report, which condemned both sides for the 2009 war, “anti-Semitic” (Del Sorto 2017, 31). Meanwhile, defense minister Lieberman calls civil society, Human Rights Organizations/NGO’s, and papers such as Haaretz, “anti-Israel” (Del Sorto 2017, 134). It should be no surprise then, that by 2009 72.4% of Israelis supported “voluntary” Palestinian emigration (Del Sorto 2017, 129), and by 2011 two-thirds believed there will never be peace (Del Sorto 2017, 50), or by 2010, at least 56% of Israelis believed that, “the whole world is against us” (Del Sorto 2017, 123).

The effects of this rising religious nationalism are now reverberating across all of society. Take for example the recent “minimarket law,” (Freedman 2018) which bans businesses from operating on Shabbat and is supported by the Deputy Health and Interior Ministers (Sharon 2018). Plans to allow a mixed gender prayer area at the Western Wall (Sherwood 2017) have been revoked, and the Orthodox Church has lost independent control of lands (Theophilos 2018). Even two of the women in our group were chastised by an UO woman for not covering their arms, for wearing pants, and for not washing their hands the “correct” way. Thus, as Norlen stated, “for many settlers the Palestinians are the only thing between themselves and the Messiah” (Norlen 2010, 273). These extremists believe that a final war is necessary for the redemption of the world (Norlen 2010, 382). Or as Klein wrote, “Israeliness is an insular religion that flaunts being “a people that stands alone.” Secular people are a nuisance, the Arabs are drugged cockroaches and the refugees are a cancer” (Klein 2018).

Israel’s militaristic culture may be reinforcing this belligerence. When walking the streets of Haifa or Tel Aviv it is possible to forget that every Israeli is in fact a soldier. Israel then is not a nation possessing an army, but an army that possesses a nation. Unsurprisingly, this has inhibited a truly critical look at the past, as no Ken Burns like documentary on the Palestinian conflict has emerged. Or as one former high-ranking official of the IDF stated

(SAIS Group Meeting, Tel Aviv, January 2018) the army does not like anyone, including its own, documenting its violations. Some even allege that the IDF has turned the territories into a “laboratory” (Cook 2013). Radicalization thus appears to be on the rise even within the officer corps.

### **Black Flags**

Even worse than its Israeli counterpart is the shape of the Palestinian Left, a fossilized relic. In meeting after meeting, it became painfully obvious that Fatah, the Popular Front for the Liberation of Palestine (PFLP), and the leftists/secularists had no understanding where Palestine is today. No less than serving high-ranking officials called for one-state for both peoples (SAIS Group Meeting, Ramallah, January 2018), something not a single individual Palestinian I spoke to supported. What was painfully obvious was that while the Left chants “justice, love, peace,” the average people reject these platforms, comprehensively. One very high-ranking member of the Palestine Liberation Organization (PLO) was honest in saying the leadership did not have the trust of the people (SAIS Group Meeting, Ramallah, January 2018). Consequently, there is also defeatism on the Left, as one high-ranking former Fatah member noted, “we cannot endanger what we have left.” Others stated that the enemy is too powerful (SAIS Group Meeting, Jerusalem, January 2018). One of the main reasons behind this is that the leadership of the PLO and the Palestinian Authority (PA) are mostly secularists, atheists, or Christians; they have no understanding as to what the Muslim masses want. They spend more time ruing the “golden era,” when they worked with the Israeli Trotskyites, than they do speaking to their own people. They rue that Israelis have made the Bible a point of reference without realizing the Palestinians are flocking to the Quran.

While it is true that the 1967 war like in Israel had a role in sending Palestine towards religion, this is only a half-truth. Islam has always played a critical role in society and even nationalism. Two of the earliest Palestinian leaders were the Mufti of Jerusalem, Haji Amin al-Husseini, who used religion as a foil against both British Imperialism and Zionism, and the Syrian Sheikh, Izz ad-Din al-Qassam, whose al-Kaff al-Aswad (the Black Hand), waged a jihad against both the British colonial administration and the original Jewish settlements until his death in 1935 (Israeli 2002, 229-248). The armed wing of Hamas is named after him. The religious movements regained power not in a vacuum but in the harsh realities that were and are daily Palestinian life. Through Islamic schools, mosques, and charities they provided physical and psychological respite from the occupation (Robinson 2004, 43-44). In other cases, landowners turned to religion following confiscation (Robinson 2004 35-36). Since the PA was a total failure since its inception (Robinson 2004, 12), religion made a comeback. As Robinson stated, the Islamists’ socioeconomic development plan was what really “turned peasants into Palestinians” (Robinson 2004, 36).

Robinson went so far as to argue that it was this religious call to which the Palestinians were most receptive (Robinson 2004, 19). The reality can be seen in the changes taking place within society as a whole. In 1978 there were only six mosques in Nablus; by 1993 there were

over 65 (Parks 1993). Religiosity is increasing particularly among women, as is the slogan, “Aqsa over our dead bodies.” This can be seen through the return of the hijab, which Robinson noted was “a practice which had virtually disappeared from the scene a generation earlier” (Robinson 2004, 44). Today, you would be hard pressed to find a girl without one. The hijab has taken on political meaning (Robinson, 2004, 136), as it shows a respect for the martyrs (Hammami 2000, 196). Another place this is visible is within universities, as by the 1980s the Islamic student bloc was the most powerful group in Jerusalem, Gaza, and Hebron (Israeli 2002, 229-248). These student groups have grown even more powerful today, dominating the university electoral scene (Robinson 2004, 83).

This religious explosion eventually led to the birth of Hamas during the First Intifada (Aburaiya 2009, 63). Its crowning moment came after the assassination of Rabin and the collapse of Oslo, as Sharon’s visit to Al-Aqsa saw Palestinian society explode. Hamas proceeded to launch a series of devastating daily suicide bombings that radicalized Israeli society even further, and helped elect Netanyahu (Del Sarto 2017, 24). By 2006, the situation within Palestine was clear for all to see: Hamas had won the general elections, freely and fairly (Robinson 2004, 99-101), taking 44.45% of the total votes (Robinson 2004, 102), and 68.18% of all the district votes (Aghazarian 2007, 102). Yet the world community condemned the election and Hamas was prevented from consolidating a government. While Hamas did forcefully seize power in Gaza, on the other hand Fatah too has forcefully, and with Israeli support, kept power in the WB.

If there is one word that can sum up the ground situation on the Palestinian side it is this: fear. It is an unimaginable fear that consumes all life. For instance, one Fatah official stated, that they feared they would end up in “reservations,” (SAIS Group Meeting, Ramallah, January 2018) while another noted how they feared no land would remain in twenty years (SAIS Group Meeting, Bethlehem, January 2018), while another noted how the settlers scare the nearby villages (SAIS Group Meeting, Jerusalem, January 2018). This fear could also be felt when the Palestinians retorted that they are “Canaanites,” as if their claim to the land was being called into question. Yet the greatest fear remains that of Jerusalem. As Qleibo stated, “that al-Aqsa is in danger is a nightmare that haunts us. The loss raises our deepest fear of a gigantic cultural ethnocide and a massive transfer of the Palestinians” (Qleibo 2017, 25, 29).

Patience is in short supply. As both a former high-ranking official of Fatah and another Palestinian Legislative Council (PLC) member noted (SAIS Group Meeting, Ramallah, January 2018), the knife and vehicle attacks are occurring in areas of settlement activity. The anger and frustration could even be felt in the ranks of the Left, as one former high-ranking member of Fatah quaked when stating that “the Palestinians will no longer be slaves,” and furthermore, “how there is a desire to just wake up and blow yourself up” (SAIS Group Meeting, Jerusalem, January 2018). Across the board the populace reverberated with calls of “the occupation has been too cheap,” “we cannot live like this anymore,” or as one journal stated, the Intifada emerged after people had “reached a stage of hopelessness, desperation and anger feeling they had nothing to lose” (PASSIA 2017). A member of the PLC frankly admitted

that if they had weapons they would use them, and it was impossible not to hate the occupation (SAIS Group Meeting, Ramallah, January 2018).

Anger is reaching critical levels. One member of civil society noted how the idea for war was floating around (SAIS Group Meeting, Jerusalem, January 2018). Revenge, hatred, and anger are becoming uncontrollable. Youth only think “I don’t care I want him [Israelis] to bleed.” One former member of the PFLP and Fatah noted how “people-to-people” has also failed because people still return to the reality of “soldiers and settlers” (SAIS Group Meeting, Jerusalem, January 2018). One Fatah official was frank in admitting that not only does no one control the youth of Gaza, but if two million people have come to believe they no longer have anything to lose, no one will be safe (SAIS Group Meeting, Jerusalem, January 2018). Their argument was simple: Hamas has been Israel’s border guard since 2014; how long can it prevent an attack? Another high-ranking former Fatah official admitted that Abbas is rapidly losing control, and his rule is seen as merely giving time to the Israelis to change the realities on the ground (SAIS Group Meeting, Ramallah, January 2018). Subsequently, one member of civil society went so far as to state that not only is the Islamic bloc dominating the universities, but they would also easily win the WB if open elections were held (SAIS Group Meeting, Jerusalem, January 2018). An Israeli NSC member told us (SAIS Group Meeting, Jerusalem, January 2018) they will not allow a “ Hamas-istan,” to form in the WB, but they are far too late: it already exists in the hearts and minds of the people. Fatah for this reason will not reform the PLO, knowing it will open the doors to Hamas’ victory (Sher and Kurz 2015, 89). Yet most concerning is this: the youth are turning towards organizations like ISIL or the PIJ, to deliver them from their predicament. As one former PLC member noted, the “terrorists are desperate people who believe this is the only way to gain their rights” (SAIS Group Meeting, Nablus, January 2018).

In particular, the hopelessness is breeding a look towards the Sinai, Syria, or Lebanon and hatred towards the leadership. Fatah and increasingly Hamas are seen as “no longer party to the suffering” and ignoring the slogan “Israel must be punished.” The most telling moment of this religious shift came when a former member of both the PFLP and Fatah reminded, much to the horror of Israeli colleagues, that “Palestine’s liberation has always come from the outside.” And he put forward the question, is “Netanyahu ready for the third (Saladin) model?” (SAIS Group Meeting, Jerusalem, January 2018). Indeed, an explosion is coming. Over 15% of the population under-30 and over one-third of all adults have been in prison. No one can gain meaningful employment. According to a former high-ranking Fatah official a total 800,000 have been jailed, making it impossible for Abbas to stop the payments to the families.

The situation I found on the ground (Personal Interviews, Palestinian Territories, January 2018) correlates with this rising religiousness and anger. Of the thirty families I interviewed in detail, and the dozen or so more I informally chatted with, not a single person had anything but the vilest of words towards the PA (and the Jordanians). The occupation is the disease, but the symptoms are no less hated. The crowning moment was when one member of civil society stated that Abbas was the “Vichy Government” of Palestine (SAIS Group

Meeting, Bethlehem, January 2018). We saw many cases of home demolition, refugee abuse, poverty, and despair. In one particular incident, we viewed an IDF vehicle that, according to our guide, harassed locals daily, but upon seeing our contingent turned back. Furthermore, the Palestinian Negotiation Affairs Department states that 14,550 Palestinians have had their residency in Jerusalem revoked. As I went house to house, many stated they feared they will lose their homes as well. In my travels I saw people living in what can only be described as caves. Physical and mental disability and illness is rife, food is limited, medical access almost non-existent, and orphans and widows dot the houses and streets. I was shown notices for families being forcefully evicted and homes whose doors the IDF continuously breaks. Others were divided families, parents unable to travel to the WB or Gaza, spouses stuck on the other side of the walls, mass unemployment, hopelessness, and almost everyone had a family member in or recently out of prison. Some families had even given up their children to orphanages and relatives to save them from poverty. Contrast this with the PLO leadership, almost all dual-citizens: their children and assets abroad, in America, England, France, Germany, or wherever.

The feeling of death permeates the air. The most seminal encounter (Personal Interviews, January 2018) was meeting with young teenagers who had attempted knife attacks, their only justification “I want to die; I want someone to end my pain.” In another case, an individual admitted that people send their children to attack Israeli soldiers and settlers. They, like many others I met, pray only that the Imam of Aqsa declare jihad. Societal pressure another told me is intense. Those who do not want to be “martyrs” are looked down upon and shunned. The reality of the checkpoints must also be remembered: I saw the fear of girls hiding in their mothers’ arms as gunfire erupted near Nablus, or how the Palestinians would nervously shake when the IDF entered the public buses. Others trembled during “stop-and-frisks,” rage boiling in their eyes. You can see the hatred, fear, and anger in every single pair of eyes. Only a single member of the PLC (SAIS Group Meeting, Ramallah, January 2018) referred to the fear that Israel has an “option” other than the “one, two, or apartheid,” models. It can, if it seriously wants to, kill or deport all the Palestinians. And as ordinary people repeatedly told me, if the world stood idly by as 700,000 Rohingya were forced to flee in six months (USA Today 2018), “why would they intervene for us?” The situation is truly untenable, and if not addressed soon it will explode (Halbfinger 2018). Only a single Jewish activist (SAIS Group Meeting, Bethlehem, January 2018) put forward the question “are we responsible for pushing someone to blowing himself up

### **A Man on a White Horse**

Something dangerous is being born, but the matter is simple, the Occupation is the seed from which everything emerges. The question then is where do we go from here? Everyone on both sides would push back as I surmised the situation will explode into a religious conflict. Their response was “who is going to do the fighting?” When it comes to the Arab states, it is a clear no. What about the Muslim World at large though? Take the “descendants” of the Gunpowder

Empires; Istanbul, Tehran, or Islamabad. How do the strategic planners in nations such as these and others view the endgame in Jerusalem? We cannot say for sure, but this we can say, there exists a force in the age of globalization, social media, the internet, and the post-ISIL world that is inherently powerful: the people. Can Israel, with a hostile Lebanese and Syrian border, and an unraveling Egyptian state (Kirkpatrick 2018), now depend on the jigsaw shaped Jordanian buffer zone to keep out the angry masses from Jakarta to Marrakesh? Perhaps. But what about the millions, especially in Gaza, within? Can a popular uprising within the entirety of the Palestinian territories, potentially morphing this time into a global Jihad, as in Afghanistan, be stopped? Only if the status quo is altered immediately.

But, where will a failure to change the status quo lead us you ask? History seemingly has forgotten the Palestinian scholar, Abdullah Azzam, who in 1979 declared that jihad is *fard ayn* and changed the fate of Afghan and world history, a favor for which the Pashtuns and Afghans have not yet repaid him. His soul lives on through three of his “children:” Al-Qaeda, Hamas, and Lashkar-e-Taiba, and they all may well one day come “home.” Jerusalem is now an uncontrollable spark, and as both sides begin to see visions of the apocalypse, let it be known, that if the resolution to this conflict does not come in the halls of Tel Aviv, then it will surely be settled, in the valleys of Tel Megiddo.

## Policy Recommendations

### To the Israelis

- Recognizing in the eternal words of Uncle Ben, “that with great power comes great responsibility,” **take the initiative** being the major power and **leave all but** a minimal/token physical presence in the West Bank.
- **Explicitly state and legislate** that Israel will withdraw any forces remaining following a final status agreement.
- **Start shifting sections of its security wall**, fence, and barrier out from any area that is past the 1967 border lines and **ease** the checkpoints.
- **Pass a bill explicitly stating** that it has no plans of ever rebuilding the Third Temple and that it will in no shape, way, or form, damage, alter, or destroy the Al-Aqsa Mosque or the Dome of the Rock. This is critical in ending all Palestinian and Muslim fears that Israel harbors expansionist desires in Jerusalem.
- **Freeze and begin to reverse** all settlement activity past the 1967 lines.
- **State and legislate unequivocally**, that Israel plans to construct a Palestinian state upon the 1967 borders and rejects any claim to “Greater Israel.”
- **End and lift the siege of Gaza immediately.**
- **Stop the wanton arrest of Palestinians** and begin issuing clemency.
- **Stop all home-raids and patrols** within the Palestinian territories.
- **Consider revoking** mandatory military service for Israel’s citizens.

To the Palestinians

- **Dissolve the Palestine Liberation Organization**, as it is neither the sole nor any longer the legitimate representative of the Palestinian peoples.
- **Push Mahmoud Abbas and the entirety of the Palestinian Authority to resign** as they have lost all legitimacy in the eyes of the people.
- **Hold free and fair snap-elections** immediately.

To Harakat al-Muqawamah al-'Islamiyyah ( Hamas)

- **Unify its armed wing with the existing forces of the Palestinian Authority.**

To Both Israelis and Palestinians

- Recognizing the now religious center of this conflict, the Imam of Al-Aqsa and the Chief Rabbi of Israel should be **given** special religious and civil legislating powers. Both men must then be **locked** into a room until some common terms **can be agreed upon**. Whatever they agree upon will be binding upon both sides.
- **Prime Minister Netanyahu and Hamas leader Khaled Mashal should meet** in Istanbul or Oslo.

To the International Community

- Following the new Palestinian elections, **accept the results.**
- **Increase humanitarian assistance**, especially food and medical aid to the Palestinian people.
- **The UNSC should pass a resolution** affirming that any claims or attempt to create a "Greater Israel," or "Third Temple," are categorically rejected.

## **Youth Dynamics of the Post-Oslo Peace Process**

Elizabeth Goffi

With a median age under thirty on both sides of the conflict (Israel Demographics Profile 2017; World Bank: Israel 2018; World Bank: West Bank and Gaza 2018), most Israelis and Palestinians are too young to remember the First Intifada, let alone the War of Independence. Many have never seen successful negotiations firsthand, leaving them increasingly disillusioned with the ongoing peace process. However, as political leadership ages, the next generation will play a significant role in shaping the future of the two nations, for better or for worse. This chapter will investigate the youth dynamics of each side, highlighting several key issues and exploring the impact that they are likely to have on the conflict. It will conclude with policy recommendations, promoting economic development as a cooperative resilience-building measure that will help increase ripeness for peace negotiations in the future by building trust and optimism within the next generation.

### **Youth Demographics of Israel**

As compared to other developed countries, the population of Israel skews younger with a median age of only 29.9 years. The population growth rate is considered stable but high at approximately 1.5 percent (Israel Demographics Profile 2017). Notably, Israel has the highest fertility rate among the Organization for Economic Co-operation and Development (OECD) countries, owed in large part to the birth-rates of the Jewish ultra-orthodox (OECD Fertility Rates 2018). This has important consequences for the political landscape of the country revisited later in the analysis.

Israel's socio-economic indicators are those of a developed country. Education is highly valued within the Israeli society, ranking as the number one focus for Israelis in the 2015 OECD Better Life Index (OECD Better Life Index 2015, 6). While some disparities exist, the youth population of Israel is well-educated, with a youth literacy rate of 98 percent and a post-secondary completion rate of nearly 50 percent (Israel Demographics Profile 2017; World Bank: Youth Literacy 2018). Furthermore, current economic conditions facing Israeli youth are good, with the proportion of the youth not in education, employment or training (NEET) at only 9.4 percent in 2017, significantly below the world average of 13.7 percent (OECD Employment Statistics 2018). Overall, Israeli youth have promising futures ahead of them and have become relatively isolated from the day-to-day consequences of the conflict.

### **Notable Issues Facing Israeli Jewish Youth**

Educated and empowered, the next generation of Jewish Israelis will be particularly instrumental in determining the future of the conflict. Unfortunately, whether the Jewish youth are invested in achieving peace has become increasingly uncertain. According to recent research done by Zogby Research Services, age was the “only demographic characteristic that

appeared to make a measurable difference” when comparing opinions of Israelis and Palestinians about the post-Oslo peace process (Zogby 2013, 3). However, the difference is not necessarily for the better.

Israelis under 34 years old “consistently demonstrate more hardline views than do older Israelis.” They are “more negative about Oslo, about Palestinians, and about the prospects for peace.” They are also the most likely demographic to have a “reduced confidence” in the peace process because of the Second Intifada. Most notably, 74 percent of Israelis under 34 reported being “Not hopeful” about an Israeli/Palestinian peace (Zogby 2013, 7). Furthermore, Israeli youth are shifting rightward in political affiliation, which is expected to have long-term repercussions for the Israeli-Palestinian peace process.

In addition to their hardline views, Israeli Jewish youth are also increasingly detached from the historical peace process as compared to their elders. The Zogby research found that 48 percent of Israelis under 34 did not recall the ‘closure of Jerusalem’ in 1993, when more than three million Palestinians lost their freedom of movement to Jerusalem. 43 percent were not familiar with the 1998 Wye River Agreement. 32 percent had no memory of the construction of Har Homa. 27 percent could not remember the Camp David impasse of 2000. 25 percent were unfamiliar with the Arab Peace Initiative. A shocking 19 percent of young Israelis had no recollection of the 1994 Hebron Massacre (Zogby 2013, 9). There is significant amount of historical amnesia, even around the most recent developments in the Israeli-Palestinian peace process.

While Israel holds the upper hand in the peace process, it will be especially important that the next generation of Israeli policymakers sees some benefit to continuing negotiations with the Palestinians. However, the younger generation, disproportionately raised in conservative households and educated in only the Israeli conflict narrative, are both less interested and less invested in the outcomes of any peace process. This will only get worse as the generations who experienced the optimism of Oslo firsthand age out of policymaking.

### **Youth Demographics of Palestine**

As in Israel, the population of Palestine is also very young, with more than 50 percent of the Palestinian population under the age of thirty (World Bank: West Bank and Gaza 2018). A growth rate of nearly three percent will ensure that the youth population continues to grow, potentially more than doubling by 2050 (UNFPA 2017, 1). This is consistent with the ‘youth bulge’ phenomenon seen across the Middle East and Northern Africa (MENA) region (UNFPA 2017, 4). Given the rapid population growth of Palestine, the likelihood that Israel can maintain a liberal democratic state with a Jewish majority under a one-state solution appears to be zero-to-none. Thus, to achieve sustainable peace through a two-state solution, Israel will likely require a peaceful, stable and developed country along its borders. To determine how far we are from that scenario, we can investigate the social and economic characteristics of Palestinian youth.

Palestinian youth are exceptionally well-educated when compared to both the region as well as other conflict-affected nations. Palestine maintains a nearly 100 percent youth literacy rate overall, as well as 95 percent primary school enrollment, and more than 41 percent of the population between 15-29 are enrolled in some form of education (World Bank: Youth Literacy 2018; UNICEF 2015). Women are, on average, better educated, with 13 percent of women completing post-secondary education compared with only ten percent of men (UNDP 2014). This suggests that an eventual Palestinian state could be highly developed with a well-educated and gender-equal society.

While social indicators are promising for development and peace in Palestine, economic indicators tell another story. Youth unemployment remains staggeringly high at more than 50 percent (PASSIA 2017, 7; World Bank: Youth Unemployment 2018). While highest in Gaza, this also reflects the dire economic reality of the West Bank. Domestic economic demand is insufficient to keep up with the labor supply. According to a UNFPA report, only 58,000 jobs are currently required to sustain the internal Palestinian economy (UNFPA 2017, 7). In comparison, the Israeli economy employs more than 80,000 Palestinians holding Israeli work permits and plans to increase this number to more than 100,000 in 2018. Further, movement restrictions mean that an estimated 35,000-42,000 Palestinians enter and work in Israel illegally (IRIN 2017; UNFPA 2017, 2).

Ultimately, the disproportionate youth population presents both an opportunity and a challenge for Palestinian society that will need to be managed to sustain the possibility of peace negotiations with Israel.

### **Notable Issues Facing Palestinian Youth**

Palestinian youth face two noteworthy challenges. First is the increasing dissatisfaction among the Palestinians with the current Palestinian Authority (PA). There is an overwhelming sentiment among the Palestinian youth that the PA is corrupt, out-of-touch with the younger generations and should be replaced. This has increased support for more extreme parties like Hamas. The PA is aware of this, which is why there has not been an election in more than ten years (Public Radio International 2018). However, lack of political legitimacy also weakens international support for the PA, decreasing development funding and harming the country overall (UNCTAD Report 2017). Successfully integrating youth into the administration will be necessary to ensure the stability of the Palestinian political system for the coming decades.

A second and potentially more devastating issue is the inadequacy of economic development planning in Palestine. A higher level of educational attainment correlates with lower levels of employment in Palestine (Dhillon 2009). While paradoxical on the surface, this suggests a fundamental incompatibility of the Palestinian labor force and the formal economy, to the extent that it exists. The increasing educational attainment of the younger generations will only make conditions worse as high-skill workers are forced to compete for low-skill jobs. Without significant economic development, the rapid population growth in Palestine will

outpace existing employment opportunities, leading to a decreased standard of living for the next generation.

Perhaps detaching from the Israeli economy is the obvious and necessary answer. It would free up labor and capital for the Palestinian economy. However, according to UNCTAD, without the Israeli market, unemployment levels in the West Bank would be greater than 36 percent (UNCTAD Press Release 2017, 14). This nears the catastrophic levels currently experienced in Gaza, which would be devastating to Palestinian society. Meanwhile, there is little potential for complete economic integration as Israel has its own population of high-skilled labor to draw from and any unfulfilled demand for low-skilled labor is easily met by migrant workers from countries like the Philippines (Margalit 2017).

### **Consequences of these Trends for the Peace Process**

When combined, the trends seen among the youth populations in Israel and Palestine have significant negative consequences for the peace process. Israeli Jewish youth are generally comfortable with the ‘status-quo’ and skeptical of the utility of further negotiations. They are more hardline than their parents, and more detached from the historical peace process. As a result, they have become disinterested in actively pursuing peace.

Meanwhile, Palestinian youth, especially those in Gaza, are increasingly dissatisfied with the current political leadership as well as their limited economic opportunities. These two trends create growing alienation and desperation in the occupied territories that may drive some vulnerable communities to violence both against Israelis and the current Palestinian administration. The increasing relative deprivation in Gaza relative to the West Bank only exacerbates these conditions (PASSIA 2017, 7). Whether directed internally or externally, renewal of violence would have a clear negative impact on the peace negotiations with Israel and prospects for sustainable peace.

While economic interdependence may be necessary for peace in the long run, it will need to take a fundamentally different form from the current economic “cooperation.” Economic conditions are more favorable in Israel, encouraging the proliferation of illegal migrant labor from the West Bank. This has benefits for out-of-work Palestinians and for Israelis who benefit from a large, unregulated source of cheap labor. Thus, in the short-term, it could be a confidence-building measure to grant increasing numbers of Israeli work permits to Palestinians. This would help alleviate the poverty facing Palestinians living close to the Green Line and promote interaction between the two societies.

In the long run, however, Palestine’s increasingly educated youth population is unlikely to be satisfied working as day laborers on Israeli settlements. Thus, while the current economic arrangement is marketed by Israel and the international community as progress, its deterioration is only a matter of time. Both Israeli and Palestinian policymakers should take heed of the state of the Palestinian economy and look towards a more sustainable Palestine as a precondition for peace, rather than just an outcome.

### **Leveraging Youth Empowerment to Promote Bottom-Up Support for Peace in Society**

Despite the negative attitudes among both Israeli and Palestinian youth, there is a clear desire among their parents to overcome challenges so that at least their children can have a better future. Youth empowerment and engagement might represent a new means to resolving the Israeli-Palestinian conflict that has not yet been addressed sufficiently by either side.

A “better life” for the next generation is highly contextual and can manifest in a variety of ways, leaving a lot of room for policy development and more sustainable bottom-up approaches to peacebuilding. On the Israeli side, many speak about a peaceful future where their children would not have to serve in the military. The Parents Circle—Families Forum successfully brings together victims from both sides to support bereaved families, a small sign of hope for building bridges across such divisive narratives. Hurt by the terror and violence of the Second Intifada, an otherwise apathetic Israeli society might be brought to the table because of their shift towards a family-focused, right-wing traditionalism, rather than in spite of it.

On the Palestinian side, parents dream of a better future for their children, with economic and educational opportunities that they never had access to. Israeli land-grabbing and demolition of homes are harmful not just because they are destructive, but because of the impact they have on future generations. For many fathers, heading a family that cannot pass land on to the next generation, or that lacks a home to support a son’s new family, is a deep, personal failure.

According to Palestinians, even isolated demolitions can have an impact on the broader Palestinian society. Men who do not have land cannot get married. Men who are not married cannot have children. Men who do not have wives or children are unable to get Israeli work permits. Thus, young men, already victimized, are left increasingly desperate and vulnerable to radicalization by extremist groups who prey on insecurity. If Palestinian organizations can frame their struggle and suffering in these terms, they might find a broader acceptance within moderate Israeli groups and certainly within the international community that values stability over identity.

In the pragmatic middle of the dreams of both these groups is the potential for cooperative economic development, which can be framed in a few ways to make it more likely to be mutually acceptable. The first way to understand economic development is as a confidence-building measure that works towards the peaceful resolution of the Israeli-Palestinian conflict. Economic development in Palestine will require unprecedented levels of cooperation with Israel due to the current entanglement of the two economies. Increasing communication between the two countries could improve coordination in important areas including energy, trade and transportation, providing benefits for Palestine with security oversight by Israel. This would help Israel and Palestine build the trust necessary for negotiations.

The second way of framing economic development is as an integrative measure between the Israeli and Palestinian societies that would make a peace settlement more sustainable. A common sentiment put forward by Palestinian youth is that they only ever see

Israelis as settlers or soldiers. While Israelis living in the settlements might interact with Palestinians as menial laborers, those living within the borders of Israel rarely see Palestinians at all, relying instead on footage of rock throwers and protestors in the media to shape their perceptions of 'the other.' Economic development that brings the two societies closer together will help to normalize relations, creating opportunities for mutual gain that do not currently exist and increasing the likelihood of a permanent peaceful resolution to the conflict.

The third way is to propose co-operative economic development activities as a preventive measure against radicalization. Young Israelis and their families are most interested in maintaining the stability and peace that Israeli occupation guarantees. They would likely be unwilling to agree to any negotiated settlement that jeopardizes it. Radicalization threatens the stability of Palestine by promoting alternatives to non-violent struggle, including independent violent acts against the military, acts of terror against civilians and even war. Young Palestinians who can envision a brighter future for themselves and their families would be less likely to be co-opted by radical groups in the region. Thus, economic cooperation limits the potential for radicalization and is in the mutual interest of both Israel and Palestine.

By combining these three motivations, policymakers can increase economic cooperation between Israel and Palestine. With development progress, it is possible that the next generation of policymakers will be more amenable to peace. Thus, decades of gridlock can begin to be undone in favor of a mutually beneficial, peaceful resolution of one of the world's most intractable conflicts.

## **Conclusion**

Ultimately, mobilizing the next generation of Israeli and Palestinian policymakers presents as many challenges as opportunities for changing the direction of the currently gridlocked peace process. Many on both sides are too young to have experienced life before the occupation, creating increasing dissatisfaction with the slow-moving negotiations. However, the burden of inaction is not equally shared, and the current conditions will likely prove unsustainable sooner rather than later. The security state has provided young Israelis the comfort of the status quo, allowing them to become more hardline in their political views. In contrast, young Palestinians face a never-ending occupation that denies them economic opportunity and livelihoods in the short-term as well as development in the long-term. Crushed under the weight of a political system that does not represent or even include them, the overwhelming defeatism on the Palestinian side is understandable.

While the outlook is grim for the peaceful resolution of the conflict in the coming years, there are policy actions that can be taken by both parties to try to make the next generation of policymakers more agreeable to peace in the future. This chapter proposes co-operative economic development activities between the two countries as a necessary step towards softening the resistance of both sides, which in the long-run will help overcome the gridlock facing the peace process. Economic development would help create the necessary foundation

for a future negotiation, building trust between the two parties and encouraging a general optimism towards peace that is currently lacking in the youth on both sides of the conflict.

It should be recognized that economic development cooperation is both insufficient as an end goal as well as non-trivial to implement. Many on the Palestinian side will argue that economic cooperation, even with auxiliary benefits to standard of living, represents unacceptable normalization of the Israeli occupation. In addition, many Israelis will argue that Israeli money spent on developing Palestine is only enabling a hostile and violent population fundamentally opposed to Israel's existence.

Nevertheless, Israel will never be safe or secure if Palestinian youth remain isolated and unable to achieve their full potential. New cooperative strategies will need to bring together policymakers from Israel, Palestine, the United States and the international community to empower the next generation on both sides of the conflict. In the absence of necessary political and economic reform, the conditions on the ground will continue to deteriorate, jeopardizing any peaceful resolution of the Israeli-Palestinian conflict.

### **Policy Recommendations**

Several policies can be undertaken by Israel, Palestine, the United States and the international community to better leverage youth dynamics of the conflict in a way that would create a future ripeness for negotiation.

#### To Israeli Policymakers

- **Correct the historical amnesia that exists within the Israeli youth through education.** Curricula should be updated frequently to reflect the most important developments in the peace process.
- **Improve access to and quality of education for Palestinian East Jerusalemites.** As education is an area of identified cultural overlap, this could improve relations between the Arab communities living in East Jerusalem and the Israeli Jews living in West Jerusalem.
- **Recognize that economic dependency is an increasingly poor replacement for development cooperation** between Israel and Palestine due to the socio-economic characteristics of the Palestinian youth.
- **Help Palestine mobilize the untapped economic potential of Palestinian youth that are currently un- or underemployed,** thus reducing the opportunity for anti-Israel radicalization.

#### To Palestinian Policymakers

- **Engage in comprehensive political reforms that get the younger generations more actively involved** in the electoral process by improving both transparency and accountability.

- **Invest towards a sustainable economic future based on mutually beneficial cooperation with Israel.** This creates economic security irrespective of the final status agreements.
- Recognize the medium-term comparative advantage in trades and **develop vocational training programs** that have sufficient prestige and opportunity for upward mobility that Palestinian youth will be attracted to them.
- **Invest in (re)construction and expansion of infrastructure in both the West Bank and Gaza.** This would reduce existing unemployment and attract the support of the international community.
- The international community speaks English as a second language and is increasingly accessible via the internet. **Palestine should capitalize on the young, English-speaking populations of both Israel and Palestine to mobilize international support for peace and development** through digital and social media campaigns.

#### To the United States

- **Help Palestine fight youth radicalization through economic opportunity.** Less American money would need to go to protecting Israel if Israel had less to defend itself against.
- **Refuse to support dangerous, destabilizing measures like the expansion of settlements and outposts well-beyond the Green Line.**
- **Rebuild America's reputation with the Palestinian people** by helping to fund cooperative economic development measures.
- **Continue funding international institutions like the United Nations** that provide a necessary counterbalance to Israeli dominance in the region and provide essential health and education services to Palestinian youth.

#### To the Non-US International Community

- **Put pressure on the United States to act as an honest broker in the negotiations** by highlighting and denouncing Israeli human rights abuses, especially those against children.
- **Help promote peaceful forms of international protest** so that Palestinian youth both in Palestine and abroad feel engaged in the peace process and are less likely to support more violent alternatives.
- **Incentivize the Palestinian Authority to implement necessary transparency and accountability reforms** by providing funding to youth outreach projects, helping Palestinian youth get involved in Palestinian politics.

## Military Occupation and Gender

Mona Oswald

After nearly 50 years of occupation ... Palestinians are losing hope. ... They are angered by the stifling policies of the occupation. They are frustrated by the strictures on their daily lives. They watch as Israeli settlements in the occupied West Bank, including East Jerusalem, expand and expand. ... [They] have lived through half a century of occupation, and they have heard half a century of statements condemning it. But life hasn't meaningfully changed. Children have become grandparents. But life hasn't changed. (Ban Ki-moon, UN Secretary General, 27 January 2016)

Every US president since Harry Truman has found himself embroiled in the Israeli-Palestinian conflict, and none has been able to solve it. Bill Clinton had a great photo opportunity handshake but, in the end, that was all he achieved. The same holds true for Nobel Peace Prize winner Jimmy Carter. President Obama did not fare any better. In the final days of the Obama administration, Secretary of State John Kerry waged an aggressive campaign to restart negotiations for a comprehensive peace deal. After failing, the unsuccessful Secretary of State joined a long list of partners; Yasser Arafat, Yitzhak Rabin, Ehud Barak, George Mitchell—who were also unsuccessful at resolving the conflict and achieving peace. With President Trump just having officially declared Jerusalem to be the capital of Israel upending decades of US diplomacy, we cannot help but notice that all of these failed leaders have something in common and it may be the reason why the process continues to languish. They are all men.

### **Why are Women Not Included in Formal Peace Processes?**

The number of women in charge of political decisions and policy making clearly demonstrates the lack of women involved in the peace process. Over the duration there have been only two women who have been allowed access: one Israeli Jew, Tzipi Livni, and one Palestinian, Hanan Ashrawi. After fifty years of failed peace negotiations, why aren't we asking new questions? Why has this conflict endured? Why are the leaders and policy makers, who have been involved in multiple failed attempts at peace, still so exclusionary? On January 25, 2018, the United Nations (UN) Security Council held its quarterly open debate under the agenda item "The situation in the Middle East, including the Palestinian Question." During the debate, representatives of Member States exchanged views on how to best support the Middle East peace process following the December 6, 2017 decision of the Trump administration to recognize Jerusalem as Israel's capital. Unfortunately, gender analysis and understanding the gender dimension of the Israeli-Palestinian conflict, as well as the understanding of the importance of women's meaningful participation and the capacity of women's groups to advance feminist peace in the region, remain missing (Peacewomen.org).

### **UNSCR 1325—Women, Peace and Security**

Since the passing of United Nations Security Council Resolution (UNSCR) 1325 in 2000, there has been a strong focus on the contribution women can make towards positive conflict transformation. It calls for incorporating women into peace initiatives in order to resolve violent armed conflicts, to help prevent conflicts, and to help rebuild countries once conflicts

have been resolved. The UN holds Resolution 1325 as a landmark document that promises to protect women's rights and guarantee their equal participation in peace processes.

In Palestine and Israel, however, women have had to cope with and resist political violence exercised by the Israeli occupation. UNSCR 1325 has made little difference to women's everyday lives.<sup>27</sup> The Resolution itself does not address the deep-seated issues at the root of gender inequality: patriarchy, notions of masculinity and militarized power (Cohn 2013). The struggles of women in the West Bank, Gaza Strip and Israel need to be explored in relation to feminist theorizing and women's struggles worldwide, as well as, in relation to Middle East politics, and to women's political activism in the region (Sharoni 2012, 113). This chapter will provide a gendered analysis of the conflict, discuss the effects of the prolonged military occupation on both Israeli and Palestinian women (and its implications on both societies), explore new frameworks to analyze its intractable nature and provide recommendations on where to go from here.

### **Israeli Women and Society**

One of the most striking examples of the gap between perceived and actual gender equality in Israel is the military. A prevalent talking point is the compulsory draft for both sexes. Indeed, Israel is one of the few countries where women have mandatory conscription. Nonetheless, women have been largely constrained in terms of the roles they play in the military. Once the Israel Defense Forces (IDF) were founded, and the nature of the military was standardized, women—who had occasionally served in combat positions in the pre-independence era—were officially placed in non-combat roles, or combat-support roles at best. The very vehicle meant to underscore women's empowerment and involvement in the heart of Israeli society actually entrenched gender separation. It codified sex segregation even as it promoted women's inclusion into a key state institution (Levanon Klein 2016). While 92% of all positions in the IDF are open to women, only a very small number of female soldiers actually serve in a combat capacity. There are also fewer women serving in advanced leadership positions, particularly in combat-related units (Levanon Klein 2016). The 8% of positions that remain closed to women are those in elite combat units.

A similar debate on the nuances of women's participation can be raised about Israeli society at large. Although Israel's female labor force participation is consistently above the global average, upon a closer look, you see where women actually end up in the workforce. In politics, many point to Golda Meir as an example of a great female leader. However, after Golda Meir, up until two decades ago, the number of female Members of Knesset was under 10% (Levanon Klein 2016). The current Knesset seemed to usher in improvement, with female Knesset members constituting a quarter of Israel's legislating body. The political party with the highest number of women in the Knesset is the Zionist Union with 9 women out of its 24 parliamentary representatives, followed by the Likud Party which currently includes 7 women out of a total of 30. Meretz is the only political party comprised of a female parliamentary majority—3 out of 5. By contrast, two parties, Shas and United Torah Judaism, banned women from even running for the Knesset (IDI 2017). In Israel, no more than 4 women have ever been members of the cabinet. The current cabinet was formed with only 3 women serving as ministers. There are 4 (17%) women currently serving as ministers in the Israeli government

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<sup>27</sup> While the Israeli military occupation does not account for all violence against women in both Israel and Palestine, this chapter focuses on the additional pressure of the prolonged has a direct impact on violence against women.

(IDI 2017). This low percentage stands in contrast to the trend in many other democracies. In addition, their representation (excluding Meretz) further empowers the conservative right and does not give any priority to gender equality. Cynthia Enloe argues, “the national political arena is dominated by men but allows women some select access.” Women who are able to enter or manage to “invade” that arena must be able to “successfully play at being men, or at least not shake masculine presumptions” (Enloe 2016).

Golda Meir and Tzipi Livni are two women who have been held out as examples of female empowerment in Israel. Meir, while being a female and provoking strong gender reactions, was not a feminist. David Ben-Gurion famously said that Meir was “the only man in the cabinet,” and her good friend Richard Nixon said, “she acted like a man and wanted to be treated like a man.” In an interview for *Newsweek* she said that “Women’s liberation was just a lot of foolishness; it’s the men who are discriminated against. They can’t have children and no one is likely to do anything about that” (*Newsweek* October 23, 1972).

Although she was a trailblazer, second-wave feminists in the 1960s disliked her, and she returned their ire, describing them as “crazy women who burn their bras and...hate men” (Cooper 2018). Meir resented attempts to turn her into a feminist icon. Despite the fact that her political life had begun in Zionist women’s groups, she forcefully stated that she had never belonged to any women’s organizations. As an active participant in helping establish the state of Israel, Meir focused on the fight for Jewish equality in the form of a Jewish state. Meir’s preoccupation with helping to establish the State of Israel fueled her aversion to feminism.

In 2009, Tzipi Livni almost became the second female Prime Minister of Israel, but her party was unable to form a coalition and the post went to Benjamin Netanyahu. Livni made it clear that she did not enter politics to push a “feminist agenda, but to find a solution to the seemingly intractable Arab-Israeli conflict” (Gazzar 2008). She came to the realization that there was in fact a connection between conflict resolution and empowering women, arguing that women offer traits needed to resolve conflict. But, she added, “the problem is that those traits are perceived as weakness” (Gazzar 2008).

Like many Western countries, Israel’s workforce is characterized by gender wage gaps.<sup>28</sup> This is not only due to women working fewer hours, but reflects lower average hourly rates, which results in over-representation of women in lower-paying jobs.<sup>29</sup> Gaps are higher among higher educated and managerial levels.<sup>30</sup> Although Israeli law is supposed to treat men and women equally, family law (which regulates marriage, citizenship, divorce, inheritance and certain property rights) discriminates against women since it is designed to accommodate religious beliefs.<sup>31</sup> “Relegating women to religious communities is a gaping black hole,” says Frances Raday, Professor Emerita from Hebrew University (Scheindlin 2018). She believes that women in Israel have relinquished much of the progress from Israel’s early years due to

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<sup>28</sup> For parliamentary representation Israel trails Bolivia, Cuba, South Africa, Spain, Belarus and Afghanistan, the OECD average and the UK too (although still ahead of the US). On the number of key ministers and municipal leaders, Israel performs even worse.

<sup>29</sup> Information on Equality and Social Justice in Israel.

<sup>30</sup> What really sets Israel apart from the other Western countries also facing such gaps is captured in the first, telling line of the report: ‘There is little public debate in Israel about the salary gaps between men and women.’ An article in January 2018 on the right-wing portal Mida categorically declared that pay gaps are both non-existent, and opposing them is the true chauvinism.

<sup>31</sup> A fateful compromise in the early days of statehood left personal status—marriage, divorce, including custody and alimony, burial and inheritance, in the hands of Jewish rabbinic authorities.

the tension between Jewish religion and secular democracy. Women's right to equality is seen as secondary to all other goals of the state.

Palestinian women who are citizens of Israel have one of the world's lowest participation rates in the labor market (21% in 2016) (World Bank 2017), while their Jewish counterparts have one of the highest rates. Though Israeli government officials have publicly stated that the country needs to boost the economy of Palestinians in Israel, particularly by promoting Palestinian women's employment, their statements have not been followed with action (Abu Oksa Daoud 2017).

### **Palestinian Women and Society**

Palestinian society is characterized by strong patriarchal structures, traditional norms and the teachings of the Quran, which to a large extent determine the role and life of Palestinian women. Over half of the women aged 15 years and above are married. In 2014, 1 out of 5 women aged 20-49 married before the age of 18 (PCBS 2015). Palestinian women, both Christian and Muslim, are discriminated against in matters of personal status,<sup>32</sup> especially when it comes to issues such as marriage, divorce, child custody, as well as their freedom of movement (a situation aggravated by Israel's separation barrier and checkpoints). In addition, women's protection by the penal code is weak. Violence against women is not outlawed and goes, along with honor crimes, widely unpunished. While women's organizations have successfully lobbied to end some of the discrimination, law enforcement is half-hearted.

Literacy rates among females have risen constantly over the last decade and reached 94.4% in 2014—one of the highest rates in the Middle East. In 2013, more women (12.2%) than men (8.9%) aged 15-29 years held a university degree (PCBS 2014). This female educational attainment is particularly remarkable taking into consideration that young women are much more likely to be forced to leave school because of the daily harassment to which they are subjected at Israeli checkpoints. However, despite the successful secondary school enrollment of women, this does not necessarily translate into women's improved social status.

Women remain underrepresented in decision-making bodies, public roles, senior administrative and political posts. This is evident in their limited formal government participation: only 1 of 18 PLO Executive Committee members, 5 of 22 ministers and only one of 16 governors is female (PCBS 2015). While this can be blamed to a certain extent on the geographic fragmentation and political divide in Palestine as well as the PA's limited jurisdiction, a large portion of women's low participation in public life can be attributed to social, economic, and cultural restraints inherent in traditional Palestinian society and its rather conservative view of women's political and civic engagement and rights, which is often labeled as "un-Islamic and unbecoming of the Muslim woman" (Buyukgul 2015). At the civil society level, there must be more awareness raising and advocacy efforts with regard to both the laws and practices discriminating against females, and of the lost potential that non-participating women pose for social and economic improvement.

### **A Narrative of Conflict**

Within Israeli-Jewish society, the constant concerns for Israel's security have helped reinforce an overt and covert militarization of peoples' lives. For Palestinians, the centrality of the conflict has manifested itself in privileging national liberation, not only as the primary ideology

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<sup>32</sup> Based on Shari'a law.

of the struggle against Israeli occupation, but also as a principal discourse that shapes certain ideas and ways of thinking about Palestinian identity and community.

National security and national liberation discourses are similar in that they view the potency and unity of the nation as superior to issues raised by private citizens and various social groups within that nation. As a result of the primary emphases on national security and national liberation, respectively, other social and economic problems within both Palestinian and Israeli communities have been rendered less important and thus put on the back burner until the Israeli-Palestinian conflict is resolved. Still, the differences between Israeli-Jewish and Palestinian nationalisms, which are often overlooked, are far greater than the similarities. They are based on fundamental differences in the history and social context of the two national movements and, most particularly, in the striking disparities of power and privilege between them. First, is the difference between institutionalized state nationalism and the nationalism of a liberation movement. Second, are the disparities in power relations between the occupying state and a population struggling to rid itself of that state's rule (Sharoni 1995, 37). These distinctions between Israel's discourse of national security and Palestinian discourses of national liberation are both theoretically necessary and politically important.

### **Gender, Militarism and Militarization**

“There are many factors that lead to gender inequality, but perhaps the most insidious factor impacting on gender relations, in a country such as Israel, is the militarization of society” (Golan 1997). In a situation of prolonged armed conflict and the chronic absence of peace, accompanied by a constant fear of war or terror, the military, as an institution, assumes a central role. With this role come the norms and values of the military. This is the case for Israel, which has been in a virtual state of war since its inception (Golan 1997).

A militaristic society often breeds militaristic women. In Israel, according to Professor Golan, “The military was, and still is, a central institution. It's there in giving birth to a male child (because you know that child is going to go on and to be a fighter), but its more than that. It is the way society looks at that male child; that he will grow up to be the protector. He is going to have a very special role in society and maybe actually sacrifice his life, and that gives men, boys, a certain sense of entitlement, beyond the usual sense of entitlement that I think men experience.” She emphasizes that in Israeli-Jewish culture, entering the army is the last stage of socialization for children entering adulthood. “So, if in this central institution, through which most young people move for two or three important years of their lives, if there is not equality within this institution, there will not be equality outside the institution. If and when they go through this last stage of socialization and there isn't equality between men and women, including a woman's role in combat, there will not be equality in society” (Golan 2017). As to her personal experience in the IDF she says, “I was in the army as a volunteer, I was in the Six-Day war, later I was in reserve duty for 3 years as an advisor on the status of women in the IDF and I argued and worked very hard to have equality in the military, to have women in combat, but research then showed us something very interesting. Serving in the army did not bring equality; something else happened, when the women in the IDF were given equal roles—military, combat, etc.— they adopted the male attitudes, including the male attitudes towards women. In the army, if you are weak, you are called a woman, and women serving in the IDF adopt this attitude. They adopted the male norms in the army and the male way of thinking so to speak; they adopted male behavior. In a sense, it's like what happens to women. In politics, many women adapt, it's the only way to be successful. An army needs hierarchy,

commands and aggressiveness. Can an army be different? Or do women have to adapt? Our experience is that women serving in the army even in combat, does not lead to equality, it does not lead to greater status for the women, but rather, the women are accepting and adjusting to the patriarchal structure of the military and its norms.”

Israel’s focus on security means that military affairs are the nation’s first priority. The militarization of society is achieved through the naturalization of militarism. Militarization is not itself an ideology but it is a socio-political process whose roots are driven deep down into the soil of a society (Enloe 2016). It serves to privilege masculinity in both private and public life. Feminist theorists have worked for decades to “make feminist sense” of war and conflict. Laura Sjoberg explains that since gender is an inter-subjective social construct in global politics, it is a necessary analytical category for the study of war or any other phenomenon in global politics. Furthermore, in feminist war theorizing, it is necessary to understand operative gender hierarchies in the symbolism, making, fighting, and experience of wars (Sjoberg 2013, 47). The concept of “(en)gendering”<sup>33</sup> war is to “disrupt and make visible the masculinized, militarized, racialized, sexualized and classed dynamics through which war operates” (Sjoberg and Via 2010, 21).

The argument is that “official war stories” camouflage interests, agendas, and politics that underpin conflict for the purpose of legitimizing and gaining support for militarization. From a very early age Israeli citizens are socialized to perceive the military in civil life as central. The IDF has always been involved in the educational system. They took part in agricultural and settlement projects, the integration of immigrants, and thus have been viewed as “the people’s army.” The ideological justification is fostered by security threat that keeps the military as the top priority. Israelis who serve in the army gain certain jobs and benefits only available to veterans and their families. Army service also provides a degree of prestige. A considerable number of ex-generals have gone on to become cabinet ministers. Retired Generals head state-owned corporations and agencies. The military and political elites are linked socially, giving officers direct access to political leaders. Israel’s militarization and national security priorities employ tens of thousands of people and wield considerable influence. In matters of security and foreign affairs, military involvement is seen as essential. Following the Yom Kippur War of 1973, there was a considerable increase in the economic role of the defense establishment with the growth of Israel’s military-industrial complex. Public as well as private firms produce defense-related services and equipment. Militarization has contributed to the preservation of a political structure in which women are under-represented. Men decide the way that security is defined and have the decision-making power concerning conflict. There is no understanding of the need for a gendered perspective on these issues.

### **Militarization and Gender Based Violence**

Regardless of the ethics, legitimacy, or necessity of Israeli militarism, living in a militarized society has consequences for domestic violence. Gender-based violence, such as sexual harassment, rape, and domestic violence, is a global phenomenon that occurs among military families and within military communities, during “peace time” and in times of war. In 2016, one in six female IDF soldiers was sexually harassed during their military service. When asked

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<sup>33</sup> Krista Hunt and Kim Rygiel coined the term “(en)gendering” to examine the central role that gender, race, class and sexuality play in war in their 2006 book, *(En)gendering the War on Terror: War Stories and Camouflaged Politics*.

about the atmosphere on their base, 60% said that there was a climate of sexual harassment (The Times of Israel, September 10, 2017). A number of researchers and activists have argued that military culture—shared norms, for example, regarding masculinity, sexuality, violence, and women—is “conducive to rape” and sexual harassment, as well as domestic violence (Morris 1996, 655). In addition, the masculinity studies carried out in the fields of sociology and social psychology show strong relationships between traditional, patriarchal norms and many types of violence. The IDF is not immune. Feminist scholars working on gender, masculinities and militarism have shown how patriarchal and hierarchal systems favor power structures that involve militarism. Militarism reinforces gender subordination by strengthening a societal structure in which the strong, masculine men protect weak and passive women. A vicious circle is thus in place, in which gender inequalities feed militarism, which in turn reinforces gender inequalities.

### Israel

The primacy of national security on the state agenda and an emphasis on military combat experience as a qualifying factor for political life have shaped domestic violence discourse in Israel. According to reports from battered women’s shelters and rape crisis centers in Israel, there was a sharp increase in male violence against women and children during the wars and their aftermath (Sharoni 2012). As a result, many more Israeli women began to address connections between the increase of violence against women and the politics of the Israeli-Palestinian conflict, which continue to legitimize the militarization of Israeli society.

Anthropologist Susan Sered acknowledged that although violence against women is “not unique to Israel. . . Israel does have the special problem of IDF weapons” (Sered 2000, 98). Soldiers carry their IDF-issued weapons around the clock, whether or not on duty. During a single week in June 2017, four women were murdered in Israel, all allegedly by people they knew. The violence sparked an outcry and accusations that the government and law enforcement agencies do not sufficiently protect women’s lives<sup>34</sup> (Scheidlin 2018). Strategies of and responses to abuse may be shaped by militarization. Militarism is one of the contexts in which men adapt strategies to coerce and control their intimate partners. Battering strategies or tactics may be locally specific, such as relying on military-based knowledge or authority to dominate intimate partners, using military-issued weapons to intimidate or harm, calling on women to honor political heroes and not expose them as “domestic terrorists,” mobilizing women to stay with men as part of their national duty and shaming those who try to leave, or exploiting militarized political, social, and economic conditions that sustain the entrapment of battered women (McWilliams, 1998).

Researchers for the Haifa Feminist Center, found that, between 2000 and 2005, 47% of Israeli women murdered by their partners or relatives were killed by security guards, soldiers or police officers who carried licensed weapons. Testimonies from Breaking the Silence, an organization of former soldiers describing injustices witnessed during military service, often relate feeling apathy towards human life, increased aggression and a loss of moral sensitivity as a result of serving in an occupying army. “All these patterns and behaviors are what we carry into civilian life,” says Avichay Sharon, the organization’s spokesperson. Enloe reiterates this link: “The military does not like to admit that being trained as a special forces trooper might endanger women when those same men come into a domestic setting” (Enloe 2016).

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<sup>34</sup> Global indices show that Israel has a higher rate of women homicide victims as a portion of all murders, than Pakistan, Indonesia, Iran, Mexico and the US, although lower than some Western European countries.

### Palestinian Occupied Territories

According to the Palestinian Central Bureau of Statistics (PCBS), some 37% of married women have been subjected to some form of domestic violence by their husbands (29.9% in the West Bank compared to 51.1% in Gaza Strip), mainly psychologically (58.6%), economical (55.1%) or social (54.8%), but also physical (23.5%) and sexual (11.8%). Of the never married women aged 18-64 years, 30.1% had been physically and 25.6% psychologically abused (PCBS, 2011). Women seek safety and support due to the stress of increased family interaction caused by Occupation-induced unemployment, curfews, border closures, popular strikes, etc. (Goldenberg 2001). Women often refrain from pressing charges due to social norms, the lack of support, the lack of an “alternative” place to go, or for the sake of their children. Furthermore, they rarely use societal or legal support as the prevailing belief in society is that this is a private matter between spouses and that the ‘honor’ of a family is largely judged by the actions of the women.

Professor Shaloub-Kevorkian<sup>35</sup> explains how Palestinian’s women’s bodies are being weaponized to fight, cope, revolt, protect, secure and defend. The decentralization of warfare, especially after the second intifada, makes everyone a potential target of military attack (Shaloub-Kevorkian 2009, 113). Another manifestation is the elevation of more conservative and patriarchal forms of control over women and girls to shield them from dangerous and potentially “dishonoring” contact with Israeli soldiers. Actual or feared rape and sexual abuse and the phenomena of imposed early marriage or abandoning education to keep girls “safely” at home are variants of weaponization (Shaloub-Kevorkian 2009, 203). Living in a state of siege within a militarized society creates silences around the domestic victimization of women in contrast to women’s high level of awareness of state-based militaristic oppression and discrimination. It is more difficult for Palestinian women to confront their victimization at the hands of intimates than to articulate a critique of the victimization perpetrated at the hands of an external enemy.

### **Feminism and Peace: Seeing Connections**

Having analyzed the damaging effect of prolonged war and militarization on Israeli and Palestinian women, we can start to study ways to resist. Perhaps the most obvious connection between feminism and peace is that both are structured around the concept and logic of domination. Although there are many varieties of feminist theory, all feminists agree that the domination/subordination of women exists, is morally wrong, and must be eliminated. Most feminists agree that the social construction of gender is affected by such multiple factors as race/ethnicity, class, affectional preferences, age, religion, and geographic location. So, in fact, any feminist movement to end the oppression of women will also be a movement to end the multiple oppressions of racism, heterosexism, ageism, ethnocentrism, anti-Semitism, imperialism, and so on (Warren 1996, 2).

### **Israeli Women’s Movement**

American Jewish feminism inspired the strategic and ideological connection between women’s activism and peace activism. In the early days of the Israeli peace movement and women’s movement, American-born feminists were highly visible and influential in both. The values of

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free speech, democracy and equal civil rights were deeply rooted in their American framework, and helped make the connection between feminism and Palestinian rights.

Israel has a well-established feminist women's movement. Many organizations work to promote peace, and campaign against the militarization of Israeli society and the occupation of Palestine. Many push for women's rights by working to eliminate violence against women. Palestinian women with Israeli citizenship work to strengthen themselves as actors in Israeli society. In the 1990s, intense advocacy by the women's movement led the Israeli parliament to pass progressive legislation on women's rights, as well as against domestic violence, human trafficking and discrimination in the workplace. The persistent effort to draw attention to violence against women resulted in establishment of several shelters in Israel and pressure for existing laws to be fully implemented.

The Israeli occupation of southern Lebanon in 1982 was the starting point for the Israeli women's peace movement. Israeli women formed the "Women in Black" network, whose members protested against the occupation policy in silence, dressed in black. Historically, cooperation between Israeli and Palestinian peace activists has played a key role in the process since it developed during the First Intifada (1987-1993). However, since 2005, and in particular after the Gaza War in 2008, it has become more difficult for Israeli and Palestinian women to meet. This is partly due to the creation of the separation wall, roadblocks and other physical barriers, but also because of the "anti-normalization policy" pursued by Palestinian civil society. In addition, under pressure from religious powers, war and male violence, the progress for Israeli women has been halted (Scheidlin 2018). Human rights defenders and peace organizations have also come under increased pressure from the Israeli right wing government.

Women's organizations are working in a social context that is increasingly conservative, both politically and religiously. Women who work for peace and oppose the occupation are often subjected to smear campaigns and threats. They are also limited by laws that make it harder for organizations to operate. For example, organizations that acknowledge Nakba or "the Catastrophe," as Palestinians call the anniversary of the Israeli Declaration of Independence, are not entitled to state funding. Freedom of speech has become more restricted and democratic boundaries have tightened, which is a major concern for women's rights and peace activists ([kvinnatillkvinnafoundation.org](http://kvinnatillkvinnafoundation.org)). At the same time, threats, arrests and abuse by authorities are becoming more common. Joint peace efforts have become more difficult because women's organizations find it increasingly hard to find common ground.

While Palestinian and Israeli women's involvement in dialogue, demonstration and political action to end the Occupation has given them a greater political voice, it has also exposed internal conflicts among and within these groups. Because 'administering' the Occupied Territories has consistently put Israel in a position of conflict with the Palestinian population there, Palestinian women of Israel have had to cope with the dilemma of being citizens of a state that oppresses the nation with which they identify and does not recognize their own needs as a national minority within Israel. As the similarities between the two are crystalized, the differences between Jewish and Palestinian women of Israel have become clearer.

Israeli Palestinian women, even in women's forums, have found that their needs are frequently not being addressed. Palestinian women of Israel face a fundamental conflict between their civil identity as citizens of Israel and their national identity as members of the Palestinian people. They are trapped in three circles of discrimination: along with Jewish

women in Israel's macho and militaristic society; with Palestinian men as part of the country's Arab minority; and as Arab women within the patriarchal Palestinian society. In addition, women from different communities are affected by these pressures differently, an educated urbanite from Haifa, for instance, has more resources at her disposal than a Bedouin woman from the Negev desert. The problems that all Palestinian women face are compounded because of how these three circles interact and reinforce one another.

### **Palestinian Women's Movement**

The roots of women's formal organization go back to 1921 when the first Palestinian women's union was founded. By the late 1930s many women's organizations had formed with an increasingly politicized agenda, although only a tiny percentage of women actually participated actively. After the 1948 Nakba and the dispersal of the Palestinians, women's organizations were transferred to the Diaspora. They assumed a number of vital roles, including substituting for state services (Toubia 1988). The rise of the resistance in the mid-1960s and the forming of the PLO and its women's wing was a turning point for the women's movement (Petee 2010), although its activities were mostly traditional, i.e., charitable, and encouraged the participation of women in political life as active housewives rather than on equal terms with men (Warnock 1990).

In the aftermath of the Israeli 1967 occupation, despair grew, but also led to a sharp rise in women's participation in all kinds of resistance, from demonstrations and sit-ins to sabotage (Najjar 1993). In the 1970s and 1980s a number of strong women's organizations emerged that went beyond charitable work to build a politicized and united women's movement. However, women's issues were seen as conflicting with nationalist concerns. By the time of the First Intifada, national liberation was widely considered the central issue for all. Following the Madrid conference in 1991 and in the aftermath of the Oslo Accords in 1993, Palestinian and Israeli women, like their counterparts in other conflict zones, called into question the absence of women from the official mediation and negotiation processes (Sharoni 1995). As a result, the Palestinian delegation to the Madrid Peace Conference included three women: Hanan Ashrawi, Zahira Kamal and Suad Amiry. All three earned their place in the Palestinian delegation because of their involvement at the grassroots level and the earlier participation in women's peace initiatives (Sharoni 1995). Ironically, because all three women were residents of East Jerusalem, Israel vetoed their presence at the official negotiation table. Ashrawi spoke in a different voice, introducing a feminist perspective to peacemaking and peace building, she knew a woman's approach to the talks was fundamentally different from the men's. Ashrawi "looked at peace making not as a personal agenda for power, but as a set of issues dealing with life and death" (Sharoni 2012). After Oslo and the advent of the PA, women shifted the focus to the NGO sector to advocate for the equal rights of women, work towards gender-empowerment strategies, and contribute to Palestinian state-building.

Today, the Palestinian women's movement works on women's political participation, legal aid, psychosocial support and women's self-sufficiency. The movement is based on the view that national liberation and women's liberation are closely linked and interdependent. To improve the status and situation of Israeli and Palestinian women requires legislation that eradicates gender-based discrimination in all aspects and domains (including working/hiring, wages, family violence, marriage, etc.) and allows for the effective enforcement of gender quotas (including in government ranks and other realms of the public sector). Israeli occupation policies of territorial (and political) fragmentation, spatial separation and mobility restrictions

have had a severe damaging impact on the Palestinian economy and society. In addition, these control policies have had an impact on women's activism. Women are divided not only geographically (between and within the West Bank, Gaza, East Jerusalem and the Diaspora), but more importantly, their contexts and predicaments are widely varying: refugees, West Bank and Gaza citizens, East Jerusalemites and Palestinians with Israeli citizenship all have different access to rights. This wide variation and fragmentation complicates women activists' efforts to organize a united agenda. Women's rights in Palestine thus cannot be dealt with in isolation; the impact that the occupation and political conflict have on women's legal, social, cultural, educational, economic and political status is crucial when looking for possible strategies to empower women.

### **Israel's NGO Law**

Women's civil society engagement is vital for sustainable peace building. Civil society organizations and women's non-governmental organizations (NGOs) provide essential services and are working to promote equality for women and girls. In fact, the adoption of UNSCR 1325 resulted from feminist advocacy by civil society organizations and women's groups that sought to bring the suffering, exclusion and marginalization of women world-wide, as well as gender issues during conflict and peace processes, to the attention of the Security Council and its members (Pratt 2013). In Israel and Palestine, women activists and their organizations are facing restrictive legislation constraining their peace and human rights activism and undermining their ability to receive and process funds that sustain their work. Israel's new law regulating NGOs targets human rights organizations and other groups that criticize the government with onerous reporting requirements for donations from foreign governments. The law, written to exempt many organizations that support government policies and settlement activities, sets back freedom of association in Israel (HRW 2016). According to Israel's Justice Ministry, the law would apply to 25 groups, most of them human rights organizations run by Palestinian citizens of Israel, or advocacy or research groups associated with the political left—opponents of the current government. Most are critical of the Israeli government's policies regarding Palestinians, asylum-seekers and other non-Jews. The law does not apply to groups that receive funding from nongovernmental foreign donors, as many groups supporting Israeli settlement activities do. Sari Bashi with Human Rights Watch said, "If the Israeli government were truly concerned about transparency, it would treat all groups the same—not appear to target those that criticize the government's policies....A free and functioning civil society is an essential element of a healthy democracy," the statement said. "Governments must protect free expression and peaceful dissent and create an atmosphere where all voices can be heard" (HRW 2016).

While the NGO law does not explicitly refer to left-wing organizations, they are likely to be the most affected as right-wing NGOs supporting Israel's presence in the West Bank tend instead to rely on private donations, particularly from the United States. These restrictions further highlight the power the Israeli government exerts over the Palestinian cause and the limited options that Palestinians have to resist the occupation. Netanyahu sees this as putting an end to "funneling money to all sorts of organizations, including those that defame IDF soldiers" (HRW 2016). In addition, he has stated he would not meet with diplomats who visit Israel and meet with these organizations. These additional strictures impede outside efforts to bring attention to and assist with the struggle for self-determination of the Palestinian people.

### **Transnational Feminism**

If Israeli women have benefited from a European and American feminist heritage from which they have been able to progressively disassociate themselves, thanks to their territorial and political footholds, Palestinian women have long remained “prisoners” of a national battle without a sovereign territory of action (Marteu 2012). The political and humanitarian crisis in Palestine has increasingly intensified, making it a permanent issue for international women’s gatherings since the early 1970s. Over the past four decades, feminists in the Global North have persistently tried to address the plight of Palestinian women as political prisoners, as well as the rise in Palestinian infant and maternal mortality (resulting from delays at Israeli military checkpoints) (Sharoni 2015). Efforts to improve the situation have had limited success due to pressure from the Israeli government and its US supporters. Feminists in the Global North have yet to take the basic step of holding Israel accountable for perpetuating the violence and injustices that it triggered and continues to feed. Palestinian women are more oppressed by Israeli policies than they are by Palestinian men (Lloyd 2014). A Palestinian woman’s freedom of movement, her right to an education, to vote, to work, to live where she wants, to have sufficient food, clean water, and medical treatment in her homeland are denied to her not by Palestinian men, but by the illegal occupying power, Israel (Abdulhadi, Alsultany, and Naber 2011).

There are, however, promising signs of an emerging transnational feminist solidarity in response to the political and humanitarian crisis in Palestine. Foremost among these actions is the emergence of the Boycott, Divestment and Sanctions (BDS) movement, which has created a new momentum as a clear feminist response to the crisis in Palestine (Lloyd 2014, Bhandar 2014, Sharoni 2015, Olwan 2015, Saar 2016). The call for BDS was officially issued in July 2005 by over 175 Palestinian civil society organizations, including many women’s groups.

On November 25, 2015, the National Women’s Studies Association (NWSA) became the first gender-focused mainstream academic association to endorse BDS. The NWSA vote came on the heels of similar votes by the Asian American Studies Association (AASA), the Native American and Indigenous Studies Association (NAISA), the American Studies Association (ASA), and other national professional academic associations. It is their belief that the Palestinian struggle and the campaign for boycott, divestment and sanctions is a feminist issue.<sup>36</sup> “It may be, indeed, above all, a feminist issue” (Lloyd 2014). While a number of academic associations, in the United States and elsewhere, have endorsed an academic boycott, they have largely done so in the name of anti-racist or anti-colonial solidarity. Inspired by the achievements of the South African anti-apartheid movement of the 1980s, the BDS movement has grown steadily as an expression of solidarity with Palestinians among trade unions, religious groups, academic associations and student unions. The movement represents an attempt to hold the Israeli government and military accountable for their actions and to demand justice for victims. Feminists who support BDS resolve to hold Israel accountable for denying basic rights to Palestinians (Sharoni 2015).

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<sup>36</sup> The National Women’s Studies Association declared its support for a boycott of Israel and called for feminist solidarity with the Palestinians. As feminist activists, scholars, teachers and intellectuals who recognize the interconnectedness of systemic forms of oppression, we cannot overlook the injustice and violence, including sexual and gender-based violence, perpetrated against Palestinians, the group wrote. This resolution is an act of transnational solidarity aimed at social transformation for a better world (NWSA).

Transnational feminist solidarity has always been focused on the needs of the oppressed, linking an analysis of gender inequalities with other forms of oppression and violence. It is this rationale that has led many feminists to endorse BDS. Another positive sign for transnational feminist solidarity occurred with the election of Donald Trump as the United States President. While it may not be viewed as good for women, Trump has revived the women's movement worldwide. The Women's March on Washington led to 600 sister marches in more than 75 countries around the world with the policy platform of "Unity Principles," which includes the belief that "gender justice is racial justice is economic justice." Although successful, the revived movement poses new political challenges for Jewish feminists. This came in the wake of the controversial platform of The International Women's Strike, which called for the "decolonization of Palestine" (Dreyfus 2017). The Women's Strike, or a Day Without Women, was intended to be the first major follow-up event to the Women's March, which attracted a record-breaking 500,000 participants and nearly 3 million worldwide. Most feminists would agree that we need to think about gender inequalities in an intersectional<sup>37</sup> manner, identifying and challenging the specific configurations of power and inequalities that circumscribe women's and men's lives. In practice, however, certain power relations like patriarchy, capitalism and racism might be better understood and more widely acknowledged than others. Yet, colonialism and imperialism are also key configurations of power that intersect to severely impact Palestinian as well as Israeli women's lives. Therefore, a strong argument also exists that gender equality for Israeli Jewish women is also impossible without a challenge to Israel's settler colonial structures and policies (Sharoni 2015).

### **Conclusion**

Feminist movements in Israel and the Palestinian territories were created by local or regional sociopolitical processes and events, and are the product of transnational and circulatory processes. These movements are a result of the history of diasporas and migrations of Jewish and Palestinian populations throughout the twentieth century. Thus, Israeli and Palestinian feminisms are the product of intersecting social developments where gender issues have never been disassociated from national, ethnic, and identity issues (Marteu 2012). The continuation of the Israeli occupation of Palestine for more than fifty years has undeniably weighed on the feminist formulations of Israeli and Palestinian women, which have been structured in parallel, reflecting one another, often in opposition and sometimes in dialogue with one another. This axis reveals areas of interlocking opposition and influence, but also of power between feminist movements integrating a fight for gender emancipation anchored in antagonistic and hostile political struggles. Within this axis is an opportunity for solidarity. Feminists cannot take sides. Feminism is a movement not only for individual liberation, but for structural change in order to build a more just society. For Palestinian and Jewish women, engaging in a cooperative struggle does not mean taking sides but coming to an understanding that security cannot be built on others' insecurity.

Israeli and Palestinian women are both fighting oppression, militarization and occupation. This battle is not a zero-sum game. The Israeli peace movement as a whole is

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<sup>37</sup> "Intersectional feminism" is a term to explain how the feminist movement can be more diverse and inclusive. If feminism is advocating for women's rights and equality between the sexes, intersectional feminism is the understanding of how women's overlapping identities—including race, class, ethnicity, religion and sexual orientation—impact the way they experience oppression and discrimination.

currently inert, with no peace process in sight for some years now. As Bat Shalom<sup>38</sup> women have always argued, equality is indivisible. That women are unequal citizens in Israel is related to the inequality of Israel's Palestinian citizens on pragmatic measures of income, health and education. That in turn is linked to the gross inequality of Israel and the Occupied Territories. As Sonia Zarchi, formerly Bat Shalom said, "There can be no equality for women in relation to men or equality on any other dimension, until there is equality between Arab and Jew" (Cockburn 2012). "All equalities come, or fail to come, together." Cockburn concludes, "In this scenario, for the occupation to end, Israel must be reborn" (Cockburn 2012).

When outside assistance is needed most, however, US President Donald Trump released two statements that shook the world. First, he declared Jerusalem the capital of Israel. Second, he threatened that his administration would withhold aid from nations that voted in the UN Security Council and General Assembly against his Jerusalem declaration. Thus, the Palestinians in the West Bank and Gaza have limited options. This coercive action by the United States will drastically reduce access to food, education, healthcare, social services and employment and it threatens the security of millions of Palestinian women who will suffer the most. The Palestinians need somewhere to turn. They have nothing but their dignity to negotiate with and that is too high a price to pay.

Empowering women to participate in resolution of the Palestinian-Israeli conflict will lead to better outcomes than we have seen when it is only men engaged in the process. Empowering women will transform the entire political-military structure—and that is exactly what it will take to have peace. Nothing else has worked.

## Policy Recommendations

### For the Israeli Government

- **Implement UNSCR 1325.** In 2005 Israel was the first country in the world to pass UNSCR 1325. To date, it has not been successfully implemented.
- **Implement CEDAW recommendations without reservation.**
- **Educate Israeli public on CEDAW.** There is inadequate knowledge of the rights of women under the convention in government as well as society at large.
- **Prohibit both direct and indirect discrimination against women.** Human Dignity and Liberty, which serves as Israel's Bill of Rights, does not contain a general provision on equality between women and men.
- **Address all violence against women.** Put an end to impunity for gender-based violence, including sexual exploitation and sexual harassment.
- **Support women's NGOs.** Ensure that civil society organizations and women's NGOs are not restricted with respect to their establishment and operations and that they are able to function independently. Provide an environment for the establishment and active functioning and involvement of women's and human rights organizations in promoting the implementation of CEDAW.
- **Increase women in public office.** Create more incentives for political parties to include women on their lists at both the local level, as well as the national level.

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<sup>38</sup> Bat Shalom is a feminist Israeli-Palestinian non-governmental organization and one of the organizations of the Coalition of Women for a Just Peace.

To the Palestinian Leadership

- **Make nation-building gender neutral.** Even in the absence of a defined path to statehood, it is important to set up the institutions necessary for a modern Palestinian state. The vision needs to revolve around democracy, justice and respect for women's human rights in order to provide a suitable social, health and educational system to ensure active, equal and genuine participation.
- **Systematically collect sex-segregated data, employ quotas when necessary and use or create rosters of professional women.** Transparency is essential.
- **Mandate women's participation in any future peace agreement.** Politics need to be informed by human rights rather than nationalism.

To the United Nations

- **Address abuse in more than words only.** Violence against women is a major obstacle to women's participation in peace and democracy processes. Violence takes many forms and is present in different levels and in all parts of society and the UN is not immune.
- **Establish gender equal organizations within the UN.** The UN should lead by example advocating women's participation and women's human rights. If the international community's organizations are gender-equal and include women at all levels, this sends important signals in the local context.

To the International Community

- **Support international recognition of the state of Palestine in the UN.** Ending the occupation is fundamental to the security of women in Israel and Palestine.
- **Show solidarity by allowing citizens to express freedom of speech.** Do not pass laws prohibiting those who support the Boycott, Divestment, and Sanctions (BDS) movement.

To the Donor Community

- **Increase Pledges to UNRWA in Wake of the US Move to Defund.**
- **Support new Initiatives in Palestine to show solidarity.** Support additional NGOs that offer assistance to the Palestinian struggle; with particular focus on peace workers and women's empowerment. More awareness and advocacy with regard to both the laws and the discrimination against females and implementing CEDAW.

To Palestinian Civil Society

- **Non-Violent Resistance Movements.** Armed resistance has been ineffective and gives the occupation the justification to punish with impunity. Non-violent campaigns have historically been much more successful. Non-violent activities entail empowering processes which give people pride in their group identity, and sense of community as they work together to fight wrongs.
- **Work with Members of Israeli Civil Society.** Educate each group about the humanity of the "other." The occupation separates these two populations and virtually makes

them invisible to each other. The fear of the unknown needs to be resolved. This education will take down walls and build bridges of support.

#### To Israeli Civil Society

- **Educate Israeli students about the “other.”** Palestinian and Israeli lives are intertwined and their futures interconnected.
- **Start a feminist inclusive movement to target all Israeli society.** New language that is inclusive, empathetic and addresses the real needs for women and security.
- **Bring Palestinian women’s voice to the international community.** Help them forge connections in the international community.
- **Mobilize a coalition of women’s groups under a united agenda grounded in an understanding of Israel’s key challenges.** Create networks platforms advocacy campaigns exchange information and cooperate with and support each other. Step up to activism. Connect domestically and internationally.
- **Encourage Jewish and Palestinian gender solidarity.** For many activists, gender solidarity between Israeli and Palestinian, Jewish and Arab (and Muslim and Christian) women, is based on a comparable experience of discrimination. They do not have to agree on all points, but they can come together and create awareness to end the occupation that creates the militarization of the two societies.

#### To the Transnational Feminist Movement

- **Show solidarity for the Palestinian struggle.** Engage with the Palestinian popular resistance to strengthen the resilience of the Palestinians and also to feed into and nurture the growth of a transnational movement of solidarity and support.
- **Work with global grass roots networks.** International contacts can amplify the message from the Palestinians, and offer access to information and knowledge about the cause to solicit more support.
- **Offer access to local Palestinians to your global network.** Palestinian influence on the Israeli occupiers is relatively low. Allow them to reach out to external actors in networks, naming and shaming their oppressors, with the goal of putting international pressure, on the Israeli government.
- **Support Palestinian popular resistance.** This is crucial for Palestinian society to maintain a high moral ground and to protect and encourage one another as they resist the mounting oppression. Research on the effectiveness of violent and non-violent campaigns in the world finds that non-violent activism was more effective, since it provides legitimacy and encourages broad participation. Boycotts, one such endeavor, work against immoral regimes.

#### To the American Jewish Community

- **Create solidarity among American Jewish peace organizations.** There are many organizations such as Americans for Peace Now, New Israel Fund, and J Street organize and mobilize pro-Israel, pro-peace Americans. The American and Israeli

peace camps should partner and collaborate to form a critical mass that can create awareness.

- **Encourage solidarity with Israeli academia.** There are Israeli authors who support boycotting settlement activity and who work for bringing injustices against Palestinians to light, but oppose the blanket BDS. These are members of academia who identify with feminist theory and gender equality.
- **Solicit media partners to assist in sharing the message.** Israelis can affect the opinions domestically and internationally.



## Palestinian Refugees and the Right to Return

Emma D. LaFountain

One of the most challenging issues in the Israeli-Palestinian conflict is the “right of return”—the demand that millions of displaced Palestinians must be allowed to return to their property now in the state of Israel. Israel has made it clear that it will not agree to returns because the resulting Palestinian majority would destroy the Jewish nature of the state, yet Palestinians have refused to compromise on this issue. It has been addressed only marginally in all previous peace negotiations by Israeli and Palestinian leaders. Furthermore, it is not covered by the territory-for-security formula found in UN Security Resolution 242 that guided the Egypt, Jordanian, and Syrian negotiations (UN Security Council Resolution 242, 1967). It was one of the issues included in the Declaration of Principles in the Oslo Accords, deferred to the final status negotiations with the assumption that over time sufficient mutual trust would develop to allow the parties to reach an agreement. Unfortunately, trust only diminished between the two parties and a resolution of the refugee issue was never agreed upon.

This chapter seeks to assess the Palestinian refugees and the right of return as a major issue of contention in the Israeli-Palestinian conflict. It will examine the events that led to the current displacement issues from both perspectives and identify the role of key actors and stakeholders in a potential repatriation process. Policy recommendations for the future will be based on three approaches: returns, absorption in host countries and in a future Palestine, and compensation.

### Background

The Palestinian refugee crisis began in 1948 following the UN’s partition decision, known as UNGA Resolution 181, which formally declared Palestine partitioned into an Arab and Jewish state (UN General Assembly Resolution 181, 1947). Approximately 750,000 Palestinians left their homes during and after the subsequent conflict (UNRWA). In 1967, another war erupted, and approximately 300,000 people were displaced (Brynen 2007, 1). This Six Day War resulted in Israel’s taking control over the West Bank and Gaza. In 1993, Israel agreed to a provisional stage of Palestinian self-governance in the West Bank and Gaza, in what is now known as the Oslo Accords (Dumper 2006, 2-3). Refugees and the right to return were deemed final-status issues that would be negotiated later. The Accords did request immediate negotiations between Israel, the Palestinians, Jordan, and Egypt on the “modalities of admission of persons displaced from the West Bank and Gaza in 1967” (The Avalon Project 1993). Unfortunately, nothing of permanent significance regarding refugees and internally displaced persons has happened to date, and no major strides have been made since then in terms of a final settlement; rather, negotiations have collapsed (Agterhuis 1996, 1).

Seventy years after the initial displacement, the number of displaced Palestinians has increased to 5.59 million as of 2016 (Palestine Central Bureau of Statistics 2017, 7-10). About a third of these live in refugee camps in the West Bank, Gaza, Jordan, Syria, and Lebanon. These camps are administered and funded by the UN Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA). The conditions in the refugee camps are generally poor as they are overcrowded and lack basic infrastructure. The displaced refugee population continues to grow, rendering the problem ever more difficult. The result has included human suffering and political instability that has endured throughout the Middle East since 1948.

### **Divergent Narratives on the Right to Return**

Israeli Jews and Palestinians approach the issue of refugees and the right to return from different perspectives and have notoriously disagreed on who is to blame for the Palestinian refugee problem. For both, exile from their land serves as the foundation upon which the right of return stands and forms an essential part of each peoples' identities. It is imperative to have an understanding of both narratives in order to attempt to find a solution for the Palestinian refugees.

Jews trace their roots in what is now Israel and the West Bank to 1300 BCE. They were exiled from their land both in 586 BCE and again in 70 CE and subsequently scattered throughout the world. Jews have ever since maintained the goal of one day returning to their homeland. Jewish people experienced pain and persecution repeatedly and were the victims of violent anti-Semitic attacks, constantly moving to places where they were not persecuted—only to face persecution once again (Laqueur 2016, 42-57).

The Zionist movement to create a Jewish state in Palestine began in the late 19<sup>th</sup> century (Laqueur 2016, 42-57). In 1917, Foreign Secretary Arthur James Balfour wrote a letter to British Jewish Community Leader Lord Walter Rothchild. The letter, now known as the Balfour Declaration, announced the British government's commitment to establish a national home for the Jewish people in Palestine. The letter also postulated that "nothing shall be done which may prejudice the civil and religious rights of the existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country" (Laqueur 2016, 16). It was in 1948, with the establishment of a sovereign state called Israel, that the Jews' version of the right of return became a possibility. The concept of returns became a legally tangible reality for the Jewish people with the passing of the "Law of Return" in 1950. It originally stated that every Jew had the right to come live in Israel and obtain citizenship. In 1970 the right was extended to anyone who had a Jewish spouse or at least one Jewish grandparent (The Law of Return 1950).

Jewish Israelis argue that the majority of Palestinians fled in 1948 either of their own accord or in response to urging by the invading Arab armies that were anticipating a hasty victory. Thus, from the Jewish perspective Israel is not responsible for the Palestinian refugee problem. Jews have repeatedly emphasized that Israel will not jeopardize the existence of their state by allowing Palestinians to return. As the Palestinian refugee population continues to grow, so does Israel's fear that a return of Arabs would create a demographic imbalance and threaten the Jewish majority in Israel. Israel also fears that returns would incite a wave of Palestinian irredentism (Chiller-Glaus, Picard, and Cohen 2007, 70). Israelis have trouble comprehending why Palestinian refugees, if given the opportunity to move to their own country, would be interested in returning to land that is now in Israel. The only explanation they have is that Palestinians hope to undermine Israel's existence as a Jewish state (Agha and Malley 2002, 15).

The right of return also serves as a central tenet of Palestinian identity. Palestinians believe that Jews forced refugees to flee their homes and property or that they fled out of fear of being assaulted or harmed by the Israeli forces. Palestinians thus blame Israel entirely for the plight of the Palestinians and regard the right to return as vital and validated by the international community and international law. Specifically, UNGA Resolution 194 states that "refugees wishing to return to their homes and live at peace with their neighbors should be

permitted to do so at the earliest practicable date and that compensation should be paid for the property of those choosing not to return...” (UN General Assembly Resolution 194, 1948).

Palestinians expressed concern about the influx of Jewish immigrants beginning in the 1880s. Palestinian identity began to develop in response to this threat, in particular the Jewish conviction that the land of Palestine belonged solely to the Jewish people (Laqueur 2016, 21-23). As a result of the creation of the state of Israel, Palestinians experienced instability, dispersion, and fragmentation, causing them to scatter across neighboring Arab states and other lands. The injustice of the expulsion from their land has defined the Palestinian narrative and identity, arguably more than their longing to establish a future sovereign Palestinian state. The displacement of Palestinians in 1948 and 1967 resulted in a concept of the right of return that mirrored that of the Jewish people: a desire to return to ancestral land that served as the essential cornerstone of Palestinian cultural identity.

### **The Prospect of Palestinian Repatriation and Local Integration**

A peace agreement could involve a mixture of reparations and local integration. The choices will be contingent on negotiation compromises and economic viability. There are several key issues that need to be addressed regarding the repatriation of the Palestinian refugee population: compensation, host country integration, and the role of UNRWA.

#### Compensation

A key part of the process for those refugees who are unable to return to their homes is compensation. Under UNGA Resolution 194, “compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible.” Compensation can materialize in several forms, including financial compensation, restitution of lost properties, acknowledgment of harm caused, or a combination of all the above (UN General Assembly Resolution 194, 1948).

There are several forms of compensation available to address the right of return for Palestinian refugees within a peace agreement. Israeli leaders have rejected property restitution, actual return, and public acknowledgment. Financial compensation, which most Israelis support, has become an alternative proposal (Palestinian Center for Policy and Survey 2016). For Palestinians, the preference has remained to return to their original property coupled with a financial compensation scheme for those who choose not to return.

Financial compensation has been proposed in two forms: individual and collective. Individual payment refers to Palestinians paid directly as compensation for their losses. Collective payment takes the form of a lump sum payment given to the Palestinian government to deal with at its discretion, presumably for development in a future Palestinian state. Another form of collective compensation is payments to countries who host refugees.

Some analysts, both Palestinian and Israeli, favor a collective payment system with substantial control over the allocation of the payments, such as through a voucher system that would structure and delimit payments to ensure that refugees are directing their funds towards positive investment for the Palestinian state (Borjas and Rodrik 1998). A version of this idea appeared in an internal policy report created by the US State Department before the Camp David talks in 2000. It envisaged vouchers to be used solely on housing and educational training (Dumper 2006, 70). This would consist of public housing built for refugees who plan to exercise their right to return. In this model, housing and refugee shelters would be

transformed into new towns. Furthermore, employment programs would be created through donor support to ensure opportunities for returnees.

Collective compensation through construction of public housing for the retuning population is a bad and unsustainable idea for numerous reasons. A system of housing would likely be susceptible to corruption, maladministration, and would be extremely costly. The negative past experience of the Mizrahi immigrants to Israel in the 1950s— which included high unemployment, strong political backlash, and weak infrastructure—can serve as an argument against public housing as a viable solution (Tzfadia 2006, 523). The housing program would also be an expensive endeavor that is unlikely to be completely funded by international donors. The efficacy of public housing for Palestinians has been disproved by studies at the World Bank, which claim that it is unlikely that through employment or infrastructure projects returning refugees will be economically better off (Dumper 2006, 70).

The Bank claims that individual cash payments are preferable, as they are likely to be spent on productive investments by recipients (Dumper 2006, 70). It would still be imperative that attention also be directed by international donors and the Palestinian state to allow refugees to use the funds effectively. This can be done through some collective compensation reserved for creation of a positive environment for investment and support for the financial services sector (Sharqieh 2013, 19).

A successful compensation scheme will depend on how it is packaged and presented to the Israeli public. Palestinians predominantly prefer individual compensation, while Israelis prefer collective compensation to Palestine and potentially the host countries. For Palestinians, compensation is intended to acknowledge moral responsibility along with financial compensation for losses. Israelis believe that if compensation is paid it will signify an end to all claims. Israel will look to international donors for assistance (Brynen 1999).

Donors are key stakeholders who will play a significant role in the future of any Palestinian compensation program both through financing and designing the services that will be needed. A future Palestinian state will have limited financial resources, and donor capabilities are finite; thus, a refugee compensation system would represent a significant source of investment in the conditions and opportunities of Palestinian refugees (Brynen 2007, 106). Absorbing Palestinians in an independent Palestinian state repatriation will require investments in infrastructure, health services, education, and other public services. However, returning Palestinian refugees, in general, will be a long-run economic asset, not a burden. Returning refugees will be workers, tax payers, and a valuable source of human capital generating economic revenue for the Palestinian economy in the long-run (Brynen 2007, 106).

### Local Integration

One of the most striking aspects of the Palestinian refugee crisis is its longevity. Better integration in the host countries would encourage many refugees to choose to stay in their host countries rather than exercise their right of return, if given the option. Unfortunately, neighboring Arab countries have dealt with absorbing refugees into their societies in drastically different ways. Some countries have been unwilling to integrate refugees, arguing that preserving their refugee status avoids giving Israel an opportunity to evade its responsibilities for their displacement (Takkenberg 2006, 132-33).

Lebanon for example has made it clear that it opposes any resettlement of Palestinians within its territory, let alone granting them citizenship. Palestinian refugees in Lebanon are denied many basic rights, including access to education and property ownership rights, in order

to discourage them from permanent resettlement. They are restricted from over 30 different professions, including jobs in high paying fields such as medicine, law, engineering, and education (UNHCR 2016, 4-10). As a result, this refugee population would pose an absorption challenge to a future Palestinian state because they are more likely to be unskilled, with low levels of education, and minimal capital resources. Lebanon considers Palestinians refugees a threat to the delicate balance of religious and ethnic communities in their country. Another reason Lebanon has refused to absorb Palestinian refugees is out of fear of disrupting the sectarian balance and the political structures that have been created to reflect this balance. The arrival of Palestinian refugees, most of whom were Sunni Muslim, in 1948 and 1967 created sectarian divisions that exacerbated the conditions that led to a 15-year civil war. Lebanon's sectarian balance has been preserved but with the Syrian refugee crisis there is a looming sense of emergency as sectarian tension rises. Specifically, in a country mostly divided between Muslims and Christians, an influx of Palestinians would weaken the power of the Christians (Barnard 2013). However, continuing to deny the problem has prevented refugees from receiving the basic humanitarian aid they need.

Given the poor conditions in Lebanon, it is unsurprising that most Palestinian refugees there prefer to return or be repatriated into a Palestinian state rather than remain in Lebanon. However, given their low socioeconomic status Palestinian refugees in Lebanon will likely not be given priority if repatriation occurs and will face integration issues once repatriated in Palestine. Improved access to education, health, and social service programs would better prepare Palestinian refugees for when they return, thus it is a change that would benefit both the refugees and Lebanon.

By contrast, Palestinians in Jordan are generally better off than in other countries. Most of the about two million registered refugees in Jordan have been granted citizenship, are given access to the education system, and are allowed to work in various sectors. If they chose to return, the Palestinian refugee population in Jordan would not pose a significant absorption challenge and would serve as a benefit for the Palestinian economy while those that remain in Jordan would continue to be beneficial to the Jordanian economy and society (Dumper 2007, 89-90).

Palestinian host countries have also recently been dealing with the inflow of at least 270,000 "double refugees," Palestinian refugees who originally fled to Syria but have now experienced a bitter second displacement as a result of the conflict there. Lebanon and Jordan are experiencing the highest influx with approximately 52,559 and 12,073 displaced Palestinians respectively while over 200,000 are scattered throughout Syria, Egypt, Libya, Gaza, Turkey, and Southeast Asia (UNRWA 2014). These refugees often end up at preexisting camps that are already overpopulated and decrepit. In Lebanon the lack of space at refugee camps has led refugees to roam the country causing numerous security, economic, and humanitarian problems. Furthermore, a majority of Palestinian double refugees in Lebanon lack legal status, which further decreases their ability to access basic services. Although UNHCR is responsible for the Syrian double refugees, the original Palestinian refugees are solely UNRWA's responsibility. UNRWA is mandated to provide health and education services but it does not have a protection mandate like UNHCR (Sharqieh 2013, 14). As a result, Syrian refugees under the UNHCR mandate have been treated with privileges that Palestinian refugees do not benefit from, such as work opportunities. The UN's differential treatment has led to systemic discrimination against the original Palestinian refugees, who wish to be treated as equals to other refugees (Sharqieh 2013, 10-15).

## UNRWA

Refugee repatriation and absorption challenges in a future Palestinian state bring into question the current role of UNRWA and its role following a successful peace agreement. This includes, but is not limited to, the transitional and supporting roles UNRWA would play as well as the transfer of UNRWA services to the Palestinian state and host countries.

UNRWA's mandate is directly connected to the resolution of the refugee problem. The General Assembly has continued to reaffirm UNRWA's work and will continue to do so until a peace agreement has been successfully negotiated. Following a political solution to the refugee problem, UNRWA's work will not be renewed and there will be a need for some international budget support for both Palestine and the host countries (Bartholomeusz 2009, 473). Without this support, the benefit of the compensation payments refugees would receive would be offset by the loss of UNRWA services (Dumper 2006, 74). Though a humanitarian relief organization, UNRWA has become a symbol of the international community's responsibility to create a Palestinian state, and its existence has legitimized the Palestinian political claim for the right of return (Marx and Nachmias 2004). Israel hopes to see the role of the agency ended immediately following a peace agreement, in order to symbolically end claims, while Palestinians usually favor a winding down of the agency that would change its role and services depending on need.

Unfortunately, there has been a significant decrease in financial aid to the Palestinian Authority as donors continue to lose confidence in the peace process. The United States, UNRWA's largest donor, recently announced it will cut its UNRWA budget by 83% (Halbfinger 2018). In 2016, the United States gave \$152 million directly to the agency and an additional \$216 million to projects contributing to UNRWA's work. Overall, the United States provided \$368 million to the agency, approximately a quarter of UNRWA's entire budget (UNRWA 2016). The significant cut in US contributions will cause instability to ripple across the region including the West Bank, Gaza, Lebanon, Syria, and Jordan. Specifically, a cut could increase the potential of a humanitarian crisis in Gaza, where UNRWA's work has been vital to the livelihood of refugees. If the United States' political goal was to put pressure on the PA, this action may yield little, as UNRWA's work is much more influential in areas that are not under PA authority.

## **Conclusion**

Seventy years later, Palestinian refugees and internally displaced Palestinians represent the largest and longest lasting case of forced displacement in the world. An agreed solution for the Palestinian refugees in coordination with Israel and the international community is imperative for any successful peace negotiation. Denying the right of return to the Palestinians would perhaps initially appease the Israelis, but it will not end the conflict in the long run. It would relocate the discontent throughout the Palestinian diaspora and fail to eradicate the refugee problem. The clear need is to find a solution that would satisfy the Palestinians desire to return to their land and also appease Israel's demographic fears. Both Israelis and Palestinians will need to make concessions.

## **Policy Recommendations**

It is impossible to envision a single solution or outcome for refugee return. Based on the wide spectrum of uncertainties that have been discussed I will offer short-term recommendations that could lead to a solution to the refugee problem. These recommendations are contingent

upon the prospect of a two-state solution. It suggests that Israel acknowledge that it shares practical but not moral responsibility of the plight and suffering the Palestinians endured as a result of the 1948 war. In this scenario, Israel would also accept returns to a Palestinian state, but not to Israel proper as defined by the 1967 border lines (Alpher and Shikaki 1999, 178-182). The recommendations recognize the moral and political rights of the Palestinian refugees while also acknowledging the realities on the ground. Palestinian refugees would be able to return to the general area from which they fled. Despite not being able to return to their actual homes, it would still be a monumental political and cultural achievement on behalf of the refugee population (Alpher and Shikaki 1999, 178-182). From the Israeli perspective, this solution would pose no immediate demographic and security threats.

#### To the Government of Israel

- **Compensate for lost property on a collective and an individual basis** (Ginat and Perkins 2004, 120). Most of the financial compensation will be paid as individual compensation. Some collective compensation would be paid to the Palestinian government and used for development aid, such as creating a positive environment for investment and supporting the financial services sector, to ensure refugees are using the compensation effectively. Those receiving this financial compensation will accept that under current conditions it satisfies a Right to Return to Israel proper.
- **Housing that is vacated as a result of the evacuation of illegal (and other) settlements in a two- or one-state agreement should be used for housing Palestine IDPs and refugees.**

#### To the Neighboring Countries

- **Repeal policies that discriminate against Palestinian refugees and recognize the right of those refugees to remain.**
- **Lebanon should change its visa and residency policies to allow Palestinians double refugees to remain in Lebanon as long as a credible threat to returns to Syria remains.**

#### To the International Organizations (UN/UNRWA)

- **The UN should facilitate consistency throughout agencies and better integrate UNRWA within the UN system.** The UN should recognize that UNRWA does not have a mandate to advocate and protect refugees like that of UNHCR and should find a way to grant the original Palestinian refugees the same rights that Syrian double refugees receive.
- **UNRWA should slowly be dissolved and its responsibilities transferred to the Palestinian and other host countries' governments.** All UNRWA operations have been set up so that they could eventually be transferred to the Palestinian Authority. This should not be done until a successful peace negotiation has been agreed upon.



## **Part IV: International Perspectives**



## **The Trump Administration's Influence on the Israel-Palestine Conflict Peace Process**

Gillea Benitez

For decades, the United States has been a third-party mediator in the peace process between Israel and Palestine. From the Camp David Accords under President Jimmy Carter to the Oslo Accords under President Clinton to peace talks under President Obama's Secretary of State John Kerry. Notably, the Oslo Accords and the proposed Clinton Parameters have been the primary roadmaps for moving the Israel and Palestine toward peace. The Clinton Parameters, put forth by President Bill Clinton, outlined a transitional approach to peace on the most protracted issues of the conflict: the final-status of Jerusalem, refugees, and Israeli settlements (Pan 2005). Similarly, John Kerry's peace initiative sought to address the issue of settlements and he even gained support from Arab countries, but the initiative was not well-received by Israel (Staff 2016). Hence, no US peace proposals has resulted in a durable, stable agreement between the two conflicting sides. Thus, the Trump administration is currently composing its own "ultimate deal," which promises to offer fresh ideas to solve the conflict.

The largest obstacle to peace in the Israel-Palestine conflict is that a "mutually hurting stalemate" (MHS) does not exist. A MHS can only be reached after warring parties have endured a long period of conflict and are on the "precipice" of falling deeper into hostility (Zartman 2001, 8). The Israel-Palestine conflict is not now at a precipice even though the conflict had reached such levels of hostility during the First (1987) and Second (2000) Intifadas. Israelis today experience uninterrupted daily lives that are largely distant from interacting with Israel's security system along the 1967 border with the Palestinian Territories. Moreover, it is illegal—under Israeli law—for Israeli citizens to enter Area A, which is controlled by the Palestinian Authority. Israelis who live in settlements in the West Bank's Area C—under full Israeli administrative and security control—have little interaction with their Palestinian counterparts, even in Area C cities like Hebron where the two sides live side-by-side or, in some neighborhoods, Israelis live on the top floors of buildings overlooking Palestinian neighborhoods. As a result of not having to confront the conflict on a daily basis, Israeli citizens are comfortable with the status quo.

However, individuals in Palestinian society face the reality of living within the Israeli built security fences, which in some locales is an 8-meter high concrete wall, that surround cities like the Palestinian capital of Ramallah (Zonszein 2014). Furthermore, unless a Palestinian has a permit to leave the West Bank, s/he is not permitted to travel beyond the security barriers. Thus, Palestinians' lives are affected daily by the intractable conflict and, consequently, they are the stronger advocates for change from the current status quo. Additionally, because there is little interaction between the two civil societies, Israeli and Palestinian identities continue to be defined by being in conflict with one another.

The tension between Israeli and Palestinian leaders—Israeli Prime Minister Benjamin Netanyahu and Palestinian Authority President Mahmoud Abbas—has deepened the current stalemate. For example, Abbas’ strategy has shifted to persuading a coalition of international partners, such as the European Union (EU), Russia, Norway, and China, to intervene instead of a sole US mediator, which is not the solution preferred by the Israeli government (Melhem 2017). As Abbas seeks to minimize the US role in the peace process, Netanyahu continues to forge stronger ties with the Trump administration. Additionally, domestic troubles, such as Netanyahu facing corruption charges and Abbas being viewed as a relatively weak leader among his constituents means that these leaders may be distracted away from the peace process (Baker 2017). Furthermore, Abbas—who was originally elected in 2005 for a four-year term—has served past his intended term limit. This has supported some Palestinians’ views that Palestine is long overdue for a new leader. Hamas’ governing authority and mismanagement of Gaza have also added to the complexity of the conflict and the prospects of peace talks. The conflict remains in a stalemate, even if not a mutually hurting one, with no apparent zone of possible agreement (ZOPA)—or a mutual bargaining range for negotiations.

Unless it is prepared to wait for leadership transition, the Trump administration needs to find methods to prompt the two conflicting parties to come to the negotiation table if it is to play a notable role. That is, the United States, along with Israel and Palestine, will need to work on confidence building measures (CBMs). Ultimately, the peace process needs strong leadership, not only from the United States, but also from the Israeli and Palestinian sides.

Israeli and Palestinian leaders have used US mediation as an opportunity to air grievances or agree to negotiated terms that were not popular with their constituents (SAIS Group Meeting, Jerusalem, and SAIS Group Meeting with the PLC, Ramallah, January 2018). Thus preventing the sides from carrying out specified terms of previous peace deals. For example, as a result of the Oslo Accords, Israel had agreed to withdraw completely from Areas A and B in the West Bank and gradually transition Area C to the Palestinian Authority. Yet, this governing authority transition has still not been achieved. Israel and Palestine have not been able to move the conflict beyond intractability through bilateral means alone and demonstrates the necessity for a third-party mediator. It is within this context that the Trump administration must move the two parties beyond their current deadlock if the peace process is to move forward. The Trump administration must find other routes to peace, while supporting CBMs and ultimately placing the onus on Israel and Palestine to maintain the terms of new agreements. Thus far, current US policies toward the conflict have led to the United States gaining credibility as a mediator from the Israeli perspective but losing credibility from the Palestinian perspective.

### **Obstacles to the Zone of Possible Agreement**

As the Israel-Palestine conflict does not face a MHS and is experiencing a narrowing ZOPA, the United States, Israel, and the Palestinian Authority have individually focused on pursuing their own best alternatives to a negotiated agreement (BATNA). For example, Israel continues

to expand settlements into the West Bank, while Abbas has started lobbying the international community for wider support of Palestinian independence. ZOPAs have been achieved in issue areas such as natural resources allocation, but the two sides' incongruous origin narratives make establishing ZOPAs at a macro level more difficult. Recent developments put forth by the Trump administration, coupled with existing political obstacles, have increased the difficulties of the two sides returning to the negotiation table with the United States as the sole mediator.

### The US Perspective

President Trump, along with the Special Representative for International Negotiations Jason Greenblatt and Senior Advisor to the President Jared Kushner have notably shifted the US approach to the Israel-Palestine conflict away from initiatives of the Obama administration. Apart from the currently nebulous "ultimate deal," the Trump administration had publicized that it is seeking an "outside-in" strategy. This strategy would enlist the help of Arab countries to take positive steps towards supporting peace in Israel-Palestine (Beaumont and Borger 2017). The "outside-in" approach is based on the Trump administration's assessment that Arab countries are increasingly willing to solve the Israel-Palestine conflict in the face of the rising regional instability in countries such as Syria (Baker 2017). Moreover, Egypt's recent willingness to mediate reconciliation talks between the Palestine Liberation Organization (PLO) and Hamas in October 2017 is an additional example that the "outside-in" approach could work (Baker 2017).

Then, on December 6, 2017, Trump made a controversial announcement regarding Jerusalem when he declared that the United States would move its embassy from Tel Aviv to Jerusalem and, thus, recognize Jerusalem as the capital of Israel. The Trump administration cited the 1995 Jerusalem Embassy Act as justification (Trump 2017). The Jerusalem Embassy Act states that the United States would move its embassy to Jerusalem because Congress concluded that a sovereign state may designate a capital city of its choice; thus, because Israel chose Jerusalem as its capital, the US would honor the country's decision (US 104<sup>th</sup> Congress 1995). However, each US president since 1995 has signed a waiver every six months to prevent such a move because of security concerns. The chief concern of past presidencies was that the embassy move could instigate a third Intifada, or uprising, as the Second Intifada (2000 to 2005) was sparked by a political move by then Likud party leader Ariel Sharon's visit to Al-Aqsa Mosque (Goldenberg 2000). While Trump's decision did result in predominantly non-violent Palestinian protests, no widespread violence occurred.

Trump's Jerusalem statement was then followed by Vice President Pence's visit to Israel in which Pence spoke at the Knesset on January 22, 2018. During Pence's speech he reaffirmed the US intention to move its embassy to Jerusalem and announced an end of 2019 deadline for the move. Since Pence's visit, the US embassy move from Tel Aviv to the current US consulate in Jerusalem has since been slated for a symbolic relabeling of the US consulate in Jerusalem on May 2018 (DeYoung and Morello 2018). Not only is this a more aggressive

deadline than Trump's original 2020 proposal, but the symbolic move coincides with the 70th anniversary of the independence of the Israeli state—illustrating the United States' increased support of Israel (DeYoung and Morello 2018). Pence reiterated that Trump's Jerusalem decision was, “in the best interest of peace” and, that by recognizing Jerusalem as Israel's capital, the United States is choosing “fact over fiction” (Pence 2018). Pence argued that the United States was supporting the reality on the ground in Jerusalem where most of Israel's government ministries are located. Pence did not offer a US proposal on final status issues, such as the issue of the contested borders between Israel and Palestine. He did announce that the US will support a two-state solution—a stance that the Trump administration had not previously been explicit about (Pence 2018).

The Trump administration's support of Jerusalem as the capital of Israel built US credibility with Netanyahu—particularly, the right-leaning Likud party—and illustrated that the US is a strong supporter of the Israeli state. At the same time, the Trump administration strained its diplomatic relations with the PLO, which perceived the United States as effectively stating that Israel was on the side of fact and Palestine on the side of fiction. Furthermore, Trump's Jerusalem statement provoked a backlash from the international community as 128 members of the 193-member United Nations General Assembly condemned Trump's decision (Nichols 2017).

At the same time, the United States has identified the need to improve the lives of Palestinians. For example, the White House officials have highlighted key problems in Palestinian infrastructure and identified the need to mitigate the “unnecessary suffering” in Gaza. As a result of US humanitarian concerns, Special Representative Greenblatt was involved in securing a water supply deal—called the “Red Sea Dead Sea Water Conveyance Project”—that will transfer water from the Red Sea to the Dead Sea through the joint efforts of Israel, Palestine, and Jordan (Heller 2017; Reed 2017). Similar CBMs could help the Trump administration to start building legitimacy as a negotiator between Israel and Palestine. However, Trump's Jerusalem statement and subsequent withholding of \$65 million in aid to Palestine as a response to Abbas' refusal to negotiate with the US has damaged the gains from the water supply CBM (Mohammed 2018).

The authority of Hamas—which the United States labels a terrorist organization and does not engage with—in Gaza remains a key impediment to US relations with Palestine. Abbas and the PLO have little authority in the governance of Gaza. Most recently, the Trump administration labeled the current senior political leader of Hamas Ismail Haniyeh as a terrorist (Tibon 2018) Hence, from the US perspective, Hamas remains a spoiler, or a faction resolved to disrupt the peace process.

The Trump administration's efforts further strain US-Palestinian relations, but the US effort has been well-received by the Israeli government. While no mediator is unbiased, the Trump administration is taking a gamble by openly and explicitly declaring its support for Israel over Palestine.

### The Israeli Perspective

For the Israeli government, the United States is an essential and the preferred mediator for resolving the Israel-Palestine conflict. For example, Israeli officials have argued that it does not matter if the US president is a Republican or a Democrat because the United States has always been an ally of Israel and, therefore, will be an honest broker for Israel in peace negotiations (SAIS Group Meeting, Jerusalem, January 2018). The ability of any mediator to be completely impartial is not possible, but American diplomatic and security relations with Israel have historically made the US an undeniable ally of Israel. President Trump is also forging closer diplomatic ties with Prime Minister Netanyahu compared to the more strained relations between President Obama and the Prime Minister; thus, increasing the degree of mutual trust between Israel and the United States.

This primarily because of President Trump's announcement that the United States will recognize Jerusalem as the capital of Israel by moving its embassy to Jerusalem. Netanyahu welcomed Trump's decision because Netanyahu noted that the US is recognizing the reality on the ground and, furthermore, acknowledging Jews' biblical ties to Jerusalem (al-Mughrab 2017). Additionally, scholars and government officials from the Israeli perspective do not view the Jerusalem statement as particularly worrisome because Trump did not argue for an alteration of Jerusalem's borders—a core final-status issue (SAIS Group Meeting, Jerusalem, January 2018). However, there was a consensus that the Trump administration missed an opportunity to leverage the statement as a means to push forward the negotiations out of its current deadlock.

Trump's 2016 presidential campaign claim that he is the "biggest friend" of Israel continues to hold true from the Israeli perspective, even with Trump's acknowledgment that the construction of Israeli settlements "complicate" peace negotiations (Bismuth 2016, BBC 2018). Claims to land are particularly important for Israel as both a security concern and a land-grab strategy, as one Israeli military official stated, to prevent the future possibility of a contiguous Palestinian state (SAIS Group Meeting with Arieli, Tel Aviv, January 2018). In terms of security, the Israeli government is concerned that negotiated land swaps near the narrowest, 9-mile wide section of the country could diminish Israel's access between the northern and southern parts of the country. Furthermore, as Abbas' popular support and, perhaps, the control over his constituents decline, the Israeli government argues that relinquishing parts of the Israeli Defense Force patrolled areas in the West Bank to the Palestinian Authority is a security risk for Israel.

Lastly, similar to the Trump administration, the Israeli government views Hamas as a spoiler to the peace process. Most alarming for the Israelis was the discovery of underground tunnels leading from Gaza into Israel (Caspit 2017). This discovery added to the key concerns for the Israeli government that, should the PLO collapse, there is no clear successor to 84-year old president Abbas and that Hamas could become *de facto* leaders. However, Israeli officials and scholars have agreed that Israel would accept the inclusion of Hamas in the PLO if the group were to accept the three conditions of the Middle East Quartet—an envoy made up of

the United States, Russia, the EU, and the United Nations—for the recognition of the Palestinian government (Elgindy 2012, iv). These three conditions are: (1) to recognize Israel’s right to exist; (2) to commit to all agreements signed by the PLO and Israel; and (3) to renounce the use of violence (Goerzig 2010). Hamas has yet to agree to these terms as it does not recognize Israel nor has the group agreed to disarm (Khoury 2017). Hence, Hamas’ authority in Gaza remains a troublesome issue for the Israeli government, which welcomed the Trump administration’s labeling of Ismail Haniyeh, Hamas’ senior political leader, as a terrorist (Tibon 2018).

Ultimately, for the Israeli government, the US—with its persuasive carrots and sticks in the form of international aid and military alliance—can best persuade both sides during negotiations. Additionally, the American ability to provide military assistance and aid makes the US a credible guarantor of peace. For example, in Vice President Pence’s speech at the Knesset, he stated, “The United States of America will never compromise the safety and security of the State of Israel” (Pence 2018). Pence’s speech, coupled with US soft power and military might, have secured US credibility from the Israeli perspective and strengthened diplomatic ties between the Trump-Netanyahu administrations.

### The Palestinian Perspective

The United States’ credibility with Israel is often what makes the United States a less trustworthy broker for Palestine. From the Palestinian perspective, the US is not indispensable. The Trump administration’s “outside-in” approach was met with skepticism from Palestinian officials, but focus has since turned to the implications of Trump’s Jerusalem statement (SAIS Group Meeting with Shaath, Ramallah, January 2018). While some Palestinians may agree that there is no way forward without the US, others have declared the United States, as a mediator, is a lost cause at the moment (SAIS Group Meeting with Golan, Jerusalem, January 2018). Palestinian critics often highlight Trump’s Jerusalem statement and argue that the US has effectively removed itself from mediating the peace process because Trump blatantly announced his support of Israel and, thus, cannot negotiate a fair deal (SAIS Group Meeting with Khoury, Jerusalem, January 2018). Lastly, Palestinian opponents of the United States as a mediator argue, because the US has never been able to produce a lasting peace deal, that Israel and Palestine should look for other mediators. One Palestinian mediator noted that, regardless, the Israel-Palestine conflict is over-negotiated and parties to the peace process should move first to focus on CBMs (SAIS Group Meeting with al-Omari, Washington, DC, November 2017).

As an immediate response to Trump’s Jerusalem statement, President Abbas has since declined to speak with US negotiators. Trump’s statement confirmed the PLO’s greatest fear that the United States could unequivocally support Israel. Some on the Palestinian side argued that Trump’s Jerusalem statement would have been better received if he had announced that West Jerusalem would remain under Israeli authority and East Jerusalem could come under Palestinian governance (SAIS Group Meeting with Isaac, Bethlehem, January 2018). This

proposal by the Palestinian side follows the Clinton Parameters, which proposed that the PLO would gain control of the Arab sections of Jerusalem (Pan 2005). Other Palestinian officials argue that Trump's Jerusalem statement is a demonstration that the US is becoming a party to the conflict and therefore, Palestinians can no longer view the US as a legitimate mediator (SAIS Group Meeting with Shaath, Ramallah, January 2018).

Consequently, President Abbas has not only refused to negotiate with the United States, but also proposed that an international coalition should replace the US as mediators. This coalition would include key actors such as the EU, Russia, and China. Hence, in January 2018, Abbas was in Brussels petitioning EU support for Palestine while Pence was addressing the Knesset (Ahren 2018). Following Pence's speech to the Knesset, Abbas responded by stating that the "US administration is part of the problem and not the solution," which illustrates the increasing divide between the Trump administration and the PLO (Ahren 2018). However, Abbas has admitted that the PLO would accept the United States as a mediator if it were part of the international coalition Abbas is seeking (Sawafta 2018). Given that Israel views the United States as essential to the peace process, it is highly unlikely Israel will accept an international coalition of mediators.

As the peace process is stalled for the time being, Palestinian officials point to ways in which Israel and the United States could move forward with CBMs. For example, one Palestinian official noted that if the Israeli Defense Force stopped patrolling in Area A—which is supposed to be under complete PLO governing authority—then it would signal to Palestine a serious step toward reconciliation between Israel and Palestine (SAIS Group Meeting, Woodrow Wilson Center, Washington DC, November 2017). The construction of new settlements and the expansion of existing settlements are also a key concern for PLO officials. From the Palestinian perspective, settlements in the West Bank threaten the prospects of a contiguous Palestinian state. The encroachment of Israeli settlements also intensifies Palestinians' feeling of oppression, as a result of a confined life within the Israeli security barrier, and settlement construction deepens feelings of the loss of individual dignity. As a result of Trump's Jerusalem statement, it is unclear to what extent Trump's admission that settlements are a barrier to peace will boost the US credibility as a mediator for the Palestinians.

For Hamas, the United States is viewed as an obstacle to peace because Hamas members of the Palestinian Legislative Council (PLC) believe that the United States is against their right to self-determination and that "America is totally responsible for [the Palestinians] struggle" because of its support of Israel (SAIS Group Meeting with the PLC, Ramallah, January 2018). Notably, these same PLC members agree with Abbas that the support of the broader international community is needed. In terms of the Quartet parameters, Hamas is reluctant to give up their arms, which they state are needed to defend themselves. Hence, there is a negotiation paradox in which Israel will not accept Hamas as legitimate unless Hamas commits to disarming, while Hamas will not give up its weapons until they are assured that Israel will not bomb Gaza or continue to take land in the Palestinian Territories. The United States could play a role in alleviating this dilemma, but the US government has a strict policy

of not negotiating with terrorists—at least not in public. Unfortunately, without assurances from Israel, Hamas leaders will continue to feel cornered, which will make it less likely that they are willing to disarm and rid themselves of what they perceive as their last line of defense against a stronger opponent.

### **Conclusion**

Under the current leadership trifecta of Trump, Netanyahu, and Abbas, the prospects for moving beyond the current stalemate are narrowing. The current circumstances of the Israel-Palestine conflict have become more volatile since Trump's announcement that the United States will move its embassy to Jerusalem and recognize Jerusalem as the capital of Israel. At the center of the stalemate is the absence of a mutually hurting stalemate, the presence of an armed Hamas, the continued construction of settlements, and US foreign policies that have increasingly pushed the Palestinians away, rather than toward, reviving negotiations. To preserve the security of both the Israeli and Palestinian people, the Trump administration must focus on moving the two sides beyond a stalemate.

### **Policy Recommendations**

- **The Trump administration should encourage the return to formal negotiations that are paved the way by CBMs** to help Israel and Palestine move beyond the current stalemate. For example, the United States should continue to support and proctor CBMs similar to the “Red Sea Dead Sea Water Conveyance Project.”
- **The Trump administration should cease plans for moving the US embassy to Jerusalem and should reapprove the withheld \$65 million in US foreign aid to the Palestinians**, which would be CBMs between the United States and Palestine.
- **Israel should stop construction of new settlements and stop expansion of established settlements**, which are obstacles to peace.
- **Abbas should hold re-elections** to either re-establish legitimacy among Palestinians or allow for new leadership to govern Palestine.
- **The Trump administration should pressure the PLO to push Hamas to agree to the Quartet parameters**—particularly, recognizing Israel and renouncing violence.

## Prospects for Regional Peace Initiatives

Aaron Huff

In recent years, a view has emerged among analysts that a regional approach may be the most viable path toward peace in the Israeli-Palestinian conflict (SAIS Group Meetings, Tel Aviv and Jerusalem, January 2018). This view has gained momentum since 2002, when the Arab League endorsed the Arab Peace Initiative (API), a proposal to normalize Arab-Israeli relations in exchange for a comprehensive peace agreement. Since then, the Sunni Arab states have pursued quiet rapprochement with Israel, leading many to argue there is a significant opportunity to advance peace through regional engagement. Today, the Trump Administration has embraced this concept and made it the center of its efforts to pursue a final agreement. These developments underscore the need for a realistic assessment of the opportunities and risks associated with regional approaches to peace.

This chapter will evaluate these developments by examining the relationship between regional states and the Israeli and Palestinian leaderships, focusing on the impact of the increasing “normalization” of relations between Israel and the Sunni Arab states. It will also provide a basic analytic framework to understand the extent to which these states may play a constructive role in efforts to revive the peace process. Finally, it will evaluate the short- and medium-term prospects for a region-led effort to negotiate a final agreement acceptable to both parties. This chapter will conclude with recommendations for the international community, regional states, and the United States to facilitate a more conducive environment for negotiations between Israel and Palestine.

### Regional Environment

The quiet improvement of ties between Israel and the Sunni Arab states is part of a process that began in the aftermath of the Arab-Israeli War of 1967. Although the Arab League rejected official recognition of Israel in the 1967 Khartoum Resolution, member states soon developed unofficial ties with the Israeli government. Both Jordan and Egypt participated in bilateral discussions with Israel in the 1970s, which culminated in Egypt’s official recognition of Israel in the 1979 Egypt-Israel Peace Treaty. By the 1980s, Saudi Arabia openly called for dialogue with the Israeli government, and bilateral ties between Israel and the Arab states grew significantly in the following decade (Center for the Renewal of Israeli Democracy 2013, 6). In spite of this unofficial engagement, Arab leaders generally supported the Palestinian cause, either on principle or as a means to maintain support from their own populations. According to one Palestinian official, both Egyptian President Hosni Mubarak and Saudi Crown Prince Abdullah told Yasser Arafat in 2000 that they would “accept only what the Palestinians accept” in negotiations (Middle East Eye 2017). While Arab leaders did not always adhere to their public commitments of support for Palestine, their engagement with Israel remained constrained by pro-Palestinian sentiment at home.

These developments have led to multiple regional initiatives to end the Israeli-Palestinian conflict. In general, these efforts have been based on the proposition that Arab states grant official recognition to Israel after it makes peace with the Palestinians. This proposition, known as the “inside-out” approach, aims to incentivize Israel to make concessions. The proposal was first suggested at the Madrid Conference in 1991, where the United States brought together Israel and multiple Arab states for the first time. As part of this

effort, then US Secretary of State James Baker proposed that Israel make concessions to the Palestinians in exchange for positive measures by the Arab states to improve relations. Although this effort failed, the Madrid process contributed to the further thawing of Arab-Israeli relations, culminating in the Israel-Jordan Peace Treaty of 1994.

In 2002, Saudi Arabia launched the Arab Peace Initiative, eventually endorsed by 22 Arab states and 57 members of the Organization of Islamic Cooperation (OIC), which offered Israel full normalization in return for a peace agreement. This initiative formally conditioned the normalization of relations on an Israeli-Palestinian agreement, offering region-wide peace regardless of bilateral differences. Although the 2002 Passover Massacre undermined the proposal at the time, this conditional offer has remained the primary basis of most regional approaches to peace since its inception. While leaders on both sides have argued they will not compromise on certain terms of the proposal—including Israel’s objection to its language on the Palestinian “right of return”—the API was designed to provide flexibility for subsequent negotiations (Center for the Renewal of Israeli Democracy 2013, 11). Nevertheless, the Israeli government rejected—on domestic political grounds—a US initiative in 2016 to offer Israel a more favorable version of the proposal (Fox News 2017). The failure of the API to serve as the basis for any concrete negotiations, now more than 15 years after its inception, demonstrates the ongoing limits to regional peace efforts.

Despite the failure of regional negotiations, the continued improvement of Arab-Israeli relations has prompted many analysts to call for renewed attention to regional peace efforts. Since the Arab Spring, Israeli and Arab interests have increasingly converged around a common set of foreign policy objectives. Region-wide instability brought on by the Arab Spring has led to the expansion of Iranian and Islamist influence—threats shared by Israel and the established Sunni Arab leadership. Combating these common threats has taken precedence over the Palestinian question. Arab leaders recognize that Israel is no longer their highest national security priority, and Israel acknowledges there are significant strategic advantages to cooperation with its neighbors. As a result, Israel and several Arab states have established unofficial channels of engagement—including security cooperation and intelligence sharing—according to numerous press reports (Guzansky, Sawaed and Heistein 2018).

These developments have led Arab states to consider a modified approach to regional peace known as “concurrence.” Instead of waiting to negotiate a comprehensive agreement, the Arab states would offer limited diplomatic contacts and confidence-building measures in exchange for concurrent Israeli concessions toward the Palestinians (Ibish 2017). However, recent media reports indicate Arab states have taken measures toward *de facto* normalization without concurrent concessions from Israel (Heller and Kalin 2017). This includes Saudi Arabia’s 2018 decision to allow overflight rights for airlines flying to and from Israel (Keinon 2018), which had been discussed as a possible peace-building measure (Gordon 2017). These developments suggest Arab leaders may be willing to expand Arab-Israeli collaboration at the expense of Palestinian interests, highlighting the increasing marginalization of the peace process among regional actors.

American efforts to restart the peace process have led to a reformulation of the traditional regional approach. President Donald Trump’s regional priorities—combating Iran and “radical Islam”—align closely with those of Israel and the Sunni Arab states. As a result, President Trump has found common cause with the unofficial Arab-Israeli alliance and has sought to utilize this relationship to broker an agreement. What has emerged is an approach known as “outside-in,” in which Israel and the Arab states first normalize relations and then

pressure the Palestinians to accept an agreement. This approach assumes that external actors, including the Palestinians' traditional Arab allies, are able and willing to apply sufficient pressure to impose concessions on the Palestinian leadership. This approach reverses the traditional "inside-out" approach in which Israel first makes peace with the Palestinians and is only then granted recognition by regional actors. In fact, the United States' embrace of this approach represents the adoption of the position of Israeli Prime Minister Benjamin Netanyahu, who has promoted this approach for several years.

There are indications that some Arab states, including Saudi Arabia, are open to this initiative. Media reports in late 2017 indicated that Saudi Crown Prince Mohammad bin Salman attempted to pressure Palestinian President Mahmoud Abbas into accepting an agreement favorable to Israel—reports corroborated, in part, by statements by Abbas two months later (Rasgon 2018). While the United States' role in this process has been undermined by its December 2017 decision to recognize Jerusalem as Israel's capital, there remains significant political will to pursue a regional peace initiative. Indeed, the critical question is whether a regional effort—either "outside-in" or "inside-out"—remains a viable option to end the conflict peacefully.

### **Regional Decision-Making**

To evaluate the regional prospects for peace, it is necessary to understand the decision-making processes of regional actors. Given the influence of the Sunni Arab states, as well as the centrality of their role in most regional proposals for peace, these actors will be the focus of this analysis. Egypt, Jordan, and Saudi Arabia represent the primary objects of analysis, given their outsized role in the conflict. This section aims to examine the factors that affect regional decision-making to determine the extent to which these states may play a constructive role in the peace process.

Sunni Arab decision-making in this conflict is characterized by a conflictual relationship between elite and non-elite political attitudes. Elites are here defined as "incumbents of leadership positions in powerful political institutions who, by virtue of their control of intra-organizational power resources, are able to influence important decisions" (Donsbach and Traugott 2012, 53). Non-elites are therefore those individuals who do not participate in high-level political decision-making but who form the basis of public opinion. Social science research indicates that elite views often differ from public opinion due to inter-elite bargaining over public policies and elites' direct involvement in decision-making (Donsbach and Traugott 2012, 54). This is true of Sunni Arab leaders, who have significant experience engaging regional elites in political bargaining and are sensitive to changes in the geopolitical balance of power. Indeed, as leaders of non-democratic states, Sunni Arab elites are inclined to prioritize national security threats as a means to maintain political legitimacy and to protect institutions that serve as the basis for their positions. In recent years, this has manifested in an Arab elite view that there are significant benefits to cooperation with Israel, displacing much of their traditional support for Palestinians.

Public opinion differs from this elite view. Data indicates that the Palestinian issue remains salient in Arab society. According to a 2016 poll, pluralities in Egypt (41 percent) and Saudi Arabia (39 percent) identified the Israeli occupation of Palestine as the greatest obstacle to peace and stability in the Middle East (Zogby Research Services 2016, 10). According to a region-wide poll, 89 percent of Arabs see Israel as a continued threat and 75 percent believe Palestine should be a universal Arab concern (Munayyer 2017). Given the extent of grassroots

support for the Palestinian cause, as well as the latent threat of popular protest against existing leaderships, Sunni Arab elites face significant constraints in pursuing normalization with Israel.

To manage the growing discrepancy between Arab leaders' domestic and foreign policy interests, elites have pursued a dual relationship with Israel characterized by public and private positions. Arab leaders have used secret, backchannel engagement to pursue policies that may contradict public opinion or their own stated positions. In this case, the use of secrecy in backchannel negotiations may in fact improve prospects for Arab-Israeli peace over the long term. However, these measures have been largely separate from the Israeli-Palestinian peace process, offered without concurrent Israeli concessions toward the Palestinians. In addition, there remain limits to how backchannel ties can be used. In 2017 and early 2018, Arab leaders publicly denied credible media reports of expanded cooperation between Israel and the Arab states, highlighting the difficulty of expanding ties in secret (The New Indian Express 2018). It remains to be seen how far the Arab leadership is willing to expand its relationship with Israel without satisfying public demands for concessions. This raises questions about the true intentions of the Israeli and Arab leadership, including whether they envision a broader regional effort toward peace, or whether they simply aim to extract as much as possible from their new relationship. In general, the discrepancy between the Arab elites' public and private positions highlights the increasing sensitivity of the Israeli-Palestinian conflict for Arab leaders.

Finally, it is important to consider the role of leadership. This is particularly critical in the case of the Arab-Israeli relationship, in which there is a divergence between elite and public attitudes. As polling data demonstrates, public opinion is often malleable. Bold action by leaders can overcome public opinion and generate support for initiatives once thought impossible (SAIS Group Meeting, Tel Aviv, January 2018). As one regional expert argued, it is only necessary to secure public approval after, and not before, a major agreement (SAIS Group Meeting, Tel Aviv, January 2018). Egypt's and Jordan's peace treaties with Israel in 1979 and 1994, respectively, are examples of such efforts. However, politically risky endeavors require leaders to be willing to expend valuable political capital that could be used for other priorities. Arab leaders today face a wide range of domestic and foreign policy priorities, and they have shown a diminishing interest in the Palestinian cause. These leaders have thus far sought to change public opinion in more limited ways, as in the case of Saudi Arabia and Egypt's reported efforts to moderate anti-Israeli discourse in the media (Kirkpatrick 2018). Indeed, in recent years, Arab leaders have largely sought to pursue their own interests without exercising significant leadership to advance Israeli-Palestinian peace.

### **Regional Prospects for Peace**

These regional dynamics have had a direct effect on the short- and medium-term prospects for peace. In particular, the expansion of backchannel ties between Israel and the Arab states has changed how each party views their strategic position. Israel and the Sunni Arab states have made significant strategic gains at the expense of the Palestinians. Israel today faces few security threats from its Sunni neighbors (SAIS Group Meeting, Jerusalem, January 2018). In one conversation, an Israeli government official went so far as to refer to Egypt and Jordan as Israel's "strategic allies" (SAIS Group Meeting, Jerusalem, January 2018). Similarly, the Arab states have gained cooperation on national security priorities they deem critical to their survival. In contrast, Arab-Israeli rapprochement has put the Palestinians in an increasingly

disadvantageous position. The Arab states' collaboration weakens the united Arab-Palestinian position by reversing their stance that normalization should be conditional on concurrent measures toward peace. Arab engagement with Israel has undermined the Palestinian cause and weakened its overall negotiating position.

This has important implications for both the “inside-out” and “outside-in” approaches to regional peace. The former approach—a comprehensive Israeli-Palestinian agreement followed by regional normalization—has remained frozen for more than a decade. The increasing asymmetry between Israel and Palestine only reinforces this condition. The Israeli government now has even fewer incentives to make concessions as it faces diminishing levels of regional pressure. As one Palestinian official stated, the Arab states are making API “stand on its head” by increasing cooperation without working to solve the conflict (SAIS Group Meeting, Jerusalem, January 2018).

The Palestinian leadership recognizes they are at an increasing disadvantage in negotiations. Even if they sought to pursue talks, they have limited leverage to extract concessions close to their minimum demands. For the “inside-out” approach to be successful, the Arab states would likely need to increase pressure on Israel as a means to create a more symmetrical relationship in negotiations. However, doing so would risk the gains Arab states have achieved through rapprochement, particularly given the degree of pressure necessary for an agreement. As a result, many Palestinian decision-makers have recognized they can no longer rely on the Arab leadership to support their cause (SAIS Group Meetings, Jerusalem, January 2018). These dynamics may actually decrease the likelihood of a regional approach to peace as Arab states prioritize their own strategic interests over the peace process.

The improvement in Arab-Israeli relations has led some commentators to view the “outside-in” approach as a more viable alternative. Given that this approach assumes Israel and the Arab states would normalize relations as a means to pressure the Palestinian leadership, Arab-Israeli ties would be forced into the open. This would require strong political leadership as it would contradict both Arab public opinion and the positions of their Palestinian partners. An agreement perceived as unfair would only sharpen these differences. While there are indications that Saudi Arabia may be willing to pursue such an initiative with US backing, it is a high-risk endeavor. The increasingly hardline US and Israeli position vis-à-vis Palestine has heightened public sensitivity surrounding the Arab-Israeli relationship. Arab leaders may determine that bold action would only highlight the contradiction between their public and private positions and instead seek to maintain the new status quo. Such risk aversion is rational in an unpredictable domestic and regional political environment.

The “outside-in” approach raises the question of whether the Arab states can truly impose a peace agreement on the Palestinians. The latter, recognizing their current weakness, may simply wait for a more favorable regional environment to pursue negotiations. There are a number of potential developments, such as a reduction in the threat from Islamists or Iran, that could undermine Arab-Israeli rapprochement in the medium-term. In addition, there are multiple historical examples in which Palestinians have rejected Arab efforts to control their movement (Pillar 2017). A successful “outside-in” approach would therefore require a somewhat improbable alignment of factors: robust political will by Arab leaders; consistent US and Israeli efforts to avoid provocation; trust that all parties abide by their commitments; and atypical Palestinian acquiescence.

While many commentators have highlighted the opportunities associated with recent regional trends, this analysis indicates there are a number of risks associated with the status

quo. Without intervention, it is possible that Israel and the Arab states will simply aim to extract as much as possible from their unofficial relationship without advancing peace in a meaningful way. This could establish a new status quo that advantages Israel and the Arab states to such an extent that it forecloses opportunities for peace. Indeed, this process would allow Israel and the Arab states to address their regional ambitions while marginalizing legitimate Palestinian interests. Such a situation could reinforce what one expert refers to as the “self-serving and self-sustaining” nature of the conflict (SAIS Group Meeting, Tel Aviv, January 2018). To ensure these regional developments do not lead to further stalemate, it will likely be necessary for extra-regional actors to play a more decisive role in the peace process. The following section provides recommendations to enable these actors to facilitate a more equitable environment for negotiations between Israel and Palestine.

### **Policy Recommendations**

#### To the International Community

- **Stress the need for a peace process that is fair and impartial to all parties to the conflict.** The expectation that Palestinians should negotiate from a position of maximum weakness, or must accept an imposed agreement against their interests, is not a solution for long-term peace. Further marginalization of Palestinian interests, including by their traditional Arab allies, risks leading some actors to reject negotiations and turn toward violence. The international community must exercise leadership to ensure that a peace process ensures a dignified end to the conflict for both Israelis and Palestinians.
- **Encourage international and extra-regional engagement in the peace process.** While the Sunni Arab states have an important role to play in negotiations, the Arab leaders are generally interested in pursuing their own strategic interests. Since many of these interests align with Israel, this reinforces the asymmetry between Israel and Palestine. As a result, many Palestinian decision-makers now express distrust toward the Arab leadership, suggesting that any exclusively regional effort may be unsuccessful. A broader, more multinational effort toward peace may be necessary to ensure a more equitable process of negotiations.
- **Endorse the Arab Peace Initiative as a flexible starting point for negotiations.** Given its endorsement by 22 Arab and 57 Islamic countries, the API has the advantage of allowing the Palestinians to enter negotiations from a more balanced negotiating position. The international community should emphasize that the API proposal should be seen as an initial declarative document, not a dictate, and that Israel has the right to present a formal response. The API proposal should be considered a starting point for negotiations whose terms are expected to undergo extensive negotiation.

#### To the Sunni Arab States

- **Recognize that a fair peace agreement on Palestine is in the Sunni Arab states’ immediate strategic interest.** Although many Arab leaders have prioritized other national security concerns, the potential for instability resulting from the Israel/Palestine conflict will continue to threaten the region for decades to come. The Arab leadership should seriously examine how its current activities are affecting the

peace process and whether its actions may foreclose opportunities for peace. The Arab states can play an important role in resolving this conflict by offering incentives to Israel as part of an “inside-out” approach to peace. This process can also help Arab leaders navigate the discrepancy between their public and private positions by extracting public concessions from Israel in return for normalization.

To the United States

- **Take a more practical and less unilateral approach to regional negotiations.** The Trump Administration’s pro-Israel positions have thus far transformed the United States from a mediator to a spoiler. The US should recognize that every policy decision affects prospects for an ultimate deal, and unilateral actions outside of the peace process may weaken the US negotiating position. Given the complexities of this conflict, the US must be prepared to deviate from Israeli positions if it expects to be accepted as a legitimate mediator. Media reports in March 2018 indicate the Trump Administration has begun to recognize this reality (Landler 2018). The US can reestablish its leadership over the peace process by leveraging its improved relationship with Israel to take a more neutral stance in negotiations. The United States’ unilateral measures in favor of Israel generated political capital that should now be spent to pursue concessions. This would enable the United States to leverage its support for Israel in a way that reasserts its role as a mediator and facilitates a final agreement.



## **“Internationalization” and its Limitations: Looking Inwards to Break the Logjam**

George E. Mastoris

In recent years, the Palestinian leadership has sought to drive Israel towards recognition of a Palestinian state by adopting a strategy of legal and political “internationalization.” In essence, this entails de-emphasizing bilateral negotiations (or those brokered by the United States) and focusing instead on (1) achieving official recognition of Palestinian statehood; (2) securing judicial or diplomatic condemnation of Israeli conduct, in particular alleged war crimes and settlement activity; (3) participating in international organizations and conventions; and (4) encouraging public and private international actors to place economic pressure on Israel, including through the “boycott, divestment and sanctions” (BDS) movement.

While the intuitive appeal of internationalization to Palestinians is obvious, the strategy is likely to be of limited utility, at least in the near term. Thus far, it has resulted in little added pressure on the Israelis, for whom the occupation is increasingly a “costless” one, while perpetuating the feeling—not wholly unjustified—that they are the victims of widespread bias. For an increasing number of Israelis, the drumbeat of international condemnation has become white noise, driving them to view as illegitimate the international institutions in which Palestinians are increasingly placing their faith (and their fates). Moreover, so long as the United States—Israel’s largest trading partner and strongest ally—maintains its steadfast support of current Israeli policy, there is little hope that the Israeli government will feel any real pressure to resolve the conflict.

From the Palestinian perspective too, the benefits of such a strategy are far from certain. Certainly, recognition as a state and participation in the international community has important psychological and symbolic benefits for the Palestinian people, for whom the struggle for a state has become synonymous with the struggle for an identity. But it has largely failed to deliver tangible benefits to Palestinian citizens, who have seen the settlements continue to expand while they live with the significant economic and political constraints of the occupation. It also appears to have perpetuated a recurring theme in Palestinian activism—in particular, an over-reliance on the idea that eventually, the invisible hand of “the law” will win out and the international community will impose “justice.” This, of course, ignores the underlying power dynamics at play and the ongoing debate as to what “justice” really means.

This article examines these ideas in more detail, and concludes that Palestinians might be better off pursuing an alternate path forward. In particular, it recommends that the Palestinian leadership renew its focus on civil rights and equality of treatment within Israel and Israeli-controlled territories by launching an organized, systematic and non-violent equal rights movement. In its strongest form, this might be part of a campaign for a future bi-national state or confederation with full citizenship for Palestinians (that is, a shift away from the two-state solution paradigm); alternatively, it might entail exercising those rights non-citizen Palestinians do have (for instance, the right to vote in Jerusalem’s municipal elections) and advocating for a less discriminatory political and legal regime. Palestinians might then force Israelis currently divorced from the conflict to more directly confront the prospect of what Ehud Barak and other prominent Israelis have warned is increasingly inevitable: the imposition of a *de facto* one-state solution and the corresponding choice between “democracy” and “a Jewish state.”

### The Sick Man of the Levant

To the extent the Oslo “peace process” is still alive, it is in critical condition. The current Israeli government appears uninterested in serious negotiations, preferring to maintain the status quo and to create favorable “facts on the ground” through increased settlement activity, development of so-called “state land” for the benefit of Israelis (including settlers), the demolition of Palestinian homes, and the enactment and enforcement of laws and regulations rendering more difficult Palestinian residency in East Jerusalem and Area C of the West Bank (Baker 2016; Farah 2016). Israeli citizens benefit disproportionately from the natural resources of the Occupied Palestinian Territories (the OPT), while the day-to-day reality and costs of that occupation remain mostly invisible, particularly to Israelis living outside of the West Bank (Bar-Tal 2017).

The Palestinian Authority (PA), for its part, remains a moribund and inefficient entity, characterized by cronyism and shot through with internal dissent. It has not held meaningful elections in over a decade, and its current strategy of international engagement has borne only symbolic fruit (and little enough of that) to date. Fatah, which controls the PA, remains unable to achieve any meaningful political reconciliation with Hamas, whose military adventurism has brought terror to Israeli citizens and great suffering to its own constituents. Indeed, after repeated military incursions and ongoing blockades, Gaza—which lacks steady electricity, clean water, or adequate sewage disposal for its growing population of almost two million—is fast approaching “the verge of collapse,” according to the IDF, making another war there likely (Kubovich and Houry 2018).

Parties on both sides of the conflict recognize the existence of a stalemate. The last round of peace talks blew apart in spectacular fashion, and former Secretary of State John Kerry’s outgoing “*cri de cœur*” regarding the settlements did little but reify Israelis’ siege mentality and Palestinians’ cynicism regarding the possibility of progress. As for the Trump Administration, its efforts to “shake things up” by announcing its intention to move the United States embassy to Jerusalem in May 2018 have mainly succeeded in driving the parties further apart.<sup>39</sup> The PA announced that it no longer considered the United States an “honest broker” and would “disengage” from Israel—ceasing its cooperation on security and economic arrangements, looking to become more self-sufficient, exploring the possibility of issuing its own currency, and redoubling its efforts at “internationalizing” the conflict (Toameh 2018). And Israel, emboldened by the rhetorical shift (and by improved relations with its Sunni Arab neighbors) announced the construction of new settlement units and the opening of a new national park in East Jerusalem separating a Palestinian village from its source of water and farmers’ land (Hasson Feb. 16, 2018; Hasson 2016). The prospects for the United States’ much-ballyhooed new peace plan, while always dim, seem to have winked almost entirely out of existence.

What, then, is the path forward? Over the years, there has been no shortage of ideas on how to achieve a lasting peace in the region: at various times, one-state solutions, two-state solutions, three-state solutions, confederations and regional arrangements—all with multiple variations—have captured the attention of what both Israelis and Palestinians wryly refer to as

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<sup>39</sup> The United States recently agreed to move up the opening of the new embassy, originally scheduled for the end of 2018, in order to coincide with the 70<sup>th</sup> anniversary of Israeli independence. The Palestinians, of course, commemorate that same date as the “Nakba,” or Catastrophe, because of the expulsion of hundreds of thousands of Palestinian refugees from the new state during the war that followed Israel’s founding. Accordingly, the timing has been condemned by Palestinians and others as needlessly provocative.

the “peace industry.” But none of these grand plans has any real chance to take hold in the absence of conditions conducive to a resolution of the conflict. For serious negotiations to occur, there must be a “mutually hurting stalemate” (MHS), such as that which existed in 1991, at the dawn of the Oslo negotiations (Zartman 1997).<sup>40</sup>

Reduced to its essence, the MHS paradigm suggests that “parties resolve their conflict only when they are ready to do so—when alternative, usually unilateral means of achieving a satisfactory result are blocked and the parties feel that they are in an uncomfortable and costly predicament” (Zartman 2001). At this point, however, those conditions do not exist (Habib 2016).

Certainly, many Palestinians do feel as if they are in a hurting stalemate, particularly with regards to East Jerusalem and Gaza (SAIS Group Meetings, Ramallah, 18-20 January 2018). Although the status quo in the remainder of the OPT seems relatively sustainable in the short term, it is the Palestinians’ *perception* that matters, and they have come to believe that the on-again, off-again talks with Israel and the US have done little but “serve as a cover” for an increasingly permanent Israeli presence in the West Bank and the “systematic destruction and dismantlement” of the underlying architecture of a Palestinian state (SAIS Group Meetings, Ramallah, 18 January, 2018). Palestinians face increasing settlement activity, frequent incursions by the IDF, significant restrictions on their freedom of movement and unequal treatment under the law (particularly when it comes to recourse from increasingly frequent settler attacks) (Schaeffer Omer-Man 2016, 19-21). And recent studies by the UN Commission on Trade and Development (UNCTAD) and the World Bank have concluded that the occupation has severely damaged the Palestinian economy. In 2014, for instance, the World Bank estimated that lifting economic restrictions in Area C alone would increase Palestinian GDP by \$3.4 billion (roughly 35%) per year (Niksic 2014).

For most Israelis, however, the conflict, though ever-present, has little tangible effect: the incidence of terrorist attacks outside the OPT (and even within them) is at an all-time low and the economy is growing at a 4.5% clip. More viscerally, the erection of the separation barrier and wholly separate roads, tunnels and highways for Palestinians and Israelis means that Israelis rarely interact with Palestinians (other than the occasional day laborer).<sup>41</sup> Israelis see Palestinians largely responsible for their own self-governance in Areas A and B of the West Bank and benefiting from a gradually improving standard of living. For most of them (and certainly those living outside of Jerusalem or the settlements), the stalemate does not “hurt” at all: the occupation may as well be taking place on “the dark side of the moon” (Del Sarto 2017, 79).

As the Palestinians evaluate the effectiveness of internationalization, they thus must assess whether it is likely to convince Israelis to believe that the failure to resolve the conflict will soon impact them such in such a way that they cannot merely escalate their way to victory but must instead turn to an alternative, positive-sum “way out” of their predicament (Zartman

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<sup>40</sup>Some theorists have posited that a “mutually enticing opportunity,” or MEO, could also lead to a breakthrough. But although both sides would stand to reap tremendous economic benefits from the end of the occupation, which imposes tremendous direct and opportunity costs, several of our Israeli interlocutors did not believe that the potential gains for Israel have really registered with Israelis, particularly when weighed against the perceived dangers of closer cooperation (SAIS Group Meetings, Tel Aviv, 14-16 January 2018).

<sup>41</sup>Indeed, Israelis are expressly forbidden from entering into the OPT; at every checkpoint leading into the territories from Israel proper a large red sign warns that crossing into Area A (which is under control of the PA) “is dangerous to your lives and against Israeli law.”

2001). If not, the Palestinians must consider other potential strategic options to “re-shape” reality, or simply resign themselves to a stalemate the Israelis can “afford to ignore” for years to come (SAIS Group Meeting, Tel Aviv, 14 January 2018).<sup>14</sup>

### **The “Internationalization” Strategy and its Perceived Benefits**

In seeking to internationalize the conflict, the PA has sought and obtained acceptance as a “non-member observer state” from the UN General Assembly; gained admission to a host of international organizations and conventions, including UNESCO, the UN Convention on Women’s Rights and the UN Convention on Civil and Political Rights; strongly encouraged the BDS movement; and filed charges with the International Criminal Court pertaining to the 2014 Gaza War as well as the continued expansion of settlements, which the PA contends violates Article 8.2(b)(viii) of the Rome Statute (International Criminal Court 2002).<sup>42</sup> At the same time, the PA has continued issuing statements calling on the United Nations and the international community to enforce various United Nations resolutions condemning Israeli conduct, including—most recently—UN Security Council Resolution 2334 (December 2016), which characterized continued settlement activity in the Palestinian territory and East Jerusalem as “a flagrant violation under international law” and which the Obama Administration, in a stark departure from the US’s usual practice, chose not to veto (it abstained).

The PA believes that internationalizing the conflict presents two major potential benefits. First, it is designed to increase the political and economic pressure on Israel to agree to a two-state solution along lines acceptable to the Palestinians. As Professor Dan Jacobson, chair of the Israeli Peace NGO Forum Policy Committee, put it in a recent roundtable, “Bilateral negotiation ... failed completely because you did not have a mutually hurting stalemate, because the stalemate was hurting only one side and not the other side. So the remaining way out is internationalization, which means coercion” (Khoury et al. 2015). On this view, the recognition of a Palestinian “state”<sup>43</sup> by more and more Western countries, or condemnation of Israeli actions by the “international community” or an international court, will embarrass the Israeli government and force it to alter its approach to the conflict. From the Palestinian perspective, such disapprobation would ideally be accompanied by sanctions or other public and private economic measures—such as BDS—which would impact the health of Israel’s economy (SAIS Group Meeting, Ramallah, 22 January 2018). These would in turn be perceived by Israelis as costs attributable to the occupation, thus increasing their incentive to pressure their government, either through protest, persuasion, the press or the ballot box, to reach a resolution.

Second, the internationalization strategy serves an important symbolic role within the Palestinian community by allowing it to combat what it sees as the “expropriation and erasure” of its identity by Israel (SAIS Group Meeting, Ramallah, 18 January 2018). Some Palestinian leaders and academics believe that the international community’s recognition and reaffirmation of the existence and reality of a Palestinian nation as a result of its participation

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<sup>42</sup> That provision defines as a “war crime” the “transfer, directly or indirectly, by the Occupying Power of parts of its own civilian population into the territory it occupies....” Its inclusion within the Rome Statute was cited by Israel, which had previously indicated its willingness to join the ICC, as the reason it ultimately chose not to do so.

<sup>43</sup> Obviously, such a “state” would lack many of the characteristics that typically define a sovereign entity, such as clearly defined borders and a monopoly on the legitimate use of violence within its territory.

in international affairs has encouraged Palestinians to persevere in the face of the harsh and sometimes humiliating day to day realities of the occupation. This in turn has reduced agitation for a return to violence, for three interrelated reasons: first, because it provides a sense that some “progress” is being made; second, because it provides an alternate method for the Palestinian voice to be “heard,” reducing the recourse to violence as a demonstrative tactic; and third, because the same international community which is bestowing the sought-after recognition has made it clear that it does not approve the use of violence, a lesson which the Palestinians have internalized. It is thus unsurprising that internationalization enjoys a high degree of approval within the Palestinian community, even if many have grown impatient with the lack of tangible progress.

### **Drawbacks to Internationalization**

Although the impetus behind the PA’s attempt to internationalize the conflict given what it perceives as Israeli and American intransigence is understandable, these efforts do not appear to have had much tangible influence on Israeli conduct.<sup>44</sup> Nor are the prospects of future influence particularly bright.

First, rather than cause Israelis to reassess their government’s actions, the Palestinians’ efforts have increasingly served to reinforce Israeli conviction that they are being unfairly singled out for condemnation by the world community while other, far more egregious offenders pass under the radar (Del Sarto 2017). This is a common theme in Israeli discourse, which sees an “omnipresent, extrajudicial, anti-Israel bias...cultivated and perpetuated in order to impede Israel’s legal rights to which it is accorded [sic] as a sovereign and a member of the United Nations” (Caplen 2008, 699). Moreover, that perceived bias has been exploited by the governing coalition, which has consistently played on Israelis’ “fear and anxiety” about being forced to accept a hostile state on its borders supposedly bent on its destruction.<sup>45</sup> As Jacobson puts it, “[t]he Palestinian campaign for internationalization of the conflict plays right into the hands of those who promote the Israelis’ collective paranoia, which is based on historical memories of the world’s indifference to the fate of the Jews” (Khoury et al. 2015).

Second, Israelis have yet to feel any tangible economic repercussions as a result of international pressure. Israel has seen strong GDP growth in recent years, and its citizens’ standard of living is among the highest in the world. Not one of Israel’s significant trading partners in Europe has imposed sanctions of any note.<sup>46</sup> The United States, Israel’s largest

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<sup>44</sup> One well-publicized recent example is the sentencing of Ahd Tamimi and her mother to eight months in prison, notwithstanding widespread international condemnation. The Tamimis’ sentences were imposed pursuant to a plea bargain, which may never have been offered at all in the absence of the outcry; on the other hand, IDF activity in the Tamimis’ village has continued unabated since last year’s incident, and Ahmed’s 15 year-old cousin (whose shooting minutes before allegedly prompted her to slap the IDF officer she thought responsible) was arrested in February and forced to sign a statement that he had sustained his head wound falling off his bicycle (Berger 2018).

<sup>45</sup> Ironically, Israelis are more secure from internal threats today than at any point in their history. In addition to the separation barrier, they also enjoy the benefits of security cooperation between the IDF and the PA’s security forces, which serves to nip most threats in the bud. Moreover, the PLO has consistently renounced the use of violence as a means to achieve political ends, and there has been no organized violence directed at Israelis from the West Bank since the end of the Second Intifada in 2004. As for Hamas, it did renounce violence in the aftermath of the 2014 Gaza War, but has not entirely eradicated rocket attacks on Israeli villagers near the Gaza Strip and has reserved the right to use violent means.

<sup>46</sup> In the face of heated criticism from Israeli politicians and others, including a statement from Foreign Minister Avigdor Lieberman that the move was tantamount to branding Israeli products “with a yellow star,” the EU denied

trading partner, has been steadfast in its support; even Barack Obama's administration, which was openly critical of Israeli policy on settlements, did not take any concrete action in support of that position. To the contrary, the United States continued to provide Israel with the same level of foreign aid it had under the Bush Administration, and in fact signed an agreement guaranteeing it a record \$38 billion of military aid over the next decade.<sup>47</sup> Further, a number of states in the US have passed or are considering passing laws discouraging private support of the BDS movement.<sup>48</sup>

Third, while Palestinians have invested a great deal of hope in the prospect of international judicial condemnation, any such outcomes are speculative and far-off. The International Criminal Court, which allowed the Palestinians to join in 2015 after previously rejecting their application to do so on the grounds that the court's jurisdiction was limited to "states," is still in the process of considering Palestinian submissions regarding alleged war crimes during the 2014 Gaza war and Israeli settlement policy. Even if charges are brought, it will be years before a trial (which would be conducted in absentia anyway), and the ICC would have no way of enforcing its judgment against Israeli citizens resident in Israel.<sup>49</sup> By way of comparison, one might look at Israel's aggressive rejection of the International Court of Justice's 2004 advisory opinion that the separation barrier violated international law or of the Goldstone Report on Operation Cast Lead. An ICC finding that Israelis committed war crimes would likely elicit a similarly defensive reaction, including attacks on the legitimacy of the ICC. Indeed, international condemnation of this sort often increases intensity of feeling and thus can actually lead to the escalation of conflict violence (Hultman and Peksen 2017).

Given the above, it seems unlikely that an internationalization campaign will yield significant results, at least in the short term. Although pursuing such a strategy has certain benefits for Palestinians, including raising awareness among citizens of other countries and providing an organizing principle at home, it is unlikely to create significant pressure on the Israeli government to reach agreement on a two-state solution. "Until Israelis are affected personally and, by and large they have not been affected up to now at all, their individual positions are not likely to shift. Israelis have not been required to feel any costs for the ongoing occupation in their day-to-day lives" (Khoury et al. 2015).

### Looking Inwards

If a mutually hurting stalemate is unlikely via internationalization, is there an alternative? Several commentators, including a number of prominent Palestinian intellectuals, have suggested pursuing a strategy aimed at obtaining equal rights and challenging the "dual legal system" which treats settlers and Palestinians in the OPT quite differently (Duss 2014; Farah 2016; Raday 2017). Such a strategy might encompass a range of options: from peaceful protests in East Jerusalem and the occupied territories to agitation for annexation by Israel of the OPT along with full citizenship for its residents (i.e., a "one-state solution"). Should the

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there was any political motivation for the move and presented it solely as a truth-in-labeling initiative consistent with its historic distinction between Israel's pre-1967 borders and the OPT.

<sup>47</sup> Indeed, the Bush Administration, which was far less critical of Israel openly, had more success in influencing its policies, particularly with regard to settlement activity.

<sup>48</sup> One of these, which required state contractors in Kansas to sign a pledge that they would not participate in BDS, was recently preliminarily enjoined as a violation of the First Amendment.

<sup>49</sup> Moreover, Palestinian entities would also be subject to prosecution; if Israel acceded to the ICC, it might seek charges against Hamas in connection with its rocket launches and use of civilian shields during the same Gaza war.

PA wish to force the issue, it could even dissolve itself and simply “hand the keys” of the territories over to the Israeli government, making the latter responsible for the safety and well-being of the people under the Fourth Geneva Convention. This would in turn render the threat of a civil rights movement more credible.

Depending on what form it takes, such a strategy presents at least three main advantages over that of internationalization. First, it could more directly and more quickly confront Israelis with a choice between remaining a democratic state and retaining control over the OPT without extending equal rights to Palestinians (Rumley and Tibon 2015). This is particularly true if the most radical course of action—dissolution of the PA—is pursued, but renewed debate amongst the wider Israeli public is likely even if there is simply a credible shift in emphasis from a two-state paradigm to a one-state paradigm or a well-organized equal rights campaign. This realization might well impose pressure on the Israeli government to pursue a viable, sustainable Palestinian state before the growing labyrinth of settlements, outposts, walls and Israeli-only roads and other infrastructure makes doing so impossible.

Second, if the messaging accompanying such a movement were not one of demographic domination (that is, as a first step in a “race between Israeli and Palestinian wombs” for political supremacy within Israel) (SAIS Group Meeting, Ramallah, 18 January 2018), but rather couched as a desire for a future entity that guaranteed equal rights for all and robustly protected minorities, it might be viewed more as a recognition of reality than as a purposeful threat. This could help ensure that the tone of discussions between Israelis and Palestinians over a two-state solution is productive and not hostile.

Third, a well-articulated, organized and systematic equal rights movement could in some circumstances generate the sort of international pressure and grassroots benefits that have thus far eluded the internationalization movement. For instance, if the Israeli government were forced to administer the West Bank and yet refused calls to grant Palestinians the right to vote in national elections (as some far-right Israelis have proposed), or if nonviolent calls for increased representation or more equitable distribution of resources were met with violence, the world community would likely react in stronger fashion than it has to date. It is likely that the EU would seek to impose more tangible pressure on Israel, and even the United States—where the idea of “equal rights” resonates far more than “national liberation” or “resistance”—could face pressure to alter the status quo. Among individual citizens and corporations, the BDS movement—often viewed within the US as a stalking horse for anti-Semites—might gain traction as well.

The Palestinians currently have the means of demonstrating the effectiveness of such a strategy and illustrating the choice that the Israeli government will face if its settlement policy continues. In particular, Palestinian residents of East Jerusalem—who make up some 40% of the population—could exercise their right to vote in municipal elections (Elman 2017). The PA has fiercely (and sometimes violently) discouraged voting out of fear that this would “legitimize” the occupation, with the result that less than 1% of eligible Palestinians vote and zero serve on the city council (Hasson Feb. 8, 2018). As a result, Jerusalem’s local government has been able to move aggressively to shift the demographic balance in the city using various legal and regulatory means, including far stricter residency and permitting requirements for Palestinians than for Israelis (Baker 2017). Some 60% of East Jerusalem’s residents want to vote. If they were to do so, they would immediately and dramatically change the political equation. This demonstration of political relevance—in a city as symbolic as Jerusalem, no less—would reverberate powerfully among the Israeli public, illustrating for them what a one-

state solution might look like and potentially renewing calls for a two-state solution. (Rumley and Tibon 2015).

Of course, there are significant barriers that could (and likely would) impede the Palestinians' adoption of such an equal rights strategy. First, the seemingly intractable division between Hamas and Fatah continues (and may have worsened recently after an apparent breakthrough last October), making impossible the type of close coordination needed for a coherent and universal equal rights strategy.

Second, it is critical that any equal rights campaign remain nonviolent even in the face of Israeli provocation. Prior Palestinian campaigns have failed precisely because they turned violent; this reinforces the Israeli narrative that the Palestinian people are bent on the destruction of Israel and that repressive measures are necessary in order to preserve the safety and security of Israelis. Engaging in peaceful resistance will take immense discipline, but it is almost certainly the soundest strategic approach (Chenoweth and Stephan 2012; Ackerman and Krueger 1994). Moreover, there is historical precedent; despite the stone-throwing image of the First Intifada, over 97% of the campaign activities reported by the IDF were non-violent (Chenoweth and Stephan 2012).

Third, and relatedly, the Palestinians will find it difficult if not impossible to risk the gains they have made thus far in an attempt to achieve a speculatively better outcome, which limits how credibly and completely they can commit to the strongest form of an equal-rights based strategy—advocacy for a one-state solution. Although the party that signed the Oslo Accords has been transformed from a “national liberation movement” into a “small town government” (Platt 2009, 38, quoting Said 1995) without control over its own borders, natural resources or security, the fact remains that the Palestinians *do* more or less govern themselves in a number of villages and large towns throughout the West Bank and Gaza. This in turn has resulted in some limited economic growth and the development of an active civil society. Symbolically, this autonomy is a source of great national pride; more parochially, Palestinians will be loath to risk their livelihoods and economic interests by “turning over the keys” to Israel, whatever the payoff. Such a strategy will also be difficult to pursue because of the entrenched interests many members of the Palestinian leadership have in the status quo. While these individuals might realize that pressing for a one-state solution could enable them to achieve an independent state, it is unclear whether they will be able to commit to the idea fully enough so as to make the position credible.

Finally, there is the sobering possibility that the Israeli government could accede to calls for a bi-national state but mandate that Palestinians currently living in the West Bank are all made “non-voting,” second-class citizens based on their ethnicity and/or religion (Scheindlin and Waxman 2017, 85). Given Israel's liberal tradition and its close ties with Europe and the United States, such a possibility seems hard to fathom (Gordon 2015), and the idea of so drastic a solution has never had widespread currency among Israeli citizens, who mostly think the problem will somehow “work itself out” (SAIS Group Meetings, Tel Aviv, 15 January 2018). That said, there are more and more right-wing politicians who advocate for precisely such a solution, and the Knesset is currently contemplating changes to the Basic Law which would move Israel incrementally down such a path. If the radicals eventually do win out and succeed in achieving their ethnocratic vision, of course, it is likely that Israel would find itself so far out of step with current international norms that the international pressure on Israel might then become meaningful enough to “hurt.” That in turn would achieve precisely

the end at which the current strategy of internationalization is directed, albeit at significant cost to Palestinians in the short term.

### **Conclusion**

In light of the above, it is unrealistic to expect Palestinians in the West Bank, let alone Gaza, to “turn over the keys” to Israel, dissolve the PA and press for the incorporation of all Palestinians currently living between the Jordan River and the Mediterranean into a combined, bi-national state with equal rights for all. Although in the abstract this could be a powerful negotiating tool, the symbolic, psychological and economic interests at stake are too great, and the risk is too high, for this to be a viable strategy. However, less aggressive variants, including abandoning negotiations over a two-state solution and a concerted (and well-publicized) effort to obtain equal rights, including the right to vote, are feasible and could more effectively pressure the Israeli government into working towards a more permanent solution of the conflict than the current emphasis on internationalization.

### **Policy Recommendations**

Several policy recommendations for Palestinians emerge from this analysis:

- **Encourage East Jerusalem Palestinians to vote in Jerusalem’s municipal elections.** The PA should refrain from requesting that the United Nations monitor the elections for fairness, but it should publicly state its expectations that the Israeli government will conduct the election fairly and publicize any irregularities after the fact.
- **Announce, and publicize, a campaign seeking equal rights for Palestinians in the OPT as well as Israeli Arabs.** This should be pursued strategically and have a number of different components:
  - Political. Palestinians living in the West Bank and Gaza should demand the right to vote in parliamentary elections.
  - Economic. This should focus on a small number of easy to understand issues. For Palestinians in the OPT, this could be an end to the disparity in prices paid for water and electricity, or the ability to sell produce and dairy items. For Israeli Arabs, it might take the form of equal pay for equal work, or the fairer allocation of land rights and building permits.
  - Legal. So-called “lawfare” has had some success in Israeli courts. These efforts, meant to draw attention to inequalities in the administration of justice, should continue.
- **Ensure that the campaign remains strictly non-violent.** The leadership should explain early and often why violent tactics are likely to be counterproductive, and condemn any isolated acts of violence against Israeli soldiers or civilians. Insisting that Palestinians have the “right” under international law to use violence against occupying military forces or settlers is counterproductive and should be avoided.
- **Relatedly, the PA should cease making extra payments to the families of individuals killed in violent confrontations with Israelis** on the fact of their martyrdom, but simply ensure that they receive regular social benefits.
- **Ensure that the campaign is creative and designed for dissemination on social media.** In addition to mass demonstrations, vigils, pray-ins, songs and art might prove

particularly effective in reaching as wide an audience as possible and humanizing protesters. Ensure that protests are captured on camera and uploaded immediately to social media.

- **Explore methods to decrease economic and commercial dependence on Israel,** including local agricultural and manufacturing initiatives.
- **Encourage coordination with Israeli Arabs so as to present a unified front both inside Israel proper and the occupied territories.**
- **Coordinate closely with sympathetic Israeli groups and NGOs.** The presence of non-Palestinians can help reduce the chances a confrontation with IDF personnel will turn violent, and also ensure that the campaign's message is disseminated in Israel.
- **Publicly offer to suspend or withdraw petitions to ICC in exchange for fairer treatment at home,** including equitable permitting and residency requirements in Jerusalem.
- **Continue to pursue reconciliation between Hamas and Fatah.** A unified front is extremely important to the success of an organized, society-wide campaign.

## Conclusion

Daniel P. Serwer

What can thirteen masters' students who have studied the Israel/Palestine conflict for one semester, traveled to the conflict zone for 10 days, and written the chapters in this volume in only a couple of months have to offer? Some of the best diplomats and scholars in the world have spent decades on what is often termed the Middle East Peace Process, without coming to a satisfactory solution.

The answer is: a great deal, even if, like the experts, they too fail to resolve the core issues.

Recognizing that the conditions for a negotiated political outcome do not exist, with only one partial exception (refugees) the authors have chosen to focus on issues that do not immediately entail final status. Instead of the other traditional core issues of security, borders, and Jerusalem, they have focused on interim measures—some confidence-building but many state and neighbor-building—intended to increase the likelihood of a successful negotiated outcome once leaderships and circumstances change sufficiently to allow one.

The reasons for this pessimistic assessment of the situation are all too clear. While President Trump is promising to produce “the deal of the century,” the trust required to support such an ambition is nowhere to be found. The Israelis have been unwilling or unable to stop settlement expansion and attacks on Palestinians in the West Bank. The Palestinians have been unwilling or unable to stop incitement and attacks on Israelis, as well as payments to the families of those who Palestinians refer to as martyrs. Neither side believes the other really wants peace, or is prepared to be helpful to its adversary in facing down domestic opposition to moves in that direction. Their leaders avoid talking with each other, even via “back channel” intermediaries, and prefer the status quo, which entails fewer political and security risks than final status. The US, which in the past was supposed to deliver Israel to a negotiated agreement, shows no sign of willingness to deliver Israel to anything. Instead it has tilted decisively to Israel's side on a key issue: Jerusalem. Washington is more inclined to withdraw from the Middle East than to make the kind of peacekeeping and other commitments that a negotiated settlement would necessarily entail.

What do you do when the conditions are not ripe for a negotiated outcome? Above all, you try to understand the situation as best you can. That means taking both sides in a conflict seriously and parsing their position and interests with care. You also need to look for particular areas where some effort now might produce better prospects for a negotiated settlement sometime in the future. It would be a mistake for those who seek peace between Israelis and Palestinians to throw up their hands in exasperation and allow more extreme factions, which exist in both communities, to rule the roost. The barriers to negotiation are real, but they are not insurmountable and can be lowered with time and effort. Each of the chapters in this volume therefore includes both its own analysis and policy recommendations intended to define interim measures, pending decisions on final status. Some of the analyses and policy recommendations appear consistently throughout, despite the different topics and perspectives of the authors. These are worthy of particular attention here.

All our authors comment on the enormous power imbalance between now wealthy and well-armed Israel vs. the powerlessness and poverty of the Palestinians, disarmed except for

Israel-aligned security forces in the West Bank and only equipped for strategically pointless even if deadly underground and missile attacks from Gaza. Many note the Palestinian Authority's current strategy of trying to rebalance power through internationalization, by gaining recognition and membership in international organizations. Those efforts may be necessary but our authors regard them as far from sufficient. Internationalization delivers little to ordinary Palestinians, many of whom have consequently grown to resent their geriatric leadership and to view the Palestinian Authority and the PLO with disdain. Hamas, which has strengthened on the West Bank, has weakened in Gaza, where it has been unable to deliver services or accountable governance. Weak and fragile, Palestine's institutions, widely perceived as corrupt and ineffective, are failing to serve even rudimentary requirements, never mind national pride and inspiration.

The Oslo accords, which in 1993 seemed to benefit the parties equitably, have in fact contributed to the power asymmetry in ways not generally recognized in the United States. Israel recognized the PLO's unique role in representing the Palestinians, but not the right of the Palestinians to a state, whereas the PLO recognized Israel's right to exist within the 1967 Green (armistice) Line. This asymmetry hampers diplomatic efforts. There is still no United Nations Security Council (or other) mandate for negotiations aiming at a two-state solution based on the Green Line, with land swaps, even though that outcome is often and widely assumed.

In the West Bank, the Palestinian Authority controls only Area A and civilian responsibilities in Area B of the West Bank, and it has lost control of Gaza to Hamas. Israeli security forces control Area C and enter Areas A and B at will. Settlements and outposts have multiplied, with some in Israel wanting settlers to number 1 million by 2020. The land they occupy may still be a small percentage of the total, but their distribution throughout the West Bank and the resulting security constraints on Palestinians make the occupation all too real. Israel also controls access to both the West Bank and Gaza by land, sea and air. Israeli settlers move freely, even if they are prohibited from entering Area A, but West Bank Palestinians face multiple checkpoints. Few who live in the West Bank and Gaza can gain permission to enter Jerusalem or Israel proper.

On the economic front, the Palestinian Authority is obligated to use Israel's currency and tariffs, which makes it impossible either to devalue or to protect nascent industries. Israel's control of activity in Area C also constrains Palestinian economic activity, especially agriculture, and concentrates the population in over-crowded urban centers. Israel has the natural advantage in water resources, as well as advanced desalinization capability, and takes much of the water from West Bank aquifers. Gaza is desperately short of water and power and prevented from utilizing its natural gas and solar resources in part by Israeli constraints. Even in the most peaceful parts of the world, an economic gap between neighbors as wide as the one between Palestinians and Israelis would be problematic.

While we did not focus on conditions for the Palestinians who are Israeli citizens and live in Israel, the asymmetry would be apparent there as well, even if not as dramatic.

While most Israelis are indifferent to this asymmetry and happy to see it persist, Paras Khan's chapter suggests how dangerous that attitude is. Based on his own extensive interviews with ordinary Palestinians in addition to the group's meetings, he portrays the religious radicalization on both sides and urges Israel to recognize the risk of a mass violent rebellion with worldwide Muslim support. He further recommends that the Israelis abandon the occupation and make amends, essentially reversing the policies of the 25 years since Oslo,

while the Palestinians hold PA and PLO elections to select new leadership and merge Hamas' armed faction with the PA security forces. Khan is particularly concerned to end talk of Greater Israel and a Third Temple, and to encourage the Muslim and Jewish religious leaderships to come to terms with each other.

George Mastoris by contrast suggests the Palestinians take the initiative non-violently, a view reiterated throughout the chapters by other authors. He suggests the Palestinians should abandon the formal peace negotiations and mount an equal rights campaign with international support from the West and from sympathetic Israelis. This should include political, economic, and legal dimensions and adhere strictly to nonviolence. An equal rights campaign he hopes would mobilize global public opinion and have a salutary impact on Israeli perceptions of whether the status quo really is preferable to conflict resolution. Two states and division of Jerusalem, with a Palestinian capital in East Jerusalem, might start to regain traction among the Jewish population if the likely alternative is equal rights for Palestinians in a greater Israel that lacks a Jewish majority.

None of the students warmed to the suggestion, which came up repeatedly in our meetings, that Abbas give the Palestinian Authority keys back to the Israelis, shifting responsibility for governing the occupied territories to the IDF, which wants to avoid that thankless task. Doing so would mean destroying the institutions Palestinians have built since Oslo, and likely also an end to progress in international acceptance of the Palestinian state. In any event, the current Palestinian leadership is unlikely to abandon the PA, as it benefits directly from its positions therein.

Other chapters suggest more indirect approaches to the current situation, hoping to use a period of frozen conflict to improve the chances for successful resolution once the current leaderships in Israel, Palestine, and the US give way to people more likely to take the risks associated with a final status agreement. Several suggest that Palestinians should exercise their right to vote in Jerusalem municipal elections, where they represent something like 40% of the electorate. This has been anathema to Palestinians in the past, for fear of validating the occupation. But as part of a broader equal rights campaign, it might prove more palatable and enable Palestinians to capture their rightful share of services like health and education that Jewish political dominance of the municipality has denied them.

Redressing the economic power imbalance would help to create more favorable conditions for future final status negotiations. Sarah Kouhlani-Nolla suggests that allowing more Palestinian freedom of movement, lifting trade restrictions, and allowing Palestinian economic activity in Area C as well as improvements in the business environment in the West Bank and Gaza are the keys to economic and job growth. She thinks educational reform and technical assistance more important to private sector development than international financing. Improvements in the Palestinian financial system and legal reform should be priorities, rather than the more conventional development projects.

Kristin Caspar and Melanie Snail look at water and energy development, respectively, as ways to remove economic constraints on Palestine. These are constraints that pose environmental and health risks to Israelis as well as Palestinians, so the authors are hopeful Israel can be convinced to revive Oslo-mandated water cooperation in the West Bank and initiate energy cooperation in Gaza. The Palestinians need more and cheaper water that Israel could help to provide. Gaza needs an end to the Israeli blockade as well as to military targeting of its energy infrastructure, as well as repair and upgrading of its gas-fired electrical plant. Development of Gaza's known natural gas field could among other things make Gaza capable

of doing its own desalination, if Israel would provide the technology. More equity in energy and water would help enormously to level the playing field and improve the prospects for peace.

Cooperation of this sort has become far more difficult than it was before the second Intifada, which had a profound effect on Israeli threat perceptions. Israeli and Palestinian society have grown apart with the building of the separation barrier and the hardline politics developing on both sides of it. Several authors recommend enhanced people-to-people contacts between Jewish Israelis and Palestinians, to counter the negative impact on mutual perceptions caused by the separation barrier and checkpoints.

Kamille Gardner would like Israelis and Palestinians to share perspectives on the conflict and moderate their narratives through community-based peace education. They might even come to acknowledge essential, and in some ways similar, elements of both peoples' experiences with exile and yearning to return to ancestral lands. Elizabeth Goffi, noting that youth on both sides are less tolerant toward "the other" than their elders, suggests educational reform to repair misperceptions and mute hostilities as well as prepare Palestinian youth for job opportunities. She also suggests that serious political reform is needed to get younger Palestinians more actively engaged, and economic development is required to counter radicalization.

Mona Oswald delves into gender aspects of the conflict, noting the very limited and non-feminist role of women in the peace process to date. She suggests that women and feminism could make substantial contributions to negotiations and peace-building between two societies that are male-dominated in ways that encourage militarization, especially in Israel, and domestic violence, especially in Palestine. The cure lies in preventing violence and discrimination against women and in ensuring that they can participate fully in their respective societies, including any future peace process. Doing so would lead to fundamental changes in both societies and improve prospects for a successful negotiation.

Emma LaFountain examines the situation of Palestinian refugees in the West Bank and Gaza as well as in other countries. She sees little hope of their return to Israel proper, but thinks that other options are available. Urging that UNRWA be fully funded until a Palestinian state comes into existence, she sees a need for different UN agencies to equalize how they treat Palestinian refugees. She also suggests that Palestinian refugees will eventually need to accept compensation (mostly on an individual, not a collective, basis), returns to a future Palestine, local integration where they are living, and resettlement elsewhere. She hopes West Bank settlements from which Jews have withdrawn can be used to house Palestinian refugees.

Completing the circle, we return to the international dimension. Several authors see promise in the Arab Peace Initiative, which essentially offers Israel recognition in exchange for creation of a Palestinian state in the West Bank and Gaza. Gillea Benitez wants the Trump Administration to refocus its efforts on confidence-building measures, desist from moving the US embassy to Jerusalem, and fully fund UNRWA, while Israel stops settlement expansion and Abbas calls for PA elections. Aaron Huff is doubtful the Administration's confidence in an "outside-in" approach that frontloads Arab acceptance of Israel and postpones fulfillment of Palestinian aspirations can work. He nevertheless thinks the Arab Peace Initiative an important starting point for fair and impartial negotiations and urges the US to take a more practical and less unilateral approach. George Mastoris, a lawyer himself, doubts international law can contribute seriously to a resolution. Its main function until now has been rhetorical rather than substantive. He prefers nonviolent mass direct action in favor of equal rights.

As we go to print, the world is anticipating the release of Jared Kushner and Jason Greenblatt's ballyhooed US plan for the Israel/Palestine conflict. The Palestinians, angered by decision to move the US embassy to Jerusalem without any concession to their interest in a Palestinian capital there, have refused to meet with the US negotiators on grounds that anything they produce will lean heavily towards Israel. President Abbas is seeking to get other countries involved in mediating the conflict. At the same time, Hamas has thrown its support behind demonstrations at the Gaza border with Israel, which has fired on what had appeared to be a mostly nonviolent protest and killed at least 15 Palestinians. Demonstrations are expected to crescendo at least until the commemoration of the Nakba on May 15. The odds of a successful negotiation appear to be decreasing, not increasing.

But the firing of Rex Tillerson, who had left Palestine/Israel issues entirely to Kushner and Greenblatt, blurs the picture. The nomination of Mike Pompeo as Secretary of State has resuscitated at least some Palestinian hopes, as they developed a good relationship with Pompeo as CIA Director, based on the notion that Islamist extremism and Iran are threats to the PA as well as to Israel. The question is whether Pompeo will be able and want to recapture the peace process from the White House and pursue a more even-handed approach if Kushner is pushed aside by his problems in obtaining a security clearance. Until the dust settles in Washington, prospects will remain unclear.

There are also uncertainties about Israeli Prime Minister Netanyahu and PA President Mahmoud Abbas. The Prime Minister is under investigation for corruption. Israeli prosecutors are recommending that he be charged. The President is old and ailing as well as unpopular. Succession looms. Hamas already has new leadership that is trying to sound more moderate. Both polities may go to elections soon. There is no guarantee that successors will be any readier for the risks of serious negotiation. But with personnel changes come new possibilities.

In the meanwhile, the measures recommended here merit consideration. They would strengthen prospects for peace and allow future leaders more political space to take hard decisions. Simply freezing the situation is not feasible: Jews continue to build outposts and settlements, as well as the separation barrier, while Palestinians sink into despair and desperation. Jews and Palestinians need to collaborate in escaping the cul-de-sac into which they have driven each other.



## List of Briefings and Interviews

### Washington, DC briefings Fall 2017

- **Reuven Azar** Deputy Head of Mission Embassy of Israel (October 25, 2017, SAIS)
- **David Makovsky**, Ziegler distinguished fellow at The Washington Institute and director of the Project on the Middle East Peace Process., SAIS Faculty (November 8, 2017, SAIS)
- **Ms. Victoria Coates**, Special Assistant to the President and Senior Director for Strategic Communications with the National Security Council (November 14, 2017, Old Executive Office Building, Washington, DC)
- **Ghaith al-Omari**, Senior fellow at the Washington Institute for Near East Policy, former executive director of American Task Force on Palestine (November 15, 2017, SAIS)
- **H.E. Salam Fayyad**, Former Prime Minister of the Palestinian Authority (November 29, 2017, Woodrow Wilson Center, Washington, DC)
- **Yael Mizrahi**, SAIS '16. (November 29, 2017, SAIS)
- **Dr Lior Lehrs**, Visiting Scholar with the CM Program, Israel Institute Postdoctoral Fellow, Taub Center for Israel Studies, New York University, (November 30, 2017, SAIS)
- **Amjad Attallah**, CEO of Vortex International. Former Regional Director for the Americas of Al Jazeera International and Senior Legal Advisor in charge of Security and Borders to the Palestinian Negotiating Team (December 6, 2017, SAIS)

### Tel Aviv – Jerusalem Briefings January 14-23, 2018

#### Sunday, January 14, 2018

- **Col. (res), Attorney Gilead Sher**, Head of the Center for Applied Negotiations, Senior research Associate
- **Kobi Michael**, PhD, Senior Fellow, The Institute for National Security Studies
- **Dr. Yair Hirschfeld**, Founder & General Director, Economic Cooperation Foundations
- **Dr. Dahlia Scheindlin**, Policy Fellow, The Israeli Institute for Regional Foreign Policies
- **Udi Dekel**, Senior Research Fellow, The Institute for National Security Studies
- **Pnina Sharvit**, Senior Research Associate, The Institute for National Security Studies

**Monday, January 15, 2018**

- **Lydia Aisenberg**, Journalist, Educator, Study Tour Guide, International Department, Givat Haviva
- **Koby Huberman**, Cofounder, Israeli Peace Initiative
- **Otniel Schneller**, former Knesset member and West Bank settler

**Tuesday, January 16, 2018**

- **Col. (Res.) Dr. Shaul Arieli**, Member of the Steering Committee, Commander's for Israel's Security
- **Benjamin Krasna**, Head of Bureau, Asian and Economic Affairs, Infrastructure and Training Center for Policy Research, Ministry of Foreign Affairs
- **Elad Dunayevsky**, Analyst, Palestinian Affairs – Center for Political Research, Ministry of Foreign Affairs
- **Tal Becker**, Legal Adviser, Ministry of Foreign Affairs
- **Walid Salem**, Director of Panorama, the Palestinian Center for the Dissemination of Democracy and Community Development
- **Shaul Arieli**, Expert on Israeli-Palestinian conflict
- **Gershon Baskin**, Founder and Chairman, Israel/Palestine Center for Research and Information

**Wednesday, January 17, 2018**

- **M.K. Esawi Frej**, Deputy Speaker, The Knesset
- **Orna Mizrahi**, Deputy NSA for Foreign Policy, Prime Minister's Office, National Security Council

**Thursday, January 18, 2018**

- **Rami Elhanan**, Co-Director, Parents Circle – Families Forum, Israeli-Palestinian Bereaved Families for Peace
- **Ashraf Al-Ajrmi**, Ex-Minister of Prisoners, Journalist, Writer
- **Hanan Ashrawi**, Member, Executive Committee, Palestine Liberation Organization
- **Galia Golan**, The Joint Palestinian Israeli Policy Working Group
- **Ilan Baruch**, The Joint Palestinian Israeli Policy Working Group
- **Walid Salem**, The Joint Palestinian Israeli Policy Working Group
- **Dr. Hanan Ashrawi**, Member of the PLO Executive Committee

**Friday, January 19, 2018**

- **Mazin Qumsiyeh**, PhD, FABMG, Professor & Director, Cytogenetics Lab, Palestine Museum of Natural History
- **Dr. Jad Isaac**, Director General, Applied Research Institute – Jerusalem (ARIJ)
- **Marwan Farageh**, Aida Refugee Camp
- **Ambassador Hind Khoury**, Palestinian Liberation Organization

**Saturday, January 20, 2018**

- **Dr. Ayman H. Daraghmeh**, PLC Member, Palestinian Legislative Council
- **Khaled I. Abu Arafah**, former Minister of Jerusalem Affairs, Palestinian Legislative Council
- **Mohammad Toutah**, PLC Member, Palestinian Legislative Council
- **Bashar Al Masri**, Founder, Rawabi
- **Ruba Qadi**, Rawabi

**Sunday, January 21, 2018**

- **Raed Abed Rabbo**, Public Relations Director, Applied Research Institute – Jerusalem (ARIJ)
- **Abdallah Abu Rahma**, Director General of Popular Actions and Resilience Support
- **Dr. Jawad Khawaja**, State of Palestine
- **Salah Khawaja**, The Nilin Center Organization
- **[Professor Yousef Nathsheh, Al Quds University]**
- **Nabil Shaath**, Foreign Policy Advisor to President Mahmoud Abbas
- **Dr. Sameer Abu Eisheh**, former Minister of Finance, Hamas Government
- **Dr. Mustafa Al Barghouti**, General Secretary, Al Mubadara (National Initiative Party)

**Monday, January 22, 2018**

- **Dr. Mahdi F. Abdul Hadi**, Chairman, The Palestinian Academic Society for the Study of International Affairs
- **Hillel Schenker**, Co-Editor, Palestine-Israel Journal
- **Dr. Ziad Abu Zayyad**, Co-Editor, Palestine-Israel Journal
- **Omar Shaban**, Founder & Director, Pal-Think for Strategy Studies
- **Professor Sari Nusseibeh**, Professor of Philosophy and former President, Al Quds University

**Tuesday, January 23, 2018**

- **Dr. Mustafa Barghouti**, Secretary General, Palestine National Initiative
- **Raja Khalidi**, Research Coordinator, Palestine Economic Policy Research Institute (MAS)
- **Oded Ravivi**, Mayor of Ephrat



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## CONFLICT MANAGEMENT PROGRAM 2018

