Israel-Palestine in 2009: War, Unilateralism and an Attempt to Renew Negotiations

Yossi Alpher
Co-editor
Bitterlemons family of internet publications
Former Director
Jaffee Center for Strategic Studies, Tel Aviv University

Throughout 2009, the Israeli-Palestinian conflict continued its decade-long slide away from a negotiated solution, towards greater unilateralism and international involvement, and into a hardened division between Palestinian secularists in the West Bank and Islamists in Gaza. As the year ended, yet another American-brokered attempt at bilateral negotiations towards a two-state solution appeared likely, however slim its chances of success.

In terms of overall Mediterranean security and stability, the ongoing presence of an Islamist quasi-emirate in the Gaza Strip, coupled with Hezbollah's emergence in 2009 as perhaps the dominant political and military force in Lebanon, posed a serious challenge. Israel's controversial military campaign against Hamas in January, like its earlier mini-war with Hezbollah in 2006, seemingly demonstrated the highly problematic nature of the use of military force against these Islamist militant non-state actors with their links to Iran and their control over sovereign "black holes" on the Mediterranean shores. In parallel, the continued lack of significant prospects for a negotiated two-state solution also challenged overall regional security.

Failure of Negotiations

Over the course of 2009, Israelis became aware of two sets of failed Israeli-Palestinian negotiations –one with the PLO, the other, indirectly, with Hamas. The most strategically significant revelation concerned the fate of the talks held during 2008 between Israeli PM Ehud Olmert and Palestinian Authority President Mahmoud Abbas. The latter revealed details of the talks in May; in the ensuing weeks and months, Olmert added commentary. Both leaders in effect confirmed that Olmert had made the most far-reaching Israeli final status offer yet and that Abbas had rejected it.

Olmert's offer comprised some 93.6% of the West Bank and Gaza within the 1967 armistice lines, and "land swaps" and a Gaza-West Bank land bridge to bring the deal close to 100%. Jerusalem would be divided along ethnic lines, with a five country commission made up of Palestine, Egypt, Jordan, Israel and the US –meaning a Muslim majority– to supervise the Holy Basin (the Old City, Temple Mount/Haram al-Sharif and the area extending from there to and including the Mount of Olives). A symbolic return to Israel of 1948 refugees would be permitted; Abbas added that Olmert had also accepted in principle the "right of return," while Olmert disputed only this aspect of Abbas's account.

For Israelis, the most spectacular aspect of these revelations was Abbas's comment that he had rejected the offer and "the gap was wide." While many tactical explanations can be mustered for this comment –Olmert had already resigned and was leaving office, and Abbas's political status was not stable– the Israeli peace camp was stunned by it. It was highly doubtful the Palestinians would encounter this far-reaching an offer in the foreseeable future. Abbas's revelations helped further reduce the size and influence of an Israeli peace camp that had already been weakened by Palestinian suicide bombings and the Palestinian response to the unilateral withdrawal from Gaza several years earlier, as well as by Fatah's schism with Hamas in 2006-7. Further, to a growing body of Israelis, Palestinian dysfunctionalism seemed increasingly to reflect Arab dysfunctionalism, as fully five additional Arab states –Iraq, Lebanon, Somalia, Sudan and Yemen– fell victim, like Palestine, to chaos and anarchy.

Not that Israeli politics towards the end of the first decade of the new millennium was much less chaotic or rendered a settlement with the Palestinians any easier. Had Olmert actually reached an agreement with Abbas, he would almost certainly have proved incapable of rallying his coalition behind it. His would-be successor from Kadima, Tzipi Livni, failed in late 2008 to form a new government due to conditions regarding Jerusalem imposed by the Sephardic ultra-orthodox Shas faction. And the new government that emerged in early 2009 under PM Binyamin Netanyahu embodied pro-settler and anti-two-state-solution factions.

These developments merely underlined the toxic nature of the interaction between Israeli politics and the Palestinian issue for the past 20 years: every Israeli coalition formed over these two decades has collapsed over controversies linked to negotiations with the PLO or Israeli actions in the Palestinian sphere such as the unilateral withdrawal from Gaza.

Another series of negotiations, between Israel and Hamas through Egyptian intermediaries, lasted from 2008 to 2009. These contacts were aimed at formalising a ceasefire (see below) and arranging a prisoner exchange in order to obtain the release from Hamas captivity of an Israeli soldier, Gilad Shalit. In opting for Egyptian mediation –Egypt also sought to mediate the re-creation of a Palestinian unity government between West Bank-based Fatah and Gaza-based Hamas– Israel seemingly ignored the obvious existence of Egypt's own agenda regarding Gaza: to make sure it remained an Israeli problem and not an Egyptian one. Worse, Israel's approach to Hamas, backed broadly by the Quartet (US, EU, UN and Russia), as well as Egypt and the PLO, seemed fruitless. Economic warfare was a failure, a prisoner exchange did not materialise and military solutions were proving extremely problematic. By year's end, the task of mediating a prisoner exchange had been entrusted to German mediation, which seemed more efficient and less affected by regional mistrust.

War in Gaza and Its International Aftermath

An Israeli military campaign against Hamas inside the Gaza Strip began in the last days of 2008 and continued into mid-January before ending in a tentative ceasefire. The Israeli attack was undertaken following years of rocket and mortar attacks launched from inside Gaza against Israeli civilians in the towns and villages surrounding the Strip. While the primitive and inaccurate nature of the rockets fired by Hamas and other militant Palestinian groups meant that relatively few Israelis were killed or injured, the disruption to daily life and the psychological trauma visited upon tens of thousands of Israeli civilians was significant.

The Israel Defense Forces (IDF), stung by the inconclusive outcome of their campaign against Hezbollah in South Lebanon in 2006, long hesitated to respond to Hamas with overwhelming force. It was only the introduction by Hamas of longer-range rockets targeting Ashkelon, the first real city brought within Hamas's range, that triggered the Israeli attack. The Israeli offensive was maladroitly code-named "Cast Lead," a phrase taken from a song sung during the Hanukah holiday, when the operation began, but also inadvertently referring to the raw material of bullets.

The Gaza War, like its predecessor in Lebanon, seemed to end inconclusively, with Israel inflicting heavy civilian casualties and causing extensive damage to infrastructure and civilian housing. Unlike in Lebanon, Israel's own losses were miniscule. That factor, and Hamas's agreement to maintain a ceasefire in order to end the war, generated an Israeli assessment that the war had achieved its primary aims and had strengthened Israel's deterrence of Hamas. This view, in turn, was strengthened by the ongoing quiet along Israel's Lebanese border that lent credence to a revised assessment that the 2006 war had been more successful for Israel in deterring Hezbollah than initially presumed.

Moreover, the international diplomatic intervention that ended the Gaza war also significantly upgraded regional cooperation against the smuggling of ordnance and terrorists by Iran, Hezbollah and others. These new arrangements bore fruit during the ensuing year, as arms shipments were intercepted on the Mediterranean and in Egypt and the latter commenced construction of an underground steel barrier to prevent smuggling of weaponry by tunnel under the Egypt-Gaza border.

In Gaza as in Lebanon, Israel confronted a militant Islamist non-state enemy that preaches its total destruction, deliberately targets its civilians and does not hesitate to abuse civilian infrastructure for military purposes. But in prosecuting its war in Gaza while striving to keep its own losses to a minimum, Israel ended up inflicting heavy Palestinian civilian losses there. This proved extremely damaging to Israel's international standing, especially after publication in September of the Goldstone report, commissioned by the UN Human Rights Commission. Whatever military gains the

IDF registered were seemingly neutralised by heavy international criticism provoked by the civilian losses incurred in Gaza during the campaign. Israel argued that it was being singled out disproportionately for the inevitable collateral damage inflicted by a campaign against a terrorist non-state actor.

Worse, Israeli strategic thinkers could offer few alternative ways for Israel to deal in future with such actors. One promising option subjected to accelerated research and development throughout 2009 is an anti-rocket missile defence system that could conceivably neutralise the Hamas (and Hezbollah) rocket threat without recourse to offensive warfare. Its deployment will commence in mid-2010.

The Peace Process and Palestinian Unilateralism

The year 2009 witnessed the entry into office of new governments in both Washington and Jerusalem that seemed to embody contradictory strategic approaches to the region and its problems. The Obama administration was pledged to diplomatic engagement with hard-line countries like Iran and Syria that Israel felt threatened by, and it assigned much higher priority to the Israeli-Palestinian conflict than did its predecessor, the George W. Bush administration. Further, it insisted that the first steps in a renewed Israeli-Palestinian peace process should involve a comprehensive Israeli freeze on settlement construction in the West Bank and East Jerusalem, paralleled by Arab state confidence-building gestures towards Israel.

In contrast, the new Netanyahu government that emerged in Israel in April was largely hawkish in orientation; some of its component parts were settlers or were sympathetic to the settlement enterprise. What ensued throughout the year was perhaps primarily a contest to see which leader, Netanyahu or Abbas, understood the workings of Washington better and was more skilled at dealing with Obama's demands and approach. As of 1 January 2010, Netanyahu had won hands down.

Netanyahu made conspicuous public moves to accommodate Obama by endorsing the two-state solution –a major ideological departure for someone schooled in Revisionist Greater Land of Israel thinking– and imposing a limited settlement freeze. But he also accommodated his political constituency by continuing to build in East Jerusalem and indicating he would offer no concessions there once negotiations got underway. Netanyahu also undertook to coordinate Israel's policy on Iran with that of the administration, thereby freeing Obama's hand to open negotiations with Tehran over nuclear issues.

Abbas, in contrast, proclaimed that the new American approach fully coincided with Palestinian policy and all he had to do was wait for the administration to "deliver" Israel. He also linked his readiness to renew negotiations with Israel to Jerusalem's total compliance with the settlement freeze. Obama's Arab-Israel conflict emissary, Senator George Mitchell, and Secretary of State Hillary Clinton ended up praising Netanyahu's compliance in December and pressuring Abbas to show some flexibility and enter negotiations.

The year-long stalemate in the Israeli-Palestinian peace process also prompted an intriguing Palestinian exercise in unilateralism. Palestinian Authority Prime Minister Salam Fayyad, a technocrat and not a member of the ruling Fatah, could take credit for a series of successes –achieved with considerable US and EU assistance– in priming West Bank economic growth and enhancing security through the deployment of an apolitical paramilitary force that worked closely with Israel. He followed up by declaring in August that within two years his strategy would put in place the infrastructure of a state. If by that time negotiations did not produce a two-state solution, the Palestinians would seek international support for independence.

In a stroke, Fayyad presented Palestinians with an alternative to armed struggle and Israelis with a challenge. True, he was dependent on a sceptical Fatah for support for his programme and he offered no solution for the Gaza Strip. However, Netanyahu had to acknowledge that progress towards prosperity and security under Fayyad corresponded to some extent with his own bottom-up ideas about "economic peace." Plus, the Obama administration could point to a timetable and an alternative in the event its design for renewing bilateral negotiations in 2010 did not succeed.

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