

CHAPTER FIVE

The Palestinian Question





5.1 Managing the Conflict with the Palestinians



The events commonly referred to as the “Arab Spring” and the rise of radical Islamism lend credence to the assertion that the Palestinian problem is not the root of all regional instability. Other geopolitical developments, such as the increasingly belligerent policies being adopted by Iran and the election of Donald Trump as president of the US, further reduce the amount of attention being paid to Palestinian grievances. Consequently, attempts (that are, alas, perennially futile) to find a “solution” to the Palestinian-Israeli conflict have lost some of their urgency; and the issue has become less of a priority for the international community.

Today, Israeli national security priorities are based on the growing possibility of an armed confrontation with Iran, and the escalation of tensions with Hezbollah in Lebanon into potentially full-scale hostilities. But there are other concerns to consider as well. Turkey’s role during a regional crisis is difficult to gauge, as well, given President Erdogan’s capriciousness.

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Other unknowns include the depth of US support for Israel during a national security crisis, even in the age of Trump. Meanwhile, the aging PA President Mahmoud Abbas has doubled down on promoting the Palestinian narrative of victimhood. A changing of the Palestinian guard in the near-term future is inevitable, as well.



In Gaza, Hamas leaders continue to view their movement as essentially jihadist in nature. And though they have displayed an occasional willingness to negotiate with Israel via Egypt, Hamas continues to act with genocidal intent towards Israel. Effectively, Hamas's policy is to facilitate short, temporary, periods of calm with the Zionist state, while preparing for conflict.

Given these levels of uncertainty, the prudent course for Israel is to pursue a policy of "conflict management" regarding the Palestinian issue. This cautious approach is predicated on the (widely shared Israeli) assessment that the Palestinian national movement is not yet ready to reach a historic compromise with Israel; and especially not so until the Fatah-Hamas divide is overcome.

Alas, the gaps between Israel's minimum-security requirements and the PA's steadfast calls for expansive and almost-runaway statehood (based on their own reading of "international legitimacy") are too wide for there to be any movement on the diplomatic front, in the near future.

Under these circumstances, Israel's goals on the Palestinian front should be realistic. Specifically, Jerusalem should strive to reduce levels of violence to a minimum and patiently wait for broader regional events to develop that might create new diplomatic opportunities.

Effective management of the conflict with Palestinians includes the following:

- » Provisional arrangements: Israel should implement policies that ease tensions and reduce the risks of violent escalation. Such policies should be tethered to the defense of vital national security interests.
- » Judicious use of force: The use of force against people inciting violence and sedition is crucial to reestablishing Israel's deterrence capability. At the same time, Israeli security forces must carefully distinguish between terrorists, who should be targeted and neutralized swiftly, and the general population.
- » Improving governance in Area C: Israel should enforce existing laws to block the development of nationalist Palestinian projects that threaten Israeli strategic interests (particularly in areas such as E-1, the Jordan Valley and the southern Hebron foothills). However, Israel should adopt a two-pronged approach that also emphasizes good governance for all residents of Judea and Samaria. Whether Israel seeks to annex parts of Area C or hold Area C as a bargaining chip for future negotiations, good governance is the best way to block foreign interference in Area C.
- » Carrots and sticks: The national government should draw on elements of the Trump economic plan as a way of responding to the legitimate needs of the Palestinian population. Local Palestinian leaders should be recognized and rewarded for behavior that facilitates easing of tensions. To give this policy greater salience, international and regional players should be encouraged to use their influence with the Palestinian leadership. The use of economic "sticks," such as the reduction of US aid over the PA's "pay to slay" policy, should be carefully balanced with "carrots" that include increased investment in infrastructure and the development of a local job base. Significantly, Israel should focus on rewards that directly benefit the Palestinian people, not Ramallah's kleptocracy.
- » Settlements, restrained: Israel's settlement policy should be moderate in nature. The Israeli footprint should be restricted to territories deemed vital to national security and that are broadly within the Israeli consensus. These territories include greater Jerusalem as well as the Jordan Valley.



- » Diplomacy and public diplomacy: Following the PA's outright rejection of the Trump initiative, Israel should concentrate on strengthening American commitments to Israel. Efforts should be made to increase the international community's understanding of Israel's security imperatives regarding the Palestinian issue, including the way Israeli policies are implemented and the strategic considerations guiding its policies.

It is vital for Israelis to realize that territorial concessions, especially unilateral Israeli withdrawals, will not increase Israel's security or improve Israel's international standing. Unilateral withdrawals from Lebanon and Gaza only served to exacerbate and aggravate Israel's conflicts with Hezbollah and Hamas, respectively.

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In much the same way, unilateral Israeli withdrawals from Judea and Samaria would likely embolden the Palestinians to push for further concessions from Israel; and this would lead to acute, unnecessary tensions within Israeli society. Moreover, Israeli withdrawals would likely result in Hamas seizing power in the West Bank.

At the same time, Israel should be careful about extending Israeli law to settlements in Judea and Samaria. Such a move should be considered only regarding areas in Judea and Samaria about which there is a broad Israeli national consensus, and in any case Israel must wait until the expected American peace initiative has run its course.

"Conflict management" is neither a weak default policy option nor the result of Israeli government reluctance to make difficult decisions. Rather it is worthy strategy with significant merits. Applied prudently, it is a realistic approach to the Palestinian issue, and it can be sustained into the foreseeable future. Given current circumstances, the components of conflict management enjoy broad Israeli public support, and this is a weighty consideration.



5.2 Trump's "Deal of the Century": Redefining the Possible



Much of the international community and the political left in Israel regard the "Clinton Parameters" as the only realistic basis for an Israeli-Palestinian peace deal. The presumed parameters include the creation of a unitary Palestinian state in the West Bank and Gaza, Israeli withdrawal to the pre-Six-Day War borders of June 4, 1967 (allowing for "limited and equal" land swaps with the Palestinians of perhaps three to six percent of the territory), a division of Jerusalem into two capitals, and dismantlement of a large part of the settlement enterprise in Judea and Samaria.

As it happens, this formula has repeatedly failed to facilitate an Israeli-Palestinian accord. The PA has been unwilling to agree to an end-of-claims agreement even on this basis, despite the willingness of several previous Israeli governments to accept the Clinton Parameters as the basis for negotiations.

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Therefore, the Trump administration should be lauded for its willingness to break away from this paradigm and re-assess the parameters of a peace agreement. Equally praiseworthy are Washington's ongoing efforts to secure Arab support for its initiative, in order to provide political and economic backing for Palestinian agreement. Indeed, as the Bahrain "workshop" was designed to demonstrate, the Trump initiative could serve a better basis for resolving the Israeli-Palestinian conflict; and it is likely to be more attentive to Israeli interests than previous proposals.

As such, the Israeli government should welcome the American plan when it is presented in full, even if the plan does not fully address every Israeli diplomatic or security need – including those needs related to settlements.



A positive Israeli response to the initiative is necessary in order to maintain close working relations with the Trump administration.

In addition, a positive response from Israel is equally important for domestic reasons. No Israeli government can afford to be perceived by the Israeli public as rejecting peace. Saying “yes” (or “yes, but”) to the Trump plan will strengthen social and political cohesion.

(Of course, if the American plan asks Israel to make unreasonable concessions, the government will have to push back and express its reservations, regardless of the Trump administration’s affections. But this is not what seems to be in the cards.)

The Arab world and wider international community will likely greet the Trump plan with muted support. The Palestinians, who have been boycotting virtually all channels of communication with Washington, are expected to reject the American plan outright. The impending struggle for succession in the post-Abbas era will likely strengthen the voices calling for rejection of the American plan.

Still, when a major power such as the United States presents a detailed set of new parameters for peace, this undoubtedly will influence the international discourse for the long term. Thus, it is useful that the Trump administration has shown a willingness to broach new diplomatic paradigms, including alternatives to the standard “two state solution” (2SS) paradigm.

It is important to note the “two state” paradigm as outlined in the Clinton Parameters was not part of the Oslo Accords, and this formula has become a barrier to the seeking of more practical options.

The 2SS paradigm in its broadest contours is regarded as holy writ by many in the international community and was codified in the waning days of the Obama administration in UN Security Council resolution 2334. But it is important to note that the “two state” paradigm as detailed in the Clinton Parameters was not part of the Oslo Accords, and this formula has become a barrier to seeking more practical options.

Israel should therefore make use of the opportunity offered by the Trump initiative – and the anticipated Palestinian rejection of it – to firm up support for the “conflict management” approach and for creative thinking about diplomatic arrangements for the long term.

In any case, any future agreement must include a provision whereby Palestinians recognize Israel as the nation state of the Jewish people. Regarding Jerusalem, the optimal result would preserve present political realities, except perhaps in some outlying areas. It should be made clear that if significant changes are suggested in Jerusalem status quo – generally, or regarding the Temple Mount specifically – Israel will have new demands of its own including the right of Jewish prayer on the Temple Mount.



5.3 The Day After Abbas



The Palestinian Authority is a failing political entity which finds it difficult to sustain stable state structures. It is an authoritarian regime that lacks mechanisms for facilitating a peaceful and legitimate transfer of power. PA President Mahmoud Abbas is 83 and in fragile medical condition. As a result, a succession struggle has begun and the ensuing turmoil for Palestinian leadership has thrown the entire future of the PA into doubt.

Among the candidates to succeed Abbas are, reportedly, former security chiefs Jibril Rajoub and Muhammad Dahlan, as well as current head of the Palestinian General Intelligence Service, Majid Faraj. Jailed Fatah leader Marwan Barghouti is considered a candidate too, even though he is serving five life sentences for murder. Alternatively, several of the key players in the PA's political drama could agree to lead the next government together, something that might prevent bloodshed.

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Yet another possibility is further fragmentation of the Palestinian polity based on local allegiances. Such a scenario would be characterized by small armed militias gaining control of towns and rural areas. Furthermore, Hamas could try to seize power in the West Bank, or at least establish its rule in parts of PA-governed areas. Any variation on these scenarios could lead to extreme political destabilization and chaos in the lives of many Palestinians.

As such, it's difficult to conceive of the first post-Abbas leader of the Palestinian Authority following in the footsteps of Egypt's President Anwar Sadat and initiating substantial changes to either Palestinian domestic or foreign policy. The next leader of the PA is unlikely to make a clean break from the political culture established by Yasser Arafat, bequeathed to the PLO and the PA and largely left intact under Abbas (although the latter has shied away from the "armed struggle" as such).



What should be Israel's policy for the day after Abbas?

Israel must prevent a Hamas takeover of PA institutions or the extension of intra-Palestinian struggles into Jerusalem. However, the ability of Israel or any other external player to politically engineer its neighbors' ruling structures – particularly the Palestinian political system – is limited at best. As such, Israeli intervention in the internal Palestinian leadership struggle should be limited only to instances when highly specific security interests are at stake.

In any case, any attempt by Israel to lend support to one of the leading candidates to replace Abbas must be highly discreet. Should any such assistance be overt and public, the relevant candidate's legitimacy in the eyes of the Palestinian people would plummet.

The break-up of the PA into sub-units does not necessarily contradict Israel's interest in reducing the strength of the Palestinian national movement. However, the possible descent of PA-controlled areas into chaos would pose serious new security risks for Israel, given the likelihood of increased terrorist operations being launched from these areas.

Therefore, tempting interventions of all types should be shelved in favor of continued "conflict management," as discussed above. In any case, Israel must make provisions for a possible deterioration of its border security should the PA devolve into chaos.

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In conclusion, the emerging regional situation under the shadow of the Trump plan and its rejection by the PA may be an opportunity to explore an alternative to the 2SS paradigm. In a new regional calculus, the Arab world could assume a leading role in searching for viable alternatives to this apparently failing paradigm.

A new approach to relations between Israel and the Palestinians will become even more important should the PA crumble in the post-Abbas era. In such a situation, Jordan's role in administering parts of the Palestinian population may need to be broached anew.





5.4 Gaza: Carrying a Big Stick and Several Carrots Too



Below is a summary of the situation in Gaza, a reality that is not likely to change soon:

1. An intra-Palestinian reconciliation is unlikely, though understandings between rival political factions may be reached as circumstances dictate. Hamas will continue to rule Gaza and will not submit its military wing to any external authority.
2. Given the weakness of the PA, there is no viable alternative at this time to Hamas rule in Gaza. In addition, neither Israel nor Egypt have an interest in assuming responsibility over the governance of the Gaza Strip.
3. Hamas will remain actively committed to the destruction of the Jewish state. However, due to its military inferiority, Hamas has and will continue under certain circumstances to hold its fire against Israel.
4. The Hamas regime does not have a total monopoly over the use of force in Gaza. Other organizations, particularly Palestinian Islamic Jihad (an Iranian proxy), have rockets and firearms and are not beholden to Hamas. As a result, these organizations can and do periodically act against Israel independently of Hamas.
5. Hamas leaders are aware of Israel's reluctance to conquer and rule over Gaza again. They are also aware that the separation of Gaza from the PA is widely perceived by Israel as serving Israel's interests. Thus, the Hamas war of attrition targeting Israel's civilian population in the south of the country is a deliberate act of brinkmanship meant to test Israel's willingness to tolerate provocations from Gaza.

Israel should seek to manage the conflict with Hamas in Gaza, as Israel similarly seeks to manage the conflict with the PA in the West Bank. For the moment, this is the optimal way to reduce the emotional, psychological and physical harm inflicted on Israeli citizens by Hamas rockets. Conflict management also is the best way to reduce the diplomatic and reputational damage to Israel that inevitably ensues from any larger conflict. At the same time, Israel must find ways to rebuild its eroded deterrence capability versus Hamas.



It should be noted that the threats to Israeli security from Gaza are much less significant than those emanating from the country's northern border. Gaza is a secondary arena, which the IDF can address any time it decides to. As such, Israel should refrain from engaging in hasty military actions against Hamas and wait until the optimum moment presents itself.

Israel must find ways to rebuild its eroded deterrence capability versus Hamas.

The components of an effective Israeli policy regarding Gaza include:

- » Constant pressure: This includes maintaining the naval blockade and strict monitoring of all crossings into and out of Gaza. Not only do such actions restrict Hamas, they also highlight a clear distinction in Israeli policy between Gaza and West Bank areas controlled by the PA (which are less belligerent towards Israel).
- » Restoring deterrence: It can and should be made clear to Hamas that it should not mistake Israel's caution for fear of casualties in battle. The Israeli public across the political spectrum is outraged by Hamas provocations. If another major IDF strike against Hamas becomes necessary, it would enjoy broad legitimacy.
- » Hitting Hamas intelligently: Hamas leadership cares little about deprivation, death and destruction suffered by Gazans. Israel must develop targeting alternatives that inflict damage on specific Hamas political and military infrastructures, while not targeting civilian populations – something that is also important in terms of maintaining support within Israel for the struggle against Hamas. Israeli strikes against Hamas should be calibrated to inflict maximum damage on high value Hamas targets.
- » Economic carrots: Non-violent behavior by Hamas should be rewarded by Israeli economic assistance, something that also will help prevent full scale humanitarian crisis in Gaza. However, striking a perfect balance between carrots and sticks is difficult, and Israel should be aware that this is not a policy that will always succeed.
- » Palestinian Islamic Jihad: Hamas should be prevailed upon to significantly curb the activities of PIJ, which repeatedly has acted as Iran's provocative agent.

Israel should be aware of the risks inherent in the strategy outlined above. Military escalation remains a distinct possibility, especially since miscalculation is possible.

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This makes indirect channels of communication, mainly through Egypt, even more important. Egypt, which also maintains a naval blockade on Gaza, plays a crucial role in the facilitating and preserving of agreements between Israel and Hamas, alongside some funding from Qatar.

Another risk is that the difficult situation in Gaza will devolve into a humanitarian crisis as a result of an escalation between Israel and Hamas. This could lead to a demand for international intervention, something that Israel always seeks to avoid. Again, the mediation of Egypt and Qatar is useful in preventing this development.