The Israeli-Palestinian Peace Process Revisited

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INTRODUCTION

This joint Israeli-Palestinian article focuses on the critical failures of the Israeli and Palestinian leadership and their respective civil societies in advancing the Oslo process into a peace accord. The article asserts that discussing the relevance of human rights and democracy contributes toward understanding the wider picture of the ongoing conflict.

The main findings show a serious lack of reference to universal human rights standards in Arab-Israeli peace making, which in turn have negatively affected the development of democracy. Rather than looking at negotiations as a bargaining tool, in which asymmetry determines much of the outcome, a "just and lasting peace," as is called for in UN Security Council Resolution 242, is critical to putting together any detailed peace agreement within the wider context of justice with respect to human rights principles.

This chapter is made up of five sections. The first section presents an anatomy of the failure of the Oslo process, tracing the development of the process from the beginning to the Camp David summit. The second section focuses on the Camp David summit and its aftermath, and how the lack of real leadership aggravated the situation. The third section addresses the development of the relationship between the Palestinians and the Israelis with a focus on internal division. The fourth section examines the current situation, focusing on war and peacemaking. The final section presents a conclusion and the lessons learned.

4.1. THE OSLO PROCESS

Analyzing the Oslo peace process highlights failures more than achievements. Following the Declaration of Principles signed in September 1993, a series of interim agreements

were signed between Israel and the PLO during the period of 1993-1999: the May 1994 Cairo Agreement regarding the implementation of autonomy for the Gaza Strip and the West Bank city of Jericho; the September 1995 interim agreement dividing the West Bank into areas under direct Palestinian control (area A), civilian Palestinian control (area B), and Israeli control (area C, including settlements and self-defined "security zones"); the January 1997 Hebron Protocol dividing the city between Israelis and Palestinians; the October 1998 Wye River Memorandum implementing the interim agreement of 1995; and finally the September 1999 Sharm al-Sheikh memorandum that stipulated the final status negotiations on refugees, borders, water, Jerusalem, and settlements.

After Israel's military withdrawal from less than half of the occupied territories and all of the urban areas, the Palestinian Authority (PA) under the Arafat government and the Legislative Council took jurisdiction over all civilian affairs for the cities in the West Bank and Gaza and a large part of the villages. The Palestine Liberation Organization (PLO) and the emerging PA promised to curb violence, dismantle armed infrastructures in the territories, collect illegal weapons, and end the incitement of violence. Soon, mutual recriminations about not fulfilling expectations and delays in the timetable poisoned the atmosphere. On the one hand, Israeli leaders did not see the contradiction between the continuing settlement expansion and the outcome of the permanent status negotiations that would enable Palestinians to determine their future. On the other hand, the PA, while routinely condemning the use of suicide bombings by extreme Islamic-oriented groups, did not act systematically to stop them, and Arafat did not distance himself from the perpetrators, who he called *shahid* ("martyr" in Arabic).

Much of the criticism at the time focused on the process itself. The idea of postponing the final outcome for a long time gave spoilers room to take the initiative away from the decisionmakersdecision makers. Different political cultures -- one side believing in the dynamics of negotiation and the other stressing the necessity to see the "light at the end of the tunnel" -- drew the sides apart.[1] While non-governmental organizations (NGOs)

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[1] 1 Tamara Cofman, (ed.), *How Israelis and Palestinian Negotiate: A Cross Cultural Analysis of the Oslo Peace Process,* (Washington, DC: United States Institute of Peace Press, 2005). For the wider picture,

and academics continued to deal with the final status issues and create creative ideas, their ability to influence the ~~decisionmakers~~decision makers was very limited, and they were unable to coordinate a strong lobby effort.[2]

Israeli ~~prime minister~~Prime Minister Yitzhak Rabin's assassination by Yigal Amir, a Jewish religious fanatic, brought an end to the potential agreement with Arafat. The trust building between the two leaders created the expectation that if they could come to an agreement, they could make a strong case in their societies for accepting a compromise that would address the minimal claims of each side. This dream was shattered with the election of Prime Minister B~~enjiny~~amin Netanyahu in 1996, but hope renewed during the 2000 Camp David II negotiations, when Prime Minister Ehud Barak proclaimed himself the inheritor of Rabin. Until that time, the vital Palestinian issues, such as Jerusalem and refugees, were not addressed.

The multiparty, parliamentary structure in Israel also did not help the situation, since it was difficult to secure a majority in the Israeli parliament. Because unrelated agendas and single issue parties created enormous problems in Israeli politics, it was quite clear that at the moment of truth, when the leaders were willing to sign a peace agreement, legitimatization was best conducted through a referendum. The Oslo process lacked internal legitimacy and there was a need for public validation. But perhaps the main fault of the leadership was the lack of will to confront and control the spoilers of the peace process -- the religiously motivated zealots geared at inflicting damage and pain.[3] Extremists on both sides became a trump card and the secular political establishment felt, for personal and party considerations, less inclined to act swiftly in curbing their illegal activities.

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see Raymond Cohen, *Negotiating Across Cultures, Communication in an Interdependent World*, (Washington DC, United States Institute of Peace, 1997).

[2] E. Kaufman, W. Salem and J. Verhoeven (eds.), *Bridging Across the Divide: Israeli-Palestinian Peacebuilding* (Boulder: Lynne Rienner Publishers, 2006).

[3] Magnus Ranstorp, "The Israeli-Palestinian peace process: The strategic art of deception", in E. Newman and O. Richmond, *Challenges to Peacebuilding* (Tokyo: United Nations University Press, 2006), pp 242-260.

On the Palestinian side, it was often mentioned that Oslo was doomed to fail for several reasons. Oslo was never an agreement between equals, explicitly granting statehood and self-determination to the Palestinians. Israeli attempts to procrastinate the implementation of the interim agreements prolonged the military occupation and settlement expansion of Gaza and the West Bank, including the annexation of the Palestinians' prime land and the building of by-pass roads for the use of the settlers and the Israel Defense Forces (IDF). As a result, Oslo did not deal with the key issues between the two sides and failed to halt settlements or end the occupation. It was an agreement that in effect allowed one side to continue to take the land that the two sides were supposed to divide. Indeed, the decade of negotiations beginning with the Madrid conference witnessed a doubling of the settler population and settlements, the implementation of plans to parcel up the West Bank into different cantons, and the consecration and strengthening of the occupation regime. Confidence building measures, such as the release of Palestinian prisoners and the sustained connection between Gaza and the West Bank, were symbolic rather than meaningful gestures.

On the Israeli side, armed resistance to the agreement, first by political Islamist movements by way of suicide bombings, shocked Israelis. Furthermore, the declaratory postures of many Israeli politicians did not alert the public about the need for "painful concessions," as later became clearer in the post-Oslo period under Ariel Sharon and Ehud Olmert's leadership. Hence, trust was replaced by mistrust, and hopes were dashed. Palestinians and Israelis were profoundly disillusioned with each other's behavior in failing to meet the expectations of the peace process. The expected "peace dividends" never came, and the economic situation and normal life deteriorated. The failure to implement a structured security system paved the way for IDF violence within the occupied territories with brutal attacks on civilian targets. The threat was no longer national, but rather personal, and the "front" was no longer the border, but rather the coastal cities of Israel. Through mostly nationalistic media, the mistrust culminated into a war of images. One side's victims were presented individually by name and photo, but the casualties of the other side, if reported at all, were confined to overall figures. Stereotyping was in full swing.

In the first few years, the Oslo Accords enjoyed broad support in Israel. From 1994 to 1999, 43 percent of respondents supported the accords while 32 percent opposed them. In contrast, during the al-Aqsa Intifada, support for the agreement dropped significantly and the equation was reversed.

Several critical studies and evaluations of NGO cooperation in the past have highlighted many of the current obstacles.[4] An important ongoing concern is that the region's youth, a numerically large and actively engaged sector of society, is overrepresented among both victims and perpetrators of violent conflict. Despite this, over the years, a significant minority[5] of young Palestinians has participated in joint activities with like-minded Israelis. Israeli civil society activists find themselves in a post nation-building phase in an established state functioning under democratic rules. Not unexpectedly, many potential peace builders today prefer individual pursuit of happiness and better living standards to the rigors of promoting intercommunity reconciliation. By contrast, Palestinians remain saddled with the task of constructing a state from scratch and a national ethos that restricts individual freedom of action. Frustration related to lack of personal advancement further alienates Palestinians and discourages interaction with Israeli counterparts, persons visibly enjoying a much higher standard of living.

People-to-people programs, even when officially endorsed for a short period, never became normative. They are marginal groups in both societies, working for healing, reconciliation, and forgiveness. On the Palestinian side, public exposure was limited, participant names remained undisclosed, and meetings were often held abroad. Thus, insufficient media coverage was not the only reason for the general ignorance

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[4] M. Hassassian, "NGOs in the Context of National Struggle," Benjamin Gidron, Stanley N. Katz, Yeheskel Hasenfeld, (eds.), *Mobilizing for Peace: Conflict Resolution in Northern Ireland, Israel/Palestine, and South Africa,* (New York: Oxford University Press, 2002), pp. 130-150; E. M.Hassassian and E. Kaufman: "Israeli/Palestinian peace builders: lessons learnt", in Paul van Tongeren (ed.), *People Building Peace*, (European Center for Conflict Prevention, 1999, Utrecht), pp. 112-123; "The Role of Civil Society in the Israeli/Palestinian Peace Process, in Ma'oz M. and Nusseibeh S., *Is Oslo Alive?* (Adenauer Foundation, Jerusalem, 1999), pp.115-139.

[5] The overall Israeli public opinion change has been monitored periodically first by the 'Peace Index" of the T.Steinmetz Center at Tel Aviv University (http://www.tau.ac.il/peace/) ; and since the Intifada Al Aqsa including the Palestinian public as well in the Y.Shamir and K. Shikaki's at the quarterly survey, feature in the Harry S Truman Institute at the Hebrew University of Jerusalem (http://truman.huji.ac.il/polls.asp).

concerning the scope of these activities. Participants also failed to widely promote the "good news" message that concluded such activities. Peace education put an emphasis on changing textbooks. The Israelis, mostly by omission, did not relate to the Arab native population, and the Jordanian/Egyptian texts that existed before the production of new Palestinian versions portrayed Zionism, and often Jews, in a negative light. A traumatic personal experience at a checkpoint or the killing of a relative can condition a child far more than a book's positive description of Jews as prospective good neighbors.

On the Palestinian side, there have been several restrictions to cooperation, mostly trade unions and academic organizations that are against relations not only with the government of Israel but also with social movements and mainstream NGOs. Normalization has been defined among Palestinians as the process of building open and reciprocal relations with Israel in all fields, including the political, economic, social, cultural, and educational realms. Palestinians, although, are divided in their stances vis-à-vis "normalization." Supporters see it as a process to integrate Israel into the larger Middle East community of nations or to restructure Israel through a bottom-up peace process. Many others, however, oppose "normalization" if only because it implies a willingness to accept, and perhaps legitimize, past injustices experienced in the course of occupation. Thus, they hold that ending the occupation must be a precondition for normal relations with Israel. This anti-normalization stance has led to such Palestinian initiatives as the boycott of Israeli academics, which has brought a great deal of unwanted pressure on those Palestinians willing to cooperate across the ethnic divide.[6] Later, the ideological impediments were aggravated by the physical barriers imposed by the Israeli military in the occupied territories. The few Israelis who believed in unilateral solidarity with the Palestinians continued their supportive activities in the absence of much needed intensive parallel work with Israeli public opinion. Still, a small minority of Palestinian activists calling for nonviolent struggle and cooperation with the Israeli

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[6] Walid Salem, "The Anti-Normalization Discourse in the Context of Israeli-Palestinian Peacebuilding" in J. Ramoneda, P. Vilanova, W. Salem and E. Kaufman, (eds.), *Breaking the Wall,* (Barcelona: CCCB, 2005), pp 87-106.

peace forces continued to work throughout the entire period of the Oslo process until present times.

With all its pitfalls, however, there were important breakthroughs during the Oslo process.[7] It affected the psychological environment by installing faith in a peaceful resolution, as the negotiations between the Israel and the PLO started recognizing each other as legitimate. This factor is now taken as a given when former and current Likud leaders shake hands and negotiate with the once denounced "terrorist organization." Furthermore, the Oslo process initiated the "two-state solution," a motto that still remains important to a majority of both peoples.[8] This call for self-determination translated into practice during the first intifada and the subsequent nineteenth Palestinian National Council (PNC) held in Algiers in 1989, stressing that the objective of the PLO was to get rid of the occupation of the West Bank, Gaza, and East Jerusalem. Furthermore, the idea that all major issues are negotiable, including the Israeli taboo on Jerusalem, made a difference as compared with the more intransigent stand previously held by both sides.

Within a wider context, and learning from experience elsewhere, human rights principles could have been an integral part of the three stages of the process. First, in the pre-negotiation phase in Norway, representatives from Israel's Labor Party and the PLO either considered human rights language a rhetorical burden or perhaps omitted it as a result of two sides' lack of agreement. No doubt, the negotiators took upon themselves a formidable task in devising solutions to a large number of pressing issues. The title, "Put

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[7] Ron Pundak writes in "Two States for Two People", *Ynet, Yedioth AHhaachronoth* (September 14, 2008), "Facing the occupation, an absence of differentiation, Israel's arrogance and humiliating attitude brought to a mutual attrition and did not bring the parties closer to each other. The basis of the Oslo process was a position that was expected to accompany the negotiations and the ties between the two sides, that the end game was conflict resolution and not mere management. The main Israeli political goal implies not to stand still and continuously advance to the point that the conflict will be resolved through the signing of a peace accord, as an important element for national security. That a peace agreement could be consistent with the basic interests of Israel at a fair cost (sentence seems incomplete)."

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[8] Stenimitz Center, *Peace Index,* (Tel Aviv University, March 2008), Prof. Ephraim Yaar and Prof. Tamar Hermann Over time slight, gradual changes sometimes occur that eventually amount to significant changes, altering the public conceptual map. We did not find such a change, however, regarding the preferred solution. This survey, too, found overwhelming support (68 percent) for the "two states for two peoples" solution.

an End to Decades of Confrontation and Conflict," includes a general statement of adherence tosuggests a movement toward human rights. However, there was little specific commitment to the improvement of such individualhuman rights as a stimulus for progress in the process itself or as agreeable standards, whenever reference was made to "final status issues." Human rights clauses can reduce the perceived asymmetries between groups, and language of dignity and respect is important for persecuted people who are often reluctant to confront the cost of compromise. On the losing side, violence, rejection, negatives, and boycotts are often perceived as the only remaining source of strength. The use of a language of "entitlements" by the strong is expedient, since it may elicit from the underdog a more constructive attitude. Rather than conceding to "give up" territories in "Judea and Samaria," the Israeli authorities should stress that Palestinians have an inherent right to a state in historic Palestine.[9]

Second, in the negotiation stage, peacemaking in protracted communal conflicts is normally a lengthy process that requires public acceptance during the interim stages. The transition from one stage to another can be facilitated by confidence building measures (CBMs), universally coined in human rights principles. Palestinians who sought "peace dividends" demanded them in terms of socio-economic rights. The Israeli evasion of responsibility for the daily needs of Palestinians living under occupation was translated by restricting the PA. Equally, most Israelis did not consider that the peace negotiation process provided them with personal or collective security, and yet the legitimate stand to respect their right to life was not formulated in such language. Palestinian suicide bombers and commanders launching rockets should have been told time and again that they were violating this non-derogatory and most important human right. On the other hand, some of these measures include that Israel desist from holding prisoners in administrative detention without trial, respect the freedom of movement within the occupied territories, refrain from house demolitions as an unacceptable punishment to the entire family, halt confiscation of property, and stop extrajudicial, targeted assassinations or "collateral damage" (excessive and disproportional use of

[9] Mohammed Abu-Nimer and Edy Kaufman, "Bridging Conflict Transformation and Human Rights: Lessons from the Israeli/Palestinian Peace Process (Washington DC: United States Institute of Peace Press, 2006), pp 277- *308.*

force against innocent civilians in answer to Palestinian violence.) Both the Israeli and Palestinian authorities could have offered financial compensation for innocent victims of violence, and adhered to their own commitment to prohibit the use of torture or "moderate physical pressure" in interrogations. Human rights norms, while opening new dimensions for the duration of the negotiations, also can contribute creative ideas to resolve permanent status issues, such as Palestinian refugees, Jewish settlements, Jerusalem, and the controversy over water resources.[10]

Third, in the post-conflict phase, the implementation of the agreements needs to take place. The conflict has been between not only governments but also the two societies, hence bottom-up grassroots reconciliation is a required ingredient to consolidate peace. Given the current depressive status of the Israeli-Palestinian peace process, dealing in detail with the post-conflict stage may seem impractical and idealistic. Still, the architects of the Oslo process, at a more promising time, could have started a working group planning issues of relevance towards reconciliation, and less importantly, to assess what elements should be included in "real time" reconciliation, assuming that the cherished peace could be postponed time and again.[11] However, the implementation of agreements, based on equal rights, would require monitoring and regulation. In cases of disagreement, there was an unfulfilled need for mediating mechanisms and procedures that should have pointed out to a shared vision and help effectively dealing with the complexities of the emerging problems during the first stages of implementation. These endeavors normally incorporate clearly designed early warning indicators and could have provided training in preventive action.

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[10] *Ibid,* pg. 285. Briefly illustrated on the dispute over water, this common pool resource need no longer be seen as a finite, zero-sum resource. Though water resources are scarce, it may be possible not only to come to an agreement on joint management of the shared aquifers but also to determine general principles for water rights. Such principles could be based on equal rights to the basic water supply for all, and scaled greater payments for excess consumption. The incremental pricing policy for increased consumption will allow the biggest users to finance the cost of desalinization. (See E. Feitelson and M..Haddad et all, *Reports on the Joint Management of Shared Aquifers* (Jerusalem, Truman Institute, Hebrew University, 1994, 1995, 1996).

[11] As an example for concrete "real time" reconciliation activities towards healing and recognition of the suffering of the Other, see the website of the *Palestinian/Israeli "Bereaved Families Forum"* (http://www.theparentscircle.com)

4.2.   THE CAMP DAVID SUMMIT AND ITS AFTERMATH

In the short period after the Camp David summit until January 2001, the prospects of peace were solely in the hands of the leadership. Ehud Barak's impressive victory in 1999 brought renewed hopes for negotiation, and his pullout from Lebanon and insistence on moving away from a gradual piecemeal approach to a final agreement were promising.[12] The Israelis and Palestinians had different expectations preceding the Camp David summit in July 2000, and it is worth mentioning that the survival of Barak's fragile coalition government was contingent on the success of the summit.[13] By and large, and according to U.S. president Bill Clinton, Barak was determined to reach a comprehensive peace deal. On the other hand, the failure of the summit did not threaten Arafat, but he resisted going to Camp David. Furthermore, Barak initially wanted to pursue peace talks with Syria. This priority marginalized the Palestinian cause, and Arafat felt humiliated by the Israeli withdrawal from Lebanon in June 2000 orchestrated by Barak. Allegedly, Arafat did not want to negotiate because Barak had reneged on prior agreements, there had been no progress, and Israel was in a stronger position.[14] Arafat mentioned to U.S. State Department officials that " . . .conditions are not yet ripe for holding a summit."[15] Despite these objections, Arafat decided to participate under three conditions agreed upon with President Clinton: more preparatory talks, a U.S. guarantee of Israeli redeployment, and no "finger pointing."

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[12] We would like to express our gratitude to our research assistants Elyas Abianto and Omri Arens at the University of Maryland for their contribution to this section.

[13] The talks are often referred to as Camp David II, since a first round of Israeli/Egyptian talks took place at the same place at the initiative of President Carter. Hanieh captures the Palestinian mentality toward Israeli politics from the Camp David Papers. "If an agreement isn't reached, Barak will form a national unity government." These statements were repeated to the point that a Palestinian delegate asked angrily: "Is this a summit to salvage the peace process or to rescue Barak's government? Akram Hanieh, "The Camp David Papers" (*Journal of Palestine Studies*, 2001) p.79.

[14] Hussein Agha and Robert Malley, "Camp David: Tragedy of Errors" *(The New York Review of Books*)

[15] Akram Hanieh, "The Camp David Papers" (*Journal of Palestine Studies)*, p.76.

These three points were agreed upon regardless if the Camp David summit failed. In the end, none of the agreed upon conditions were upheld[16] and Clinton's memoirs stress that "Arafat made no response in-kind."[17]

The hard issues of the final agreement were put on Camp David's agenda, and participants and analysts from both sides provided contending interpretations of what happened. Prime Minister Barak showed sincere intentions to compromise by addressing many of the Palestinians' expectations. He broke the Israeli taboo of negotiating over Jerusalem and accepted that it would be the capital of the two states, and offered the return of approximately 91 percent of the West Bank and added to swap 1 percent more from Israel's land. A settlement range could not be obtained at that time since the "maximum" Israeli offer at Camp David was below the "minimum" Palestinian demands regarding territory and the two sticky issues, Jerusalem and the right of return. After the publication of the Clinton parameters in late December 2000, the two sides came closer to reaching an agreement at Taba in January 2001, yet these talks collapsed. By January 2001, the two parties had lost their respective legitimacies (especially Barak's minority government) and their remaining negligible trust in each other.

The difference between the goals of the Israelis and Palestinians was epitomized by Arafat's lack of a counter proposal to advance negotiations. President Clinton expressed his frustration with Arafat's silence saying, "Israel had gone further than he had, and he wouldn't even embrace their moves as the basis for future negotiations."[18] First, Barak would lose to hardliner Ariel Sharon in the next Israeli elections. Second, President-elect George W. Bush was disinclined to pursue further negotiations after seeing the investment his predecessor made to no avail. Arafat did not indicate a counter offer, mentioning to Ben-Ami that he saw himself as a "decision maker" and not a "negotiator" -- his role being to pass judgment once the give and take was finished. In addition, the

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[16] Hussein Agha and Robert Malley, "Camp David: Tragedy of Errors*", op. cit.*

[17]Bill Clinton, <u>My Life</u>, (York: Alfred A. Knopf, 2004) p. 913.

[18] Clinton, *Ibid,* p. 915.

previous back channels in Stockholm did not advance adequately enough for a more ceremonial conference under international scrutiny.

Eventually, the negotiations "collapsed over the fact that the Israelis and Palestinians refused to enter into the game. . . .What was being asked of the Palestinians was far more elementary: that they put forward, at least once, their own counterproposal."[19] In addition, some of the Israeli negotiating dynamics and procedural aspects of the political interaction contributed to the failure of the talks. By presenting early territorial compromises as bottom lines, the Israelis provoked the Palestinians' mistrust subsequently by shifting their terms in the direction of the Palestinians' political goals. In other words, the Israelis whetted the Palestinian appetite. The Palestinians sensed that the proposal denied the viability of the Palestinian state and that the Israeli-controlled territories would effectively divide the territory into a four separate cantons. Also, Israel's eventual position on Jerusalem -- allowing Palestinian sovereignty over isolated Palestinian neighborhoods in the heart of East Jerusalem -- was viewed as creating "ghettos in the heart of Jerusalem"

The Palestinians approached settlements, borders, Jerusalem, and refugees at Camp David on the rationale of international law. Arafat viewed Israel's approach as the "occupier's mentality," one based on the premise that with adequate pressure, the Palestinians would accept any deal. The Israeli rationale has little to no claim under international law rationale. While the Israelis made their concessions in terms of their needs, the Palestinians viewed themselves as the true compromisers because they conceded their rights under international law. Moreover, Barak concealed his final proposals -- the "endgame" -- until Arafat had compromised. Arafat, however, would not do so until he could see the "endgame."

Several Palestinian declarations also adversely affected the course of the negotiations. The proposal to divide East Jerusalem in Arafat's mind was also a compromise, since he thought the Palestinians had full entitlement to the entire city. Arafat would not settle for anything less than full sovereignty and authority over Haram al-Sharif (the two

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[19] Shlomo Ben Ami, interview with *Ha'aretz* on September 13, 2001.

mosques located on top of the Temple Mount), and the Christian, Arab, and Armenian quarters. The Palestinians agreed during negotiations to relinquish sovereignty over the Jewish quarter including the Wailing Wall of the Temple Mount, which were not part of Israel before 1967.[20]

In religious terms, Arafat viewed himself as representing more than just the Palestinians. He saw himself as a leader of the Arab and Islamic world. This is reflected in a statement made to President Bill Clinton: "I am not only the leader of the Palestinian people, I am also the vice president of the Islamic Conference. I also defend the rights of Christians. I will not sell Jerusalem."[21] Arafat's doubts about the historical facts and holiness of the Temple Mount for the Jewish people and the reiteration of an absolute right for every Palestinian refugee to return to Israel derailed any positive dynamic interaction.

The discussion of refugees was probably the most disparaging. The committee that was set up to discuss refugees was reported to have simply argued about history. The Palestinians argued that international law stipulates the right of return of all refugees. The Palestinians specifically believe this right is expressed through UN General Assembly Resolution 194. There are between five to six million Palestinian refugees, but the Palestinians never demanded the right of return of the total refugee population. The numbers discussed ranged up to 800,000. For the Palestinians, this was an enormous compromise. Nevertheless, Israel would only express sorrow not responsibility for the Palestinians, and discussed compensation through a joint effort with the international community. This international fund would also have to include compensation to Jews who left Arab countries. Israel agreed to allow several thousand refugees to return over a ten-year period through a process called family reunification.[22] Time and again, Arafat remained reactive because he believed that the Americans had not planned enough for

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[20] Robert Malley and Hussein Agha, "Camp David and After: An Exchange - A Reply to Ehud Barak" (*The New York Review of Books*).

[21] Akram Hanieh, *op.cit.,* p.95.

[22] Akram Hanieh, *op.cit.,* p.82.

Camp David and that the process had not been thought out. In spite of the important fact that the Palestinians agreed to the principle of the pre-1967 border on the basis of equivalent territorial swaps, no substantial bargaining or sensible political initiative was offered in Camp David by the Americans, who seemed to convey Israeli ideas, making Palestinians lose confidence in the Americans as honest brokers.

Arafat's personality also sharply contrasted Barak's. Despite his inability to level with the Palestinian leader, Barak was methodical in his thinking and was willing to go further than any other previous prime minister.[23] Finally, Barak was nevertheless an arrogant interlocutor, always inclined to dictate positions rather than negotiate them.[24] There was even an instance when Arafat shouted at Secretary of State Madeleine Albright because he felt like he was being treated as a slave. Disrespect and elitism would inevitable exacerbate the already tense relationship.

The most glaring reality during the summit was that Arafat and Barak never met privately. According to President Clinton, "Barak didn't want to meet alone with Arafat because he was afraid that they would fall into the old patterns where Barak did all the giving and Arafat made no response in-kind."[25] Arafat was perceived as someone who was "elusive, non-committal, and a master of double-talk."[26] President Clinton also notes Arafat's manipulative strategy to repel pressure. He mentions that throughout the summit, Arafat would ask the president, "Would you like to come to my funeral?" Such tactics of guilt contrasted Barak's forwardness. Barak put his political career on the line with the proposed concessions. Ben-Ami makes a powerful analogy to describe the distinction with Arafat's priorities. "Arafat preferred to die as a defeated hero who did not give in, like Nasser, than be slain as a man of peace like Sadat." The difference in

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[23] Dennis Ross, *The Missing Peace*, (New York: Farrar, Straus, and Giroux, 2004) p. 495.

[24] Shlomo Ben-Ami, *op.cit.*, p. 253.

[25] Bill Clinton, *op.cit.,* p. 913.

[26] Shlomo Ben-Ami, *op.cit.,* p. 255.

personalities reflected in the negotiations and made it more difficult for the negotiating teams.[27]

In its aftermath, and even following the outbreak of the cycle of violence, negotiations continued for four additional months. The process remained inconclusive, but the "parameters" offered by President Clinton -- not at Camp David but at the December meeting in Sharm al-Sheikh and vaguely approved in the subsequent month at Taba -- remain the most feasible outline for a shared solution of the conflict in the future.

4.3.   THE AL-AQSA INTIFADA

Since Ariel Sharon's election as Israel's prime minister until his massive stroke in 2006, no contacts were kept with the Palestinian leadership. Only after his replacement by Ehud Olmert, negotiations between Israel and the moderate Palestinian president Mahmoud Abbas (Abu Mazen) went~~have been going~~ back and forth, leaving both sides full of uncertainty. Sharon's policies during his years in office accelerated the ongoing high-intensity conflict that had lasted close to four years and killed more than three thousand Palestinians and ~~a~~ more than a thousand Israelis. In a region where conspiracy theories prevail, where one can always imagine the worst from the enemy and attribute it to premeditated intentions, the interpretations of the facts that led to the al-Aqsa Intifada are diametrically opposed.[28]

The official Israeli version is rather straightforward: this was a terrorist war preplanned and premeditated by Arafat, as a result of a strategic Palestinian decision to use violence rather than negotiations as the primary instrument of advancing the Palestinian political cause. The true roots of the war can be found in the Palestinian rejection at Camp David. Paradoxically, it was the Oslo peace process and particularly the far reaching offers at Camp David that caused the Palestinians to respond with violence, following the "precedent" of the unilateral Israeli withdrawal from Lebanon triggered by

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[27] President Clinton accurately describes the effect, "Barak wanted others to wait until he decided the time was right, then, when he made his best offer, he expected it to be accepted as self-evidently a good deal. His negotiating partners wanted trust building conversations and lots of bargaining" ,*op.cit* p 912
[28] Sari Nusseibeh and Edy Kaufman, "Roundtable, Intifada Al Aqsa" (moderated by Ziad Abu Zayiad, *Palestine-Israel Journal,* 2001).

the successful Heizboallah guerrilla attacks and the controversial visit of Ariel Sharon on September 29, 2000 to the Haram al-Sharif, escorted by hundreds of Israeli security forces. Therefore, the Palestinians -- the PA, Hamas, Islamic Jihad, and Fatah -- did not oppose the occupation of the territories per se but rather the whole concept of peace through compromise.

On the other hand, the prevailing Palestinian version was that Sharon's forced visit to the Haram al-Sharif was a premeditated effort to defy Muslim sovereignty over the holy site. It was meant to trigger an Arab popular reaction that would be severely repressed and would escalate into an armed confrontation that Israel would use to crush the PLO and its leader Arafat.

According to Arie Kacowitz, the second intifada was "either a Palestinian war of extermination (the Israeli version) or a Palestinian war of national liberation (the Palestinian version)."[29] He quotes Michael Walzer, considering that within each side, one could find two contending goals: first, a Palestinian war to destroy the state of Israel, as epitomized by the suicide bombing attacks by Islamists and since 2002, by some elements of the more mainstream Fatah faction (such as the al-Aqsa Brigades), directly associated with Arafat and the PA; second, a Palestinian war to create an independent state alongside Israel, ending the military occupation of the West Bank and Gaza since 1967, as illustrated by the guerrilla actions against the Israeli army in the occupied territories; third, a legitimate and just Israeli war of self-defense against Palestinian terrorism in order to secure Israel within the pre-1967 borders; and fourth, an Israeli expansionist war to keep the settlements and hold onto the "liberated" (or rather occupied) biblical territories of "Greater Israel."[30]

Throughout the peace process, extremists on both sides kept fighting the illegitimate first and fourth types of war. If the popular eruption was aimed initially at both the corrupt and dysfunctional PA regime and Israel, it was rapidly channeled and manipulated by the PLO leadership, first to change the political status quo and improve

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[29] Kacovicz, A.,"Rashomon in the Middle East: Clashing Narratives of the Israeli-Palestinian Conflict." (Jerusalem: Hebrew University, unpublished manuscript 2003).

[30] Michael Walzer, "The Four Wars of Israel/Palestine," *Dissent Magazine* (Fall 2002).

its bargaining position in the short term (as indeed happened between Camp David II and Taba) and second to focus the resentment and anger from the most marginalized sectors of Palestinian society toward Israel. In this sense, Arafat and the PA did not do much to stop the uprising, believing that it might serve their interests. They preferred to "ride the tiger" rather than to confront terrorism and violence. It seems that the militarized uprising was not Arafat's master plan but rather an exploitation of the violent situation. A "blank check policy" accompanied the futile post facto "plausible denial," as attempted in the case of the *Karine A,* the ship captured in 2002 in the Red Sea found loaded with weapons.

The Palestinian uprising was not catalogued during the first weeks as a war but rather as a confrontation between largely unarmed Palestinians and armed Israeli security forces that immediately resorted to excessive and deadly use of force, fueling a further escalation of the violence. At the same time, it is equally true that members of the Palestinian security forces initiated many of these acts of violence. Moreover, since the collapse of Camp David, Arafat had reneged on the promise to prevent and curb terrorism. By April 2002, even if the PA had wanted to do so, stopping the violence completely might have had no impact on reversing the progressive degradation of internal Palestinian control as a result of Israel's military actions. By adopting the "default option," which increased the number of suicide bombings, the situation on the ground continued to deteriorate.[31] At the same time, the Israeli government maneuvered to postpone the re-initiation of political negotiations "under fire." After some hesitation, Israel waged an overall military offensive in 2002 on territories ruled by the PA and effectively reestablished a total security control, destroying the Palestinian security forces and infrastructure. It also attacked the presidential compound in Ramallah and practically kept Arafat prisoner.

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[31] E. Kaufman and M. Hassassian, "Understanding our Israeli Palestinian Conflict and Searching for Its Resolution", *op. cit.*

While keeping a substantially weakened PA, the Israeli responsibility for the supply of basic services to the population was delegated to a subordinated body. The Israeli military exacerbated the already precarious humanitarian conditions of the Palestinian civilian population and turned to extrajudial killings of alleged militants and military incursions into Palestinian cities, towns, and villages. Likewise, it violated the rules of war by responding in disproportionate ways, which had led to the death of many innocent victims. The obsession of the official Jewish state to always act from a position of strength brought about an unusual escalation of intensified violence that precluded the negotiations that have been reopened time and again. All in all, the Israeli government was not forthcoming in lifting Israeli travel bans and restrictions and did not extend the support that the PA needed to change dramatically the correlation of forces. Hamas, albeit weakened by relentless Israeli assassinations that have deprived the faction of several of its charismatic leaders (and a few more in December 2008 with a major attack against its infrastructure and leadership in Gaza), is seen as a major player with its own capabilities and political ambitions, as well as its own contacts with external actors such as Iran and Syria.

At the civil society level, much of the established links across the divide were shattered and have not yet been reestablished. Palestinian peace groups can be criticized for their failure to advocate effectively with the PA for their constructive projects or to create public support for their work. Similar criticism applies to the mainstream of the Israeli peace camp. Nonetheless, Palestinian groups should be credited for the large amount of media and public relations work performed on issues relating to their critique of the second Intifada's militarization, suicide bombings, chaos, and violation of human rights. Whereas the expectations of Israelis for cooperation focused the dialogue on professional, educational, humanitarian, or academic topics, the expectations of Palestinians were fixed at the political level, seeking changes to their currently intolerable sociopolitical reality. The Israeli peace camp received a serious blow and a deteriorated public image, and many of its activists became disillusioned at the prospects for an agreement. Human security was no longer a marginal issue with soldiers, but was now on the home front, with civilian victims on both sides.

4.4. THE CURRENT CYCLE OF WAR AND PEACEMAKING

As the result of a fair and transparent election, Mahmoud Abbas became president of the PA and initially provided the first reason for optimism following the death of Arafat. The task confronting Abbas has been formidable, since he inherited internal anarchy, polarization, political stagnation, and corruption compounded by the gloomy atmosphere created by the intifada's bloody five years. He intended to break away from Arafat's legacy with the help of professionals he hoped would reform Palestinian political, security, and economic systems, and above all halt the intifada, recognizing that the militarized course played into Israel's hand.

A critical analysis leads to the conclusion that a generational replacement of leadership is necessary. Fatah's various components had always been kept together by Arafat, often through a combination of financial appeasement and a policy of divide and rule. The movement's institutions have been controlled by a combination of the old guards of Fatah with more universally appreciated professionals, such as the former World Bank economist and Prime Minister Salam Fayyad, thus denying the second and third generations any control of power. The conflict between the "old" and the "young" guards within Fatah ~~is ongoing, which to date~~ weaken~~ed~~s the movement and strengthen~~ed~~s Hamas, the Palestinian opposition enjoying tremendous political importance and relevance. Hamas's importance culminated in the victorious and surprising electoral outcome for the Palestinian Legislative Council. A failed effort to create a shared Fatah-Hamas government by the Saudi royal family in 2007 ended with the dismemberment of the PA, with Fatah controlling the West Bank and Hamas controlling Gaza. Openly challenged by Hamas's coup d'état in Gaza, Abbas had little time left in power to establish control over the numerous Palestinian security services and factional militias, rebuild the shattered economy, root out corruption, impose law and order, and improve the daily life of Palestinians.

The Kadima government till 2009~~current period~~ has been characterized by Israel's peacemaking drive with the PA, and Israel's war against Hamas. On both accounts, however, no definite outcome has taken place. Following the fiasco of the unilateral

withdrawal from Gaza and the Hamas takeover, a negotiated -- but not full -- withdrawal from the West Bank became Israel's dominant strategy. In ~~the~~ March 2006, new Kadima~~h~~ Party leader Ehud Olmert declared his intention to make the separation fence a permanent Israeli border. Olmert did not conceive the idea of erecting a separation barrier but some Labor leaders suggested that Israel should seal the border demarcated close to the Green Line based on Israeli security considerations. The Likud government, back to power in 2009- developed this last concept into a substantial change, making the establishment of a viable Palestinian state with geographical contiguity impossible.

The unfinished drawing of the West Bank border, delineated by officially declared "temporary" fences retaining around 9 to 15 percent of the territory, would not find a Palestinian partner among the post-Arafat leadership. If history could repeat itself, Kadima~~h~~'s unilateralism took into account that while in 1949 there was no Arab country or Palestinian leader ready to consider ~~in 1949~~ the armistice Green line as a final border (providing Israel 78 percent of "historic Palestine" instead of the 55 percent allocated by the previously rejected 1947 Partition plan~~). ~~), ~~But~~ forty years later, Arafat's Palestinian National Council publicly accepted the Green Line as a definite border. Now the issue was to establish new facts on the ground with the separation barrier, removing a significant chunk of the remaining 22 percent of Palestinian territory and wait patiently perhaps for another forty years until the new facts prevail. Olmert mentioned when leaving power ~~later~~ that in negotiations with Abbas, a formula was reached to uphold the principle established with Egypt and Jordan to return 100 percent of the Palestinian territories through swaps of land and the building of a connecting territorial link between Gaza and West Bank. At the same time, the continuation of settlement expansion and the lack of zeal in dismantling illegal outposts that have been mushrooming in the West bank has reinforced the picture of creeping annexation.

For a while, the November 2007 Annapolis Peace Conference convened by U.S. Secretary of State Condoleezza Rice was seen as the only game in town. In a joint statement of principles, she said, "it has the potential for energizing the two publics and eliciting their full support for the negotiated agreement on a two-state solution. What I

am proposing represents a step toward reconciliation."[32] At the civil society level, additional roadblocks and checkpoints severely limits West Bank and Gaza Palestinians from meeting their counterparts in Israel while Israelis are not allowed to meet Palestinians on their own turf. As a result, most Israeli peace activities are now confined mostly to interaction with Palestinians from East Jerusalem. Ineffective, humiliating requests by Israeli NGOs for individual "single day" access permits, instead of a global campaign for pressurizing the Israeli government to guarantee an unrestricted policy for peacebuilding, has produced insignificant results. As for exceptions, some earlier joint initiatives have enjoyed temporary public support in both communities, such as the "Nusseibeh-Ayalon Accord," the Geneva Initiative, and the field actions against the occupation. However, both Palestinians and Israelis generally saw these initiatives as declaratory in nature and largely devoid of popular participation. Given that general perception, it follows that the importance of building bridges was not fully understood, appreciated, or even tacitly rejected by most government leaders by putting obstacles to such endeavors. Among mainstream Israelis, there is the growing idea of separation, or in other words, "getting rid of the Palestinians."

Most Israelis rationalize their violence against the Palestinians as no more than a justifiable reaction to threats to their own security. Conversely, Palestinians valorize violent activity as being legitimately responsive to a protracted, repressive occupation.[33] That such a strategy might objectively be a right or wrong choice in ending the occupation is largely beside the point. Typically, Israelis cite concrete acts of violence, such as the kidnapping of an Israeli soldier by Hamas. Palestinians insist that violence includes "structural violence," such as the expansion of settlements and the building of

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[32] "At Annapolis, Abbas and Olmert clearly committed themselves to such negotiations in a highly visible international forum. Abbas's political standing in his own community received an important boost. Olmert's post-Annapolis statements gave indications that he understood both the importance and the implications of a two-state solution from Israel's perspective and was prepared to educate his public in that direction." Herbert C. Kelman, "Negotiating a Historic Compromise: New Opportunities in the Israeli-Palestinian Peace Process" Harvard University (manuscript 2008)

[33] A rather surprising poll conducted by UNDP among young Palestinians seems to contradict this prevailing trend: "70 percent of Palestinian youth oppose violence to resolve conflict with Israel. *Ha'aretz* , April 1, 2009

the separation wall, affecting the integrity of Arab East Jerusalem. Israeli closures of Gaza crossings constrains access to health care, food supplies, employment opportunities, and decent shelter, which in turn exacerbates the suffering and deprivation of the entire population. This has resulted in premature death, reduced life expectancy, and post-traumatic stress disorders. Whereas Palestinians blame the occupation, Israelis as a whole avoid facing such unpleasant realities, preferring to attribute the cause to the "other's" violence.

Another important factor is the impact of the peace spoilers, who abide by civil disobedience, underground violent opposition, and illegal acts of defiance to judicial rulings. Facing a debilitated peace and justice movement in both civil societies are the hyper-active, devoted fanatics and law breaking spoilers, influenced by religious predicaments and regional agendas. Jewish messianic settlers, and Palestinian Islamists, such as Hamas and Islamic Jihad, are not only claiming the entire Holy Land but also have successfully used all possible means to stop the peace process.

The twenty-three-day war in January 2009 was the deadliest confrontation in the Gaza Strip since 1967. Those in Israel who opted for military action believed that the only language the "enemy" understands wass force, and the only recourse left was more violence. Overall, more than a thousand people were killed and four thousand wounded- overwhelmingly Palestinians- , and between a quarter to half of them non-combatants.

Blaming one side for the recent violence would not be constructive. Instead, Israel and Hamas both need introspection and accountability. It is illegal and immoral for Israel to conduct targeted killings of individuals in populated areas, enact collective punishment, restrict basic needs of access, and cause a large number of casualties among women and children. It is also reprehensible for Hamas to target the civilian population in southern Israel over a long period of time, with the intention of causing a large number of victims.

At the time of writing, both societies are deeply divided, and the opponents of peace are strengthening. In Israel, the February 2009 elections gave an absolute majority to a right-wing block comprised of Netanyahu's Likud Party, which reluctantlyrefuses to endorses the principle of a restricted Palestinian statetwo-state solution. Within the

Palestinian camp, there has been an ongoing crisis between Fatah and Hamas in 2006, provoked by the latter's coup d'etat in Gaza, and calls for unity have remained unmet. So far, Ffailed reconciliation attempts between Hamas and Fatah reflect their struggle for political and territorial control, seeking domestic and regional legitimacy.

The serious deterioration of the peace process has seriously affected the democratic nature of the Israeli regime and the process of democratization in the Palestinian territories.[34] A few months before the endorsement of the Oslo agreement, a group of academics met to discuss the premise that democratic states tend not to fight wars against each other.[35] This generalization provoked several important questions: Can Israel remain a democracy given the long process of war and occupation? Can the Palestinians create a democracy under the current conditions, given the nature of the surrounding Arab regimes?[36] Is it easier for democracies or for authoritarian regimes to reach peace with each other?

Meanwhile, the occupation has stopped the process of the democratization in the PLO by negating the Palestinians' the full right to vote and postponing elections.[37] Also, the fact that the 2006 legislative elections won by Hamas were not accepted by Fatah, Israel, and the U.S.-led international community, has not helped. Not even giving the Palestinians the traditional "one-hundred days of grace" -- paradoxically this was happening when the issue of democracy was brought up by George W. Bush government as a matter of priority in the Middle East -- shows clearly double standards. The cycle of

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[34] The Transformation of Palestinian Civil Society and its Role in Developing Democratic Trends in the West Bank and Gaza Strip", in Ole Hoiris and Sefa Martin Yurukel, (eds), *Contrasts and Solutions in the Middle East.,* (Aarhus University Press, Denmark, 1997), pp. 183-195.

[35] James Lee Ray, "Does Democracy Cause Peace"? *Annual Review of Political Science*, no. 1, 1998, pp 27-46.

[36] See E. Kaufman, S. Abed and R. Rothstein (eds.), *Democracy, Peace and the Israeli-Palestinian Conflict* (Boulder: Lynne Rienner Publishers, 1993).

[37] M. Hassassian, "Democratization Process of the PLO: Ideology, Strategy and Structure. E. Kaufman, S. Abed and R. Rothstein, *op. cit.,* pp 257-285.

violence always blamed on the other side has repeatedly resulted in growing support to political extremist forces.

Strong leadership helped Sadat's Egypt and King Hussein's Jordan make "the peace of the brave" with their Israeli counterparts, Begin and Rabin. But the quest for a strong authoritarian leader does not easily correlate with democratic practices. Sadat and Rabin were assassinated by domestic extremists, and the lives of two others leaders were threatened.

4.5. CONCLUSIONS: LESSONS LEARNT

The continued failure of the Israeli-Palestinian peace process has left all parties in a pessimistic mood. Out of despair, however, one should not embrace the wrong conclusions.[38] Some have now called for a "one state solution" -- in which both Palestinian Arabs and Jewish Israelis live together -- as the irreversible outcome of the untenable situation.[39] In response, others have clearly shown the shortcomings of such unrealistic preference, since one side would try to perpetuate their domination on the other.[40]

Reaffirming the identity of both nations is extremely important for the self-determination of Israel and a future Palestinian state. Over the last fifteen years, officials have engaged, for the first time, in diplomatic/political negotiations and civil society peace building. Although peace has not yet been achieved, key concepts -- Israel/PLO negotiations, the two-state solution, Jerusalem as the capital of the two

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[38] W. Salem and E. Kaufman, "From diagnosis to treatment: Towards new shared principles for Israeli–Palestinian peacebuilding", in D.J.D. Sandole, S.Byrne, I. Sandole-Staroste and J. Senehi, (eds.), *Handbook of Conflict Analysis and Resolution*, (NY, Routledge, 2009), pp. 437- 455.

[39] Nathan J. Brown, "Sunset for the Two-State Solution? " *Carnegie Foreign Policy Paper* (Washington, DC: Carnegie Endowment for International Peace, May 2008).

[40] "As long as the majority on both sides rejects the joint state in favor of their own nation-state, there is hope of revitalizing the two-state solution. But above all, as soon as the cost of ethnic conflict becomes too high, Israel will be quick to put new effort into working on the idea of two states. It is the contradiction between a desired future and the current reality that keeps the option of establishing a border along the 1967 line alive." Klein, Menachem. "One state in the Holy Land: a dream or a nightmare?" *International Spectator*, 2008(43):4, Dec, pp. 89-101.

states, withdrawal from the occupied territories to the pre-1967 borders (adjusted to swaps and reciprocally agreed modifications), Palestinian right of return to Israel regulated by government policy -- are now part of most of the leaderships' positions. The aspirations of the proponents of peace have slowly percolated to the main stream, even within former Likud leaders in the Kadimah Party and within the PA. Through creative and extensive "second-track diplomacy," consensus has been reached on nearly all the permanent status issues. The components of a possible official accord have been discussed ad nauseam, and the issue is no longer the final status but how to move from the current paralysis into pro-active, action-oriented solutions.

Consequently, the creation of an independent Palestinian state, at least for a first stage, is a precondition to other more consociational forms of living. The Benelux model that triggered the wider European Union has been often been given as an example in which Palestinians could come and go to Israel. Although a free flow of persons, merchandise, and jobs is critical, retaining separate sovereignty for both nations is a necessary condition for building a joint future. Jews, whose holy places are within the remaining Palestinian West Bank and East Jerusalem, could reside nearby, celebrate holidays, and reside in the West Bank while keeping their Israeli citizenship.

Weak leadership and fragmented political factions, however, have reduced the chances of a bilaterally negotiated outcome. Furthermore, Israel's disempowerment of President Abbas has led to the support and rise of forces that do not recognize the right of existence of both Israel and Palestine. In the best case scenario, the prevailing mood on both sides is to separate "we are here and they are there." This has generated a prevailing pragmatic shift from pursuing reconciliation to tacitly encouraging separation. Indeed, in important circles in the Israeli peace camp, this has become an acceptable strategy. Meanwhile, their Palestinian counterparts have become increasingly frustrated with this new approach to conflict management that postpones statehood and questions the validity of the Palestinian right to self-determination. As various recent polls demonstrate, public opinion on the one hand supports a two-state solution while at the same time supports punitive strategies. This attitude leads to significant technical and psychological shortcomings in peace work. Although peace

activists have contributed to the public acceptance of a two-state solution, they have been unable to overcome, or at least diminish, calls for retaliation.

"Divide and rule" is feared by both sides, and no inner consensus can be achieved within the Israeli and Palestinian political realm. No solution can be reached by the negotiating parties without more active regional support, such as a strong push for the Arab League Peace Initiative as renewed in 2007 and an effective Quartet intervention led by a new pro-active U.S. administration. Soft power seems to be a priority for President Barack Obama and Secretary of State Hillary Clinton; hence, public diplomacy needs to be translated into an effective action. So far, Washington has been co-sharing the cost of the violent conflict, but now needs to invest all its "stick and carrots" in bringing about a resolution. Although the assumption that the United States cannot prevent a war nor impose peace is correct, it has a decisive role to play in this direction.

Furthermore, regional players, such as Turkey, Egypt and Saudi Arabia, should also help by not only persuading the Israeli and Palestinian leadership to come to an agreement but also addressing directly the grassroots problem through the media, and by encouraging the peace-oriented organizations in playing a major role in shifting public opinion. American presidents and emissaries, for example, have been talking behind close doors to ministers and security personnel, but do not spend time addressing the general public directly and supporting the local politicians ready to advance the U.S. peace policy in the Middle East, as effectively and aggressively as the American Israeli Public Affairs Committee (AIPAC), the Jewish lobby, has promoted Israel's policies in Washington D.C. Reducing the large foreign aid to Israel may be difficult to achieve in the U.S. Congress, but there is no reason why Washington could not make the money connected to Israeli cabinet policies regarding settlements in the West Bank, and earmarking a small percentage for peace building activities by non-governmental organizations.

The election of President Obama has paved the way for the concept of change, and the Clinton Parameters are considered to be a realistic expression of the consensus found among moderates and pragmatics on both sides. A wider menu of alternative options

offered immediately after the U.S. election was too optimistic, given the negative effect of the Hamas-Israel war in Gaza and the subsequent formation of a Nethanyahu-led government.[41] At the end of a renewed process, the application of the parameters formulation in full (or an even restricted interpretation, leaving the Old City of Jerusalem and its Holy Places as well as the detailed discussion on refugees to a later stage) must encourage local elites and public to support it. If predictable obstacles for governmental approval arise, it may be best to submit the plan to a referendum at the same time by both sides. The Syria-First option can be seen more as a ploy and a diversion to a determined effect by the new administration and the rest of the world to gradually bring the perennial core conflict to an end.

The challenges and difficulties of peace-making in a democratic setting highlight a paradox: one the one hand, while the generalization that established democracies do not conduct wars against each other still holds, On the other hand, in the short term, it seems that only strong (and perhaps even authoritarian) rulers are better equipped to achieve peace. More often than not, Israeli politicians have checked public opinion toward a return of all occupied territories -- or mutually agreed swaps -- without taking the lead. Weaker leaders often check public opinion and do not understand the difference between the question addressed to the individual Israeli countrymen "Are you ready to make peace, by withdrawing from the territories ?" from the question "Would you support an negotiated agreement signed by your government"? Likewise, individual Palestinian refugees, if asked to renounce the right of return, would answer more negatively than if they are provided "second best" options of resettlement elsewhere and compensation.

The corruptive nature of occupation stresses the importance of integrating human rights principles into the peace process, which guarantee more fair and sustained solutions rather than imposed fragile results. Absolute justice cannot be created, but it is important that a minimal sense of recognition of each other's needs guarantees a

[41] Shai Feldman and Khalil Shikaki, "Policy Options: The Obama Administration and the Palestinian-Israeli Conflict", *Middle East Briefing*, Brandeis University, Crown Center for Middle East Studies, December 2008, no. 32.

מעוצב:סמן

הערה[hr3]: Sentence is not complete; may be the words "might be right" have to be inserted at this place.

מעוצב:סמן

מעוצב:סמן

מעוצב:כניסה: לפני: 0
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sustained solution. Increasingly, driven by electoral objectives of personal gain, politicians have rarely engaged in peace and justice initiatives. In Israel, rather than confronting the settlers and the political forces behind them, many political leaders have deferred any decisive policy of withdrawal from the occupied territories, and ignored the long-term consequences of the transformation of their country into a bi-national state. On the Palestinian side, survival seems to be the prevailing preoccupation of the leadership. At this stage, it seems impossible that the recognition of the intrinsic relationship between peace and justice for both sides will come from a top-down initiative. Still, while the relative strength of forces provides one side with the ability to win a battle, it will never provide the ability to dictate a stable peace. Violence against civilian targets must be condemned, whether it is suicide bombing, targeted assassination, the firing of rockets, or the disproportional collateral damage of severe bombings, as a crime against humanity and a major obstacle to the peace process. By formulating claims of accepted universal principles, we can strengthen the possibility of achieving a higher level of legitimacy internationally and, hopefully, within each society as well. The acceptance of the humanity and dignity of the "other," even at the declaratory level, can set up a more conducive atmosphere to more successful negotiations.[42]

Obama's appointed negotiator George Mitchell's axiom that "there is no such thing as a conflict that can not be ended" -- with the caveat that if man-made, then it also depends on people to resolve it -- is indeed correct. Mitchell's 2001 report, while calling for an immediate freeze on Jewish settlement expansion and a halt to suicide bombings, concluded that the long-run resolution of the Israeli-Palestinian conflict cannot materialize without achieving security and justice for both sides. Respect for human rights to all is the best guarantee for a lasting peace. Although it may be difficult for struggling democracies to make peace, once an agreement is achieved, the best insurance policy for a sustained peace is establishing democracies on both sides.

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[42] Mohammed Abu-Nimer and Edy Kaufman, *op.cit.*, p 294.