

Between the river and the sea: Oslo at 20

By David Gardner

■ Executive summary

September 2013 marks the 20th anniversary of the Oslo Declaration of Principles, which foresaw two states – Israel and Palestine – living side by side in peace and security. This expert analysis analyses the key obstacles the Oslo agreements faced and the three preconditions that could help to set up a new peace process: firstly, the U.S. would have to state that the starting point for negotiations is Israel's 1967 borders and that it will not use its Security Council veto if the Israeli government refuses to negotiate seriously. Secondly, Israel would need a government willing to withdraw from almost all of the occupied territories. Thirdly, the split between Fatah and Hamas would have to heal. Even if the third precondition were fulfilled, the other two would have to be in place for any progress to occur, and neither is likely. Europe's decision to bar funding to entities operating in the occupied territories, thus putting pressure on Israel, is the only reason for optimism.

September 2013 marks the 20th anniversary of the Oslo Declaration of Principles, which painted a noble picture of two states, Israel and Palestine, living side by side in peace and security, and sharing the Holy Land as partners in a Middle East finally enabled to emerge from a crippling pathology of conflict. It is now also more than a decade since the second *intifada* signalled the death of the agreements that flowed from Oslo – but the caravan of Middle East peace negotiators rumbles on, navigating by occluded stars and obsolete maps. This expert analysis analyses the key obstacles the Oslo agreement faced and the three preconditions that could help to set up a new peace process.

The Middle East peace process long ago dissolved into a tortured charade of pure process, mismanaged by a dishonest broker, the U.S., whose European allies only rarely seem able to summon up a common sense of purpose on an issue that may not affect their internal politics as much as it does the U.S., but certainly drives politics in their Mediterranean backyard.

Events on the ground, meanwhile – above all the relentless and strategic Israeli colonisation of occupied Palestinian

land – are placing peace and a Palestinian state permanently beyond reach, with consequences it may soon be impossible to control.

As talks between Israelis and Palestinians resume in Jerusalem after a long hiatus, little if anything in the diplomacy being pursued lackadaisically by President Barack Obama and energetically by his secretary of state, John Kerry, suggests that an initiative that measures up to the gravity of this situation is likely or imminent.

It may already be impossible to roll back the Israeli occupation of the West Bank and East Jerusalem to boundaries that would make a Palestinian state viable. In that case this wound at the heart of the Middle East will continue to fester. Future generations of Israelis will be saddled with an apartheid state, increasingly outnumbered in the combustible territory between the River Jordan and the Mediterranean, occupying the area that should be Palestine, and incrementally dispossessing Palestinians as a second and inferior class of citizens. A conflict that should even today be soluble through a division of (holy) land will, moreover, acquire menacing religious overtones that position it beyond the confines of reasonable discourse

– encouraging a collision of irreducible identities in a region with no shortages in the supply of fanatics.

While many factors combined to hand veto powers over Oslo to rejectionists on both sides, the heart of the question was and remains the continuing Israeli occupation. It is essential to remember that the largest single increase of Jewish settlers on Arab land – a 50% rise – took place in 1992-96 under governments led by peacemakers Yitzhak Rabin and Shimon Peres, at the high-water mark of the Oslo peace accords. The halcyon days of Oslo, we now know, were a mirage.

Many Israelis will point to the perfidy of the late Yasir Arafat, who wanted to talk peace but keep the option of armed resistance dangerously available. But what killed Oslo and ignited another *intifada* was the occupation. It is no disrespect to the architects of these hopeful but partial agreements to observe that the second *intifada* that erupted at the end of 2000 was essentially the Oslo war.

Options for the future – if any plausible paths forward remain – need to be clear about the past. Israel in the past has been prepared to return captured Arab land over which it had no ideological or emotional claim: the Sinai Peninsula to Egypt; the Golan Heights to Syria in the tantalisingly close, but ultimately fruitless negotiations of 1995-2000; and even the Gaza Strip – but not Judea and Samaria (the West Bank) to the Palestinians. This is territory seen as integral to the Eretz Israel or Land of Israel that God promised the Jews in the Bible, the land between the river (Jordan) and the (Mediterranean) sea.

Ariel Sharon, the settlers' champion, who as prime minister pulled out of Gaza in 2005 in order to cement and legitimise Israeli control over the West Bank, made the point perfectly clear in April 1979, after the Camp David peace agreement with Egypt, which contained vague commitments about autonomy for the Palestinians. Speaking as a prominent member of the government of Menachem Begin, he said, "the government offers the Arabs all rights *in* Eretz Israel, but no right *on* Eretz Israel, which is reserved only for Israelis". At no point has any Israeli government since then been prepared to give up enough of the occupied West Bank and East Jerusalem to seal a peace with the Palestinians that would give them a viable state.

Through the Oslo agreements the mainstream and majority Palestinian nationalists of Fatah recognised the state of Israel on 78% of Mandate Palestine, in a compromise that left just 22% (less than half what was offered in the United Nations (UN) partition plan of 1947) available to build a Palestinian state on the land Israel captured in the 1967 Six Day War: the West Bank, Gaza and East Jerusalem.

The Palestine Liberation Organisation (PLO) opted for a historic compromise; Israel chose to keep colonising. Put another way, PLO leaders such as President Mahmoud

Abbas, conscious they are by far the weaker party, based their tactics primarily on two assumptions: that Israel wanted a Palestinian state, since otherwise Jews would end up outnumbered by Arabs in the cramped territory between the river and the sea; and that the U.S. would eventually deliver Israeli assent to such a state, since it is manifestly in the U.S.'s interest to stabilise the Middle East and damp down Arab and Muslim hostility to its policies. But these assumptions, logical as they may be, have proved baseless.

Revelations two years ago – in the so-called Palestine Papers leaked to al-Jazeera – that Abbas and his negotiators were prepared to give up almost all of East Jerusalem and the right of return of nearly 5 million Palestinian refugees, but were still rebuffed by Israel, have left them without a leg to stand on. The occupation grinds on.

The dimension of Israeli colonisation of the West Bank and Arab East Jerusalem has long been clear to anybody who can read a map. The Israeli settlement enterprise has turned the occupied West Bank into a discontinuous scattering of cantons, walled in by a security barrier built on yet more annexed Arab land and criss-crossed by segregated Israeli roads linking the settlements.

According to UN figures, the Palestinians have lost access to four-fifths of their ground water and two-thirds of their arable and grazing land. Normal interaction and commerce have been stifled by a dense mesh of checkpoints policing the occupation – sometimes up to 500 in an area the size of Delaware.

To the east, the Jordan Valley has been militarised and progressively emptied of Palestinians and Bedouin Arabs. To the south, the siege of Gaza has turned that sliver of land into a teeming open-air prison. East Jerusalem (with about 200,000 settlers, against 300,000-plus in the West Bank) is being systematically colonised by Jews, while Palestinians whose families have lived there for centuries are being systematically driven out by a panoply of apartheid-style zoning, building and residence laws, and municipal stratagems that deny Palestinians basic amenities and services.

But Binyamin Netanyahu's plans this year to expand Jewish settlement, linking East Jerusalem to the largest settlement of Maale Adumim through the so-called E1 project, kill the idea of a viable Palestinian state stone dead. Specious government reasoning about the "natural" growth of the settlements – a concept fatally embedded in the Declaration of Principles and the Oslo agreements of 1993-95 – slithers around three "facts on the ground" that are insufficiently visible to most outsiders.

Firstly, once E1 goes ahead – its sanitised Orwellian name notwithstanding – the last ramparts to enclose occupied East Jerusalem and encircle Bethlehem will be in place.

Secondly, the potential dimension of Netanyahu's and the irredentist right's Greater Israel plans is greater than this. Much attention is drawn to new settlements or "outposts" in the West Bank – pawns on the chessboard of negotiation destined to be given up once the game commences. But the *boundaries* of existing settlements – which far exceed their *current* built-up area – are being ignored. The total municipal area of Maale Adumim, for example, is larger than that of Tel Aviv. Presumably, future Israeli governments will find it as "natural" to expand there as this one does.

Thirdly, apologists who justify settlements expansion on grounds of organic population growth and the wall or "separation barrier" on grounds of security need to explain two things. Why, since Oslo, has the number of settlers been growing at more than three times the rate of the population increase in Israel proper (i.e. inside the pre-1967 borders)? And why is the occupied land Israel holds and evidently intends to keep – about 54% of the West Bank – identical in all essentials to the land set aside for Israel in a map drawn up by Ariel Sharon when he was defence minister in 1982, and known as Military Order Number 50?

Is there anything that can be done to change this dynamic, so destructive to Palestinians, so disruptive of a region already undergoing the historic upheaval of a new Arab Awakening, so compromising to the security of the U.S. and its allies, and – last, but not least – so blighting to the future of Israelis? It does not look promising.

Three things, essentially, would need to happen for there to be the slightest chance of breathing life back into the moribund two-states solution.

Firstly, the U.S. would have to state – preferably as part of a UN Security Council resolution to buttress resolutions 242 and 338, and in line with the Arab League peace initiative first tabled in 2002 – that the starting point for negotiations is Israel's 1967 borders and that the U.S. will not wield its Security Council veto (used 42 times to shield Israel from international condemnation) if the Israeli government refuses to negotiate seriously.

Secondly, Israel would need a government willing to withdraw from almost all of the occupied territories, with limited land swaps so that some Jewish settlements can be incorporated within Israel's final borders.

Thirdly, the Palestinian national movement would have to heal its split between the nationalists of Fatah and Islamists of Hamas, with a common prospectus of a state on less than a quarter of Palestine, compensation rather than the right of return for the vast majority of nearly 5 million refugees, and full recognition of Israel.

The first possibility is vanishingly slim. President Obama plainly sees it as in Israel's long-term security interest and in the U.S. national interest to reach a fair settlement of the Palestinian conflict. But when push comes to shove, as it

has, does and will continue to do for as long as Likud-aligned lobbyists have such a stranglehold on U.S. politics, he has not been prepared to act to make that possible. When Binyamin Netanyahu, Israel's prime minister, refused Obama's demand to freeze settlement building, which the U.S. president had called illegitimate in his Cairo speech of June 2009, Obama capitulated.

In February 2011 Obama vetoed a Security Council resolution condemning resumed colonisation, even though his own senior army commanders lobbied him not to, arguing that the partisan U.S. bias in the Israel-Palestine conflict made the U.S. an outcast in the Arab and Muslim worlds and put American lives at risk.

The second precondition is no easier. East Jerusalem has been colonised and the West Bank has been cantonised. Structurally, Israel's political spectrum is too fragmented to close a deal, even if a majority of Israelis back it. As the settlers lobby (aligned with ultra-orthodox and ultra-nationalist parties) has proven, the threshold for entry into the Knesset is so low that it can take Israel's politics and national interest hostage. Furthermore, this is not just about the slippery irredentism of Netanyahu and his allies: all Israeli governments have intended the settlements to be permanent.

As remarked above, President Abbas, as the documents leaked in 2011 showed, was willing to give up nearly all of East Jerusalem, but was still scorned by the previous, allegedly moderate Israeli government – in which Tzipi Livni, the current chief negotiator, figured large.

Movement on the third precondition for progress might, in theory, be the least difficult of the three. Hamas has been chastened by the collapse of the Muslim Brotherhood in Egypt and has fallen out with Iran by refusing to back Bashar al-Asad in Syria. Khaled Meshaal, its most recognised leader, could a year ago be seen as a possible future leader of the PLO if Hamas were to veer towards the mainstream. Now, he and his movement face isolation again. But this is all academic anyway without real movement by the U.S. and Israel on the first two preconditions.

What we have instead is the drip-feed release of prisoners from pre-Oslo days and a promised boost to the Palestinian economy, on the one hand, and the announcement of yet more Israeli settlement expansion, on the other. The first two measures are not as real as the third. Israel never actually met its Oslo commitments on prisoner release during the 1990s. While economic development is vital and welcome, turning on that tap now merely demonstrates the extent to which the Israeli occupation – with a policy of checkpoints and territorial dislocation that inhibits normal interaction – has held back the Palestinian economy. Settlements, by contrast, are meant to be irreversible. The U.S., on past performance, is not going to change this massive imbalance in the power of the occupied and the occupier.

In 2010, when the last, abortive contacts between Israelis and Palestinians took place, so anxious was the Obama administration to secure a negotiated solution that it offered Netanyahu the Jordan Valley – a large chunk of the West Bank that is not the U.S.'s to give – in exchange for a short pause in settlement building that Israel in any event declined. The Israeli tail really does wag the U.S. dog.

There is one recent development, however, that got Israeli attention: the European Union's decision to bar funding to entities operating in the occupied territories. Although this

measure has ostensibly limited effect, Israeli officials rightly see three things possibly stemming from it: the erosion of Israel's international legitimacy (because of the occupation); European allies responding to a major shift in public opinion against Israel (because of the occupation); and a step towards the potentially far more damaging BDS (boycott, divestment and sanctions) tactics that will appear on centre stage once it becomes clear that the two-states possibility has been obliterated by the occupation. Europe, at least, is at last on the right track. ■

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