Strategic ASSESSMENT

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The purpose of *Strategic Assessment* is to stimulate and enrich the public debate on issues that are, or should be, on Israel's national security agenda.

Strategic Assessment is a quarterly publication comprising policy-oriented articles written by INSS researchers and guest contributors. The views presented here are those of the authors alone.

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Abstracts

Israel vis-à-vis the Palestinians: Four Strategic Options
Amos Yadlin

This article argues that on the Palestinian issue, Israel's choice is not between two alternatives – a peace agreement or the status quo – but rather, between four: a peace agreement "acceptable" to Israel according to the Clinton parameters; an unacceptable peace agreement, i.e., on Palestinian terms; and two options that follow from not reaching an agreement, which include what the Palestinians can gain from continuation of the status quo and what Israel can and should gain from it. The article contends that while a peace agreement according to the Clinton parameters is the best option for Israel, there is very little chance of achieving it, at least in the foreseeable future. Other options, including Palestinian initiatives that emerge from continuation of the status quo, will harm Israeli objectives in passive fashion. In the absence of an agreement, therefore, an Israeli initiative is preferred, because it will enable Israel to advance its national objectives by shaping its borders independently and improve its position in negotiations with the Palestinians if and when they eventually resume.

Keywords: Israel, Palestinians, strategic objectives, peace agreement, legitimacy

The Anti-Israel Toolbox: From Hard Power to Soft Tools
Abdullah Swalha

This article aims to identify the new challenges that confront Israel in a hostile environment, and focuses on the change in manifestations of enmity. Israel was capable of defeating enemies that used hard power, and is still capable of countering or defeating them in the event of a direct confrontation through the use of military power, deterrence, and a sound strategic balance. Today Israel faces new patterns of hostility that draw on different resources. Among such patterns is the surge in the use of "soft power tools," which include delegitimization campaigns, economic boycotts, scientific and academic boycotts, media and world public opinion

campaigns, and confrontations at the level of regional and international organizations, as well as legal battles.

Keywords: hard power, soft power, delegitimization, boycott, horizontal relationships

The Jordan Valley in an Israeli-Palestinian Peace Agreement
Ron Tira

This article presents two approaches regarding the status of the Jordan Valley in the framework of security arrangements for a possible Israeli-Palestinian peace agreement. The stand-alone approach treats the security arrangements as an independent issue that is equal in importance to the political settlement. The integrated approach subordinates the security arrangements to the attempt to change the reality through the political agreement. The article concludes that while Israel must make every political effort to achieve a peace settlement, this drive must be grounded in Israel's accumulated knowledge and experience and a clear observation of the surroundings, and these parameters provide persuasive reasons for preferring the stand-alone approach to the security arrangements. In principle, the security arrangements should provide for the scalability of the Israeli forces in the Jordan Valley according to Israel's assessment of the situation, and should allow long term, continuous control of select key areas in both routine situations and emergencies.

Keywords: Israel, Palestinians, Jordan, Jordan Valley, security arrangements

Who in Israel is Ready for a Peace Agreement with the Palestinians?
Olena Bagno-Moldavsky and Yehuda Ben Meir

This paper analyzes the attitudes of the Israeli Jewish public toward the Israeli-Palestinian negotiations, based on the survey conducted in January 2014 within the framework of the INSS National Security and Public Opinion Project (NSPOP). The data suggests that in the long run policymakers should expect lower levels of support for a peace agreement with the Palestinians because younger cohorts of Israelis are increasingly part of a religious population, a sector on the whole less oriented toward a settlement of the conflict. However, there is a parallel trend that indicates that the public tends to support political slogans that have been familiar rhetoric

for a sufficiently long time, e.g., "two states for two peoples." Therefore, policymakers interested in bringing a permanent agreement to a national referendum would do well to adopt a long term strategy and retain the familiar "verbal signals" that will be put to a vote in the referendum.

Keywords: Israel, political process, Palestinians, public opinion, settlements

Civilian Service in Israel's Arab Society
Nadia Hilou and Idan Haim

Against the background of the increase in the number of Arabs volunteering for civilian service, the article examines what lies behind the opposition to the program among the Arab public, especially its political leaders, since the establishment of the Authority for National-Civic Service in 2007. This sharp opposition seems surprising, given that civilian service for Arabs is completely voluntary, takes place mostly within the Arab community, and contributes to both the community and the volunteers themselves. As such, the widespread opposition is liable to sharpen the conflict between the state institutions and the Arab population. Looking to the future, therefore, the article discusses whether an alternative model for civilian service might lessen the opposition and encourage greater participation from the Arab public.

Keywords: Israeli Arabs, civilian service, voluntary service, Jewish-Arab relations

Revolution at a Crossroads: The Struggle for the Nature of the Islamic Republic
Raz Zimmt

The Islamic Republic is in the midst of a profound struggle between the Rouhani government and its conservative rivals. The President is striving, gradually and cautiously, to fulfill his promises to his voters, in particular, to improve the economic situation and reduce government involvement in ordinary civilian life. In response, the conservative establishment is attempting to block some of the initiatives that it considers a threat to regime stability and to the values of the revolution. Overall, the regime is facing a double paradox. Lifting the sanctions as part of a permanent settlement with the West could improve the economic situation, but it could also increase Iran's exposure to Western influences and strengthen the

middle class, which is considered a key agent of change. The President's success could satisfy the desires of the public, but it could also increase the expectation for civil reforms and strengthen Rouhani's standing at the expense of the Supreme Leader.

Keywords: Iran, Rouhani, reform, conservatives

The Kurdish Awakening and the Implications for Israel
Gallia Lindenstrauss and Oded Eran

The article surveys the awakening among the Kurds in northern Iraq and northern Syria in recent years. It examines the degree of autonomy that the Kurds have achieved in these countries, the chances of their maintaining this autonomy, and the question of whether these entities will declare their independence. While Kurdish autonomy in northern Iraq has already existed for more than two decades, the autonomous entity in Syria is new, and has yet to win any international recognition. For its part, Israel should tighten relations with the Kurdish minority in these countries, and encourage the US to show sympathy for the idea of Kurdish independence. An independent Kurdish state in the region will almost certainly be friendly to Israel; if such an entity does declare its independence, Israel should therefore be among the first countries to recognize it.

Keywords: Kurds, Iraq, Syria, Turkey, Iran

Lebanon and the United Nations Special Tribunal: Between (Un)Accountability and (In)Stability?
Benedetta Berti and David Lee

This article examines the role of the United National Special Tribunal for Lebanon (STL), which in January 2014, nine years after the assassination of former Lebanese Prime Minister Rafıq Hariri, formally began the trial of those accused in the attack. The article looks at the tribunal's disputed beginnings and its contested history, and then analyzes the current developments in the case as well as the reactions within Lebanon to the trial. Finally, the study looks at the STL's broader political implications and its potential to further transitional justice and accountability in Lebanon.

Keywords: Lebanon, Syria, United Nations, international criminal justice, Hizbollah

Israel vis-à-vis the Palestinians: Four Strategic Options

Amos Yadlin

Introduction

In a recent interview with journalist Jeffrey Goldberg, President Barack Obama stated that the window for a peace agreement that would be acceptable to Israel and the Palestinians is closing and that the alternative to an agreement would be very bad for Israel. He added that he has not yet been presented with "a credible scenario" to a peace agreement that can preserve the character of the State of Israel.[1] The following article, however, contends that Israel's choice is not between two options – a peace agreement or the status quo – but rather that Israel faces four alternatives: a peace agreement according to the Clinton parameters, which would be acceptable to Israel; a peace agreement on Palestinian terms; and two variations of "the political status quo," i.e., the situation in the event of no peace agreement, even though the term is something of a misnomer, since at issue is not a static situation but potential changes in the situation in accordance with Palestinian and Israeli conduct.[2]

Accordingly, the article presents the need for a change in Israeli policy. Israel must view the failure to reach an agreement with the Palestinians as a potential threat, but also as an opportunity to minimize the damage and even improve its position while shaping the country's borders and future by itself, which interestingly could also enhance the prospects of promoting a final agreement with the Palestinians.[3] The recommended policy also neutralizes the Palestinians' veto power over the two-state solution. Israel needs a political program that on the one hand provides a solution for its national goals – its continuation as a democratic Jewish state that is secure and just – and on the other hand, provides it with the

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ability to cope with the Palestinian strategy of not reaching an agreement (the Palestinian "Plan B"), a strategy that involves a diplomatic, legal, and PR offensive against Israel.[4]

The National Objectives of the State of Israel

There are times in the life of a nation when it is appropriate to freeze a situation, wait until strategic uncertainty is clarified, and not initiate dramatic moves. There are also times when a proactive policy is required to deal with challenges and to shape the future of the state. In order to examine the type of period in which Israel finds itself in 2014 and assess what challenges it is likely to face in the near future, we must distance ourselves from daily developments, examine the situation from a long term strategic perspective, and ask, "What are the strategic objectives of the State of Israel and what options does Israel have that can help it realize these objectives?"

The following analysis is based on the assumption that the State of Israel's national objectives encompass three principal dimensions:

a. Israel must be a democratic Jewish state: a state with a clear Jewish majority that upholds the principles of equality, democracy, and the rights of the country's minorities. Israel was founded to be the national home of the Jewish people, and such it must remain. Israel must serve as an example and a "light unto the nations" as a democratic state whose residents can all be active partners with equal rights and obligations in public and democratic life.

b. Israel must be a secure country that aspires to live in peace with its neighbors. The Jewish people returned to its national homeland and formed an independent state after being persecuted all over the world throughout history. The destruction of one third of the Jewish people in the Holocaust represents the height of the Jewish people's insecurity and inability to ensure its physical survival. In the 66 years of its existence, Israel has confronted security threats and the use of military force intended to harm it and even to wipe it off the map. The element of effective security arrangements is not a tactical demand by the negotiators, but a necessary condition for Israeli society's support for any future agreement. Israelis are not prepared to return to a routine marked by buses blowing up on city streets, as occurred after Yasir Arafat rejected Prime Minister Ehud Barak's offer at Camp David in 2000, or intense rocket fire at Israeli citizens, such as what occurred

after the evacuation of the Gaza Strip in 2005. Any arrangement must ensure that Israel can defend its population, even if the responsibility for handling terrorism is given to Palestinian forces.

c. Israel must improve its image as a just state with a leading international position and a moral component. Israel faces various movements and organizations that seek to undermine its international standing. Some of the criticism is directed at Israeli policy in the territories, but some of the efforts aim to undermine Israel's right to exist as a Jewish state. Israel must reduce international pressure by minimizing the reasons to criticize its policy, especially among Western allies, and in particular, the United States. This will not only enable Israel to improve its international status, but also expose those organizations that challenge Israel's very existence, irrespective of Israeli policy.

Potential Options for Israel
A Peace Agreement Based on the Clinton Parameters

The option preferred by most Israelis is to reach a "two states for two peoples" agreement that more or less matches President Clinton's parameters from 2000 and Prime Minister Ehud Olmert's offer to Abu Mazen in 2008. In Israel's interpretation of these parameters, the Palestinians would agree to an end to the conflict, an end to their claims, and long term, performance-based security arrangements. In such an agreement, the Palestinians would give up both the right of Palestinian refugees and their descendants to return to Israel, and their demand to divide Jerusalem according to the 1967 lines.

However, there is little likelihood of realizing such an agreement, which would provide Israel with significant guarantees in exchange for difficult concessions (the 1967 borders as the basis for negotiations, two states, and a Palestinian presence in Jerusalem). Israelis are skeptical that the Palestinians are truly willing to agree to an end of conflict and an end of claims. Even if the Palestinians say that the agreement would mean the end of the conflict, their unwillingness to forego the "right of return" and their non-recognition of Israel as the nation-state of the Jewish people render meaningless the concepts of end of conflict and end of claims. In Israel, there is a lack of confidence in the ability of Mahmoud Abbas (Abu Mazen) to agree to compromises on four key subjects: a Jewish

> The argument that any alternative to an agreement with the Palestinians is worse for Israel, no matter what the parameters of this agreement may be, is fallacious.

state, the refugees, security, and Jerusalem. This skepticism is supported by statements from the Palestinian President after his return from his meeting with President Obama in Washington in March 2014, to the effect that he would not agree to compromise on the rights of the Palestinians on these four issues.[5] Even if Abu Mazen softens his stance because of pressure from President Obama and accepts a US document in principle – which currently seems more unlikely than ever – the assessment in Israel is that his decision will encounter broad opposition throughout Palestinian society, particularly the Palestinian diaspora and the Palestinian society that is under Hamas rule in Gaza. A Hamas spokesman even stated that Abu Mazen has no authority to make decisions in the name of the Palestinian people and that his organization would consider any international force to be an "occupier."[6]

The immense difficulty in bridging the positions of the parties can be illustrated by the attempt to solve a relatively simple core issue: security arrangements. The United States tried to mediate between the two sides by formulating a compromise proposal on security that would be acceptable to both parties, on the assumption that agreement on this issue would lead to a breakthrough and progress on other disputed issues as well, and in particular, borders. The Americans appear to have believed that if Israel's security demands were met, Jerusalem would be prepared to be flexible in other areas. On this basis, the United States formulated an impressive, solid, and highly creative proposal on security, but neither Israel nor the Palestinians accepted it due to the lack of mutual trust between the parties.[7]

Given the assessment that there is little chance of an agreement between Israel and the Palestinians and that the status quo is problematic, Israel should formulate an alternative that will promote its strategic objectives.

The US effort to mediate on security only revealed the depth of the gaps between the parties. If the Palestinians were not flexible on security arrangements, which seem to be the least problematic of the issues in dispute, it is difficult to believe that they will be flexible on the issue of terminating the conflict and ending their claims or on the subject of refugees and the demand for the right of return. Secretary of State Kerry – who understood that despite progress on security arrangements the gaps over refugees, Jerusalem, and borders were too wide to be bridged – successively modified his own goals, from the original goal of a "permanent status agreement"

to a "framework agreement," then from a "framework agreement" to a "framework of principles for an agreement," and finally, from a "framework of principles for an agreement" to a US "document of principles" that is not signed by the parties and on whose fundamental components they can disagree, but that will allow a longer period for the negotiations. Yet this document too was not accepted by the Palestinians, which strengthens the assessment that they will not be prepared to accept a peace treaty according to the Clinton parameters.

A Peace Agreement on "Palestinian Terms"

The Palestinian leadership would like to force Israel to agree to the establishment of a Palestinian state on the basis of the 1967 borders, with East Jerusalem as its capital. It would like to do so without giving up the right of return, without accepting security arrangements that leave Israeli forces on the borders of the Palestinian state, and in particular, without agreeing to an end to the conflict and an end to Palestinian claims and without recognizing Israel as the nation-state of the Jewish people. The Palestinian leadership does not believe that Prime Minister Netanyahu truly intends to agree to a Palestinian state, and that he will agree to demarcate the borders of Israel on the basis of the 1967 lines with territorial exchanges and divide Jerusalem, accepting East Jerusalem as the capital of the Palestinian state. In addition, despite their unequivocal demands for a comprehensive evacuation of settlements, they understand that the Prime Minister will not engage in a course of action involving massive evacuation of the settlements. Indeed, it is clear that no Israeli prime minister would agree to a settlement without the necessary Palestinian concessions because in such a situation, Israel would pay a heavy price but would not gain anything in return – the conflict would continue, the Palestinians would receive many of their demands, and Israel would remain without peace and without security. Therefore, Israel would prefer the dangers of not reaching an agreement to an agreement on Palestinian terms.

Failure to Reach an Agreement (the Status Quo): The Palestinian Variation

The unlikelihood of reaching an agreement means that the current situation (the status quo) will continue. However, the status quo is not a stable and permanent situation, but one that evolves on the basis of developments on the ground and processes rooted in the past and the present. There is no doubt that both sides will attempt to apply changes to the status quo

that will improve their positions and that they will try to promote their objectives. Accordingly, there are two future situations that could develop from the status quo.

The first is the Palestinian option, which involves changes detrimental to Israel. Israel must take into account that continuation of the formal status quo could lead to a situation in which there is one state, which endangers Israel's Jewish and democratic identity and realization of the Zionist vision. Other possible developments that could result from the failure of the negotiations are the weakening of the Palestinian Authority (PA) until it is in danger of collapse, inter alia, as a result of a decision by international players, mainly the European Union, that there is no point in continuing to invest money in the PA "enterprise." Termination of international aid to the Palestinians or a serious reduction in this aid would leave maintenance of the PA, including the ensuing political and economic problems, solely in Israel's hands, since in the eyes of the international community, as long as there is no agreement between the parties, Israel is responsible for the welfare of the population under its control. There are also signs that the atmosphere on the Palestinian "street" is moving toward support for renewed violence against Israel, albeit different in type and scope from the riots that took place in the Palestinian territories in the late 1980s and in the years following the turn of the century. These developments could exacerbate the process of Israel's delegitimization in the Western world.

This process could be accelerated further by Palestinian moves in a "diplomatic intifada," which is the declared part of a planned Palestinian response to the failure of the negotiations. President Obama and Secretary of State Kerry have cautioned Israel about this possibility. This alternative Palestinian plan focuses in the short term on a vigorous and comprehensive diplomatic campaign against Israel in the United Nations and other international institutions, with a goal to obtain recognition of a Palestinian state within the 1967 borders and bolster the delegitimization of Israel.

> If the West does not support Israel's independent actions, it is not clear that the price Israel would pay domestically, economically, and in terms of security would justify moving from the current lines.

Nevertheless, this variation of the status quo, as damaging as it is to Israel, is not an intolerable option or an existential threat to Israel. The option should be weighed against the option of an agreement on

Palestinian terms, which most Israelis see as much more problematic than the status quo. The argument that any alternative to an agreement with the Palestinians is worse for Israel, no matter what the parameters of this agreement, is fallacious. Those who make this argument, including very senior officials in the United States,[8] contend that the status quo option is suicidal for Israel, which in effect encourages the Palestinians not to agree to compromises. All the pressure is directed against Israel, which is asked to choose between an agreement on Palestinian terms (since according to the logic proposed, the Palestinians have no reason to compromise) and the "Palestinian version" of continuation of the status quo, which is described as the end of the Jewish state and the Zionist vision.

Continuation of the current situation would indeed be a challenge to these foundations, but the formal status quo is much more sustainable than many people believe. The claims that the status quo is not sustainable are based on three arguments: (a) demographics: since the birthrate of the Arab population is higher than the Jewish birthrate, in not too many years the number of Arabs between the Jordan River and the Mediterranean Sea will be higher than the number of Jews; (b) technology: the technology gap between Israel and its adversaries is narrowing, in particular with regard to the rocket and missile threat from Israel's enemies. The narrowing of the gap hurts Israel's qualitative advantage and its deterrent power; and (c) international legitimacy: Israel is perceived as holding the key to an agreement, and as long as no peace agreement is signed, Israel's political and economic isolation will increase.

In practice, the situation is more complex. First, the demographic threat is exaggerated. The Palestinians living in the Gaza Strip, from which Israel disengaged in 2005, should not be included in the calculation of Palestinians under Israeli rule. In addition, examining the birthrate in a linear fashion is problematic. The demographic growth in Arab society is declining, while that of the Jewish population is rising. There are also large Jewish communities in Europe and America that could be part of a future wave of immigration to Israel.

Second, while the technology gap between Israel and its enemies is narrowing, it is nonetheless expected to remain significant in the foreseeable future. Israel is a technology superpower, and still has a sizable lead over its enemies in science, research and development, creativity, and hi-tech. Innovative developments in the fields of anti-missile and anti-rocket defense, cyberspace, and nanotechnology ensure that the gap in operational

capabilities between Israel and its enemies cannot be expected to close so easily.

Third, the threat to Israel's international legitimacy, even though it is a serious challenge, does not make the status quo unsustainable. For the first forty years of its existence, Israel faced an international arena that included a large number of countries, including China, India, and the Muslim states, that did not recognize it and did not have diplomatic or commercial relations with it. The critical trend for Israel is the one developing among its Western allies. Nevertheless, the threats of an international wave of boycotts if there is no peace treaty are not a new development. In fact, they have accompanied Israeli-Palestinian negotiations for decades, and to this day have proven highly exaggerated. Washington has declared publicly that it opposes a policy of boycotting Israel. The speaker of the European Union parliament also stated during a visit to Israel that "first of all, there is no boycott . . . Sanctions to block economic cooperation between Israel and the European Union is a far-reaching step. So my answer is really that we should do the utmost and everything to avoid [having] to discuss the subject."[9] These comments indicate the need for caution in presuming the extent of the boycott threat as it is presented today should no agreement be reached between Israel and the Palestinians. This conclusion is also supported by an analysis of the scope of trade between Israel and the European Union, which has grown in spite of the efforts of the BDS (Boycott, Divestment, and Sanctions) efforts.[10]

To be sure, international pressure is no small matter, particularly as it is likely to increase, even if in a limited manner. Israel will in fact be asked to show its willingness to reach a peace agreement with the Palestinians and avoid making moves seen as provocative, and there may also be attempts at diplomatic pressure. However, if Israel adopts a forthcoming posture and deals harshly with those carrying out the "price tag" attacks, it can greatly reduce the influence of those seeking to boycott Israel and deepen its international isolation. Such a policy would also make it possible to strengthen those who are interested in research and economic cooperation with Israel.

In conclusion, the Palestinian version of failure to reach a peace agreement is not good for Israel and is certainly not as good as an agreement on Israeli terms, which is currently desirable but unattainable. Nevertheless, it is certainly sustainable and it is preferable to an agreement on Palestinian terms, which is a much worse alternative. Even though there must be a

response to the three threats mentioned, their importance should not be overestimated. They do not mean that it would be appropriate to replace the status quo with a bad agreement that does not end the conflict, does not end the demand for the right of return, and does not provide a solution for security arrangements.

Failure to Reach an Agreement (the Status Quo): The Israeli Variation

The second situation that could evolve from the status quo is the "Israeli option," which would bring with it changes beneficial for Israel. Indeed, Israel is strong enough to create for itself a more attractive option than the Palestinian version of failure to reach an agreement. Given the assessment that there is little chance of an agreement between Israel and the Palestinians and that the status quo is problematic for advancing Israel's interests, Israel should formulate an alternative that will promote its strategic objectives. Currently the only viable alternatives to a reasonable permanent status agreement between the parties that are presented – an agreement on Palestinian terms or the Palestinian version of continuation of the status quo – are both bad for Israel. Israel must prepare to cope with these possibilities and offer an alternative plan of its own in the absence of negotiations.

The "Israeli option" must promote Israel's objectives to the extent possible and ensure a Jewish, democratic, secure, and just state. Such an option could not only change the situation, but also the dynamic in the negotiations, by strengthening Israel's position and increasing the chances of an agreement. This is because today, the Palestinians believe that Israel's choice is between continuation of the status quo, which is bad for Israel, and a permanent status agreement of the sort they insist on, which is even worse for Israel.[11] Adding an option that is better for Israel and problematic for the Palestinians would change the Palestinian calculus and encourage them to agree to compromises they reject today, in order to avoid this option. It will be possible to increase the chances of mutual assent on the compromises necessary for a comprehensive agreement only

> The current conditions in the region, together with the ambition of Secretary Kerry and the involvement of President Obama, make this an historic opportunity for Israel to take the future in its hands, promote its national objectives, and leave open the preferred possibility of reaching peace through an agreement with the Palestinians.

if the two parties to the negotiations are forced to make their positions more flexible.

To this end, Israel should formulate an alternative plan with independent measures to shape the country's borders. This plan is a strategy for advancing toward a two-state solution, even in the absence of a complete agreement between the two parties, while denying the Palestinians veto power over the process. There is no need for Palestinian approval of these measures. However, there can be tactical coordination with the Palestinians, which would make the process of having the PA take responsibility over the territories evacuated by Israel more efficient and reduce the concern of a takeover by hostile elements. It is clear that coordinated steps are preferable, but the Palestinian leadership is known to vehemently oppose partial agreements, and therefore Israeli policy should not be dependent on the wishes or the consent of the Palestinians.

For Israel too it will be difficult to adopt an approach of independent moves because of the Israeli public's view of the results of unilateral moves carried out in the past in southern Lebanon and the Gaza Strip. Yet while there will be those who see such moves as retreat, these measures are actually progress toward a reality that is better for Israel. They are designed to improve Israel's position, both by changing the situation and in the negotiations, if they continue. In spite of the bad associations with unilateral measures, the strategic decisions on which they were based were correct: most of the Israeli public did not want to continue to remain in the security zone in Lebanon or to retain control of the Gaza Strip.[12] Rather than a problem with the decisions themselves, the problem was with the planning and implementation of the unilateral strategy. Therefore, it is essential to study the reasons for the successes and failures in implementing the unilateral moves in 2000 (the withdrawal from Lebanon) and 2005 (the withdrawal from the Gaza Strip) to ensure that implementation is better if Israel decides to unilaterally shape its borders regarding a Palestinian entity in Judea and Samaria.

The main lessons from unilateral moves in the past are:

a. The move should be carried out only after a peace agreement is proposed that is perceived by Israel's allies in the West as generous.
b. The independent Israeli move should be made in coordination with the international community and thereby be acknowledged as a legitimate measure.

c. IDF forces must be left in the Jordan Valley to prevent the smuggling of weapons and terrorists into the West Bank.

d. An area should be left that will serve as a bargaining chip for future negotiations on a permanent status agreement with the Palestinians.

e. Citizens who are evacuated from areas in the West Bank should be treated and compensated properly.

A unilateral option is not ideal. However, for several reasons it is preferable to the Palestinian version of failure of the negotiations, and certainly to an agreement on Palestinian terms (without an end to the conflict, without concession of the right of return, and without sufficient security arrangements). First, it promotes Israel's strategic objectives in a better way: a state with a clearer Jewish majority; reduced control over Palestinian territories; fewer restrictions on Palestinian life; strengthened Jewish-democratic foundations of the state; rejection of the return of Palestinian refugees to Israel; and security arrangements determined by Israel alone. If these measures are coordinated with Israel's Western allies, then Israel's border will enjoy greater international legitimacy and international criticism will decline. Therefore, the test of this option will be international support for Israel's measures, in particular, among Israel's allies in the West, since legitimacy is one of the main elements eroding by the continued unresolved conflict. If the West does not support Israel's independent actions, it is not clear that the price Israel would pay domestically, economically, and in terms of security would justify moving from the current lines. Thus, Israel's allies in the United States and Europe have a key role to play in the success of such a move.

Second, the Israeli move is secondary to the negotiations on a comprehensive and final agreement, and is designed to support and advance the negotiations. Third, any Israeli compromise will be forced to contend with domestic opposition in Israeli society and Israeli politics. Polls show that two thirds of the Israeli public still support the two-state solution if Israel's security is guaranteed and if it is a real peace.[13] If there is no chance for such an agreement, it will be possible to form a majority among the people to promote a two-state solution even without an agreement. The chances that an Israeli prime minister, regardless of his position, would succeed in persuading Israeli citizens and their elected representatives to agree to painful compromises without ensuring their security and the end of the conflict is nil. Therefore, in the absence of agreement between the parties, the greatest political feasibility on the Israeli side would be independent

measures that do not exact the full price of a peace agreement with the Palestinians but allow progress toward a two-state situation irrespective of the Palestinians.

Conclusion

Most Israelis are willing to accept a two-state arrangement in which they give up a significant portion of the land of Israel in their control for the past forty-five years. But this willingness is dependent on obtaining an agreement that will ensure security and an end to the conflict. At this time, it appears that such a solution is unattainable and that Israel's leaders must choose between surrender to Palestinian terms and continuation of the status quo, when the Palestinians have an alternative plan for a diplomatic intifada against Israel. If the choice is between an agreement that is desirable but unattainable and two bad options, then the continuation of the status quo with the Palestinian version is the least bad option. However, Israel's leaders must formulate another option, an Israeli one, for a situation in which there is no agreement: to take independent steps to shape the borders of the State of Israel and to improve Israel's position in the negotiations for a comprehensive agreement with the Palestinians. It is important to learn from the mistakes of the past so that this independent shaping of Israel's borders will meet most of Israel's strategic goals.

The coming period could be an appropriate time for Israel to promote its strategic objectives, and not only because of the failure of the current round of negotiations or the likely failure of any forthcoming round. At a time when there is no Palestinian terrorism in Judea and Samaria, it is appropriate to initiate an independent move that will not be perceived as running away or surrendering to terrorism – as Israel's actions in Lebanon in 2000 and in Gaza in 2005 were perceived – but as a move undertaken from a position of strength after victory over terror. The conditions in the region, and in particular, the weakening of Israel's enemies – Syria, Hizbollah, and Hamas – together with the ambition and energy of Secretary of State Kerry and the involvement of President Obama, also make this an historic opportunity for Israel to take the future in its hands, to promote the country's national objectives, and to leave open the preferred possibility of reaching peace through an agreement with the Palestinians.

Notes

1 Jeffrey Goldberg, "Obama to Israel – Time Is Running Out," *Bloomberg*, March 2, 2014.

2 Various initiatives to annex territories from the West Bank and apply Israeli law to them are not analyzed in detail in this article. This is an extreme scenario of continuing the status quo in which the threats to Israel would increase dramatically.

3 A working group at the Institute for National Security Studies is also formulating an alternative plan, not only as a contingency plan, but also as a leading and preferred strategy for Israel.

4 Although the talks between Israel and the Palestinians have been suspended, the fundamental dynamic of the relations between the parties has not changed and the range of possibilities remains what it was. Therefore, the need for systematic thinking on these possibilities remains the same.

5 Khaled Abu Toameh, "Abbas: No Compromise on East Jerusalem as the Capital of Palestinian State," *Jerusalem Post*, March 22, 2014; "Israel Sabotaging So-Called Peace Talks: Abbas," *Press TV*, March 26, 2014.

6 Elior Levy, "Hamas: We'll Treat Any International Force as an Occupier," *Ynet*, February 15, 2014.

7 Agence France-Presse, "Palestinian Official Warns: John Kerry will Cause 'Total Failure' of Peace Talks with Israel," *Raw Story*, December 9, 2013, http://www.rawstory.com/rs/2013/12/09/palestinian-official-warns-john-kerry-will-cause-total-failure-of-peace-talks-with-israel/.

8 Goldberg, "Obama to Israel – Time Is Running Out."

9 Arad Nir, "We Must Prevent a Discussion of Sanctions," *Channel 2 News*, February 13, 2014, http://www.mako.co.il/news-military/israel/Article-eebc6c008692441004.htm.

10 A report by the Israel International Cooperation Institute states that "in 2013, trade with European Union countries was some 36.8 billion dollars (an increase of about 1 percent over 2012)."

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The Anti-Israel Toolbox:
From Hard Power to Soft Tools

Abdullah Swalha

Introduction

Enmity is a relative state of affairs, since it is essentially linked to what happens in the surrounding environment. In the past, enmity often translated into wars and invasions with the intent of removing a certain regime or placing different militias or parties in power. History doesn't relate whether there were cultural or economic wars in the modern meaning of the concept, except for the desire to control resources – which is a basic objective of any war. Moreover, there is no mention in the annals of history of economic sanctions used against any country.

Being a powerful state doesn't necessarily mean having abundant resources, but being capable of influencing the behavior of other countries. In contemporary times, the use of all-out military power has been largely abandoned and is generally limited to the point-of-no-return cases. It has been replaced with new tools and means. Similarly, because of the shift in the threat concept, protecting the country becomes more complicated as objectives shift with the change of the political actors. Any state gives utmost priority to military power but nowadays must take into consideration other factors to guarantee its security and stability. Thus Israel's security does not rest on its military deterrence capability alone, but in its ability to affect politics and induce other countries to behave in a manner that serves its interests. At the same time, this does not mean a full abandonment of familiar military and strategic balance concerns, but it means accepting some limitations on use of this traditional power.[1]

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Against this background, the article below aims at evaluating the concept of "hard power" and "soft power" in the Arab-Israeli conflict. Soft power involves using new tools and means other than those used in traditional conflicts, first and foremost, conventional military power.

The Concept of Hard Power

Israel's national security concept is based on three pillars: deterrence, early warning, and decision. This entails Israel having the military power that can deter any enemy; means that give early alerts of imminent hostile military action; and the ability to mobilize reserve forces in case deterrence fails to deliver the desired results. It also counts on a powerful military machine that can quickly take the battle into the enemy's territory. Furthermore, Israel now has the Iron Dome, a mobile all-weather air defense system that is part of a larger aerial defense system to counter the high trajectory threat, from rockets to ballistic missiles.[2]

The Arab Spring and Obama's policies on Iran and Syria made Israel's longtime enemies weaker and have made Israel the least vulnerable state in the region. Syria is torn apart by a civil war, Iraq still suffers, Iran is under heavy pressure over its nuclear program, Turkey's Islamic empire project has failed, Hizbollah is trying to survive even as its allies are suffering, and Hamas is experiencing serious difficulties. However, Israel must address a new challenge, and that is the emergence of "soft enemies," or more precisely, soft power tools.

The Concept of Soft Power

The use of soft power tools doesn't aim at inflicting material damage to an enemy's state, as in the case with conventional war tools. Rather, it aims at undermining the enemy's international reputation, capitalizing on the fact that human rights and respect of individual freedom are now part of the global agenda, whether in Western communities or elsewhere.

In other words, the success of an anti-Israel campaign following the killing of a Palestinian on the Israel-Gaza border does not compare to that of a campaign launched after Israel halts fuel supplies to the coastal enclave and as a result power stations stop operating. The world in general and the West in particular becomes more sympathetic to a city engulfed by darkness and children's hospitals being unable to operate due to power outages than to the death of someone who crossed a fence. A suicide operation that claims the lives of civilians or even military personnel would be futile

and undermine the support of sponsoring organizations, in comparison to political and cultural clashes at the United Nations Human Rights Council or UNESCO. Those who consistently use soft tools skillfully know how to craft their approach in the conflict over values, concepts, and ethics that are related to human rights and Western liberal democracy values.

The use of soft tools has two sources: first, the inability to use force because of the exorbitant toll it exacts of the attacking party; and second, the growing conviction in today's world that the soft approach to hostility is more effective and influential in relations between countries, given that human values and rights are at the forefront of the international agendas.

Since its establishment, Israel was the object of three waves that aimed at its complete elimination; the first wave was military, i.e., the Arab-Israeli wars (1948, 1956, 1967, and to a lesser extent 1973); the second wave was terrorist, led by the suicide attacks from 1987 to 2004; and the third and most difficult wave is the delegitimization campaign. Neither the first nor the second wave succeeded, and while it is still hard to predict the outcome of the third wave, it is certainly the most painful. The conflict with Israel has moved to new arenas of soft power tools. The media, the internet, and international tribunals have become the grounds for the new war Israel faces.

Soft power fills two roles; a systemic and value-based role, and a functional role. According to the former, soft power is centered on values, ideals, and ethics associated with global freedoms and basic human rights. With this approach, efforts focus on removing the target state out of the circle of human values and branding it as an enemy and violator of these values. In its functional role, soft power is not intended at fighting or competing for resources or land and doesn't involve direct military confrontation, but is based on restricting the enemy's capability to carry out a military or economic response in case of a clash. It seeks to narrow the chances of using military force.

Soft Power Tools

a. *Delegitimization*: Israel faces a comprehensive international delegitimization campaign that could result in international isolation with massive economic damage. Boycotts by world countries would cement Israel's undermined ability to defend itself. A state delegitimized not only by Arab countries but by Western superpowers finds it difficult to survive when it must respond to acts of aggression not only by Iran, but by organizations such as Hizbollah and Hamas as well. A delegitimization

campaign against Israel would require superpowers to rein in Israel or at least censure it before it is able to defend itself.

b. *International image*: Israel's international status has deteriorated since it was labeled as a violent and aggressive state. Israel has been forced into a defensive position in international diplomacy and in public opinion and been increasingly cast as an occupying and violent state that has no respect for human and civil rights. This leads to a situation that has been equated with the apartheid system and seen in parallel to the (im)morality of terrorist organizations. Therefore, any possible use of force by Israel will be automatically condemned because it entrenches the negative stereotypes and makes an attack on it legitimate and justified.

c. *International lawfare*: Since the late 1990s, there has been a growing attempt to arrest and try citizens for crimes they committed against other countries. A good example is the arrest of former Chilean military dictator Augusto Pinochet by Britain in October 1998.[3] Another example is the International Criminal Tribunal for the former Yugoslavia, as international law, which was in force during the war and ethnic cleansing in Yugoslavia in the early 1990s, was applied. This tribunal further applied the doctrine that evolved in the Nuremberg and Tokyo trials after World War II: not only states are responsible for wide ranging crimes, but also persons who occupied official positions.[4]

This approach allows taking advantage of international law jurisdiction in European countries to charge Israeli generals and politicians of war crimes, and taking action against Israel in the International Criminal Court and the International Court of Justice. It also entails filing lawsuits against companies engaged in businesses with Israel. Another aspect is challenging the legitimacy of Israel's legal system and using the international legal system against it. The inability or lack of will by a legal system in a country to apply justice is a prerequisite for the application of universal legal jurisdiction against this country. As such, attacking the legal system in Israel is necessary to move forward in the delegitimization campaign. In 2009, a British court issued an arrest warrant for Tzipi Livni, the Israeli foreign minister during Operation Cast Lead, on charges of war crimes.[5] Another lawsuit was filed against Avi Dichter, former head of the General Security Services, on charges of war crimes and other gross violations of human rights for his alleged involvement in a 2002 military strike against Gaza. In addition, the International Criminal Court prosecutor Luis Gabriel Moreno Ocampo considered

investigating whether Lieutenant Colonel David Benjamin, a reserve officer in the Israeli army who is also a citizen of South Africa (which has signed the International Criminal Court charter), was involved in the authorization of military operations during Operation Cast Lead.[6]

d. *Economic boycott*: Israel's fears of international economic boycott are growing. Israeli Justice Minister Tzipi Livni, who heads Israel's negotiations team with the Palestinians, has warned that if there is no political progress, the European boycott of Israeli goods will not stop at products from settlements in the West Bank but will include Israel as a whole. Livni said that the discourse in the European Union has become more centered on ideology, even when it comes to economic issues. For this reason, she said, calls for an economic boycott of Israel have grown recently.[7] "True, it started with the settlements," she said. "But the [EU's] problem is with Israel, which is seen as a colonialist state. It won't stop with the settlements but will spread to the rest of the country."

Moreover, major European banks with wide international operations have considered denying loans to Israeli companies with business in the Palestinian territories. According to reports, investment committees at these banks have mulled recommendations not to grant loans or assistance to companies or banks operating in the territories. Despite being overturned following an Israeli campaign, the recommendation still haunts Israel. A comprehensive European boycott of all that is related to the territories would result in massive economic isolation. The Boycott, Divestment, and Sanctions (BDS) movement, which calls for economic and political boycott of Israel, has made some achievements in this regard.

More recently, the Norwegian Government Pension Fund Global (GPFG) announced its reconsideration of a previous decision made in August 2013, which rescinded the 2010 ban over two Israeli companies, Africa Israel Investments and its construction subsidiary, Danya Cebus. The re-exclusion was made due to "an unacceptable risk of the companies, through their construction activity in East Jerusalem, contributing to serious violations of the rights of individuals in situations of war or conflict," as stated by the recommendation report made by the Norwegian Council on Ethics

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in September. One day later, Danske Bank, the biggest Danish bank, announced it was pulling out of the two companies as well as Israel's Bank Hapoalim for the same reasons.[8]

e. *Scientific boycott*: London is considered a key center with wide international influence in the delegitimization efforts. London's influence stems from being a leader in international media and human rights organizations, in addition to being home to some of the finest academic institutions in the world. Moreover, London's influence can be attributed to its influence among English-speaking nations. The academic boycott of Israel was born in London and reached new heights when Cambridge professor Stephen Hawking rescinded his acceptance of an invitation to deliver a keynote address at the fifth annual Israeli Presidential Conference in June 2013, saying he was boycotting the event due to Israel's policies against the Palestinians.[9] Since 2003, there have been many attempts in the United Kingdom to impose an academic boycott on Israel. A prominent example of this is an attempt by the largest union for lecturers in Britain (NATFHE) to support the boycott of Israeli lecturers and academic institutions that don't publicly distance themselves from "apartheid policies."[10]

Bergen University, one of the largest academic institutions in Norway, imposed an official academic boycott on Israel for what it called apartheid policies. Norway's Trondheim University, which hosted a lecture on "Israel's use of anti-Semitism" as a political tool, took a similar decision. More recently, the American Studies Association decided to a boycott Israel. Despite the fact that this decision may not have a tangible impact in the United States, it is another indication of Israel's evolution from a non-negotiable issue into a controversy.

f. *International organizations*: Unlike other UN bodies that monitor the application of human rights charters and are made up of independent experts, the United Nations Human Rights Council (UNHRC) comprises countries, which makes its decisions more susceptible to politicization than other bodies. Although the Council has not responded to all predictable requests because of the prevailing political climate, it is still considered a central body working on progress in the human rights issue. Its Universal Periodic Review (UPR), when all the member states in UN are obliged to appear, is part of the international human rights system. Until recently, Israel wasn't a member in any regional grouping, which intensified its isolation and made it difficult for it to drum up

support for political issues. However, Israel became a member of the Western group in the council after realizing that its absence would limit its ability to influence the council's agendas. If it is barred from the forum, its absence will also open the door for broader international criticism, which would be considered a success for the delegitimization campaign.

Following a Palestinian request, UNESCO decided to offer the Palestinians full membership. The move came within the framework of the Palestinians' pursuit of international recognition in the UN. The decision may act as a springboard for a wave of international recognitions of the Palestinian state by countries and UN bodies such as the World Food Program, the UN Environment Program, the UN Industrial Development Organization, the UN Development Program, UNHCR, the World Health Organization, the World Meteorological Organization, the UN Administrative Tribunal, the International Atomic Energy Agency (IAEA), the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the United Nations Children's Fund (UNICEF), and the United Nations Economic and Social Commission for Western Asia (UN-ESCWA).

g. *Popular definition, e.g., recognition by Google*: Google's May 2013 decision to refer to the Palestinian territories as Palestine[11] was viewed as a precedent because it came from an element that is larger than the US and Israel and gave a political entity without geographical boundaries official international recognition as a state before it is established or recognized by the international community. The Palestinian Authority has received international recognition as a sovereign technical zone limited to the West Bank and the Gaza Strip. While Israel puts hurdles in the way of the Palestinian Authority and opposes international recognition of the Palestinian state on the 1967 lines, Palestine has been given permanent observer status in the UN as a recognized and technical sovereign region. The result was that many countries upgraded the diplomatic representation of the Palestinian Authority to the status of a state. Moreover, international organizations in the fields of human rights, sports, culture, and society recognized Palestine as a political entity under occupation. Some may see Palestine as a state that only exists in the internet or Facebook; however, Palestine of the 1967 borders is more and more a real state in the eyes of the Palestinians and the world.

h. *Social networks and media*: Although in the fifteenth century the dissemination of information was limited to a few priests, the invention of the Western printing press led to groundbreaking changes in all walks of life, including the establishment of democratic regimes.[12] Nowadays, the internet and the emergence of sophisticated smartphones make it possible for everyone to disseminate information anywhere and anytime. The new media has brought radical change to the way we get information and make decisions. Thirty percent of the world's population use social networks and 65 percent of people under the age of 29 get news from the internet. Thus, one picture uploaded to Facebook can damage Israel's image all over the world.

Rectifying "Israel's image" requires a change in policies because social networks and the media have become an effective weapon against Israel and can't be foiled without a change in Israeli behavior. Confronting this soft power tool, Israel has established student media units that speak on behalf of the Israeli government on social networks. These units operate in universities and are concerned with political and security issues in addition to boycotts, anti-Semitism, and delegitimization campaigns. Furthermore, they are tasked to stress Israel's democratic values, freedom of worship, and pluralism as well as other topics that reflect Israeli government policies. However, while such an approach can help in changing impressions, it does not change behavior.

The "Soft Power" Approach: A Balance Sheet

The strategic results of the soft power approach can be clearly seen in the growing international interference in Israeli internal affairs, more restrictions on the use of military power, boycott campaigns, economic sanctions, and restricted movement by politicians and army personnel because of the application of universal legal jurisdiction.

International sanctions, supported by Israel as a measure against Iran, have proven a successful means to punish countries that violate the will of the international community. While hardline Iran and democratic Israel are in no way analogous, the approach is the same. Thus if sanctions had some measure of success against Iran, they may well yield similar results against Israel. For example, Israel's decision to arrive at a compromise with the EU and sign the "Horizon 2020" project agreement is clear evidence of the fruit of boycott campaigns. Today, the EU boycott is limited to Israeli settlements in the West Bank, but it may expand to include Israel as a whole.

The Europeans want to define Israel – as a legitimate state or Israel as a state of illegal settlements; as a sovereign state or as an occupying force; as an OECD member or Israel as a settlement state; as a country that lives in the twenty-first century with human and democratic values or as a state that still clings to the colonial values of the twentieth century.

The effectiveness of the "soft power" approach lies in its ability to engage and mobilize others by blurring the lines between those who criticize Israel and those who accuse it of racism and apartheid practices. One outcome was the formation of alliances on pending or disputed issues, such as the siege on Gaza, the separation barrier, and the rights of the 1948 Arab refugees.

Horizontal Relationships

Geopolitical dynamics in the Middle East are fluid, and Israel is no longer able to rely on its traditional allies. In the past, it negotiated with corrupt dictators who forced their views on their populations, but to ensure its stability and security today, Israel must develop its relations with the peoples of the region. Israel has a tendency to work from the center to the periphery, or top-down, stressing formal ties with political and business elites and focusing on mainstream media. On the other side, Israel's delegitimizers (soft power recruits) work from the periphery to the center and bottom-up, focusing on non-governmental organizations, academia, grassroots groups, and public opinion through social networks. Such an approach may strengthen Israel's position on the official diplomatic level, but weaken it among elite groups and public opinion.

Israel works with "rigid" formal frameworks and political regimes, while the "soft enemies" work through community-based organizations and public opinion. In other words, Israel deals with legal and restrictive frameworks, but its "soft enemies" work through popular methods free from any obligations.

A nation cannot choose its neighbors, but all peoples can choose what kind of relations they want to have with their neighbors.[13] It is necessary for Israel to build bridges of trust with grassroots sectors and civil society organizations and not limit its ties with political leaderships and narcissistic elites. For instance, the 30-year peace between Israel and Egypt can only be described as a "cold peace." The Arab Spring put the spotlight on people, not regimes, which will put Israel in a confrontation with the region's peoples. Therefore, it should start to build conciliatory relations and begin with recognizing the legitimate rights of the Palestinians.

The post-Arab Spring relations should necessarily be based on strategic mega projects that bring about prosperity for all people of the region. Israel must understand that the higher the income of its neighbors, the lower the tension it will have with them. A good example is the post-WWII European unity that followed the fierce wars that claimed the lives of far more many people than the Arab-Israeli wars. One important sign of European unity was the Schuman coal and steel project between Germany and France in 1952.[14]

The idea of strategic projects between Arab countries and Israel is the best way to maintain peace and security in the region. It is the guarantor of good, neighborly relations because all will be keen on preserving economic interests. Conversely, abandoning such cooperation will incur a heavy price for both parties. Energy, electrical grid, water desalination, agriculture, tourism, transport, oil and gas, and environment projects are the pillars of horizontal relationships between the peoples of the region. The deposed hardline Muslim Brotherhood in Egypt did not for a moment consider cutting off gas supplies to Israel because it knows the damage would be felt more by its people than by Israel. The philosophy of horizontal relationships is based on the importance of common interests between peoples, not between regimes and ruling parties in each country. The future of horizontal relationships, based on joint strategic economic projects, will not remain a hostage in the hands of extremist ruling regimes or the whims of politicians.

Conclusion

Israel is facing a new type of enmity that is not easily repelled, and there is no denying the successes the soft power approach has achieved in damaging Israel's image and trying to oust it from the universal human values circle. Therefore, Israel should embark on a new approach in its relations with its neighbors; an approach based on changing its policies with regard to the peace process and meeting the legitimate demands of the Palestinian people. The change must come first from inside Israel, with Israelis recognizing that occupation has a heavy price for the reputation, prestige, and the values of their country. Furthermore, Israelis must recognize that now is the time to move forward in the two-state solution and ignore those who call for a bi-national state, because they fuel the soft power approach, which will only further exacerbate hatred and the isolation of Israel.

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The Jordan Valley in an Israeli-Palestinian Peace Agreement

Ron Tira

The purpose of this article is to examine the preferred status of the Jordan Valley in the framework of the security arrangements for an Israeli-Palestinian peace agreement. The article presents two approaches. The stand-alone approach, embraced by many in Israel's security establishment, treats the security arrangements as an independent issue that is equal in importance to the political settlement. The integrated approach, which subordinates the security arrangements to an attempt to change the reality through the political agreement and proposes incorporating Israel's defense arrangements in a multilateral security system, is endorsed by many in the security and political establishments of Israel's allies in the West. The article compares the two approaches, and assesses their viability.

The Stand-Alone Approach
Working Assumptions
The analysis of the stand-alone approach is based on two working assumptions. The first regards the main objective of the security arrangements as providing a solution for a situation where the political agreement ("the primary agreement") breaks down. This means that in order to test the effectiveness and viability of the security arrangements, there must be a working assumption of such a collapse. In other words, according to this approach, examining the effectiveness of the security arrangements when all the parties involved comply with the primary agreement is of limited utility, because this is not the ultimate test. It therefore follows that the viability of

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the security arrangements must rest on sources exogenous to the primary agreement. It is inherently illogical to attempt to guarantee the primary agreement through clauses and arrangements that are themselves derived from this very same agreement. The viability of the security arrangements must be based on assets and capabilities external to the primary agreement that will endure even if the primary agreement collapses.

The second working assumption is that the security arrangements should persist through decades of change that include a changing political landscape, a dynamic strategic climate, major technological developments, and so on. A glance at recent decades is enough to show both how much the surroundings have changed and the inability to anticipate these changes. The security arrangements must therefore include generic solutions to generic threats, even if a given threat is not concrete or tangible at the moment. The security arrangements should not be based on a situation snapshot, a transient political context, a temporary strategic assessment, or an inventory of technological capabilities that applies at a given time. The current situation should not be regarded as the chief source for the referenced threat or the main reference scenario. To some extent, the security arrangements should be independent of the context and time, and should rest on abiding military truths.

Security Arrangements and the Regional Puzzle

Around the turn of the century, Israel enjoyed a fairly comfortable strategic environment, owing to a number of regional stabilizing elements: the Iran-Iraq balance of power; partnerships with Turkey, Jordan, and Egypt; an effective threat against the Alawite regime in Syria that also controlled Lebanon; and the emergence of US hegemony in the region.

Over the past 15 years, the US, Israel, or their allies employed measures designed to improve the strategic environment, but these measures instead ultimately undermined the regional stabilizers.[1] The overthrow of Saddam Hussein upset the balance of power in the Persian Gulf, and created the conditions for making Iran the dominant foreign force in Iraq. The direct threat to Iran was removed, and the theater was shaped to reflect Iran's competitive advantage in indirect conflicts through its proxies. Syria was pushed to withdraw from Lebanon, yet Iran and Hizbollah exploited the resulting vacuum to achieve hegemony in the Land of the Cedars. Israel has effective means of exerting pressure on the Alawites, but its levers of pressure on Iran and Hizbollah are less effective, as seen in the Second

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Lebanon War (only one year after Syria's withdrawal from Lebanon). The stated policy of the US is "Assad must go," which is liable to turn Syria into a failed state and lead to an enhanced threat of global jihad. The US gave Mubarak the cold shoulder and contributed to the rise of the Muslim Brotherhood, and American coldness toward el-Sisi has pushed him in the direction of Russia.[2]

This short review is relevant in two ways. First, it must be understood that a policy aimed at improving the strategic environment can sometimes have unintended negative consequences that overshadow its good intentions. Good intentions are not enough; every measure must be analyzed according to the harsh strategic truths. Second, from the list of regional stabilizers, Jordan stands out as almost the last stabilizing element in the region that is still intact. The Hashemite monarchy constitutes an essential geopolitical asset for Israel, the US, Saudi Arabia, and Egypt. Jordan serves as a buffer between Saudi Arabia and the Syria-Lebanon system and between Iraq and Israel, and now that Iran has become a dominant factor in Iraq, Jordan in effect buffers Israel from Iran. The Hashemites have played a stabilizing role in almost every regional balance of power, such as the Cold War front against the Soviet clients, the moderate front against the radical countries, and at present against the Shiite crescent. Jordan is likewise a partner in containing the Palestinian challenge. In certain senses, Israel's effective strategic depth reaches eastern and northern Jordan, and Jordan provides Israel with calm on its longest border.

The kingdom is weak, however, and over the years has found itself threatened by foreign armies, internal factions, and Palestinian rebellion. The spectrum of threats is now widening, from the consolidation of Iranian influence at Jordan's back door, i.e., Iraq; the spillover of the Syrian civil war and its refugees to Jordan; and signs of disloyalty among the Bedouin, who constitute an important support for the Hashemites. Another important buttress for the Hashemites is Israel, which has defined the entry of foreign forces into Jordan as a casus belli, and has isolated the West Bank of the Jordan River from the East Bank.

> Security arrangements must include generic solutions to generic threats, and not be based on a situation snapshot, a transient political context, a temporary strategic assessment, or an inventory of technological capabilities that applies at a given time.

In the test case of Black September, Israel was prepared to intervene with ground forces in the fighting in Jordan, and considered alternative plans with the US and the Hashemites for the application of ground forces.[3] Israel's ability to dispatch ground forces into Jordan and assist the King in battle (mainly against the Syrians, but also against the Palestinians and the Iraqis) formed part of the strategic considerations accompanying the actors in the crisis.[4] Israel's ability to intervene with ground forces – even if this ability has never been utilized – has affected the behavior of all the parties, given the Hashemites additional options, and provided them with critical support. Israel also contributed by arresting operatives of the Popular Front for the Liberation of Palestine (PFLP) in the West Bank. At the strategic level, Israel helped isolate the Amman area from Syrian and Iraqi forces and from West Bank Palestinians, thereby helping to create conditions that enabled the Hashemites to concentrate their efforts against the Palestinian organizations and defeat them.

Among the factors benefiting the Hashemites is the Israeli military presence in the Jordan Valley. Deployed only 30 km from Amman,[5] the Israel Defense Forces (IDF) effectively divides between the two banks of the Jordan River. A strong IDF presence in the Jordan Valley provides a degree of deterrence to the east – which since Black September has proven effective – and insulates the Hashemite royal house from the dangers posed by a future Palestinian state.

Therefore, ceding the IDF's presence in the Jordan Valley has two potential geo-strategic consequences. One is the impairment of Israel's ability to help protect the Jordanian monarchy, which in turn heightens the concern about growing instability in the regional system. The second is the risk of effectively cutting Israel's strategic depth by 400 km: from the Iraqi-Jordanian border to Israel's coastal plain. This strategic depth, which is made possible by the friendly space, free of threats, provided by the Jordanian monarchy, might not survive if Israel's ability to protect the Hashemites is eroded. From being an actor with the ability to project its power beyond the Jordan River, Israel is liable to turn into an actor preoccupied with the protection of its own low ground border. It is liable to lose its influence on the regional order,

Israel must make every political effort to reach a peace agreement with the Palestinians, but what Israel knows is what it has learned from its accumulated experience and observation of reality. This knowledge provides weighty reasons for preferring the stand-alone approach with respect to security arrangements.

which would have a negative impact on its deterrence and strategic weight, lower its value as an ally for the West and moderate Arab states (even if they do not see it that way at present), and detract from the motivation of its Arab neighbors to adhere to existing peace agreements.

The Jordan Valley and Israel's Security Concept

Israel's objective characteristics (mainly its small size) force it to adopt a distinct security concept.[6] In order to lengthen the periods of time between wars, Israel labors to present a deterring posture. Its standing army is small; most of its fighting power consists of reservists, who can be called up within 24-48 hours of a suitable early warning. Given its small size, the IDF tries to avoid simultaneous major efforts on a number of fronts. It shifts its efforts to achieve decision rapidly in one front after the other, and to move forces between fronts, based on a "strategy of interior lines." Israel's ability to withstand a prolonged war is limited, and its concept is therefore based on an effective force seeking to achieve a quick decision.

Israel's ability to implement its distinct security concept pertaining to high intensity symmetrical warfare is closely linked to the IDF presence in the Jordan Valley. Most of Israel's reservists live in the urban bloc of the central coastal plain, which is controlled from the West Bank. Following a withdrawal from the West Bank, any movement on interior lines will be channeled to the choke point in the same narrow urban bottleneck (15 km wide) in the central coastal plain, which will be controlled from the future Palestinian state. Some of the air force, intelligence, and logistics bases as well as command and control posts are also controlled from the West Bank ridges. Moving Israel's "security border"[7] from the Jordan Valley to the coastal plain is therefore liable to pose a challenge to Israel's ability to mobilize its reservists quickly and effectively, move its forces quickly and effectively along interior lines, and maintain continuous functionality in bases in the center of the country. It is clear that implementation of Israel's security concept can be impeded not only by denying it these capabilities, but also by slowing and disrupting its mobilization of reservists, its interior transportation system, and its overall ability to function.

Maintaining the ability to implement Israel's distinct security concept (again, derived from specific objective characteristics) therefore constitutes an important argument for retaining Israel's security border (as opposed to its political border) in the Jordan Valley.

Operational Aspects

As discussed below, the integrated approach does not completely rule out an IDF presence in the Jordan Valley; it merely proposes limiting and integrating it in a multilateral security system. As a substitute for the IDF's freedom of action in the area, a "virtual" system replete with remote sensory tools, standoff weapons, and foreign forces is proposed.

In order to analyze the minimal operational conditions that Israel requires in order to continue to regard the Jordan Valley as its security border (as opposed to its political border), we can sketch a matrix with three types of generic threats and two types of generic capabilities. The three threats are terrorism (such as global jihad), high competence guerilla forces (such as Hizbollah), and a peer state threat (a symmetric army or a coalition of armies). The two capabilities are detection and operation.

Terrorists tend to embed themselves among civilians, rendering remote detection difficult. Even after suspicious activity is detected (such as crossing the Jordan River at a place that is not a regulated crossing), unmediated contact is necessary to distinguish between a terrorist, a smuggler, or a lost shepherd and to use proportionate force. It is impractical to assume that terrorism can be stopped by remote sensory and standoff fire, and any attempt to do so will result in civilian deaths and the subsequent abandonment of this line of operation.

Guerilla forces likewise blend in among civilians, and operate in the subterranean space and with a low signature. The accumulated and well-established experience from the Second Lebanon War, the long years of conflict in the Gaza Strip, and more recently the jihadists in Sinai shows that an insufficient portion of the guerilla apparatus can be detected remotely to ensure that standoff fire will paralyze the guerrilla organization and prevent it from carrying out its mission. This is not a matter of opinion, but proven recurrent experience of the inability of "remote action" to thwart groups like Hizbollah and Hamas.[8]

Regarding a conventional state threat, even those adhering to the stand-alone approach acknowledge the good chances that regular peer armed forces can be detected from a distance and attacked with standoff fire. However, some satellites, unmanned aerial vehicles, and other sensors lose their effectiveness in difficult weather conditions, and are vulnerable to electronic warfare that jams the sensor, its remote control, or its data-link transmission. New generations of aerial defense systems (such as S-300, SA-17, and SA-22) are capable of threatening intelligence gathering aircraft

and unmanned aerial vehicles, and can even intercept missiles. An enemy's long range and accurate high trajectory firepower is capable of suppressing activity at air force bases. Therefore, while remote sensors and standoff fire are likely to constitute an effective concept against a conventional peer army, this concept cannot be relied on exclusively. A Plan B is also needed.

As to multilateral defense systems based on foreign forces, Israel has a great deal of disappointing experience, including with regard to guarantees of freedom of navigation in the Straits of Tiran, guarantees of barring Egyptian surface-to-air missiles (SAM) from the Suez Canal, and the total failure of the multinational force in Lebanon entrusted with enforcing UN Security Council Resolution 1701. The failure of this strong force, which was designed to stop the smuggling of weapons to Hizbollah and prevent the organization from deploying south of the Litani River, is especially resounding. The withdrawal of part of the UNDOF forces from the Golan Heights following attacks by Syrian rebels and the retreat by European observers from the Philadelphi corridor (Gaza border) under pressure from Hamas can be added to this list.

A Summary of the Stand-Alone Approach

The stand-alone approach attaches great importance to retaining the Jordan Valley as Israel's security border in order to defend the following vital Israeli national interests:

a. Enforcing the demilitarization of the Palestinian state.
b. Preventing the entry of weapons and sub-state militants into the West Bank (such militants entering into the Palestinian state with its permission or despite its opposition).
c. Defending Israel against an attack by one or more peer state armies from the east.
d. Projecting power beyond the Jordan River in order to deter foreign forces from entering Jordan, thus providing support for the Jordanian regime.
e. Buffering the East Bank of the Jordan River from the West Bank in order to prevent the emergence of a pan-Palestinian threat to the Jordanian regime.
f. Buffering the Israeli coastal plain from war fighting in order to facilitate quick, uninterrupted mobilization of the reservists, allow movement along interior lines, and facilitate continuous functionality of the military rear.
g. Maintaining Israel's overall deterring posture and ability to project power.
h. Maintaining Israel's defense self-reliance.

These objectives require the continued presence of a significant and scalable Israeli military force in the Jordan Valley, deployed with depth (the ineffectiveness of a line lacking depth has already been demonstrated in the Philadelphi corridor), that provides a balanced solution for a variety of generic threats in all theater and weather conditions. This force will be withdrawn by mutual consent and according to qualitative tests when the theater is stabilized, not according to a timetable set in advance.

The Integrated Approach: Starting Assumption

One of the main differences between the stand-alone and integrated approaches, if not the most important one, lies in the point of departure for the analysis. As discussed above, the working assumption of the stand-alone approach is that the main test of security arrangements occurs if and when the political agreement (the primary agreement) collapses. The viability of the security arrangements must rest on capabilities exogenous to the primary agreement, as the test of the effectiveness of the security arrangements is the breakdown of the primary agreement. In contrast, the point of departure for the integrated approach is the drive to achieve a change in the situation by means of the political agreement. According to this rationale, the situation arising as a result of the primary agreement will generate a turnaround in the strategic environment, and therefore the security arrangements should be examined in the light of the new strategic environment that will be created, not in the light of the past environments.

The integrated approach assumes that as a result of the primary agreement, both legitimacy and motivation among the Arabs and the Palestinians for a confrontation with Israel will disappear, and they will become active and effective partners in enforcing a joint security regime. To this way of thinking, the situation that will be created will make it possible to maintain a security system within the primary agreement that includes multilateral security arrangements (joint to Israel, the Palestinians, Jordan, and the international community), and the parties will create new layers of regional security, spanning both sides of the Jordan Valley.

In contrast to the stand-alone approach, which regards the security arrangements as an independent element, equally valuable as the primary agreement, the integrated approach holds that in the tension between the primary agreement and the security arrangements, the primary agreement should take precedence. To this way of thinking, Israel's overall situation will be better with the primary agreement in place despite less than ideal

security arrangements, rather than without a political agreement but with the current security capabilities.

The Debate

Integrated Approach Proponents Respond to the Stand-Alone Proponents

According to the integrated approach, Israel will continue to benefit from most of the strategic advantages conferred by control of the Jordan Valley (such as projecting its power to the East Bank), because it will withdraw only about 100 km, and will continue to hold the 260 km of the Jordan Valley that it held before 1967.[9] Furthermore, the provisions in the agreement will allow Israeli reentry to the center of the Jordan Valley in agreed cases of a clear and immediate threat (anything from terrorism to a symmetric military threat). If the system in the agreement collapses, Israel may simply be able to ignore it and unilaterally return to the central Jordan Valley. Even currently, IDF forces are for the most part routinely deployed in permanent barracks, not in offensive or defensive combat deployments, and it makes no difference whether they are deployed to emergency positions from barracks located in the Jordan Valley itself or from permanent camps located to the Valley's north (but inside pre-1967 Israel) in Beit Shean and to its south in Neot HaKikar.

Under the integrated approach too Israel's security border will remain in the Jordan Valley and not be moved to the coastal plain, but via mechanisms in the agreement. The Palestinian state will be demilitarized, and the array of sensors, together with the multinational security system's boots on the ground, will detect any attempt to violate demilitarization or bring forces or weapons into the West Bank. Following detection, the parties will deal with the threat, and in the absence of Palestinian cooperation, the Israelis and Western powers may deal with the threat unilaterally. In this way, any threat to the Israeli coastal plain will be thwarted before it materializes, and Israel will be able to continue maintaining its security concept.

While admittedly Israel will not be able to rely solely on itself for its defense, it can look to models elsewhere for reassurance: the UK and Germany, for example, also effect their security through multinational systems in which the US military is the main building block. What is important, though, is that the proposed arrangements are distinguishable from the extensive past unsuccessful experience of international guarantees and foreign forces in three ways: first, more than a verbal commitment is involved; it will be backed by placing forces in the field. Second, US

troops, which are a more serious element than some of the foreign forces that failed, will likewise be positioned in the theater. Third, analogies of an American commitment to an intimate ally like Israel should not be made with American commitments to certain countries that were not honored. The credibility of this specific commitment will therefore be different from examples from past experience.

The Stand-Alone Rejoinder to the Integrated Approach

Those advocating a stand-alone approach contend that the key word in the integrated approach is "if." The integrated approach is not based on the existing environment and does not conform to accumulated past experience, and is sustainable only if the environment and dynamic are fundamentally changed. It presents a complicated system with multiple "modules," each of which is vulnerable, based on a series of hypotheses about the future, and is replete with conditional mechanisms and weak nodes. It is valid if the desired change in political motivations occurs; if the Palestinian state is coherent and united, and enforces its will on its territory and people; if the strategic environment stabilizes; if all the parties cooperate as planned; if the threats emerge according to the planned paradigms; if the technological supremacy is maintained; if the weather is good and enables the aerial and standoff gathering of visual intelligence, and so on. In practice, the integrated approach can be implemented only if we agree that "this time will be different," and that this new difference remains steady from now on.

Another weakness resulting from the world of "if" is the many "if-then" conditions. For example, according to the proposed arrangements, if a clear immediate symmetric military threat emerges from the east, then the IDF will be able to return to the central Jordan Valley. If it becomes evident that significant smuggling of weapons into the West Bank is underway, then entry into the West Bank will be permitted, even by force. This approach, called the tripwire mechanism,[10] assumes that if a certain condition is fulfilled, an overpowering response will ensue almost automatically. Experience with tripwire mechanisms, however, is not so auspicious. Often, the opposite side does not necessarily take a distinct and dramatic step constituting a blunt violation of the "if"; it erodes the red line a little at a time, with each action in and of itself not perceived as significant. In such circumstances, it is hard to muster the diplomatic and political will required to carry out the overwhelming "then." An example of the failure of "if-then" mechanism

can be found in the arrangement for keeping the Suez Canal zone free of surface-to-air missiles at the end of the War of Attrition. Egypt advanced SAM components to the Canal zone gradually, carefully keeping each step by itself below the Israeli and American appetite threshold for creating a crisis. Henry Kissinger describes well in this book[11] how the Nixon administration was preoccupied with the extension of the Vietnam War to Cambodia, the Soviet attempt to establish a submarine base in Cuba, and a variety of internal American complications to the extent that it bent over backwards in order to reach the conclusion that the Egyptians were not violating the terms of the ceasefire. Israel's Prime Minister, Golda Meir, weary of the risk of renewing the War of Attrition and concerned with Nixon's response to an independent Israeli action against Egypt's "non-violation," also chose to look the other way. The result was that over three years of careful, measured steps, Egypt built one of the most saturated integrated air defense systems in history, and this system severely hampered the performance of Israel's war machine in the Yom Kippur War.

Those designing security arrangements must also make a working assumption of a scenario in which the threat is crystallizing gradually step-by-step (whether the threat is a symmetric peer state or erosion of the demilitarization of the Palestinian state), at a time when the political and international circumstances make it impossible to automatically put the overwhelming "then" mechanism into operation, and a conflict breaks out in circumstances of enemy deployment that differs from that described in the "if-then" mechanism. A realistic security solution therefore requires the avoidance of "if-then" dichotomies. Instead, reliance should be on the ability to continuously control the scale and timing of the response. Scaling up and down the size of the Israeli force in the Jordan Valley and the characteristics of its deployment should be part of the freedom of action offered by the security arrangements, not a crisis event vis-à-vis the Palestinians and the international community.

The security solution should feature scalability based on situation assessment, not just two extreme situations: routine deployment and emergency deployment. The two situations are interdependent, and should gradually evolve from one to the other. The Jordan Valley's geographical center of gravity is the plain around Jericho, which is the starting point of the most feasible access routes to both Jerusalem and Amman. No less important geographic features are the choke points that enable access to the center of gravity.[12] Experience shows that under challenging terrain conditions and

with few alternatives other than advancing via choke points such as those leading to the central Jordan Valley, even a small enemy force is capable of delaying and disrupting movement, such as movements from barracks to emergency combat positions. The IDF is liable to find itself engaged in battles at the essential passages, similar to the Ein Zahlata battle in 1982 and the Wadi Saluki battle in 2006, on the way to its defensive positions in the Jordan Valley. Routine control of the area (which allows for the securing of essential choke points according to the situation assessment), is therefore an important factor enabling effective and rapid deployment to the Jordan Valley's center of gravity in an emergency.

Nor is reliance on foreign forces a simple matter. Even if interests and threat perceptions are identical, differences in perspective are liable to create a gap in the actions taken. For example, Israel and the US agree about the Iranian nuclear threat and the desirable end state, but the difference in their willingness to bear risks and costs led to the US signature on the November 24, 2013 interim agreement with Iran – an agreement that the Israeli government believes fails to meet the minimum necessary conditions and thus constitutes a serious strategic error. The November 2013 agreement teaches Israel that the internationalization of its vital security interests leads to both a loss of influence over the internationalized process's outcome, as well as a disappointing outcome driven by the international community's calculations that differ from Israel's.

The test of a commitment is often the willingness to fulfill it in the long term, despite constant attrition and the absence of an end date. Time after time, however, American political and public systems have found it difficult to persist in fulfilling open-ended overseas commitments under conditions of attrition. Only Israel has the concrete and vital interest in the security arrangements that can ensure that its political and public systems will allow ongoing persistence in the security effort under conditions of attrition (IEDs, shootings, kidnappings, and so on).

Conclusion: Experience and Observation of the Surroundings

One of the main sources for an analysis of this type is proven experience. There is little international experience with complex security arrangements, as proposed by the integrated approach, and there may be a good reason for that. Israel's experience includes security arrangements with Jordan and Egypt. The security arrangements with Jordan are simple, and with neither Jordan nor Egypt have the security arrangements been tested by

a challenging situation[13] or the collapse of the primary agreement. At the same time, Israel has extensive and discouraging experience with the various elements that collectively constitute the security arrangements proposed by the integrated approach. This experience includes Abba Eban's description of the collapse of the international guarantees of freedom of navigation in the Straits of Tiran as a "an umbrella that is taken away as soon as it begins to rain";[14] the intelligence failure in the Yom Kippur War and the impairment of the freedom of flight of the Israel Air Force (IAF) by the Egyptian SAM batteries that were not attacked in 1970; the difficulty in overcoming small Syrian forces at a choke point under challenging geographic conditions in the attempt to reach the Beirut-Damascus road in 1982; and the fact that Israel attacked Hizbollah with 160,000 artillery shells, 1,800 rockets bearing hundreds of small bombs, 2,500 naval bombardments, and 15,000 sorties flown by IAF planes, without being able to disable the organization. Basing security arrangements that are supposed to last for many decades on the assumption that "this time will be different" and that the accumulated experience is of no relevance in this particular case is a highly questionable proposition.

When Russia invaded Ukraine, US Secretary of State John Kerry declared, "You just don't in the 21st century behave in 19th century fashion by invading another country."[15] However, when Israel looks around, from Syria to the Gaza Strip and to more distant surroundings from Pakistan to Libya, the twenty-first century is nowhere in sight. Indeed, in certain respects, the environment is more reminiscent of the fourteenth century. Even if an Israeli-Palestinian peace agreement changes the bilateral dynamic between the governments, such an arrangement will not create a different Middle East and will not make the violence and instability characteristic of the region disappear.

Israel must make every political effort to reach a peace agreement with the Palestinians, but what Israel knows is what it has learned from its accumulated experience and observation of reality. This knowledge provides weighty reasons for preferring the stand-alone approach with respect to security arrangements.

Notes

1   Ron Tira, "The Breakup of Israel's Strategic Puzzle," *Strategic Assessment* 14, no. 3 (2011): 43-56; Ron Tira, "The United States in the Middle East: An Exercise in Self-Defeat," *Strategic Assessment* 14, no. 1 (2011): 41-54.

2 Ephraim Kam and Zvi Magen, "The New Contacts between Egypt and Russia: How Far Will They Go?" *INSS Insight* No. 522, February 27, 2014.

3 For sources on Israel's preparations for intervention with ground forces in the fighting in Jordan in Black September, see the following documents from the US Department of State, Office of the Historian: http://history.state.gov/historicaldocuments/frus1969-76v24/d254; http://history.state.gov/historicaldocuments/frus1969-76v24/d286; http://history.state.gov/historicaldocuments/frus1969-76v24/d287; http://history.state.gov/historicaldocuments/frus1969-76v24/d290; http://history.state.gov/historicaldocuments/frus1969-76v24/d292; http://history.state.gov/historicaldocuments/frus1969-76v24/d299; http://history.state.gov/historicaldocuments/frus1969-76v24/d303; http://history.state.gov/historicaldocuments/frus1969-76v24/d306; http://history.state.gov/historicaldocuments/frus1969-76v24/d308; and http://history.state.gov/historicaldocuments/frus1969-76v24/d309.

4 Ibid.

5 See ibid, and for example, http://history.state.gov/historicaldocuments/frus1969-76v24/d254.

6 Israel Tal, *National Security: The Israel Experienc*e (Westport, CT: Praeger, 2000).

7 A "security border" can be defined as the space in which the main operations begin. For example, in the Cold War, the US was prepared to begin its main defensive operations in the area between East and West Germany.

8 Ron Tira, *The Limitations of Standoff Firepower-Based Operations: On Standoff Warfare, Maneuvers, and Decision*, Memorandum 89 (Tel Aviv: Institute of National Security Studies, 2007).

9 Although the shortest and most feasible road to the heart of Jordan is from the center of the Jordan Valley line attained in 1967.

10 Ron Tira, *Forming an Israeli Policy toward Syria* (Tel Aviv: Yediot Ahronot, 2000), pp. 146-51.

11 Henry Kissinger, *White House Years* (Boston: Little Brown and Company, 1979).

12 For example, the Ein Gedi passage from the south, the Shadmot Mehola-Argaman passage from the north, or the Maale Adumim-Vered Jericho passage from the west.

13 Even during the year in which the Muslim Brotherhood ruled Egypt, it did not attempt to challenge the security arrangements.

14 Michael Bar-Zohar, *The Longest Month* (Tel Aviv: Levin Epstein, 1968), p. 53.

15 Will Durham, "Kerry Condemns Russia's Incredible Act of Aggression in Ukraine," *Reuters*, March 2, 2014.

Who in Israel is Ready for a Peace Agreement with the Palestinians?

Olena Bagno-Moldavsky and Yehuda Ben Meir

Introduction

The resolution of the Israeli-Palestinian conflict remains a major national security concern not only inside Israel, but also in the eyes of Israel's major international partners. The Israeli public is indirectly involved in the ongoing discourse over the implications of domestically and internationally proposed solutions, and it is highly likely that an ultimate decision on the issue will require an act of deliberative democracy, such as, for example, a national referendum. Many Israeli policymakers tend to affirm unequivocally that several constituencies within the Israeli public are not ready for an agreement. Whether or not that is the case, any meaningful discussion of the issue on the political level must take into account the diversity and range of attitudes within Israeli public opinion.

This article analyzes the attitudes of the Israeli Jewish public toward various elements related to the Israeli-Palestinian issue, based on data gathered in January 2014 within the framework of the INSS National Security and Public Opinion Project (NSPOP), a project charting trends in public opinion carried out at INSS since 1985. The poll was conducted among the adult Jewish population in Israel and included questions regarding the willingness of the public to engage in the negotiations with the Palestinians; their assessments of the major obstacles en route to a permanent agreement, and the degree to which Prime Minister Netanyahu has a mandate from various groups of Israelis to pursue the negotiations. The survey was conducted by Market Watch-Ipsos. The sample (N=1223) was extracted

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from a panel of internet users (N=34,000); user penetration rate among Israeli Jews constitutes 74 percent.[1]

Our analysis suggests that public opinion on the issue of Israeli-Palestinian relations is multifaceted and should be addressed as such by policymakers. On the one hand, demographic trends among Israeli Jews will affect the willingness of the public to accept an agreement. On the other hand, the results imply that the impact of demographic factors may be moderated if specific conditions related to the permanent agreement are consistently popularized among all population groups.

The first section of the article presents the basic perceptions of the Israeli Jewish public on Palestinian society and the Palestinian leadership, and their ability to be partners in the negotiations. The second section presents the attitudes of the Israeli public regarding a number of core issues, namely: "two states for two peoples" and the establishment of a Palestinian state; settlements; refugees; and Jerusalem. The third section contains the analysis of the respondents' profiles with regard to their voting intentions in a hypothetical referendum and suggests practical implications for policymakers involved in the process of trying to reach a permanent agreement with the Palestinians.

Attitudes toward the Political Process

For many years NSPOP surveys have charted the attitude of Israelis regarding the possibility of a peace agreement with Palestinians. Each year respondents were asked if they believed "it is possible to reach a peace agreement with the Palestinians" (figure 1). Recent polls introduced a follow-up question that probes the added value of Palestinian symbolic recognition of the state "as a homeland of the Jewish people" (black line above the grey line, asked in 2012 and in 2014).

The results suggest two conclusions. First, in 2014 about two thirds of the public do not see the prospects for peace as feasible. Second, symbolic recognition of Israel "as a national home of the Jewish people" is likely to bring considerably more people to the camp of these who positively assess the possibility of peace. In 2014, 22 percent of the public switched from a "not possible" to a "possible" assessment, when the question included the condition of recognizing "Israel as the national home of the Jewish people." This attests to the sensitivity of the public to what is implied by this specific rhetoric, and suggests that there is an opportunity for the policymakers
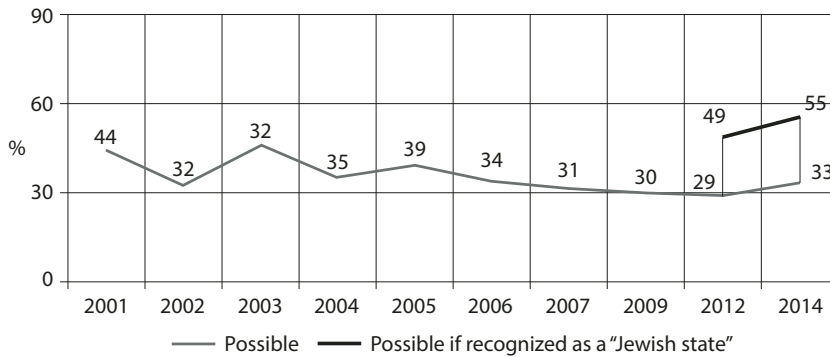
Figure 1. Possibility of peace with Palestinians and the added value of "if the Palestinians recognize Israel as a state of the Jewish people"

to mold and channel the mood of the public by means of carefully chosen rhetorical signals.

The trend charted in figure 1 shows that since 2001 between 29 to 46 percent of the public have positively assessed the possibility of peace with their neighbors, but over the last decade the number of "optimists" declined and has vacillated around 30 percent (33 percent in January 2014). The reasons for the decline can be many: in 2014, 34 percent blamed the "recalcitrance of the Palestinian Authority" for the stalemate in negotiations, 9 percent blamed the "lack of flexibility on behalf of the Israeli government," and half of the respondents attributed the stalemate to the sense that "the gap between the two parties is too large"; only 7 percent believed that the internal split within the Palestinian political leadership (between Fatah and Hamas) is the cause of the deadlock.

Thus, Israeli Jews in 2014 are pessimistic about the chances of reaching a peace agreement, but they do not put the blame for the lack of an agreement on the Palestinians.[2] It is the "gap between the sides" that is held responsible by at least half of the Israelis for the lack of progress.

Attitudes toward some Core Issues

The next set of questions probes in greater depth public attitudes regarding elements of a peace agreement that policymakers should consider while formulating the core clauses of the agreement. The clauses of a future agreement have a tendency to multiply as the negotiations evolve, but for almost three decades several central issues have dominated the negotiations

lexicon. First, the Israeli public has come a long way toward internalizing the idea of a Palestinian state (figure 2). When the question first appeared in the survey in 1987, only 21 percent were in favor. Support for the idea peaked in 2006 at 61 percent, but in 2014 it was still supported by 50 percent of the public.
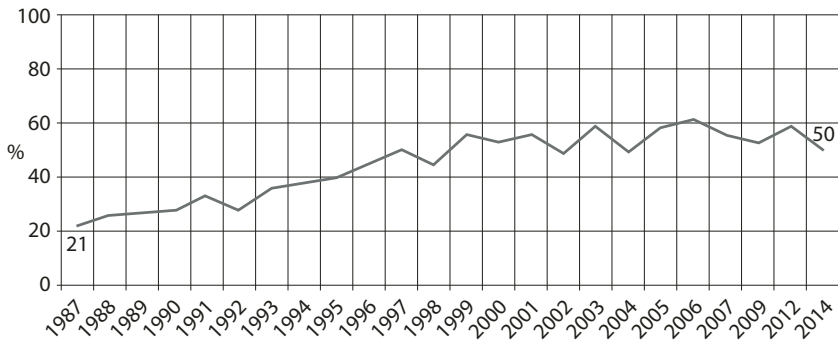

Figure 2. Support for the establishment of a Palestinian state

Second, the "permanent" status of the agreement is critical to the support of 17 percent of the public, and thus only 33 percent (as opposed to 50 percent) believe that Israel should agree to the establishment of the Palestinian state in the context of a long term temporary agreement. This suggests that part of the public is particularly sensitive to the wording of clauses that convey the nature and duration of a future agreement. The principle of "two states for two peoples" is supported by the majority, and the level of support has not dropped below 60 percent since the question was introduced in 2006 (64 percent in 2014). The wording that contains "the support for the establishment of a Palestinian state," which may have a negative connotation among some Israelis, prompts a drop of about 13 percent of supporters (50 percent support), while substitution of "permanent solution" with "temporary long term solution" reduces the number of supporters even further to 33 per cent.

> In 2014 about two thirds of the public do not see the prospects for peace as feasible. However, Palestinian recognition of Israel "as a national home of the Jewish people" is likely to bring considerably more people to the camp of these who positively assess the possibility of peace.

The future of the settlements is another core issue. For ten years, the NSPOP has tracked the willingness of the public to evacuate settlements.

In 2014, similar to previous years, about one third of the respondents (34 percent) unequivocally opposed the idea of settlement evacuation. Fifty-four percent were ready to evacuate small isolated settlements, and only 12 percent said they were willing to evacuate all the settlements in the context of a permanent settlement (figure 3).
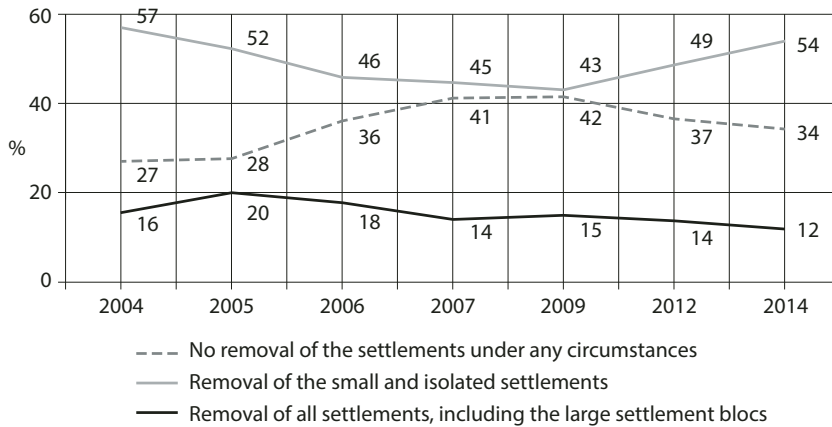

Figure 3. Attitude toward the removal of settlements in the context of permanent agreement, 2004-2014

The question, then, arises as to basic preference of the public with regard to the settlement of the conflict. In 2014, 11 percent chose a permanent agreement that would include substantial territorial concessions, including part of Jerusalem; 28 percent preferred a partial agreement with limited territorial concessions that leaves Jerusalem under Israeli control; 23 percent preferred unilateral disengagement from Palestinians, while only 5 percent supported a one-state solution. One third of the public (33 percent) opposed all these scenarios: this group, which is ideologically the most opposed to the idea of an agreement, comprises primarily young religious respondents.

In order to probe the level of support for or opposition to an agreement with the Palestinians, respondents were asked if in a referendum they would support or oppose an agreement that is based on: the principle of "two states for two peoples," a

> Israeli Jews in 2014 do not put the blame for the lack of an agreement on the Palestinians. It is the "gap between the sides" that is held responsible by at least half of the Israelis for the lack of progress.

Palestinian state established on 93 percent of the West Bank and all of Gaza, including the Arab neighborhoods of Jerusalem; recognition of Israel as the nation state of the Jewish people; Israeli control of the settlement blocs, including the Jewish neighborhoods in Jerusalem and the Old City, and a military presence in the Jordan Valley; a declaration by the Palestinians of the end of the conflict and an end to all claims; a return of Palestinian refugees only to the Palestinian state; and a Palestinian affirmation that the Temple Mount will be under divine sovereignty. The results for this question indicate that in 2014, 51 percent would vote in favor, 24 percent would oppose, and one fourth remains indecisive.

The results presented so far suggest that slightly more than one third of the Jewish public views any attempts to reach an agreement with the Palestinians absolutely negatively, and about 15 percent would agree to any concessions in order to reach an agreement. The remaining 50 percent hold views that can be influenced by the terms and perhaps even the wording of the agreement, the positions and stands taken by key opinion leaders, and other events that may occur en route to the agreement (e.g., major terror attacks, economic downturns, or massive protest actions).

Who in Israel is Ready for a Peace Agreement, and under What Conditions?

For over 25 years the NSPOP has published studies that attest to the high political diversity of the Israeli body politic. If in the past, one's country of origin (Western versus North African), level of education, and economic status played a significant role in these divides, by 2014 these characteristics lost most of their effect on political attitudes. To understand the profile of the Israeli body politic that vacillates in its attitude toward a peace agreement with the Palestinians, we calculated an index of support for the agreement that consists of the following questions: Is it possible to reach a peace agreement with the Palestinians? Is it possible to reach a peace agreement with the Palestinians if they recognize the State of Israel as a national home of the Jewish people? Do you support or oppose the formula of "two states for two peoples"? Do you believe that the majority of Palestinians want peace? Do you think that Israel should or should not agree to the establishment of the Palestinian state in the West Bank and Gaza as part of the permanent agreement? The bivariate correlation among the items always acceded =.5, and the index varied between 0, that is, opposed to all suggestions related to an agreement, and 16, i.e.,

indicating full support and readiness to compromise (figure 4). Quite naturally, these who plan to vote in favor in a hypothetical referendum are on the average significantly more supportive of the idea of an agreement (average index score 10) compared to both these who oppose it (score 4 on average) and these who are indecisive (score 6 on average). The analysis of means suggests that the distance between an average respondent who is in favor of an agreement and the average respondent who is indecisive is 4 index points (10-6=4), while the distance between the respondent who is against and the one who is indecisive constitutes 2 index points (6-4=2). In other words, it is potentially easier for political actors who oppose the agreement to influence and attract the indecisive respondents toward their side, while the political actors supporting the agreement will have to make more efforts to win over an average indecisive respondent.
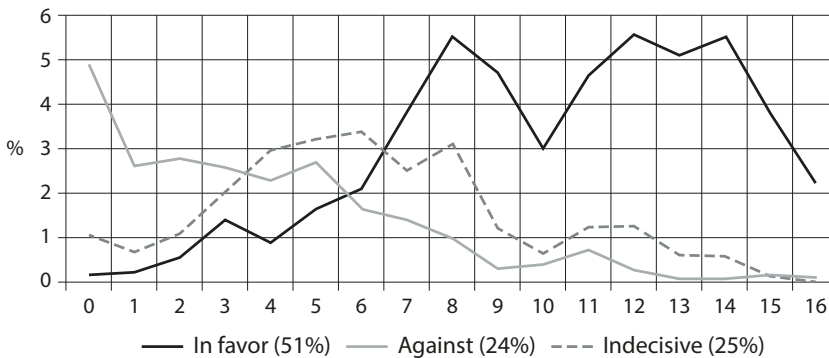
Figure 4. Results of a hypothetical national referendum on the issue of a permanent agreement with the Palestinians as a function of place in the index of the core conditions, 2014

Further analysis of socio-political profiles of the respondents implies that the aggregate weight of attitudes toward the core issues is important for defining the position of a respondent (support vs. oppose vs. indecisive) during the referendum. For example, for a 64 year old, non-religious, university educated, upper middle class individual, with the score of support for the core issues 5, the probability of being in favor of the agreement constituted .48, while the probability of being indecisive or against the agreement constituted .19 and .33, respectively. On the other hand, a respondent from the same age cohort with post-secondary education and low income, whose score of support for the core issues is higher (11), has .87 probability of voting in favor, .04 probability of voting against, and

.10 probability of being indecisive. This comparison suggests that among the secular public, support for the agreement during the referendum would depend on the attitudes toward the core issues rather than on socio-demographic characteristics. Policymakers may have the greatest leverage over the public mood among this group by downplaying the rhetoric around sensitive phrases that decrease the level of support and emphasizing the clauses that may increase it.

Unlike the secular public, religious respondents are influenced by their religious beliefs (see Appendix), but even for this group the attitudes toward the core issues are more decisive for their vote in the hypothetical referendum, compared to adherence to the religious tradition. For example, a low income 31 year old ultra-Orthodox man who has had a higher education and scored 0 on the index of support has a zero probability of voting in favor, and a very high probability of being against (p=.81), while the probability of being indecisive stands at p=.16. If the person with the same socio-demographic characteristics would be moderately oriented toward the agreement (e.g., score of support=6), he would still vote against it, but the probability of being against the agreement drops to p=.43 (indecisive p=.31, in favor p=.26).[3]

The demographic situation among Israeli Jews makes it costlier (and less probable) for policymakers to find support for a peace agreement with the Palestinians in the long run, because younger cohorts of Israelis are more religious and less oriented toward an agreement to settle the Israeli-Palestinian issue.

Overall, change in the level of religiosity from secular to ultra-Orthodox on average decreases the probability of supporting the agreement by p.=10 (all other conditions are kept equal), while a similar "price" is associated with belonging to the youngest cohort (18-31) as opposed to the cohort of baby boomers (+65). However, as shown by the analysis, the most decisive effect on the probability of voting for the agreement relates to the index of support toward the core issues.

Implications

The data suggests several general conclusions. First, the demographic situation among Israeli Jews makes it costlier (and less probable) for policymakers to find support for a peace agreement with the Palestinians in the long run, because younger cohorts of Israelis are more religious and less oriented toward an agreement to settle the Israeli-Palestinian issue. Therefore, the strategy of "avoiding the moment" and postponing an

agreement may be favored by the policymakers who oppose the settlement, and would be counterproductive for these interested in bringing it to life.

Second, there is a parallel trend among those who become accustomed to certain "verbal signals" that recur repeatedly for a sufficiently long time, "two states for two peoples" being a canonical example. Similarly, over the last 25 years the Israeli public has clearly internalized the idea of a Palestinian state: while in 1987 it was highly unpopular (21 percent), by 2014 it became part of the stable consensus.[4] Therefore, policymakers interested in the settlement may adopt a long term strategy and stick to popularization of the familiar "signals" that are likely to be contained in the statement presented for the referendum, rather than switching between different formulas or trying to popularize new ideas that are unlikely to be present in the referendum statement.

Overall, in 2014, about one third of Israeli Jewish public is not ready to support the referendum under any circumstances, while about a half of the population may change its opinion depending on the mood created by the media and the policymakers around the framework proposed for the permanent settlement.

Appendix

The vote on the hypothetical referendum as a function of political attitudes and demographic characteristics ("against the permanent settlement deal" = reference)

	In favor (vs. against)	Indecisive (vs. against)
	b(sig.)	
Age	.005***	-.011
Religiosity (1=secular, 1-4)	-.367**	-.204
Level of income (1-5)	.038	-.044
Level of education (1-6)	-.012	-.084
Index of support (0-16)	.472***	.219***
Gender (1=male, 2=female)	.208	-.538**
Intercept	-2.197	.496
Nagelkerke pseudo R	.46	
Likelihood ratio	chi square =523.2 (p=.000)	
N	1023	

***p<.000; **p<.001

Notes

1   Until 2014, the data for the National Security and Public Opinion Project (NSPOP) was gathered in face-to-face interviews, which is the most reliable way to survey political attitudes among various population groups. The survey in 2014 was conducted using a panel of internet users. Overall, internet surveys are less reliable compared to the conventional telephone and face-to face techniques, but in Israel the high user penetration rate makes internet surveys less problematic compared to other countries.

2   The number of respondents who believe that the Palestinian public wants peace is about 82 percent (15 percent think that Palestinian public wants peace "a great deal," 34 percent chose "somewhat," 33 percent chose "little," and 18 percent choose "not at all").

3   The regression table with the data used to calculate expected probabilities is in the Appendix.

4   The idea of the "two states" in 2014 is still completely rejected by about 7 percent of the secular, 18 percent of the traditional, and about 42 percent of the Orthodox and ultra-Orthodox publics.

Civilian Service in Israel's Arab Society

Nadia Hilou and Idan Haim

Introduction

The subject of civilian service by young Arabs in Israel has of late become a pressing issue. It assumed prominence on the public agenda when the Tal Law was canceled and public debate of the subject broadened, particularly the issue of equalizing the burden of compulsory service. While the issue assumes different points of focus when it engages the Jewish public and the Arab public, it is currently one of the main questions occupying the Arab population. It is also one of the topics reflecting the deep division between the Jewish majority and the Arab minority in Israel. The demand and expectation that the Arab public embrace the idea of sharing the burden has prompted a discussion of the rights and duties of Israel's Arab citizens, which in turn is sometimes used by right wing political groups to attack the entire Arab public.

In February 2007, the government decided to establish a state agency for civilian service, in which young Arabs would be able to volunteer in larger numbers than previously (there were about 300 volunteers at the time, mostly young women). In August 2007, the government approved the establishment of the Authority for National-Civic Service (NCS), which initially operated in the Ministry of Welfare, later moved to the Prime Minister's Office, and from there moved to the Ministry of Science and Technology. Since then, a growing number of young Arabs, especially young women, have applied for civilian service. According to National Civic-Service figures,[1] about 3,600 positions are now filled. Of the Arab volunteers, some 10 percent continue their service for a second year.

At the same time, the establishment of the Authority aroused skepticism and drew both distrustful responses, mainly among the public and political leadership, and expressions of harsh opposition to the idea. The High

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Follow-Up Committee for Arab Citizens of Israel expressed firm opposition to civilian service in the current format. An opposition campaign was conducted, primarily through field workers from Baladna (the Society for Arab Youth and Young People), the distribution of a short film and posters opposing the idea, and intense use of social media. Most of this activity took place in schools and homes. The public and political leadership stated that the idea of civilian service was nothing but a trick to enlist Arab youth into a framework of some kind of military service.

While expressing firm opposition to any idea of civilian service, this leadership is unwilling to conduct an open debate on the issue of civilian service among the Arab public. Ostensibly, this sharp opposition is surprising, because civilian service for Arabs is completely voluntary, takes place mostly within the Arab community, and contributes to both the community and the volunteers. Joining this opposition are similar sentiments of young Arabs belonging to and organized by civil non-profit organizations, which are conducting a shrill attack against civilian service and which at times extends to vitriolic attacks on the volunteers themselves.

Civilian Service

In Israel, civilian service is an alternative for those exempt from military service. By contributing to the health, welfare, educational, environmental, internal security, and rescue services, it is a way of realizing values of volunteerism, communal responsibility, and active citizenship. It is also a means for personal development for the volunteers participating in the program. The program consists of one year of voluntary service for those 17 years or older, and can be extended for another year, provided the volunteer is still under the age of 24. The volunteer can withdraw from the program at any time.

National service was originally designed in 1971 as a substitute service for girls from the religious sector, but at the recommendation of the Ben Shalom Committee it was expanded in 1997 under the auspices of the Ministry of Welfare. The Tal Law, which was passed in 2002, expanded civilian service to include ultra-Orthodox yeshiva students, though the initiative itself was not implemented until 2008. An interim report by the Ivri Committee in 2005 recommended that the government allow national civilian service for all residents of Israel exempt from or not drafted for military service. The Committee proposed establishing a government framework to handle national civilian service in Israel in order to regulate the existing national

service and expand the framework to include young people from sectors that are not called for military service, among them the Arab population.[2] In 2007, following government approval of the Committee's conclusions, the National Service Administration was founded.[3] Today, national service is run through seven non-profit organizations that in practice connect the volunteer to the place where s/he performs the volunteer work: the Volunteer Association; Bat-Ami; Shlomit; Aminadav; the National Service Unit in the Jerusalem Municipality; National Service; and the Society for Social Equality and National Service – the only one of the seven under Arab management.

Integration in the Framework of Civilian Service

According to Benziman and Mansour, the story of integration of Israeli Arabs in the framework of military service began as early as 1954, when the Israeli authorities issued a registration order that included the Arab population for service in the security forces. The order was received with some enthusiasm by many young Arabs, who reported for duty at the military induction centers. Once registered, however, nothing happened, and the Arab youths were not inducted.[4] While there is no unequivocal answer as to why they were not inducted, the reason was likely linked to the conflict between Israel and most of the countries in the Middle East. The fact that they are part of the Palestinian people and the greater Arab world is by itself enough to define them as belonging to the state's potential enemies, despite their being Israeli citizens.

In practice, since Israel gained independence, most of the Arab population has not been called to national service, neither in the framework of the IDF nor in a civilian framework, and the Arabs have been excluded from all discussions or legislation on the subject. Although the Arab community – Muslim, Christian, and Bedouin – has not been drafted, compulsory service has been imposed on members of the Druze and Circassian communities, after the leaders of these groups expressed their wish in the 1950s to have their sons recruited by the IDF.[5] Volunteer work by Israeli Arabs in civilian service began in 2007-2008 under the Authority for National-Civic Service.

According to the records of national-civilian service in Israel from 2013, since the NCS was founded, the number of volunteers for service among the Arab population has risen steadily. From 240 volunteers in 2005-2006 and 289 volunteers in 2006-2007, the number of volunteers doubled to 628 in 2007-2008 and reached approximately 3,600 in 2012-2013; to date
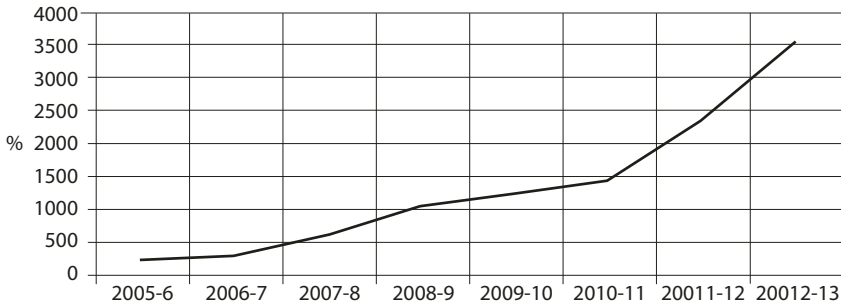
Figure 1. Number of Civilian Service Volunteers among the Arab Population

approximately 10,000 young Arabs have gone through the program (figure 1).[6] According to an NCS report, the vast majority of the volunteers were girls (about 90 percent of all the volunteers), and most (about 75 percent) volunteer in Arab communities and villages close to their homes, while the rest worked outside their communities. Most of the volunteer activity (where three quarters of all the volunteers were placed) occurred in the north, and the rest was divided roughly equally between the central region and the south. Ten percent of the volunteers choose to continue for a second year.[7]
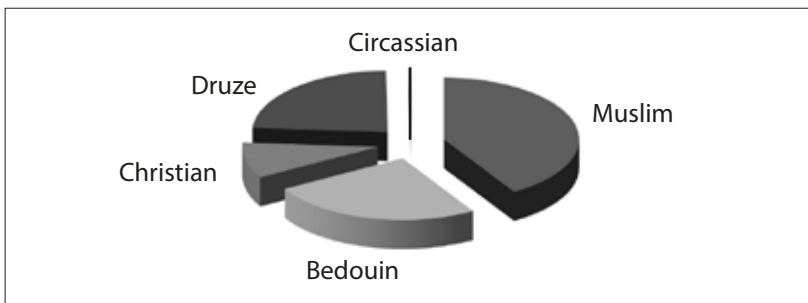
Figure 2. Volunteer Activity per Sector, 2014

Divided into sectors (figure 2), those currently performing civilian service include 1,091 Muslims (41 percent), 671 Bedouin (26 percent), 626 Druze (24 percent), 428 Christians (9 percent), and 5 Circassians (0.1 percent). These figures show the growing trend toward national civilian service activity among Bedouin, Druze, and Christians (the corresponding figures for these groups in 2012 were 19 percent, 17 percent, and 10 percent, respectively). The volunteers worked mainly in education (56 percent), community police and prevention of violence (17 percent), and health

(15 percent), with a smaller proportion in welfare positions (6 percent), senior citizen care (4 percent), law (1 percent), and other tasks.[8] Eighty-five percent of those who completed their service were accepted in education programs or found jobs. According to a study by Smooha and Lechtman, the volunteers come from the middle two quarters of the Arab population regarding educational achievements and socioeconomic background, and therefore constitute only a partial cross section of the Arab population in the 17-24 age bracket. Almost all of the youth volunteering have a complete high school education (compared with only 70 percent of the general Arab population in this age bracket), and 80 percent of them have matriculation certificates (compared with only 29 percent of the general Arab population in the same age bracket). None of them are among the 40 percent of young Arabs in Israel who neither study nor work. Most of the Arab population is unaware of the particulars of civilian service, and only 35.8 percent of the Arab public in 2012 feel they had adequate information about it.[9]

Opposition to the Program

In 2012, following the publication of the Plesner Report, the issue of Israeli Arab social integration gathered momentum and reached the headlines, The Plesner Committee urged that Israeli Arabs be gradually integrated in civilian service, with the following targets: 3,000 volunteers by 2013, 3,700 by 2014, 4,500 by 2015, 5,200 by 2016, and 6,000 volunteers by 2017. The committee also recommended that the government instruct a special committee to carry out comprehensive staff work and examine the array of issues involved in applying the principle of "everybody serves" in the long term. The committee's actions drew criticism from the political right, with the Yisrael Beitenu party stating, "The Committee's decision favoring the Israeli-Arab public by not requiring them to carry out civil service goes against equality in the burden of service," and from the political left, with the Arab parties saying, "You can't talk about equal sharing of the burden when Arab citizens don't enjoy equality."[10]

> Excluding the Arab leadership from decision making leaves it skeptical, and aggravates concern among them that the civilian service program is yet another plot by the government against the Arab population and a mechanism for making equal rights conditional.

Opposition among the Arab public and political leadership emerged due to the program's link to the security establishment and the fact that the program was devised by the Ministry of Defense. The money granted

to those completing their service actually comes from the discharged soldiers fund (a NIS 3,200 discharge award and a NIS 6,700 deposit for each year of service).[11] Similarly, a volunteer who completed his period of service is referred to a center for career counseling operated by the Discharged Soldiers Fund in the Ministry of Defense. Whether or not this is the reason, some of the Arab population believes that the purpose of the program is to pave the way for including the Arab population in the armed forces and to strengthen the young volunteers' identification with the state, at the expense of their Arab national identity. In order to oppose the emerging initiative, the Council of Arab Mayors offered its own initiative to institutionalize volunteer activity among young Arabs through the Arab local authorities, and continued to express its opposition to the proposed national civilian service format.[12]

Opinion Surveys

An initial reference to civilian service appeared in an opinion survey conducted by the Carmel Institute for Social Studies in 1994.[13] The survey found that between 75 percent (boys) and 81 percent (girls) of all young Arabs expressed a positive opinion on national civilian service, even though most of them supported only voluntary service. A survey by the Guttman Center for Surveys in 1995 yielded similar results.[14]

In 2001, the Carmel Institute conducted a comprehensive survey[15] among young people aged 16-21, including Arabs, on the subject of national service. Although the survey was conducted shortly after the events of October 2000, it found that 34 percent of the Arabs surveyed said that if they had an opportunity to volunteer for national service, they would do so. Another survey conducted in 2007 by students at the Interdisciplinary Center Herzliya[16] showed that 48 percent of all young Arabs were willing to serve in civilian service, even though one fourth of them said that such a decision would create a problem for them in their surroundings. The same year, a different survey conducted by the Friedrich Naumann Foundation found that the same percentage of Arab respondents expressed support for civilian service for Arabs.[17]

Nevertheless, even though the campaign against civilian service has not been especially effective (only 19 percent stated that the campaign had influenced them against civilian service), the degree of support for the program is declining (from 78.2 percent in 2007 to 62.2 percent in 2011. The study by Smooha and Lechtman indicates that this phenomenon is

affected by the opposition broadcast by opinion makers, such as the Arab leadership and the Muslim religious leadership, and negative opinions of the program among close family members. In an opinion survey of Arab public figures, support in 2012 for volunteering for civilian service by young people in exchange for specific benefits was expressed by 78.2 percent of the public, 75.3 percent of young people, and 77.8 percent of public figures linked to the Jewish establishment, but only 7.8 percent of public figures not linked to the Jewish establishment.[18]

Nonetheless, a comparative look at the findings from the various surveys over the past two decades shows that the degree of willingness among young Arabs in Israel to consider participation in the civilian service framework has moved in a positive direction and fluctuated between 40 and 50 percent, with an additional 20 percent expressing general support for the program's activity. The relatively high prevalence of support in the Arab public over time indicates a stable basis of favorable opinion.

Position of the Arab Leadership

A position paper published in May 2012 by the Abraham Fund Initiatives argues that opposition of the Arab public to civilian service arises because the Arab leadership does not participate in the decision making as it relates to the program, and because of the "coercive" nature of the arrangements involving the Arab population. Representatives of the Arab public repeatedly emphasize that rights should come before obligations; they reject the view that the state's services to its citizens are subject to obligations on their part. In other words, discrimination against Israeli Arabs should be addressed first, and the gap created between Arab and Jewish society in daily life should be eliminated. Any arrangement that does not establish a direct connection between volunteer activity by young Arabs and the need to narrow these gaps will eventually fail.[19]

This dispute has create a situation in which, for example, a large number of heads of educational institutions in the Arab population have steadfastly refused to accept Arab volunteers from the civilian service program in the institutions they manage. The volunteers who have been accepted in the program sometimes find themselves without an institution willing to accept them as volunteers.[20] This is an absurd situation, because for years the Arab public has complained about a lack of personnel and paid positions in educational and welfare frameworks, but the volunteers are rejected. Excluding the Arab leadership from decision making leaves

it skeptical, and aggravates concern among them that the program is only another plot by the government against the Arab population and a mechanism for making equal rights conditional. This position causes them to regard the young men and women performing civilian service as a way for the state to bury the Arab population's demands, and even as a way of eliminating the promised paid positions for the various services in the Arab local authorities. Despite almost complete agreement with all of the program's goals (volunteerism and contribution to the community, youth development, and others), the way the program is portrayed has proven a weighty obstacle to its advancement.

Preparations by the NSC

In order to solve the problem of the image that has been created, NSC Director-General Sar-Shalom Jerbi and his previous ministerial superior, Daniel Herskowitz, proposed that the budget for grants to volunteers upon completion of their service be managed by the NSC itself, not by the Discharged Soldiers Fund. They also proposed establishing four regional offices for career counseling to those completing their service. The NSC even recommended additional benefits – which have since been enacted – including free public transportation during the period of service, a monthly allowance ranging from NIS 659 to NIS 780, plus travel expenses, and Hebrew lessons at state expense for volunteers who want them.[21] Those proposing these measures emphasized that the civilian service would remain voluntary and not become compulsory, but they suggested rewarding local authorities who encourage this service.

Nevertheless, there are still problems for which the NSC has not yet found an optimal solution. A letter to Jerbi in 2010 raised the question of an insufficient number of positions for Arab volunteers and the unsuitability of some of the existing positions. It is no secret that some of the positions are considered more attractive for service than others; a similar situation can also be seen in placement in army units. Some of the positions have requirements, such as a matriculation certificate, command of Hebrew at a high level, security clearance, and a record free of criminal convictions. A situation sometimes arises in which there are not enough suitable candidates for the positions offered, which thereupon remain unfilled.[22]

NSC figures show that placement and positions are eventually found for every volunteer, but this situation gives rise to additional questions: whether the current format is prepared to absorb every Arab youth who

wishes to volunteer, and whether the NSC framework itself acts as a selection factor. Smooha and Lechtman have shown that the lower percentages in Arab society are not well represented among NSC volunteers. It should therefore be considered whether there are structural factors that encourage this situation.

Assessment

Volunteers who have completed their service have not justified the fears of the Arab leadership concerning the program. According to Smooha and Lechtman, the Jewish establishment's vision that civilian service would have the "added value" of drawing Arabs and Jews closer is not exactly realized, but this is mainly because the volunteers in the program already have a positive orientation towards the state. Volunteering for civilian service does not cut them off from the Arab public; on the contrary, it strengthens their commitment to the community, because they perform their services within the community they came from.[23]

A detailed examination of the differences in the rates of support among different population groups in 2011 revealed that beyond the support that the program receives from the Arab population that describes itself as Israeli Arab (rather than Palestinian) and Arabs who already have less critical views of the state and the Jewish public, even the support from the groups most critical of the state is far from negligible. For example, 51 percent of those who do not agree that Arab citizens should fulfill any kind of service duty whatsoever; 52.9 percent of those who believe that Israel is not democratic; and 54.3 percent of those who feel that they are alien and rejected in Israel nevertheless expressed support for civilian service. The rate of support for volunteering even rises to 78.5 percent when it is added that "instead of the state handling civilian service, the Arab leadership will handle the year of volunteering with the same benefits granted now."[24]

In essence, the civilian service currently offered is an alternative mainly for young Arab women with a positive orientation toward the state wishing to engage in activity with social value before entering higher education, without breaking out of the framework of their lives in the Arab community. Yet despite the impressive growth in the number of volunteers, they still constitute an extremely small proportion of all Arab youth, and have not reached the critical mass necessary for a change in the status of the Arab minority in Israel.

A review of the overall picture highlights the following points:

a. There is a consistent rising trend in the percentage of Arabs volunteering for civilian service.

b. There is a wide gap between the views of young Arabs and those of the Arab political leadership.

c. The main reasons for opposition by the Arab leadership to civilian service in its current format include: exclusion from the process of founding the NSC and the lack of involvement in decision making and management of this framework; fear of linkage between obligations and rights, even if the service is voluntary; the link between civilian service and the defense establishment; and rejection of the concept of service to the country, which they believe does not give them equal and inclusive citizenship

d. Volunteer activity is important for both the community and for young Arabs.

Among the Jewish population, the opinion is gaining momentum that the possibility of increasing a sense of belonging to the country and being entitled to enjoy its benefits also requires a change in the concept of citizenship. The idea of civilian service is not designed merely to fulfill the need to heal divisions between the Arab and Jewish population and bring them closer to each other, but to obtain the positive benefits of volunteering in the community and the state.

In view of the ongoing debate since the NSC was founded, several different ideas and models have been proposed in recent years, including:

a. The proposal by former Minister of Minorities Avishay Braverman to transfer civilian service to the Ministry of Welfare, which would sever it from the defense establishment, and to make the local Arab authorities responsible for its actual operation. This proposal aroused strong opposition from the NSC.

b. The proposal by the High Follow-Up Committee for Arab Citizens of Israel, which formulated a different autonomous model of self administration involving the establishment of a community volunteer activity authority under its control. This would ensure that volunteer activity would be exclusively in institutions for the Arab community. The state would, however, continue to finance the volunteer positions and grant benefits to volunteers. This model also arouses concern about the use of clan, ethnicity, and party political criteria in allocating positions and recruiting volunteers, at the expense of adherence to professional considerations.

c. In June 2011, the Jerusalem Institute for Israel Studies also proposed a model similar to the autonomous model of the leaders of the Arab local authorities, involving the reconstitution of the civilian service framework for Arabs in cooperation with representatives of the Arab public. This proposal was part of a proposed comprehensive reform in Jewish-Arab relations in Israel.[25]

In conclusion, the current civilian service format for the Arab population indicates a close connection between civilian service and the defense establishment, and the continued exclusion of the Arab leadership from this venture, despite its practical contribution to the Arab community itself. Ninety percent of the current volunteers are female, a fact that contributes to their integration into higher education and the labor market, and will help improve their personal, social, and economic situation.

In the past, models, initiatives, and alternatives were proposed, whether by government agencies or various civilian groups, based on putting volunteer service in a civilian framework and disassociating it from the defense establishment. It is important to find new channels for integrating and involving the Arab public that will assuage its concerns, and aim at a structure that will increase Arab involvement in decision making on the one hand and facilitate a space for continued volunteering in the community on the other. Creation of a shared platform for government agencies and the Arab public should in itself generate a more comfortable atmosphere, reduce the level of suspicion, and enhance cooperation, while eventually expanding the idea of volunteerism that is beneficial to all. It therefore appears that at this stage, the time is not ripe for making civilian service compulsory; it should be left as a voluntary service.

The debate about civilian service for the Arab public will continue to engage both the Jewish and Arab populations in the coming years. This debate is related to the future of Jewish-Arab relations in Israel, and will have consequences for those relations. Both sides should strive to find ways to reinforce the feeling of belonging and integration among Arab citizens, without harming their identification with their culture and community.

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Revolution at a Crossroads:
The Struggle for the Nature of the Islamic Republic

Raz Zimmt

Introduction

Ten months after Hassan Rouhani's election as President of Iran, the Islamic Republic is in the midst of a deep internal struggle between the President and his supporters on the one hand, and his conservative rivals on the other. While the President seeks significant changes in his country's domestic and foreign policy, conservatives in the political system, the religious establishment, and the Revolutionary Guards are attempting to block some of his initiatives, which they perceive as a potential threat to the values of the revolution and the stability of the regime.

Rouhani, who was one of the founders of the Iranian regime and is considered a moderate conservative, has since his election sought to lead changes on the basis of his campaign promises to his voters. These include improving the economic situation, easing the security atmosphere in society, releasing political prisoners, granting rights to women and ethnic minorities, and expanding freedom of expression. Even though Rouhani is not identified with the reformists, he recognizes the need to make the revolutionary ideology fit the conditions of the current situation. His election augurs changes in Iranian policy, though he himself is committed to the path of the Islamic Revolution and a government system based on the principle of the rule of jurisprudence (*velayat-e faqih*).

Rouhani's religious training, his Western academic education, his establishment background, and the mandate he received from the public allow him to promote his policy while attempting to avoid conflicts, to

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the extent possible, with the main centers of power: Supreme Leader Ayatollah Ali Khamenei, the religious establishment, and the Revolutionary Guards. At this point, the President is choosing his battles carefully, giving preference to economic issues and the nuclear talks with the West in an effort to advance a repeal of the sanctions. Nevertheless, it is evident that he is determined to spearhead profound changes, even if they are moderate and gradual, in order to reduce the government's involvement in ordinary civilian life and provide a response to the public's demand for change.

A Government on the Way to Change

Since Rouhani was elected president, he has made a number of statements expressing his commitment to cultural and social changes and his support for expanded civil liberties and cultural freedom. In a November 26, 2013 television interview marking his government's first hundred days in office, the President declared that the government does not intend to become involved in cultural issues where it is not essential. According to Rouhani, "We are not interested in a governmental culture, but rather, a cultured government."[1] Ali Jannati, Minister of Culture and Islamic Guidance, has also expressed the government's commitment to cultural reforms. Unlike his father, senior cleric Ayatollah Ahmad Jannati, who serves as the secretary of the Guardian Council and is identified with the radical conservative right wing, Ali Jannati has adopted a relatively liberal approach to issues connected to freedom of expression and the press. In an interview with *al-Jazeera* in English in January 2014, the minister stated that the government is aiming to expand freedom of expression in journalism, literature, and the film industry.[2]

While forced to allow Rouhani to promote certain changes, regime officials, and the Supreme Leader in particular, are determined to present the President and his government with red lines that, if crossed, could, in their view, undermine the values of the revolution and present a substantive challenge to its stability.

The government's commitment to implement gradual civil reforms is not limited to declarations; it is also reflected in an actual change in policy. Early in the government's term, the Ministry of Science and Higher Education announced its decision to return to the universities several dozen students and lecturers who in recent years were suspended from studying or from teaching for political activity.[3] In September 2013, the Ministry of Culture and Islamic

Guidance allowed the House of Cinema to reopen. This institution, which brings together more than 5,000 film industry workers, was closed in early 2012 by order of the ministry, which claimed that its managers were acting contrary to the values of the revolution and were collaborating with opponents of the regime. It was likewise reported that the government intends to reopen the Association of Journalists, which was closed in 2009 in the wake of the riots.[4]

One of the main areas in which the change in government policy is noticeable is with regard to social networks. The change is evident both in the increased presence of government officials on these networks and in their public support for lifting legal restrictions on them. On this issue, the new government has adopted a liberal approach that advocates lifting blocks on social media. Mahmoud Vaezi, Minister of Communications and Information Technology, has often stated that the government supports lifting the ban on Facebook, a position contrary to that held by the Committee for Determining Criminal Web Content, which is responsible for filtering and blocking websites.[5]

A certain easing in enforcement of the Islamic dress code is also evident. In November 2013, the Iranian media reported that the President plans to disband the modesty police who patrol the streets of the cities, and to transfer the power to enforce the Islamic dress code from the internal security forces to the Ministry of the Interior, which is under his direct control.[6] Rouhani instructed the internal security forces not to take an extreme approach to enforcement of the Islamic dress code and to respect human dignity. This is in accordance with the reservations he expressed during the election campaign about the current mode of enforcement of the Islamic code.

The Conservative Counterattack

The conservatives did not allow the government's domestic policy initiatives to go unanswered. The regime has been forced to allow the President to promote certain changes, since it recognizes the public demand for change, reflected in the election results. Nevertheless, regime officials, and the Supreme Leader in particular, are determined to present the President and his government with red lines that, if crossed, could, in their view, undermine the values of the revolution and present a substantive challenge to its stability. This is especially true in light of the experience under President Mohammed Khatami (1997-2005). The conservatives believe that because

Khatami attempted to promote far reaching civil reforms (most of which were blocked by the conservative establishment) he posed a real challenge to the character of the Islamic Republic and sowed the seeds of the calamity that led to the riots of 2009. In its efforts to torpedo any attempt to promote significant reforms, the conservative establishment has not recoiled from exploiting its control of the judiciary and the security and law enforcement apparatuses.

Since his election, Rouhani has generally enjoyed backing from the Supreme Leader. This support is what has allowed him, inter alia, to promote the diplomatic process with the West on the nuclear issue and to conduct negotiations with the United States. Nevertheless, Khamenei has remained committed to a revolutionary worldview, and on several occasions he has criticized the President for undermining the values of the revolution. In December 2013, Khamenei took advantage of a meeting with members of the Supreme Council for Cultural Revolution to criticize publicly – albeit implicitly – the President's intention to reduce the government's involvement in cultural issues. In a speech to the members of the council, Khamenei stressed that the government is committed to overseeing cultural affairs. He also warned against the Western "cultural offensive" and argued that Western efforts to influence Iranian young people through communications networks, the internet, books, and children's games are a grave threat to Iran.[7]

The Supreme Leader's attempt to restrain Rouhani is also reflected in his approach to Iran's policy toward the United States. Recognition of the need to reach a nuclear agreement with the West that will enable a lifting of the economic sanctions has forced Khamenei to allow Rouhani to conduct negotiations with the United States. Yet in contrast to the President's position, namely, that the direct talks with the United States could potentially lead to a more open policy toward the West, the Supreme Leader has maintained his fundamental position rejecting any possibility of normalizing relations. In his speech marking the anniversary of the takeover of the US embassy, Khamenei harshly attacked the United States and stressed that he does not trust it. He reiterated this hostile stance in a speech on January 9, 2014, in which once again he called

Iranians, especially the younger generation, are demanding both a solution to the hardships and increased freedoms, and they are gradually moving away from revolutionary values.

the United States "Satan" and claimed that the nuclear talks have proven to all that the United States is hostile toward Iran, Islam, and Muslims.[8]

The clearer it became that Rouhani intended to promote domestic openness and lift some of the restrictions on the social networks and on cultural figures and artists, the more it aroused criticism of the President – from the religious establishment, political figures, and the Revolutionary Guards. The religious education of the President, who holds the title of *hojatoleslam*, has granted him a special status that makes it easier for him to implement his policy. However, this status has not prevented criticism of his policy from senior clerics identified with the radical religious right, such as Ayatollah Nasser Makarem Shirazi. In a meeting with members of the Cultural Committee of the Majlis, the senior cleric expressed concern about the change in policy by the Ministry of Culture and Islamic Guidance on the Islamic dress code, activity on social networks, and restrictions on publication of newspapers and books. He warned against turning it into the Ministry of Culture and Un-Islamic Guidance.[9]

The Majlis, which is controlled by a conservative majority, has increasingly become a source of criticism of the President and his ministers. In early January, the Minister of Culture and Islamic Guidance was summoned to a hearing before members of the Majlis, which criticized his ministry's policy. Majlis member Hamid Rasaei accused the minister of demonstrating excessive tolerance for harm to the sanctity of Islam. He also complained about the minister's public support for women's singing and his reservations about a judiciary decision to close the reformist daily *Bahar*, which had published an article perceived as offensive to the honor of Ali ibn Abu Talib, the first Shiite imam.[10]

In recent months, senior figures in the Revolutionary Guards have joined in criticizing the President's policy. This tension comes in context of Rouhani's efforts to reduce the influence of the Revolutionary Guards in politics and the economy. These are evident, inter alia, in their reduced representation in the government and their being pushed out of a number of economic projects in development and energy.[11]

For their part, the Revolutionary Guards are not interested in a public confrontation with the President, who enjoys the backing of the Supreme Leader and broad public support, and at this point, they are making do with cautious criticism of the government. In a speech at Imam Sadiq University in Tehran in December 2013, Revolutionary Guards commander Mohammad Ali Ja'fari expressed his reservations about the increasing

Western influence in managing the affairs of state. In addition, Ja'fari referred implicitly to Rouhani's comments about the need to keep the Revolutionary Guards out of politics, arguing that the greatest threat to the Islamic Revolution is in the political realm and that the Revolutionary Guards, who are committed to protecting the revolution's achievements, cannot remain quiet in the face of this threat.[12]

The conservative establishment did not content itself with public criticism of the government, and took practical steps that reflected its determination to stop the attempts at civil reform. A short time after the presidential election, several dozen political activists were released, many of whom had completed or were close to completing their sentences. However, dozens of political prisoners have remained in jail, and at the same time, the authorities have arrested a number of artists and social media activists. Nor has the policy of freedom of expression and freedom of the press changed qualitatively. In October, the reformist paper *Bahar* was closed and its editor arrested. In addition, the authorities have prevented publication of several reformist newspapers that were slated to resume circulation. Blocks on social networks have also remained in force. In December, the government blocked the Chinese chat service WeChat, which is commonly used in Iran. In tandem, there were reports that the committee responsible for filtering and blocking websites intended to block other services, such as Viber and Instagram. In early December, Gholam-Hossein Mohseni-Ejehei, Iran's prosecutor general and the spokesman for the country's judiciary, announced that as long as Facebook encouraged corruption and included criminal content and content that harms security and morals, there would be no change in the judiciary's position toward it.[13]

An Entire Generation Demands Change

The President's efforts to improve the economic situation and to reduce the government's involvement in the lives of the citizens reflect his recognition of the need to respond to the hardships facing Iranian citizens and their increasing demand for change. This theme was reflected in Rouhani's statement during the elections, which he repeated in his December speech to students at Shahid Beheshti University in Tehran, that the centrifuges must spin, but only on condition that the citizens' lives and the economy move forward.[14]

Relieving economic and social hardships and achieving political freedom were some of the important goals of the Islamic Revolution.

Yet as the revolution continues in its thirty-sixth year, the Iranian regime has still not succeeded in satisfying the wishes of its citizens, and the gap between the public and the revolutionary institutions is on the rise. Iranians, especially the younger generation, are demanding both a solution to the hardships and increased freedoms, and they are gradually moving away from revolutionary values. In recent years, Iran has faced a serious economic crisis, which in part is a function of structural problems in the Iranian economy, including dependence on oil revenues, the weakness of the private sector, and widespread corruption. Part, however, stems from poor economic management and from the sanctions. While signs of the economic crisis are evident among the entire population, its effects are particularly conspicuous among young people.

Because of the sharp rise in the birth rate in the 1980s, Iran today is a country with a young population. Since the Islamic Revolution, the birth planning policy has undergone far reaching changes. The family planning program, which was formally launched in the summer of 1967 to reduce the rate of natural population growth, was suspended. In the second half of the 1980s, there was increasing recognition of the economic and social ramifications of uncontrolled population growth – perceived as an obstacle to economic growth and development – and Iran's leaders reintroduced the birth planning program. This policy remained in place until the summer of 2012, when the Supreme Leader gave an order to reexamine birth planning policy to increase the population and stop the aging of Iranian society. Yet despite the sharp drop in the birth rate to 1.27 percent in 2012, achieved through the regime's monitoring efforts starting in the late 1980s, the demographic momentum in Iran is evident to this day, with millions of young people born since the 1980s seeking to enter the work force. In 2011, Iran's population numbered over 75 million: nearly 72 percent were under the age of forty, and some 55 percent under the age of thirty. Of these, a considerable number are young people of working age (fifteen to thirty) and the rest are children up to the age of fifteen.[15]

> The economic sanctions imposed on Iran have also contributed to a delay in significant political changes because they have caused serious harm to civil society and the middle class, which is considered one of the key agents of change in Iranian society.

As a result of both the high rate of natural growth in the first decade after the revolution and the economic recession, the Iranian economy is increasingly unable to provide a solution for the number of young

people eligible to enter the work force every year. The unemployment crisis is thus particularly evident among young people, including the educated. In October 2013, Adel Azar, head of the Statistical Center of Iran, noted that the unemployment among Iranians aged 15 to 24 had reached 26 percent in the year 1391 of the Iranian calendar (2012-2013), more than twice as high as the official overall unemployment rate of 12.2 percent.[16]

In addition to the social and economic hardships confronting Iran, there is a growing gap between government institutions and the religious establishment on the one hand, and the younger generation on the other. Many young people are moving away from the values of the revolution and adopting a Western lifestyle, despite the government's efforts to stop what it views as a Western cultural offensive. In December 2013, the Minister of Culture and Islamic Guidance admitted that the government's efforts to prohibit the use of satellite dishes for viewing foreign television broadcasts had failed, and that more than 70 percent of the residents of Tehran watched these broadcasts.[17]

An additional social trend that could be of concern to the religious establishment is the process of secularization of Iranian society, along with the erosion of the clerics' status in recent years.[18] The religious establishment's concern that Iranian society is moving away from Islamic values was expressed on the eve of the anniversary of the revolution by Ayatollah Seyed Ahmad Alam al-Hoda, Friday prayer leader in the city of Mashad, who stated that Iranian society today is worse culturally than before the revolution. He complained that young people would rather watch satellite television broadcasts and movies and listen to music than to engage in religious matters.[19]

> Not only have the sanctions weakened the middle class; they have actually contributed to the economic influence of the Revolutionary Guards, which have taken up economic projects at an accelerated pace because Western companies have ceased working in Iran.

The Conservative Dilemma: The Need to Change vs. the Fear of Change

The economic and social hardships facing Iran's population and the demand for change have not escaped the notice of the regime, which is aware of the public's high expectations and recognizes the need to allow certain changes. A government policy that meets the demands of the people could in the short run help strengthen the regime and reduce the gap between government

institutions and populace. The easing of the sanctions also presents an opportunity for economic improvement, which could contribute to the stability of the regime. However, if the President succeeds in promoting domestic reforms and achieving a total lifting of the sanctions as part of a permanent agreement between Iran and the West, sooner or later this could become a double-edged sword for the regime, which recognizes the public demand for change but fears its effects. The regime faces a double paradox. Lifting of the sanctions could relieve the hardships Iran faces but could also increase its exposure to Western influences and strengthen civil society. In addition, Rouhani's success in promoting his policy could satisfy the wishes of the public but could also increase the expectations that far reaching civil reforms will be implemented and strengthen his standing at the expense of the Supreme Leader.

The economic sanctions imposed on Iran by the international community have undoubtedly hurt the country's economy and laid the groundwork for political change and a shift in nuclear policy. Nevertheless, they have also contributed to a delay in significant political changes because they have caused serious harm to civil society and the middle class, which is considered one of the key agents of change in Iranian society. While the upper classes were generally able to cope with the effects of the economic crisis and the lower classes received partial compensation from the government in the form of allowances and subsidies on basic imported goods, the middle class was forced to bear the brunt of the economic burden. In October 2012, the reformist newspaper *Ebtekar* called the economic crisis, which to a large extent was caused by the sanctions, "the last nail in the coffin of the middle class," and it warned that the middle class was weakening and being pushed below the poverty line.[20]

The erosion of the middle class has caused serious harm to one of the main centers of power of the reformists. In a study based on field work carried out in Iran during the riots in 2009, American sociologist Kevan Harris pointed out that the Green Movement was based to a large extent on the urban middle class, which has grown in the past two decades.[21] One of the main arguments raised in recent years by critics of the sanctions was that because of the economic crisis, the middle class is engaged in a daily struggle to survive and cannot take the time to continue the struggle to promote political freedoms and political change. A 2012 report published by the International Civil Society Action Network (ICAN) argued that "the urban middle class that has historically played a central role in creating

change ... in Iran are key casualties of the sanctions regime," which is causing it to disappear.[22]

Not only have the sanctions weakened the middle class; they have actually contributed to strengthening the economic influence of the Revolutionary Guards, which have taken up economic projects at an accelerated pace because Western companies have ceased working in Iran. In an interview with the reformist daily *Shargh* in July 2013, Revolutionary Guards spokesman Ramadan Sharif, a senior officer, stated that the economic sanctions had forced the Revolutionary Guards to increase their involvement in national economic projects because local contractors were unable to carry them out after foreign companies left.[23] It is not likely that the Revolutionary Guards will be pushed out of large economic projects in the coming years, even once the sanctions are lifted totally, because the private sector in Iran is weak. However, the return of foreign companies to Iran's markets could jeopardize the economic interests of the Revolutionary Guards and spur the President to curb their power. A renewed foreign presence in Iran could also increase the Iranian economy's integration into the global economy and expand the society's exposure to Western influences beyond economic influences.

Lifting of the sanctions could pose another difficulty for the regime. In recent years, Iran's leaders have taken advantage of the sanctions to evade responsibility for the economic crisis and mobilize public support against Western countries, which they have presented as the main reason for the worsening economic hardships. The public was asked to tighten its belt and to adopt a "resistance economy" in response to the difficult conditions forced on Iran. President Rouhani's election proved that Iran's citizens are not prepared to pay the heavy price of continued sanctions. However, over the years many of them have taken a hostile approach to the West, which is perceived to a large extent as responsible for their difficult situation. A Gallup poll conducted in December 2012 showed that 47 percent of Iran's citizens placed responsibility for their difficult economic situation on the United States and only 10 percent saw their government as being responsible.[24] Lifting of the sanctions could help lessen hostility toward the West and increase public demand for openness toward Western countries, first and foremost the United States. This is

> The heads of the regime prefer at this point to focus on relieving the economic hardships and at most to accept a certain limited expansion of civil freedoms.

especially true since it is no longer considered taboo to hold a dialogue with the United States.

If the President fails in fulfilling his promises to the public, particularly regarding the economic situation, this could lead to frustrated expectations and renewed public protests. However, if he succeeds in implementing his policy, this could also pose a challenge to regime officials: it would strengthen his position at the expense of the Supreme Leader and even encourage him to promote reforms in other civil areas as well. Regime officials are therefore prepared to support the government up to a certain point, but they are determined to stop the process of change that the President is leading to the extent possible. The regime will continue to work to lift the sanctions, but it will seek to prevent the anticipated Western penetration following the renewal of foreign investments in Iran. The Supreme Leader will allow the President to conduct specific negotiations with the United States on the nuclear issue, but he will continue to oppose normalization of relations between the two countries. Rouhani can implement gradual, small changes that will to a certain extent ease the domestic security atmosphere. However, he will be limited in his ability to promote far reaching civil reforms. The heads of the regime will continue to support the President as long as he avoids crossing the red lines defined by the Supreme Leader and contents himself with carrying out circumscribed changes under the supervision and control of the conservative establishment.

Epilogue

The struggle over the character of the Islamic Republic is far from over. Rouhani's election as President signaled clearly that the Iranian public desires change, but the regime is not expected to readily accept the need to promote far reaching civil reforms. It appears that the heads of the regime prefer at this point to focus on relieving the economic hardships and at most to accept a certain limited expansion of civil freedoms. Repeated statements in recent months by Supreme Leader Ali Khamenei expressing concern about the cultural situation in Iran, along with his uncompromising hostility to the United States, are a clear indication of the red lines that the conservatives intend to impose on the President in the future as well: a total rejection of domestic reforms that could, in their view, undermine the basic values of the Islamic Revolution and jeopardize the stability of the regime, along with firm opposition to normalizing relations between Iran and the United States.

In the short term, the regime is liable to contain the public demand for change by improving the economic situation and relaxing the rules on individual freedom. Thirty-five years after the Islamic Revolution, it appears that most of Iran's citizens prefer a gradual change to another revolutionary change whose results are unknown. The fact that more than 30 million citizens went to the polls in the presidential elections did not necessarily reflect their agreement with the framework of the regime, but it did indicate their willingness to attempt to influence their future by working within the rules of the game allowed them by the regime. In the absence of a clear, promising alternative to the current regime and given the fear of another suppression of political protest, most Iranian citizens prefer to focus on improving their economic situation and to express their frustrations privately or on social networks. However, it is highly doubtful that over time, the regime will succeed in stopping the demand to promote far reaching political changes. Rouhani's election has proven once again the power of the Iranian public, which in the course of modern Iranian history has demonstrated on a number of occasions its determination to play a major role in shaping its future. The extent of support for Rouhani indicated that those seeking change are alive and well, in spite of the violent suppression of the riots in 2009.

The failure of the nuclear negotiations between Iran and the West and a lack of economic improvement in the coming period could reawaken the public protest movement. Iran's leader is already laying the groundwork for a possible failure of the negotiations, and this past February reiterated the need to implement an economic policy based on a "resistance economy" in order to reduce Iran's dependence on outside markets and to extricate Iran from its economic crisis.[25]

In the meantime, the social and demographic processes in Iran could further widen the gap between government institutions and the public. In the future, these processes could pose a serious challenge to the regime and the concept of "the rule of the clerics," particularly if this institution faces a significant crisis, such as, for example, the departure of the current Supreme Leader. President Rouhani is the protege of the Islamic Revolution and the flesh of its flesh, and it appears that he does not aspire to undermine its basic principles. Nevertheless, in the future, the changes he is seeking to promote could turn out to be the beginning of a process whose end he did not wish for.

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The Kurdish Awakening and the Implications for Israel

Gallia Lindenstrauss and Oded Eran

The Kurds, who number an estimated 30 million, are the largest ethnic group in the world that does not enjoy self determination.[1] Over the years this minority has been oppressed in the countries in which it is dispersed (Turkey, Iran, Iraq, and Syria), and at times the governments have even cooperated in the suppression of this minority (although they have also sometimes used the Kurds as a tool in the struggle against one another). Recently there is evidence of a "Kurdish Spring" and a significant awakening among this population.

In at least two countries with Kurdish minorities (Iraq and Syria), the central government's influence on the Kurds' policy is extremely limited. In Turkey, a dialogue is currently underway between representatives of the Turkish intelligence agency and the leader of the PKK (the Kurdistan Workers Party – the militant Kurdish nationalist organization). Even if the talks are unsuccessful, they will almost certainly lead to a greater degree of cultural autonomy for the Kurds in Turkey. The situation of the Kurds in Iran remains difficult, but in this country too, the Iranian branch of the PKK, the Party of Free Life of Kurdistan (PJAK), is fighting for autonomy for the eight million Kurds living there.[2]

This article focuses on developments related to the Kurds in northern Iraq and northern Syria, as developments in these entities will more likely have implications for Israel.

Northern Iraq

Of all the Kurdish entities, the entity in northern Iraq, numbering some six million, is currently the strongest and most significant. Historically

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it has also led Kurdish national aspirations.[3] The establishment of the Kurdish Regional Government (KRG), which was officially recognized by the Interim Iraqi Government in 2005, began with the 1991 Gulf War, when the Turks pressed for the establishment of a no-fly zone in northern Iraq in order to prevent a flood of Kurdish refugees fleeing towards the border between the two countries. Turkey initially opposed the process of strengthening the KRG and the issue became a serious source of tension in Turkish-US relations, but since 2007 Turkish policy has done an about face, with Turkey starting to develop strong relations with the KRG. Iraq is now Turkey's second largest trade partner after Germany, and estimates are that half of this trade is with northern Iraq.[4] Similarly, about 1,500 of the approximately 1,900 foreign companies operating in northern Iraq are Turkish companies.[5]

The Kurdish Regional Government has many of the characteristics of a de facto state. In order to travel from one part of Iraq to the area controlled by the KRG, it is necessary to pass through border control. Since 2005, three rounds of elections for the KRG parliament have been held. In 2006, the KRG set up a "Ministry of Foreign Affairs," and many countries, including Iran, Turkey, and Egypt, have opened a consulate in Erbil, the regional "capital." The KRG in northern Iraq has 200,000 soldiers armed with warplanes and tanks from the Saddam Hussein period, which were seized as booty in 1991 and 2003.[6] In January 2014, a transaction for the purchase of 14 helicopters from an American company was completed.[7]

The questions related to the Kurds about the distribution of resources in Iraq are also liable to surface in the Syrian context, and certainly in all matters pertaining to the distribution of revenues, although the amounts involved are smaller.

Yet despite these state-like characteristics and the ongoing discussions of statehood in the Kurdish internal arena,[8] the regional government has thus far refrained from declaring independence, fearing that such a declaration would arouse opposition among the countries bordering Iraq. Furthermore, there is also a dispute over who will eventually control a number of regions that contain a large Arab minority such as Kirkuk (where 40 percent of Iraq's oil reserves are located),[9] and there is concern that the KRG would find it difficult in the short term to function economically without suitable arrangements with Baghdad.[10] Currently, 94 percent of the KRG budget comes from the central government in Baghdad.[11]

A recent key focus of dispute between the central government in Baghdad and the KRG has been the question of direct oil exports from northern Iraq to Turkey through a pipeline inaugurated in January 2014. This is a source of tension not only within Iraq, but also between Turkey and Iraq, and the Iraqi Minister of Oil has even threatened legal proceedings against Turkey.[12] In the backgound of this dispute are also claims that in a meeting that took place in November 2013 between Turkish Prime Minister Recep Tayyip Erdogan and KRG Prime Minister Nechirvan Barzani, the two men reached a series of secret agreements on the export of substantial quantities of oil directly to Turkey.[13] In the fifth round of talks between the central government in Baghdad and the KRG on the issue of direct exports through the pipeline to Turkey, which took place in mid-February 2014, it appeared that some progress had been made in the discussions, but no solution has yet been found.[14] Meanwhile, the oil flowing from northern Iraq to Turkey is stored in containers in the Port of Ceyhan, but is not re-exported from there.[15] In the future, Turkey's growing energy needs and drive to become a major energy hub are liable to heighten the tension in the Baghdad-Erbil-Ankara triangle not only where oil is concerned, but also involving natural gas.

Iraq's energy resources production, insofar as Baghdad succeeds in increasing the volume of its exports, is liable to aggravate problems relating to its geographic and political division. The KRG has issued over 50 oil and gas exploration contracts, and this measure raises the still unanswered question of who has the right to grant concessions and who will get the profits from the sale of oil and gas.[16] At the same time, more than a few foreign energy companies are still reluctant to sign independent transactions with the KRG, out of concern that this would anger Baghdad and jeopardize energy transactions with it.[17] Secondary questions are who wields authority in the "grey" regions where the identity of the ruler is unclear, and what will happen to energy reserves that lie on both sides of the border between the Kurdish autonomous region and the other parts of Iraq. Given that even moderate forecasts predict that Iraq is likely to produce about 90 BCM of natural gas in 2035 (making it the world's sixth largest gas producer),[18] and that part of this amount will come from the gas fields in the Kurdish autonomous region, these questions are of major economic importance.

Northern Syria

Over the years the Kurdish minority in Syria has received less attention than any of the Kurdish populations in the region. Smaller than the Kurdish

minorities in other countries, the Kurdish population in Syria is 2.2 million, about 10 percent of the total Syrian population. The shooting down of a Turkish warplane by Syria in June 2012 led to a Turkish demand that the Syrian army move back from the border between the two countries. Given this situation and the ongoing civil war in Syria, a governmental vacuum was created in this region, which the Kurds hurried to fill. The strongest group among the Kurds in northern Syria is the Democratic Union Party (PYD), which is considered a branch of the PKK. Massoud Barzani, president of the KRG in northern Iraq, successfully promoted the founding of the Kurdish National Council (KNC) in 2011, which was supposed to cooperate with representatives of the Syrian opposition united in the Syrian National Council (SNC). However, the SNC's refusal to recognize the Kurdish desire for autonomy caused a split between these two groups. Barzani's chief achievement in 2012 was a cooperation agreement between the PYD and the KNC. Nevertheless, the dominant PYD continues to exert a decisive influence on developments in northern Syria. Since 2013, there have been conflicts between groups identified with global jihad, such as al-Nusra Front and the Syrian Kurds. The Kurds even claim that Turkey is aiding the Islamic groups fighting against them.[19] At the same time, Turkey is also in contact with the PYD, so its policy is not unequivocal.[20]

In January 2014, after not being invited to the Geneva 2 Conference as an independent party, the Syrian Kurds decided to declare their autonomous entity, which they called Rojava (Western Kurdistan). They gradually declared the three Kurdish centers in northern Syria to be autonomous cantons (Qamishli-Jazeera, Afrin, and Kobane), even though these are not territorially contiguous. Massoud Barzani, however, opposed the Syrian Kurds' declaration of autonomy for several reasons. First, the measure was led by the PYD, and until now, Barzani has tried to encourage other factions among the Kurds in Syria. Second, Barzani has developed close ties with Turkey in recent years, and Turkey is worried that autonomy for the Syrian Kurds will encourage the separatist ambitions of the Kurds in its territory. Furthermore, it was claimed that the establishment of autonomy in Syria is likely to weaken the status of the KRG in Iraq as a center for all the Kurdish entities, which could impair Barzani's status in particular.[21] In contrast to Barzani and his party, most of the other parties in the KRG parliament in northern Iraq have decided to recognize Kurdish autonomy in Syria, which could cause tension within the coalition headed by Barzani.[22]

According to Professor Ofra Bengio, the Kurdish entity in northern Syria differs from its counterpart in northern Iraq in several ways. First, the Kurds there have not yet obtained support from foreign countries and non-governmental organizations for state-building processes, the way the Iraqi Kurds have. Second, the Iraqi Kurds did not have to struggle with the Iraqi opposition, in the ways the Syrian Kurds have had to fight battles against the Islamic groups in Syria. Third, they do not enjoy the mountainous topography that the Iraqi Kurds utilized at times of danger. Finally, there is no territorial contiguity between the three Kurdish centers in northern Syria.[23]

In 2013, the central government in Syria lost effective control of the country's oil fields, which are located close to the border with Iraq and east of Homs.[24] The Syrian Kurds managed to take over the oil fields in the area under their control, but since the Syrian government production company ceased to function, the Kurds have used primitive refining methods, which are not only detrimental to the environment and the population's health, but also deplete the oil reserves in the area more rapidly.[25] While the Kurds are refining only negligible quantities, they are using the proceeds to finance their continued warfare. In the future, the pipeline that runs from the oil fields in the Kurdish region in northeastern Syria to the port of Tartus, and the gas pipeline from this region that is connected to the national network of gas pipelines, with a branch reaching the port of Baniyas, can generate mutual dependence between the central government in Damascus and an autonomous entity in the Kurdish area. Thus, the questions that have been raised about the distribution of resources in Iraq are therefore also liable to surface in the Syrian context, and certainly in all matters pertaining to the distribution of revenues, although the amounts involved are smaller.

> It is nearly certain that if the Kurds declare independence, Israel's response will be quick recognition of the new country. The expected gains from recognizing a Kurdish state would likely greatly outweigh the damage caused by possible linkage to the Palestinian question.

Implications for Israel

Israel formulated its policy on countries on its periphery in the late 1950s. This policy, which aimed to breach the country's regional isolation, included recognition of Israel's interest in creating links to minorities in the region.[26] As part of this policy, and in order to facilitate the smuggling of the approximately

5,000 Jews left in Iraq through the north of the country in the 1970s, Israel assisted in training the Iraqi Kurds and supplied them with light weapons and ammunition, as well as anti-tank and anti-aircraft weapons. A large part of this aid was given through Iranian territory with the knowledge of the authorities there.[27]

Although the growing autonomy enjoyed by the Kurds in northern Iraq following the 1991 Gulf War could have been an opening for cooperation with Israel, Israel's good relations with Turkey in the 1990s were an obstacle in the way of better relations with the Kurds. Following the 2003 war and the strengthening of the autonomy of the Kurds, who were loyal allies of the American forces in Iraq, it appeared that Turkey and Israel had contrary motives with respect to Kurdish autonomy. While Turkey found the Iraqi Kurds' aspirations to independence alarming, the prevailing opinion was that Israel would welcome such independence and would enlist the help of a new Kurdish state in its efforts to deal with threats emanating from Iran, and even Pakistan.[28] Some now claim that Turkey's attitude is no longer an obstacle to the development of relations: first, because the Turks themselves have changed their position, at least where northern Iraq is concerned, due to Turkey's need to diversify its energy sources and some expectation on Turkey's part that the KRG will restrain the Kurds in Turkey and Syria; and second, because of the poor state of relations between Israel and Turkey, which no longer justifies Israel's acceptance of this Turkish demand.[29]

From an Israeli foreign policy perspective, it is nearly certain that if the Kurds declare independence, Israel's response will be quick recognition of the new country, similar to Israel's policy on South Sudan, and in contrast to the question of Kosovo (to which Israel has yet to grant recognition). Possible opposition to recognition of an independent Kurdish state could come from those who fear that this would strengthen international recognition of a Palestinian state. However, the expected gains from recognizing a Kurdish state would almost certainly greatly outweigh the damage caused by linkage to the Palestinian question.

Israel should find ways to make it clear to Turkey that its support for the Kurds is not anti-Turkish, but is aimed primarily against Iran.

It should be emphasized that the American position on the Kurdish question is much more significant than the Israeli position. From this standpoint, it would be easier for Israel to follow the Americans' lead as soon as they take a clear position on the issue. However,

the US is very hesitant to support Kurdish independence in northern Iraq, in part because it wants to avoid giving the impression that the war it initiated in 2003 was the cause of Iraq's dissolution. This is also a source of the current tension between the Kurds in Iraq and the US (and more specifically, the reason behind the pressure exerted by Washington on the KRG not to export oil from northern Iraq directly to Turkey as long as no agreement has been reached with the Iraqi central government), and the Kurds' feeling that they are being "taken for granted."[30] Israel's relations with the non-Arab periphery have always been of interest to Washington, but this has never reached the extent of directing or overseeing what Israel does. As long as the open ties between Jerusalem and Erbil do not draw a response from Ankara, it can be assumed that Washington will not stop the process. The leaders of the autonomous region are steering their policy with great sophistication, while striving to avoid premature action, certainly as long as international consent is lacking, especially on the part of the US.

The Kurds' pro-Western views, the history of Israel's support for the Kurds, mainly in Iraq, and the two peoples' similar narratives, combined with the existence of a 150,000-strong Jewish community who emigrated from Kurdistan, contribute to the empathy between Israel and a future Kurdish state. At the same time, this sentiment is not open-ended; there has also been disagreement in the past among the Kurds whether to accept help from Israel, as many thought that this would strengthen the accusation of being "traitors" hurled at the Kurds in their host countries.[31] Moreover, in contrast to the support that Israel gave the Kurds over the years in Iraq, at the high point of the Israeli-Turkish alliance, Israel helped the Turks combat the PKK; in particular, Israel is reputed to have helped Turkey capture PKK leader Abdullah Ocalan, which has left some Kurds with a grudge.[32] Furthermore, although there has been some change in recent years, the Kurds are still traditionally suspicious of foreigners: "There are no friends but the mountains" is a popular local saying.[33]

The oil and natural gas reserves in northern Iraq and the possibility of exporting these resources could guarantee the economic future of the region, which is already attracting foreign investments, especially if the Kurdish Regional Government manages to reach agreement with the central government. Although Iraq is defined as a hostile country, some Israeli security and telecommunications companies are already active in northern Iraq.[34] The dominance of Turkish companies in northern Iraq raises the question of how open the market will be to other players, but

it is clear that some of the Israeli companies are exporting products that have no competition from the Turkish market.

The fact that a Kurdish state would have Iran as a neighbor, especially if the relations between the two are hostile, is a potential basis for security cooperation with Israel. It would be in the interest of the Kurdish side to cooperate with Israel in order to deter the neighboring countries from interfering with its newfound independence. It would be in Israel's interest to cooperate with the Kurdish state, both for the purpose of intelligence gathering and as a possible base for military operations. At the same time, Israel is already utilizing its close ties with Azerbaijan for these purposes, and it is unclear whether there would be significant added value in cooperation with an independent Kurdish state. However, a range of options would be advantageous for Israel, and that in the event of a possible deterioration in relations with Azerbaijan, Israel would have a substitute.

Where northern Syria is concerned, given that one possible scenario is that Syria will become a failed state and even split into three separate political entities (Kurdish, Sunni, and Alawite), it is clearly in Israel's interest to tighten its relations with the Kurdish minority. In particular, following the consolidation of global jihad activity in Syria and the dangers that could result from it, it is clear that Israel could profit from intelligence and tactical cooperation with the Kurdish minority. Given that global jihad groups are also aiming their activities against the Kurds in Syria, Israel and the Kurds could have a clear common interest in cooperation in this context. At the same time, to some degree, as in northern Iraq, it is possible that Turkish influence could prevail in this region. This would not necessarily be an obstacle to Israeli activity there, but it could constitute a restriction. Moreover, due to concern over a possible uprising by its own Kurdish minority, and also because of regional considerations, Iran is also striving to develop its relations with the Iraqi and Syrian Kurds.

Conclusion

It is in Israel's interest to strengthen the Kurdish entities, particularly when they constitute an independent, and in principle, friendly element. Parties in Israel have likely maintained ongoing contacts with Kurdish groups, with these contacts strengthening as Kurdish autonomy was consolidated in northern Iraq. At this stage, the relations between Israel and/or people of Israeli nationality and the KRG will remain clandestine, because the regional government has no wish to create a confrontation with

its neighbors, i.e., the Arab countries, Turkey, and Iran. It is in the mutual interest of Israel and the Kurds, however, to prepare an infrastructure that can be useful when the political conditions in the region make it possible to use that infrastructure to inaugurate a public relationship. Depending on events in Iraq as well as in Syria, and if the instability persists there, Israel can try to persuade Washington to show more sympathy to the idea of Kurdish independence, because the Kurds are pro-Western, and have already demonstrated their loyalty to the Americans in the past. The Kurds in Iraq can utilize Israel's influence in Washington to moderate the American objections to Kurdish efforts to achieve formal independence, i.e., moving from a de facto to a de jure independent status. However, this will be a lengthy process.

Israel should also find ways to make it clear to Turkey that its support for the Kurds is not anti-Turkish, but is aimed primarily against Iran. Given the traditional suspicion in Turkey toward Israel's relations with the Kurds, and especially in view of the crisis in relations between Israel and Turkey in recent years, it will be difficult to mollify the Turks on this subject. This difficulty is expected to become even more important if the peace talks with the Kurds within Turkey fail.[35] At the same time, there are weighty considerations, first and foremost in energy matters, behind the moderating in recent years of the Turkish position on the Kurds, and these considerations will make it difficult for Turkey to significantly change its policy vis-à-vis the Kurdish Regional Government. As such, there is not necessarily any clash between Israel and Turkey's policies on this issue. In addition, an effort can be made to minimize the tension between Israel and Turkey on the question of the Kurds in Syria, in part by disclosing to Turkey the information communicated to the Kurds about global jihad groups. While Turkey is at the moment turning a blind eye to the passage of jihad groups into Syria from its territory, in the long run, Turkey will presumably change its policy, at least in part because these groups also pose a threat to stability inside Turkey.

Notes
1   Under the 1920 Treaty of Sevres, the Kurds were due to receive autonomy, or even more, in the regions that were part of the Ottoman Empire. Following the Turkish war of independence and the 1923 Treaty of Lausanne, the Kurds did not ultimately obtain what had been promised them in the Treaty of Sevres. In this context, see Ofra Bengio, *The Kurds of Iraq: Building a State within a State* (Boulder: Lynne Rienner Publishers, 2012), p. 10.

2   "Iranian Repression of Kurds Behind Rise of Militant PJAK," *Rudaw*, January 23, 2014.

3   Bengio, *The Kurds of Iraq,* pp. 10-11.

4   "News Analysis: Turkey, Iraq Eye Better Ties Amid Regional Challenges," *Xinhua,* October 27, 2013.

5   "Turkey Top Importer for Iraqi Kurds," *Hurriyet Daily News*, January 27, 2014.

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7   "Company to Deliver 14 High-Powered Helicopters to KRG," *KURDPress,* January 4, 2014.

8   Ofra Bengio, "Will Barzani Declare Independence?" *Jerusalem Post,* April 22, 2012.

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28 Mustafa Kibaroglu, "Clash of Interest over Northern Iraq Drives Turkish-Israeli Alliance to a Crossroads," *Middle East Journal* 59, no. 2 (2005): 247; 262.

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33 Bengio, *The Kurds of Iraq,* p. 318.

34 Jacques Neriah, "Kurdistan: The Next Flashpoint between Turkey, Iraq, and the Syrian Revolt," Jerusalem Center for Public Affairs Special Report, August 30, 2012, pp. 23-24.

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Lebanon and the United Nations Special Tribunal: Between (Un)Accountability and (In)Stability?

Benedetta Berti and David Lee

In January 2014, nearly nine years after the February 14, 2005 assassination of twice Lebanese Prime Minister Rafiq Hariri, the United Nations Special Tribunal for Lebanon (STL) – the ad hoc hybrid criminal court established to investigate and prosecute the assassination – formally began the trial. The timing is particularly interesting, as Lebanon currently finds itself in an especially difficult predicament, with a new and fragile government emerging after a long period of political paralysis and with a general state of internal instability due to the domestic impact of the Syrian civil war.

Since its creation in 2009, the STL has always been a very controversial and divisive issue within Lebanon, with pro- and anti-STL camps reflecting larger and deeper internal political cleavages. Because of the tribunal's disputed status and due to its long and troubled history, the current trial represents both a long-awaited opportunity for advancing justice as well as a potential threat to an already fragile internal equilibrium.

This article examines the STL's current role and future potential by addressing its disputed beginnings and contested history, and then analyzing the current developments in the Hariri investigation and the domestic reactions to the trial within Lebanon.

A Brief History of the STL: Obstacles, Shortcomings, and Achievements

The opening of the Hariri trial takes on particular significance given the STL's tortuous history, as well as the numerous obstacles faced by the Hariri investigation over the past nine years.

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The political assassination of self-made billionaire, twice Prime Minister, and "larger-than-life" political leader Rafıq Hariri represented an historical watershed in Lebanese history, spurring the creation of a cross-sectarian civil society and political opposition movement demanding justice for the assassination. This large coalition became the driving domestic force behind the 2005 "Independence Intifada," the popular mobilization that, assisted by strong international pressure, successfully fought against the Syrian presence in Lebanon, itself a legacy of the post-civil war period.

Indeed, with the end of the bloody civil war that raged in Lebanon between 1975 and 1989, Syria became the "official guarantor of the peace," a status that resulted in the Syrian regime assuming de facto political and military control of Lebanon and in effect earning international acceptance for its limited hegemony over its western neighbor. The challenge to that status, both within Lebanon and internationally, began following the death of Hafez al-Assad in 2000 and the rise to power of his son Bashar. In tandem, Syria came under closer international scrutiny, first after 9/11, and then following the 2003 US invasion of Iraq, due to its initial backing of the anti-American insurgency.[1] The culmination of this process resulted in UN Security Council Resolution 1559, passed in September 2004, calling for all foreign forces to withdraw from Lebanon and demanding an end to foreign political interference.[2] In parallel, Syria's status within Lebanon also grew increasingly contested, as Damascus's relations with Rafıq Hariri in his second term as Prime Minister between 2000 and 2004 were severely strained, due to heightened Syrian meddling into Lebanese domestic affairs, especially following Damascus's pressure to extend pro-Syrian President Emile Lahoud's term after its official expiration in 2004, a move that led to Hariri's resignation as Prime Minister in October 2004.[3]

Following his resignation, Hariri seemed the most likely candidate to assume the leadership of the emerging cross-sectarian anti-Syrian camp, a process that brusquely came to a halt with his assassination in February 2005. In the context of this charged political environment, the Hariri attack fueled both domestic as well as international calls against the Syrian presence in Lebanon, with countries such as the United States and France

Despite its delays, setbacks, and problematic record, the STL trial holds potential, and ensuring justice for the Hariri assassination would be of historical significance for Lebanon, while promoting transitional justice, accountability, and the rule of law.

indirectly linking the assassination to Damascus and immediately demanding Syria's full withdrawal from Lebanon. These same anti-Syrian forces, both international as well as domestic, played a key role in demanding the creation of an international mechanism to investigate the Hariri assassination.

The political divisions surrounding the motives and legitimacy of international involvement in the Hariri investigation represented the first monumental obstacle to the creation of the STL. In other words, even before its actual creation, the STL embodied an extremely divisive issue, with the domestic anti-Syrian March 14 coalition, backed by countries like the US and France, fully supporting the tribunal, and with the local pro-Syrian March 8 camp led by Hizbollah firmly rejecting it. Indeed, for those domestic forces that had been supportive of Syria's extensive role in Lebanon, the international investigation appeared early on as merely a political tool designed to undermine Syria and its allies.

Shortly after the February 2005 attack, the UN Security Council authorized an independent fact-finding mission.[4] Their report, detailing the shortcomings of the Lebanese security and judicial sectors in terms of impartiality, commitment, and capabilities, served as a basis for UN Security Council Resolution 1595 (April 2005) setting up the International Independent Investigation Commission (UNIIIC), an ad hoc body created to provide assistance to the Lebanese investigations.[5] Some months after the creation of the UNIIIC, Prime Minister and March 14 political leader Fouad Siniora asked the Security Council to increase the level of international involvement in the Hariri investigation by both setting up a tribunal and extending the Commission's mandate to review political assassinations that appeared to be connected to the Hariri case.[6] Within Lebanon, pro-Syrian parties Hizbollah and Amal protested the request by boycotting the cabinet for two months, showing that the battle to set up the STL had just begun.[7]

The culmination of this internal clash came in November 2006, when the government attempted to hold a vote in the executive cabinet to approve a draft protocol sent by the UN and laying the framework for the creation of the STL as a "hybrid tribunal."[8] The announced vote led to the resignation of the six Hizbollah and Amal ministers, which in turn resulted in a complete paralysis of the political system.[9] With the resignations of the Shiite ministers, the opposition held the March 14 government illegitimate on the grounds that not all major sectarian groups were represented in the cabinet as required by the Constitution. Eventually this sparked an 18-month political boycott, propelling Lebanon into prolonged crisis. In this context, PM Siniora sought

to overcome the impasse by asking the UN to set up the tribunal unilaterally, thus avoiding having to hold a cabinet and parliamentary domestic vote on the STL. The UNSC proceeded accordingly and, with Resolution 1757 of May 2007, established the STL under Chapter VII of the UN Charter.[10]

Predictably, the bypass of the paralyzed political system only contributed to make the STL more controversial domestically, with the March 8 opposition camp arguing the tribunal had been set by an illegitimate government through illegitimate, *ultra vires* means. However, on legal grounds the creation of the STL was sound, as the UNSC, through Resolution 1757, did not impose unratified treaty obligations on Lebanon (which indeed would have been *ultra vires*), but rather incorporated such agreement and made it binding through a Chapter VII resolution that established the STL as an independent UN body. Yet domestically, the *sui generis* process behind the creation of the tribunal only increased domestic tensions.

Understanding the political context and history behind the creation of the STL can help convey its divisive nature. Similarly, taking a look at the UNIIIC's and STL's record can also contribute to a better assessment of the tribunal's potential for achieving justice and promoting the rule of law within Lebanon, a country with a long history of internal political violence and with a general tendency toward promoting amnesia as opposed to accountability. Indeed, the STL has been able to advance an internal debate regarding both transitional justice and reconciliation, while also expanding the scope of its investigations to a number of cases apparently connected to the Hariri assassination.[11]

Still, the actual STL performance has come under heavy scrutiny, first and foremost by the March 8 camp, whose criticism has cast the tribunal as "serving foreign interests" and as an Israeli-American plot. The Hizbollah campaign against the STL escalated following leaks in 2009 regarding upcoming indictments against members of the organization: at that point Hizbollah launched direct vitriolic attacks against the tribunal, while also claiming to possess evidence implicating Israel in the Hariri assassination.[12]

Another significant problem with the tribunal's actual performance has been the slow pace of the investigations – often cited as one of the main downsides of international criminal tribunals in general[13] – as well as its notable setbacks. The biggest setback to date was the arrest (in August 2005) and subsequent release (in April 2009) of four high level pro-Syrian generals originally deemed connected to the assassination.[14] Whereas the initial arrests had boosted the UNIIIC's reputation for effectiveness, the

subsequent release of the first set of suspects planted doubts regarding the international investigation and its potential to reveal the truth behind the Hariri assassination.

In addition, the arrest and release of the four generals became strong ammunition used by the anti-STL camp to question the tribunal, with the Hizbollah-led opposition launching a campaign in the fall of 2010 to demand the creation of an ad hoc political commission to investigate the issue of the "false witnesses" that had allegedly tampered with evidence later used to arrest the suspects. When the March 14 forces refused to concede on this point, fearing the commission would become a ploy to delegitimize the STL, a political crisis ensued, resulting in the collapse of the Saad Hariri government in January 2011.

A major breakthrough in the investigations followed in the summer of 2011, when the STL finally issued its first set of indictments against four members of Hizbollah; an additional suspect was indicted in October 2013.[15] Yet while this development boosted the tribunal's record, it still provided only a partial picture of the actors and interests behind the Hariri assassination: the indictments neither clarified the relations between the list of four (later extended to five) suspects and Hizbollah itself, nor explained the level of Syrian involvement in the plot. Equally significant was that the STL has not been able to apprehend (or even get in touch with) the suspects, meaning that the trial of *Prosecutor v. Ayyash, Badreddine, Oneissi, and Sabra* began in absentia.[16] The STL is the only modern international criminal tribunal (excluding the Nuremberg trials) to allow the trial to proceed without the accused present, an issue that has been used to question the STL and its capacity to guarantee a fair trial for the accused.[17]

The STL Today: Developments, Domestic Reactions, Future Impact

Nine years after a bombing attack killed former Prime Minister Hariri, and following a string of later political assassinations that targeted predominantly journalists, politicians, and members of the security sector either close to the March 14 anti-Syrian forces or involved in investigating the Hariri case (or both), the STL trial finally began in January 2014.

Perhaps ironically, the public hearings in Leidschendam, a suburb of The Hague, started only a few weeks following the December 27, 2013 assassination of former Finance Minister and Hariri advisor Mohamad Chatah,[18] an event that was a powerful reminder of the urgent need to promote justice and accountability in Lebanon. The trial also began during

one of the most complex and fragile periods in recent Lebanese post-civil war history, with the country ever-more polarized between pro- and anti-Syrian supporters due to the preexisting political and increasingly sectarian cleavage made more prominent by the ongoing civil war in neighboring Syria. In turn, the growing internal tensions enhanced by the Syrian conflict resulted in both a long and painful political paralysis, as well as the steady rise in internal violence, boosting domestic Salafı-jihadist groups and overall leading to renewed political and societal instability. Adding to the complexity of the current situation, the ongoing Syrian conflict has put further pressure on Lebanon through the steady influx of Syrian refugees, numbering one million by late 2013 – more than 20 percent of Lebanon's total population – and expected to rise to 1.5 million by the end of 2014.[19]

In this charged political environment, the first set of public STL hearings held between January 16 and February 26, 2014 attracted intense scrutiny within Lebanon. The hearings were suspended in late February, with the STL in recess at least until mid-May 2014 to allow for the defense team of the fifth accused individual to prepare adequately and thus allow the cases to be heard together.[20]

The opening weeks of the trial, publicly broadcast on the STL website, served as the first opportunity for the general public to hear the arguments of both the prosecution and the defense.[21] The prosecution's case is strongly based on telecommunications evidence, tracking the activities of a complex network of cellular phones, some of which were allegedly connected to the accused and, in the period between December 2004 and the assassination, used consistently in the vicinity of PM Hariri, revealing a pattern of close surveillance.[22] In its opening statement, the prosecution stated that the attack had been carefully planned and that it seemed to involve a minimum of 19 people actively tracking the former Prime Minister since October 2004, with six present on the day of the crime (including a suicide bomber who allegedly drove an explosives-laden truck in downtown Beirut).[23]

The defense team stated its intention to deconstruct, piece-by-piece, the entire evidentiary apparatus built by the prosecution, starting with the notion that the assassination was perpetrated by a suicide bomber driving an explosives-laden truck (and instead resurrecting an earlier theory concerning a possible underground bomb).[24] In addition, the defense presented the possibility of the attack having been planned by a cell of radical Islamists linked to al-Qaeda. This claim revived an investigative lead initially pursued by the prosecution, but later abandoned after concluding

that the initial jihadist video sent to al-Jazeera on the day of the bombing was in fact an attempt to derail the investigations, with the "confession" itself having been coerced from an individual allegedly recruited by one of the Hizbollah accused.[25] Most significantly the defense, referring to the prosecution's case as "absurd,"[26] claimed that the telecom surveillance data alone was insufficient to prove that the suspects were plotting to kill the Prime Minister, and added that the prosecution had failed to provide a solid and credible motive for the Hariri assassination.[27]

The STL trial represented a chance to begin hearing the testimonies of those close to the twenty-one victims killed in the assassination, as well as those who survived the attack.[28] Furthermore, the opening of the STL trial proved noteworthy for the reactions it elicited within Lebanon and regionally. The event was celebrated by the March 14 camp in general and by Hariri's party, the Future Movement, in particular. Saad Hariri, son of Rafiq and party leader, attended the opening hearing and openly urged the Lebanese government to cooperate fully with the UN tribunal.[29] Later, on the anniversary of his father's death, Saad Hariri gave another powerful speech emphasizing the importance of the trial to Lebanon's future, while stressing his intention to return to Lebanon after a self-imposed exile deemed necessary for security reasons.[30] Hariri's return stands to be especially meaningful, as 2014 is scheduled to be a year of both presidential as well as general parliamentary elections within Lebanon.

The main opponents of the STL, headed by the Hizbollah-led March 8 coalition, have generally kept a low profile, with the Nasrallah-led organization suspiciously silent on the trial. Early in 2014, Syrian President Assad too spoke against the STL, dismissing the trial while noting:

> Every accusation was made for political reasons. Even in the past few days, we have not seen any tangible proof put forward against the parties involved in the case….I believe that the whole thing is politicized and is intended to put pressure on Hezbollah in Lebanon in the same way that it aimed at putting pressure on Syria in the beginning, immediately after al-Hariri's assassination.[31]

Within Lebanon as a whole, however, and although the opening of the trial was covered widely and analyzed in the local press, the country has primarily remained preoccupied with its own internal crisis. More specifically, Lebanon has been beset by an eleven-month political paralysis during which designated Prime Minister Tammam Salam struggled to

overcome the antagonism between the two main political blocs and form a national unity government. That impasse was finally broken on February 15, 2014, with the Prime Minister announcing the establishment of a new executive cabinet based on a much debated 8-8-8 formula under which both March 14 and March 8 would be awarded eight ministerial posts, with the remaining eight seats assigned by the Prime Minister along with President Suleiman (but with at least two of these centrist candidates closely affiliated with March 14 and March 8, meaning that de facto, both blocs will have veto power).[32] The distribution of the ministerial posts has itself also been significant, especially with an eye on the STL and Lebanon's future relationship with the tribunal: the ministries that are most closely expected to cooperate with the STL, the Ministries of Justice and the Interior, have been awarded to the March 14 camp.[33]

Looking ahead, the new government's stability will be determined by the cabinet's ability to resolve a number of urgent and thorny issues, from crafting a joint programmatic statement, to reforming the electoral law in preparation for the November 2014 parliamentary elections and holding presidential elections, as well as dealing with the rising internal violence and discussing Hizbollah's involvement in the Syrian civil war. In this context, cooperation with the STL will continue to be a potentially divisive issue, with both political camps likely to rely on the findings and evidence disclosed during the trial as ammunition in their ongoing political war.

The STL Going Forward: Adjusting Expectations to Reality

The political context behind the STL and the difficult process of the institutional design and birth of the tribunal have made the Hariri investigation an inherently politically charged and divisive issue within Lebanon. Furthermore, the slow pace of the investigation and its repeated setbacks have contributed to an overall decline in the general level of popular enthusiasm and support for the tribunal. This has especially been the case as the STL began its public hearing during a particularly troubled time for Lebanon. Indeed when the STL trial officially began on January 16, 2014, Lebanon found itself in a state of deep political paralysis, rising societal tensions, and growing polarization and violence. With the country deeply destabilized since the beginning of the bloody civil war in neighboring Syria, it is no surprise that the STL trial was unable to capture the full attention of Lebanese society.

And yet, despite its delays, setbacks, and problematic record, the STL trial holds potential. Indeed, given the ongoing campaign of political intimidation and assassinations still occurring in Lebanon, and considering the painful domestic legacy of amnesia with respect to internal violence, ensuring justice for the Hariri assassination would be of historical significance for Lebanon, while promoting transitional justice, accountability, and the rule of law. As Peter Haynes, the lead legal representative of the victims in the STL trial, eloquently stated in his initial statement: "Our clients are temporary victims, but their cause is eternal. The purpose of tribunal is to put end to impunity and bring justice to the victims' families....By ending impunity and restoring basic human rights to people of Lebanon, by applying principles of international justice, this tribunal can change history."[34]

Nonetheless, in the short to medium term the tribunal will likely continue to be a divisive and potentially destabilizing issue for the new government, with the STL findings used by the competing political camps against each other. In the longer term, the tribunal's potential to make a strong local and regional impact will depend on its ability to adopt a broader perspective and address the question of who commissioned the Hariri assassination and which political leaders and authorities contributed to the heinous crime.

Although the trial now rests, political events both within Lebanon and the region will not do the same. The trial, which is expected to be both long and slow, and its outcome will be a test not just for Lebanon but for international criminal justice as well.

Notes

1   See US Congress, *Syria Accountability and Lebanese Sovereignty Restoration Act of 2003*, 108th Congress, 2003, H.R 1828.
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3   "Profile: Former Lebanese PM Rafik Hariri," *BBC,* September 14, 2014, http://www.bbc.com/news/world-middle-east-13978635.
4   Report of the Fact-Finding Mission to Lebanon Inquiring into the Causes, Circumstances and Consequences of the Assassination of Former Prime Minister Rafik Hariri," March 24, 2005. http://www.stl-tsl.org/en/documents/un-documents/un-fact-finding-mission/report-of-the-fact-finding-mission-to-lebanon.
5   UNSC Resolution 1595, April 7, 2005, S/RES/1595 (2005), http://www.treasury.gov/resource-center/sanctions/Programs/Documents/1595.pdf.
6   UNSC Resolution 1644 (2005), December 15, 2005, S/RES/1644 (2005), http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N05/647/20/PDF/N0564720.pdf?OpenElement.

7   "Shiite Parties Call Off Lebanon Cabinet Boycott," *Agence France Press*, February 2, 2006, http://www.lebanonwire.com/0602LN/06020205LWAF. asp.

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