

The Arab-Israeli Conflict: Toward an Equitable and Durable Solution

by Aaron David Miller

Key Points

There is an equitable and durable solution to the Arab-Israeli conflict. But such a solution can only be achieved through a long, imperfect process of negotiation. Sadly, Israelis, Palestinians, and Arabs in general still see the struggle as an existential conflict over physical security and political identity. U.S. diplomacy must recognize that ending the conflict is a generational proposition.

The fundamental asymmetry between Israeli power and Palestinian weakness undermines any prospect of making the Oslo peace process work.

President Mahmoud Abbas hopes to finish Oslo, but suffers from an absence of legitimacy. Israelis and Americans could enhance his authority by facilitating his ability to deliver politically and economically. Prime Minister Ariel Sharon does not believe there is a mutually acceptable two-state solution to the conflict. His objective is to improve Israel's tactical, political, and demographic position as best he can for the ensuing struggle.

Through the end of 2005 at least, U.S. policy can only hope to manage the conflict. Following a successful Israeli withdrawal from Gaza, President George W. Bush seems poised to seek Israeli-Palestinian agreement to a state with provisional borders. Success of this initiative would hinge on U.S. willingness to press Israel hard on further settlement building and, subsequently, to draft and sanction a plan for the end game that lays out the parameters for resolving each of the four or five core issues in this conflict.

In any discussion of U.S. policy toward the Arab-Israeli issue, honest debate and clarity are essential. During my nearly 25 years of advising 6 U.S. secretaries of state on Arab-Israeli negotiations, 3 basic propositions have been relevant throughout, including during these last 4 years when everything that right-thinking Arabs, Israelis, and Americans worked to achieve seemed to be battered down or broken.

First, there is an equitable and durable solution to the Arab-Israeli conflict. These words—*equitable* and *durable*—are chosen carefully. There is no perfect justice and there never was. Although not necessarily applicable to all conflicts, the one line that needs to be emblazoned over the portal of every negotiating room in the world is that “thou shall not make of the perfect the enemy of the good.” Conflicts are resolved when people understand and recognize this.

Second, the only way this conflict will ever be resolved is through the flawed process of negotiation—flawed because it is based on human frailty and weakness, influenced by domestic politics, and requires difficult choices, particularly when these conflicts and the parties who wage them believe they are existential in nature. This is still the perception on the part of Israelis and Palestinians, as well as Arabs in general: that this is really an existential conflict over physical security and political identity.

And finally, the United States has a role to play in this process. In an existential conflict, no great power that is distant to the region can impose or will a solution. The Middle East is littered with the remains of great powers who believed they could impose their will on small tribes. America should not play that kind of role. Iraq is just a cautionary tale. However,

the United States has carried out effective diplomacy in the past and is capable of doing so again when certain basic concepts and assumptions are understood. Without a different kind of American role, however, there will be no resolution of this conflict.

A Generational View

The issue of time is a critical variable in any negotiation. Negotiators who misjudge time as a variable are doomed to failure. Arguably, that was probably one of the most critical mistakes made in the last 2 years of the Clinton administration. Policy is usually viewed in terms of Presidential administrations. But there is another view, and that is a generational one. The Arab-Israeli conflict, particularly the Israeli-Palestinian conflict, has become a generational proposition. It has evolved in phases over time, changing slowly with each generation. When Washington confronts this view, there is likely to be a conflict in the decisionmaking process in its pursuit of a solution to the Arab-Israeli conflict as well as other areas of conflict such as Iraq, democratization, and the war on terror. Washington needs to have a much more sober and realistic assessment of time.

Asymmetry of Power

The Oslo peace process between 1993 and 2000 was essentially a religion for believers, which frequently blinded its adherents to certain flaws and imperfections in the system. Oslo blinded the believers, including this author, to the notion that somehow negotiations in and of themselves, based on rational variables, could find a way to overcome and bridge differences. Currently the “peace process” has

evolved from a religion for believers into a business proposition for pragmatists. Sentimentality and much of the ideology of the commitment to a warm and comprehensive peace have been drained away from the Israeli-Palestinian problem, which is arguably a beneficial shift in the minds of those involved. But we have to understand why this transition has taken place.

The transition occurred because the fundamental asymmetry of power, which the United States confronted firsthand between Israelis and Palestinians and which also caused the Oslo process to collapse, could never be bridged by negotiations alone. That fundamental asymmetry of power, which exists to this day, is an asymmetry between the power of the weak, which Palestinians wield, and the power of the strong, which Israelis wield.

The power of the strong is self-evident. Israel, by virtue of its military, economic, and technological superiority, has the capacity to impose a lot on the ground: economic measures, land confiscation, bypass roads, settlement activity, housing demolition, targeted assassination, a security fence, and a unilateral withdrawal from Gaza. Such is the power of the strong. When applied wisely, the power of the strong, arguably, could be used to create an effective environment for negotiation. When not applied wisely, it leads to humiliation and anger, both of which lead to ineffective negotiation.

Palestinians, on the other hand, have wielded, intentionally and unintentionally, the power of the weak. The power of the weak should never be underestimated because it allows the weakest party in any negotiation to rationalize its own inaction and abdication of responsibility. The Palestinian sentiment seems to be:

We are under occupation; we are having our rights taken away from us. Therefore, none of this is our responsibility. We don't have a responsibility to confront Islamic Jihad or Hamas or Fatah Tanzim or al-Aqsa. And we have the power to take away because we are weak. We have the power to take away from our interlocutors—in this case the Israelis or the Americans—the one thing they need the most, which is a reliable, credible security partner to deliver on what we, as Palestinians, must deliver on, which is a reassertion of our monopoly over the

forces of violence within our society, if we are going to have a state.

Any political entity that cannot assert a monopoly over the forces of violence within its society will never be credible to its constituents, let alone to its neighbors.

That fundamental asymmetry—the power of the strong versus the power of the weak—critically undermines any prospect of making Oslo work, even in its modified, amended form. Additionally, no high-level gamble such as that of July 2000—bringing Yasser Arafat and Ehud Barak together at a time when their mutual fundamental suspicion and mistrust were profound precisely because of the asymmetry of power—could have overcome that gap, particularly in a 2-week summit, discussing borders, refugees, Jerusalem, and security.

The process begun at Sharm el Sheikh is not a religion for believers. And the peace process in general may never again become a religion for believers. The expectations gap now between Israelis and Palestinians is narrower than ever, and the assessment on the part of each party regarding the other's political situation is now more pragmatic and practical than ever. Furthermore, in a bizarre way, this partnership has been born not by a negotiation, but by a policy that can be described as coordinated unilateralism—reciprocal but non-negotiated gestures—which will mark the character of the Israeli-Palestinian relationship certainly between now and the end of the year.

Legitimacy of Abbas

Without an accurate assessment of the conditions of the Israelis and Palestinians, particularly Prime Minister Ariel Sharon and President Mahmoud Abbas, the United States has virtually no chance of managing, let alone resolving, this conflict. Here again is a lesson for American policymakers: unless they understand the circumstances, political and psychological, in which these negotiators are operating, how can they effectively structure a policy that can succeed? This need is elemental and yet arguably, during much of the previous administration, Washington did not recognize it. Washington did not understand where Arafat and Barak were coming from. Consequently, it got sucked into a situation in which it used

American auspices and mediation to engage in the gamble of July 2000. And in life, the most compelling ideology is not nationalism, not capitalism, and not democracy. It is success. Success is the world's most compelling ideology because success breeds power, respect, and constituents. So the prospect of failure is daunting.

The situation of Mahmoud Abbas (Abu Mazin) is clear. He would like to finish Oslo, a process for which he bears some responsibility. In this context, Oslo is intended to mean a two-state solution between Israel and the Palestinians. Abbas likely sees himself as a transitional figure. He does not suffer from the narcissism that characterized Arafat's behavior for many years. Mahmoud Abbas has one problem that is not being overcome: an absence of legitimacy.

There are many kinds of legitimacy. There is historical legitimacy, which Arafat had as the founder of the movement. There is also legitimacy through elections, which Arafat had and Mahmoud Abbas now has—62 percent of the million-plus Palestinians who voted on January 9, 2005, voted for him. But since Abbas lacks historical legitimacy—though electoral legitimacy is still legitimacy—there is only one other kind of legitimacy in life that counts, and that is the legitimacy of succeeding. His greatest challenge is to deliver because only through delivering—politically, economically, and psychologically for Palestinians—a process that shows that Israel's occupation of the West Bank and Gaza is ending will his political authority be enhanced. If the United States helps Abbas gain legitimacy, it will gain a Palestinian partner who can more durably handle tough questions and situations.

At the moment, Abbas is caught between Hamas on the one hand and a younger generation of Fatah leaders on the other who both resent and aspire to his authority and that of the Oslo-Tunis elites. That dependence is clear. He needs Hamas and its own discretion with respect to maintaining a cease-fire in order to survive. He is also going to need the support of young Fatah leaders. The real question for Abbas is whether the Israelis and the Americans can facilitate this process of delivery both politically and economically to enhance his authority.

The Path of Sharon

What is Sharon trying to achieve? Arguably, he is the most honest Israeli prime minister ever, and certainly since Yitzhak Rabin. He has made it clear that he does not believe there

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is a solution to the Israeli-Palestinian conflict. There is no conflict-ending agreement that will result in a two-state solution that will satisfy the needs and requirements of both parties. This is merely the continuation of a century-old struggle that is going to carry on.

Sharon's objective is to improve Israel's tactical, political, and demographic position as best he can for the struggle that will follow. That explains the Israeli withdrawal from Gaza and why, as Minister of Defense in 1982, Sharon announced 11 new West Bank settlements after the Israeli withdrawal and destruction of Yamit on the Sinai Peninsula.

Unquestionably, Sharon has changed. He has changed not in his heart, but as a consequence of circumstances only, which have led him to believe that by giving up 1.2 percent of the territories that Palestinians claim—Gaza, with 1.5 million inhabitants—Israel's demographic position has changed. Those conditions have led him to believe that the institution he cares most about—the Israel Defense Forces—is threatened by the perversions and complications of an occupation that cannot be won—certainly in Gaza—and that everything must be done to protect that institution. Those circumstances have also led him to believe that, if possible, Israel must not alienate the United States and must not go beyond its domestic political consensus. Those were the two lessons that Sharon learned through Israel's invasion of Lebanon in June of 1982, which he led. Sharon crossed two red lines in that operation: he violated the domestic political consensus, and he alienated the United States. He will go to extreme lengths not to do this again.

Apparently, a withdrawal from Gaza is his answer. Can he change to accomplish this major agreement? Can he rise to become the greatest prime minister in Israel's history since David Ben-Gurion by creating a conflict-ending agreement? If he wanted to, yes. He has the capabilities, but not the intentions, to negotiate a lasting peace with the Palestinians. Mahmoud Abbas, on the other hand, has the intentions but lacks the capabilities.

Beyond Gaza

The last thing Israelis and Palestinians need right now is a negotiation on the interim issues or on permanent status. Such a negotiation will only increase the prospect of public posturing and expose the monumental gaps that now separate Israeli and Palestinian

positions at the bargaining table. Instead, we will get coordinated unilateralism at least beyond Israel's unilateral withdrawal from Gaza in the summer of 2005. That withdrawal will essentially begin to answer the question, "How traumatic of a political experience will the withdrawal from Gaza be for the Israeli polity?" The answer will be critical for what happens afterwards.

Will Yeshiva students and rabbis be burning themselves in the streets? Will Israeli settlers, who are now furtively ensconced in places such as Gush Katif, seek to reinforce their positions there? Will they fire on Israel Defense Forces? Additionally, will the Palestinian Authority be able to assume the responsibility during the process of withdrawal and in its aftermath? Will Hamas, Jihad, and al-Aqsa feel the need to bring about a withdrawal under fire in an effort to demonstrate that the Israelis have been chased out of Gaza the way the Hizballahi chased them out of Lebanon? And, more strategically, will the Palestinian Authority be able to control the streets of Gaza, or will the Mogadishu syndrome—which seems to be ingrained in places such as Jaffa and Nablus—lead to a crisis of confidence in the security forces and further lawlessness? The answers to these questions are unclear, but they in large part will determine where this process goes after the summer of 2005.

Current Realities

American policy has to be grounded in reality. The United States can affect that reality, but it can neither recreate nor pretend anymore that one can build a process on 7 failed years of negotiations between 1993 and 2000. It cannot pretend that it can build a process on 4 years between 2000 and the present of non-stop Israeli-Palestinian confrontation. There is a certain reality in this judgment that governs the Arab-Israeli equation now. This reality can be categorized into three games.

First, there is the Old Game: the pursuit of a two-state solution, mediated by the United States in a conflict-ending agreement that will address the issues of Jerusalem, borders, refugees, and security in a neat package. The Old Game is over, at least for now. There are enormous risks in trying again to bridge these gaps, which the United States failed to bridge under much more auspicious circumstances. Despite the claims of some, the gap between Israelis and Palestinians during the July 2000

summit was not wide; they were extremely close to a negotiation. To say that the gap was wide is self-justification or worse; it is just a corruption of the truth. The genetic code on these issues was in fact cracked at Camp David and the DNA was exposed, which was perhaps the most positive product of the summit and the diplomacy that followed until the end of the Clinton administration. On every issue, there was an opening, but only an opening. However, even though the Old Game is over, there is ultimately still a chance for a two-state solution, although there is a time limit: after enough time—it is unclear how much—the two-state solution will no longer be feasible.

The second is the New Game, which is a game based in history. The New Game is powered by unilateralism, increasing radicalization, demography, hopelessness, and despair. The New Game aspires to yield the historic solution to the Arab-Israeli conflict. The solutionists of the Old Game have leveled that one is dreaming if he thinks the end of this conflict is in sight. All conflicts do not have ends, and Americans must understand that. Americans, with their pragmatism and practicality and can-do mentality, think they can fix the problem. But the forces of history say differently. That is the historic solution of the New Game, and its future is clear to all of us.

Finally, there is the Interim Game. The Interim Game, in one fashion or another, will be played between now and the end of 2005 at least. But the Interim Game is only intended to manage or diffuse a conflict that cannot presently be resolved. Furthermore, the United States has a problem because the Arab-Israeli issue is attached to a broader set of American strategic interests. This is not just some shepherd's war between Israelis and Palestinians. This is now a huge conflict. It is huge because of Iraq; it is huge because of democratization; it is huge because of the global war against terror; and it is huge because, for the first time in our involvement in this region, the Middle East and South Asia represent a threat to the security of the continental United States.

A resolution of the Arab-Israeli conflict will not eliminate that threat, but it will make it easier to manage and ultimately combat. One of the great baseball managers of all time, Casey Stengel, once said that the key to good management is keeping the nine guys who hate your guts away from the nine guys who haven't made up their minds. And the fact is, there are many people in the Middle East who

have yet to make up their minds about America, and U.S. actions are not helping them.

America's Role

Three realities affect the Bush administration's diplomacy. First, the administration is challenged to find a better balance between the overengagement on the part of the Clinton administration and the disengagement during its first term. Second, the Arab-Israeli conflict is not yet a priority for this administration. And third, the real constraint on this administration's actions on the issue is not ideological. It may have been ideological in the first year when the administration wanted to do everything possible to be different from its predecessor. Regardless, it is not now driven by ideology. Instead it is driven by the fear of failure. And unless the administration can overcome this fear, those who want to see a more assertive administration policy on the issue will not get involved.

However, the administration is uniquely well positioned to take on this issue due to the relationship between the President and Secretary of State, Condoleezza Rice, which replicates the relationship between the President's father and James Baker. Additionally, this administration has huge political capital in the bank toward Israel's government, people, and prime minister. So it could make a large withdrawal on that currency and spend it on Arab-Israeli issues.

But the administration also needs to reexamine how it engages the issue. So far, it has been one-sided in its messages to the Palestinians that they need to reassert their control over the monopoly of forces and sources of violence in their society. Although that is critical, the administration has not issued similar statements to the Israelis on a whole range of Israeli behavior. There is an imbalance in the American message regarding the conflict.

Administrations usually engage on Middle Eastern conflicts for three reasons. First, the region is of strategic interest to the United States. Given the other priorities and threats that the administration now faces, it has understandably concluded that this shepherd's war is not a strategic interest. The second reason is that one engages because it is the right thing to do. This is extremely important: engaging because it is the right thing to do, because it is morally compelling, and because, regardless of where the United States has not engaged, when it does engage in the Arab-Israeli issue, it has a pretty good record for making a bad situa-

tion better. That is an important calculation that should never be stripped from our foreign policy on the Arab-Israeli issue or other issues. And finally, a high likelihood of success—if it exists—will be a reason for the Bush administration to engage the issue.

The concept and idea of a state with provisional borders is key to understanding the administration's policy. This idea, though not widely discussed, appeared in a speech by the President on June 24, 2002. However, the idea of provisional borders will be discussed a lot more after the withdrawal from Gaza takes place. The President believes that as a consequence of a certain alignment of forces and factors, which he believes he helped bring about (such as the elections in Iraq, or the serious withdrawal from Lebanon, or the sparks of democratization, notably in the Levant), that he can help or at least create a choice for Israelis and, particularly, for Palestinians using the concept of a state with provisional borders. The administration is moving toward this path. Its support for a withdrawal from Gaza—assuming the Israelis withdraw—will enable the administration to say that “Israel's occupation that began in 1967” has come to an end in Gaza.

Sharon is potentially prepared for significant withdrawals from the West Bank as well. Maybe Israel will withdraw from 75 percent of the West Bank, keeping 25 percent of it, including strategic areas and pieces of Jerusalem. Several examples seem to point in that direction: the letter of assurance that the United States provided the Israelis last year, the way they have contracted out the rules with General William Ward and now James Wolfensohn, focusing on economic and security issues, and their avoidance of the political issues—Jerusalem, refugees, and borders—all of which cannot be resolved. At some point, if Gaza succeeds, if the Palestinians assume responsibility, and if the Israelis withdraw from other significant areas

of the West Bank, the administration is simply going to point to this possibility and confront Palestinians with a basic choice:

We're prepared to support a state with provisional borders: 75 percent of the West Bank and all of Gaza. You choose. We're prepared to support you economically, we're prepared to marshal the resources of the international community, we're prepared to confer international and perhaps even Security Council legitimacy on you. Or you can reject our assistance. But you have to make a choice. If you make the wrong choice, you join the dustbin of history. But we, the administration, have done everything we possibly can to bring you to this point.

To make the first choice compelling to the Palestinians, the United States would need to engage in two other ways. First, on the front end, once Gaza withdrawal is complete and if the Palestinian Authority is able to maintain security, then the United States should come down very hard on the issue of Israeli settlement building. And second, at some point on the back end, the United States needs to draft and sanction a plan for the end game, which could be termed the “Political Horizon” of the conflict, that lays out the parameters for resolving each of the four or five core issues in this conflict. But this second initiative cannot be forced or imposed.

Two impediments exist that will hinder any solution to the conflict: there is no public pressure in the Arab-Israeli arena, and both sides presently lack leadership willing to make strategic choices the way Rabin, Hussein, and Sadat did in earlier times. Without change in those two elements, reaching a conclusion will be much more difficult.

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