

THE ONLY WAY OUT

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Withdrawal, Annexation, Territorial Compromise
as Deadends in the Peace Process

Progress toward the resolution of the Israel-Arab conflict, and the Palestinian problem which is a part of it, is stalemated. There is now the danger of a serious confrontation between Israel and the United States in view of Israel's opposition to the Reagan plan, and all other plans whose purpose is to force arrangements upon Israel, which are contrary to its national consensus.

There is a national consensus opposed to all plans based on a complete, or almost complete, Israeli withdrawal from the areas of Judea, Samaria and the Gaza District, given Israeli concepts of security and settlement as reflected in both the Alignment (the Allon Plan) and the Likud government plans (the Sharon Plan). Moreover, the Sharon Plan which is now being carried out vigorously, is creating a new network of settlements over the layer established under the Allon Plan.

Both Israeli plans are based on the principle that without a military/settlement deployment beyond the Green Line, it would be impossible to defend Israel against attacks on its eastern border, nor would there be a chance of deterring such an attack in advance. The same is true of defense against terrorist attacks on population centers within Israel.

One could say that the situation in Judea and Samaria is an interweaving of three compelling considerations - geographic, demographic and functional. Controversy in Israel centers around the questions of what is desirable and what is possible regarding the geographic/demographic map in the areas of Judea and Samaria. The Likud regards full absorption of these territories as a desirable and possible goal after an interim period of autonomy; this is based on the belief in massive immigration, which would ensure the Jewish majority in any case. The Alignment rejects full absorption of the territories in order to avoid Israeli rule over more than one million unwilling Arabs which would change the Jewish demographic character of Israel. For this reason the Alignment prefers to make do with those geographic areas necessary for security which have minimum concentrations of Arab population. Both the autonomy plan and the open bridges arrangement are based on the principle of functional compromise (the Dayan Plan) between the Israeli administration, the representatives of the Jordanian administration, and local institutions both appointed and elected (municipalities, chambers of commerce and religious institutions).

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These geographic, demographic and functional facts to be reflected in any future arrangement, barring revolution or war, which would change the situation completely.

From this point of view, all plans based on the principle of "territories in exchange for peace" and on total or almost total withdrawal from Judea, Samaria and the Gaza District, must be rejected, including the Reagan Plan. This plan (assuming basic changes are not made in it) is merely a rehash and updating of the Rogers Plan which advocates a return to the pre-1967 borders with only minor adjustments. Parallel to the Reagan Plan, in different variations, are the Arab Fez Plan, the European Venice Plan and the Soviet Brezhnev Plan. Common to all of these is the principle of total Israeli withdrawal from the territories, be it in favor of Jordan or with a Jordanian/PLO compromise based on the definition of Judea and Samaria as Arab territories. Each of these plans is a recipe for a head-on collision with Israel which will lead to a mid-east crisis at least as dangerous as any of its predecessors.

Shared Rule as the Only Way Out

This threat disturbs the peace of many persons both in the coalition and in the opposition parties. Lately more voices are heard insisting that the only chance for the prevention of such a confrontation and for progress toward peace lies neither in withdrawal nor in absorption, but in shared rule by Israel and Jordan of the disputed territories. This shared rule would constitute a synthesis of the Jordanian administration in the territories for the first nineteen years after the Israeli War of Independence and the Israeli administration for the fifteen years since the Six-Day War. This synthesis would find expression in a joint Israeli-Jordanian administration which will include elected representatives of the Palestinian Arab population in the territories, possibly based on the autonomy plan, in the interim period.

This shared rule could be appropriately be designated as an Israeli-Jordanian confederation, which would insure Palestinian national expression within the Jordanian framework, in an agreement with Israel, and special religious status for a unified Jerusalem as the capital of Israel, with superpower or international guarantees. The confederation agreement would involve compromise in three key dimensions: territorial, demographic and functional. It would be based on the existence of two separate states, Israel and Jordan, maintaining economic and military cooperation, similar to the arrangements in the European Economic Community and the NATO Pact. The confederation agreement would ensure Palestinian representation in the Jordan framework and in agreement with Israel. The Palestinian representation could be based on the autonomy agreement, as part of the Camp David Accords, or on the transformation of the autonomy into a system of Jewish and Arab cantons, or on other agreed-upon principles, to be determined through negotiation.

Historical Justification for Such a Proposal

These principles for an Israeli-Jordanian (Palestinian) confederative agreement are anchored not only in the reality as it has developed so far, but also in three strata of international decisions concerning the Land of Israel. The first stratum is the British Mandate over the Land of Israel on behalf of the League of Nations in 1922. The Mandate was based upon recognition of the historic ties between the Jewish people and the Land of Israel, and of the political rights that these ties endow. Israel and Jordan are the two states which inherited the British Mandate and the territories for which it was responsible. The Mandate area is the area to which the future Israel-Jordan confederation agreement is to apply.

The second stratum is the UN resolution of 1947, the validity of which was annulled by the Arab assault on Israel which precipitated the War of Independence and its aftermath. However, there are principles included in the UN resolution which can serve as a point of departure for a future geographic-demographic-functional compromise. The 1947 partition map reflected the geographic-demographic reality which existed at the time. The plan rejected the uprooting of settlements or settlers, Jewish or Arab, within the territory of either state, and insisted on the physical safety of Jewish citizens of the Jewish state who settled within the territory of the Arab state and vice versa. This is how it should also be in the future.

The plan promised to establish two states, one Jewish and one Arab, which would be linked economically and maintain joint defense arrangements, i.e., not simply a territorial division. It gave international status to Jerusalem, an idea which was rejected by both the Arabs and the Jews. Any future arrangement will have to take into consideration the special religious status of Israel's capital Jerusalem, its mixed citizenry, and its holy places, sacred to the whole world.

The Camp David Accords between Israel, Egypt and the United States constitute the third of these international strata. The Accords determine principles for an overall peace agreement between Israel and all the Arab states. They also determine the principle of an autonomy agreement for an open-ended interim period, only after which can the future of the territories be determined. But the autonomy negotiations are deadlocked, and thus the need arises for a fresh proposal for negotiation toward a permanent agreement along the aforementioned lines.

An Israeli - Jordanian Confederation

An Israeli-Jordanian confederative agreement will have to stand the test of an extended transition period, until all involved can be sure that a full solution to the Palestinian problem, including that of the refugees, has been reached, and until the process of Jewish immigration and settlement in the Land of Israel is stabilized. These two processes will change the geographic-demographic balance in the Land of Israel, and are liable to create new tensions over authority and territories. The extended transition period should be bolstered through an agreement in which the representation and status of Israel and Jordan in the territories would be determined in advance, with complete equality between the Arab and Israeli populations, regardless of numerical size. The confederative agreement might include other possibilities, all of which would be guaranteed a fair trial period by closing the agreement for a forty-year period in the spirit of the Biblical verse, "and the land had rest for forty years."

After the first forty years it would be possible to adjust the agreement in accordance with the new realities which would be created by then, and it would be possible to extend the agreement for an additional forty years, remaining faithful to the Scriptural message, "and the land had rest for eighty years."

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