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## THE LAND OF ISRAEL VS. A JEWISH STATE: THE OSLO AGREEMENT REVIVES AN OLD DEBATE

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**Jewish Settlements and Palestinian Autonomy: A Fundamental Incompatibility / Two Competing Settlement Strategies / Autonomy Could Work in Gaza / A Different Story on the West Bank / Possible Early Israeli Elections / Guaranteeing Strategic Depth to Jordan's Eastern Border / What Would Happen If Israel Changes Governments?**

### **Jewish Settlements and Palestinian Autonomy: A Fundamental Incompatibility**

As Israel and the Palestinians move toward autonomy, some fundamental contradictions are inevitably surfacing in the way the peace process is dealing with the status of the Jewish settlements in the administered territories. In fact, there is a basic incompatibility in the autonomy process between the notion of a transfer of territorial jurisdiction to the Palestinians and the settlements remaining in place. Israel may manage this somehow in Gaza; but it is not at all clear how we are going to manage on this basis in the West Bank.

First of all, the current violence that is taking place between Jewish settlers and Palestinians is by and large the fault, or at the initiative, of the Palestinians and of Hamas, and the blame has to be laid with them and to a lesser extent with the PLO for not taking a forthright enough stance with regard to Arab-initiated violence. But this does not

mean that we can ignore the potentially disruptive role of the settlements in the unfolding peace process.

### **Two Competing Settlement Strategies**

If we look back over some 27 years of Israeli settlement in the West Bank and Gaza, and in Jerusalem for that matter, we see two basic strategies. One, initiated by Labor and enshrined, for example, in the Allon Plan, was that Israel would settle certain areas but would not settle other areas, the goal being eventually to redivide the land. The Labor government of 1967-1977, which laid out the blueprint for the areas where most settlers live today, envisaged giving back the heavily Arab-populated areas of the land to Jordan; not to the Palestinians. The idea was to settle areas that were intended to be kept in a final settlement, while there were other areas — the majority of the territory — that were going to be given to an Arab

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partner.

The philosophy of the strategy of settlement which has governed a great deal of the settlement initiative over the past 15 years has been a different one. Here the strategy has been to settle Jews precisely in the heavily-populated Palestinian areas with the goal of preventing any territorial division, i.e., with the specific goal that, by virtue of the existence of those settlements, there could be no possibility of a political agreement with an Arab partner that would include a territorial expression, that would transfer to Arabs authority over territory.

The present government of Israel is responsible for all Jewish settlers and all settlements, and it should be perfectly clear that whatever the philosophy is behind this or that settlement; just as the present government insists that any future Likud government, for example, has to maintain the agreement that has been made with the PLO, the present government has to maintain its inherited obligations toward all of the settlements — whether they were made in accordance with its strategy or with an alternative strategy.

But what has happened in the government's approach to the settlements and their integration into the autonomy is that the government has chosen to enshrine as a principle the notion of open-endedness, the notion that it is not going to say anything whatsoever about the fate of a single settlement over the next two years. After two years we are supposed to begin talking about final status issues, and presumably at that time this government also understands it is going to have to put something on the table in terms of how it sees the fate of the settlements. But for the time being, it is going to say nothing about any of them, and it is keeping silent purely for internal Israeli political reasons — not because it intends to leave all of the settlements in place. It has been seeking and will continue to seek to marginalize the influence of the settlers on the Israeli body politic and on its reaction to the peace process.

The Palestinians can be forgiven if, in addressing the Israeli attitude toward the settlements, specifically those in the Gaza Strip which have been a current issue of negotiation in recent months, they confuse the strategies which lay behind the creation of the settlements. According to its philosophy, this government apparently sees the Gaza Strip as an area that is destined in its final status to be turned over to the Palestinians without Israel holding onto settlements. Yet at the same time it has seen fit to insist on every single settlement remaining, and remaining under clear Israeli military control with all possible provisions made for the security of the settlers.

The Palestinians tend not to make the fine distinction between what lay behind the creation of a settlement like Netzarim in the Gaza Strip, which is surrounded by 800,000 Palestinians, and between the present government's attitude. The Palestinians tend to see this position as one that is linked to the Likud's strategy for the past 15 years, that is, it is in preparation for leaving these settlements in place in the final-status negotiations. They do not appreciate the irony of a government that had resolved to achieve a territorial solution on the strategic level, yet, on the tactical level, sanctified the settlements put in place by its predecessor as part of a radically different strategy. The settlers, of course, would say quite differently that they understand perfectly well what the government has in store for them in a later stage.

There are two basic contradictions here: one, in the way the government is dealing with all the settlements, despite whatever thoughts Prime Minister Rabin, in his heart of hearts, presumably has about the ultimate disposition of some as opposed to others; and two, the confusion created in the course of the negotiations with the Palestinians by the Israeli position insisting on the sanctity of the settlements, albeit on an extremely temporary basis and one which is not necessarily easy for the other side to grasp.

The settlers whose settlements are in heavily Arab-populated areas such as Netzarim and Hebron see their presence as fulfilling what for them is their strategic destiny — to prevent precisely the kind of political settlement that they are supposed to be part of, to prevent any independent Arab territorial-political expression.

#### Autonomy Could Work in Gaza

How do we achieve autonomy and deal with these contradictions? In the Gaza Strip the settlements are few enough and the settlers are few enough. With two principal exceptions — Netzarim and Kfar Darom — the settlements can be grouped into blocs which can more or less be isolated from Palestinian-populated areas, so that this arrangement can work in the interim period. Israel will be able to withdraw, turn most of the territory of the Gaza District over to the Palestinians, and the Jewish settlements will remain essentially outside of the autonomy. Netzarim and Kfar Darom are going to be sources of constant friction between Israeli and Palestinian civilians and security forces precisely because Israel is insisting on leaving them in place for internal political reasons, not for strategic reasons. Yet their strategic purpose as their Jewish residents understand it is precisely to prevent this agreement from reaching fruition.

### A Different Story on the West Bank

Thus in Gaza, because of the relatively small number of settlements and their geographical placement, autonomy is likely to be workable. There is only one Netzarim in the Gaza Strip. But there are 100 Netzarims on the mountain ridge in the heavily-populated Palestinian area of the West Bank.

Assuming that Israeli withdrawal from Gaza succeeds and Gaza remains quiet, Israel will then put forth proposals for a much more limited redeployment in the West Bank in order to be able to protect all of the settlers in all of the settlements in the same way that it will be doing in the Gaza District. The Palestinians will see this as a gross disparity, having received a good measure of geographical autonomy in the Gaza Strip and in the Jericho enclave but very little in the rest of the West Bank. Yet Israel will find it impossible to offer anything that will differ from the present ground rules regarding the settlements in Gaza, leading to a position that will not in any way be considered acceptable by the Palestinians.

To this equation must be added two anticipated developments. For one, the likelihood of elections being held in the territories in July 1994, as provided for in the Oslo DOP, is extremely low, even though the Palestinians have an incentive to hold the elections in order for Israel to carry out its redeployment in the West Bank. If they do not hold elections, Israel does not have to carry out any redeployment or anything beyond a very meager early empowerment.

Then, too, there is the Israeli settlers' very vehement rejection of the agreement, which is largely a reaction to Palestinian violence but which also has a very clear ideological-political motivation behind it. This reaction is centered largely on the West Bank and not in the Gaza Strip, even though there is to be hardly any immediate withdrawal or redeployment on the West Bank. Jewish opposition is centered there because that is where most of the settlements are. All of this together seems to point to the likelihood of a withdrawal from Gaza and then a tumultuous freeze or, more correctly, an inability to proceed within the next year or so on the West Bank because of the basic contradiction between the existence of the settlements and the notion of turning over jurisdiction over territory.

### Possible Early Israeli Elections

This issue will then become a factor in two accelerated processes. One could be early elections in Israel, in which the settlements will be very much a central issue. After such early elections there could then be

a strong possibility of even an acceleration of the final-status talks, taking place against a backdrop of nothing having happened on the West Bank but only in Gaza and Jericho.

Even before such early elections, we are already witnessing the emergence of a very coherent and highly organized opposition spearheaded by the settler movement. And this, in turn, reflects a return to a very fundamental debate within Zionism. On one side are those for whom the goal of the settlement of the Land of Israel is the paramount goal of Zionism. In order to realize that goal they are consciously prepared to sacrifice other objectives of Zionism such as a *Jewish* state, because they are prepared to continue to live in a single political entity with a large minority and ultimately even a majority of Arabs. They are prepared to take greater risks of war and unrest in order to realize that goal, and they are prepared to live with this large, disenfranchised Arab minority, in other words, without a democracy, in order to realize the goal of the Land of Israel. On the other side of the equation are those who are consciously prepared to sacrifice part of the Land of Israel, just as they have done in the past in previous compromises made in the course of Zionist history, in order to preserve a better chance of maintaining the other goals: peace, a democracy, a Jewish state. This is a legitimate debate, and the sooner it is out in the open in clear terms, and ultimately the main issue of an election, the better.

This will require that the present government first recognize that its policy of open-endedness with regard to the fate of all the settlements — its policy of lumping all the settlements together and saying they are all remaining in place, and that their fate will be decided only in two years — is a policy that is no longer politically helpful to the aims of the present government and to the fruition of the peace process. The government is going to have to sit down and decide what it wants in the final status with regard to borders and with regard to settlements, and is going to have to enunciate its position in order to make its side of the debate just as clear as the other side is making it. The sooner it does this, assuming that it also intends that a good portion of the settlers will remain within the adjusted borders of Israel, the better chance it has of winning over a good proportion of public opinion to back its present plan. But this is going to require a radical change of thinking on the part of the government.

In sum, because of the nature of the settler movement, and because the government is refusing to enunciate a policy with regard to the fate of the settle-

ments — any of the settlements — we are in a situation in which, beyond the confines of the Gaza Strip and some small enclave in Jericho which will exclude any Jewish settlements, there is a basic incompatibility between the notion of the transfer of territorial authority embodied in the Oslo agreement and the continued existence of the settlements under their present status.

### **Guaranteeing Strategic Depth to Jordan's Eastern Border**

For Israelis, peace *means* security. Israelis will judge any aspect of this peace agreement on the basis of this key criterion: Does it provide us with more security or not? This is what interests Israelis left, right, and center far more than any specific aspect of peace. Our Arab neighbors tend to see us as paranoid on this issue, however, we are paranoids with real enemies and nothing is likely to allay our concerns on this issue. This has to be understood by the Arab side if we are going to make any progress.

Part of this understanding involves the problem of strategic depth for Israel. The West Bank is 50 kilometers wide, but even with Israel controlling the West Bank in addition to its pre-1967 territory, a total width of a mere 70-100 kilometers for a country like Israel is still not enough strategic depth. Even back in the days of World War II this distance constituted one day's battle, to say nothing of what is conceivable today.

Thus Israel must consider the possibility of withdrawing from territory, demilitarizing it, and creating additional strategic depth further to the east. For the last 20 years Jordan has had a tacit understanding with Israel whereby it allows no foreign forces onto its territory, an understanding that withstood the test of the Gulf War. This is our strategic depth. Israel should not be prepared to contemplate military withdrawal from the West Bank unless it has a firm security regime with Jordan which guarantees that Israel's red lines are not the Jordan River and certainly not the Netanya-Tulkarm border. Rather, they are Jordan's eastern border. If this can be achieved, then we can begin to contemplate the possibility of a military withdrawal that gives us more rather than less security.

Israel has an affinity of strategic interests with the Hashemite Kingdom, and almost no strategic disagreements. We have every reason to maintain close strategic cooperation with them as we move very cautiously into an agreement with the Palestinians.

### **What Would Happen If Israel Changes Governments?**

What happens in a scenario whereby the Likud wins the Israeli elections? Once Israel leaves Gaza, whether the PLO gets its act together and delivers on security or not, it is very doubtful if there is going to be any strong movement within Israel to reoccupy Gaza because this is an issue where there is a fairly broad consensus among Israelis. At worst, we will treat it like southern Lebanon. Once we are out, it is not a matter of this being irreversible; it is reversible. But nobody is going to want to reverse it, whatever happens in our elections.

As for the likelihood of Hamas winning Palestinian elections, this is one reason that Arafat is going to hesitate to hold elections at all. He is going to want to wait until he is sure he can win an election. It would be fine if the Palestinian entity were the first democratic Arab entity in the Middle East, but we should be a bit skeptical about this happening.

With all the problems that this agreement and this process entail, we must constantly remind ourselves of what the alternatives are. It is not that this agreement is such a wonderful deal for Israel, or even that it is a "good deal"; rather, it is probably the least of all evils. If we do not do it, the most highly probable alternative scenario is a virtual takeover by Hamas of the political and social order in the West Bank and Gaza. Clearly, one of the reasons Rabin and Arafat were able to agree when they did is that they both recognized this danger. Arafat had his own reasons for making a deal with Israel, but so did Israel, because the alternative is Hamas. With Hamas there is no talking, there is only endless conflict.

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