

*Introduction to Part IV*

THAT OSLO PROVED DAMAGING TO Palestinian life is an understatement. Despite certain cosmetic improvements that gave the illusion of positive change, the Palestinian position had been seriously undermined by Israel's expanding occupation, for example, the rapid growth of Jewish settlements in the West Bank, and the continued and widened confiscations of Arab land and their division into isolated cantons, and the unwillingness of the United States and the European Union to openly challenge it. The further collusion of the Palestinian Authority only fueled Palestine's internal dissolution. There was a palpable sense of betrayal among Palestinians during this time, a pronounced feeling of desperation and rage at what, to them, was their deception by external powers and their own leadership.

It was within this context that the second Palestinian uprising, the Al Aqsa Intifada, erupted in September 2000 following the failure of the Camp David talks, which attempted, through diplomacy, to formalize the losses imposed by Oslo. Although the uprising was directed primarily at Israel, it was also a revolt against the Fateh-dominated Palestinian Authority and its failure to establish viable state institutions, and engage in a process of national reform and reconstruction and democratic practice. This is why, in part, Yasir Arafat conceded to and exploited the militarization of the uprising, which fueled the violence and the consequences attending it. The political and economic vacuum created by the peace process, filled during the Oslo years by growing restrictions, widening corruption and growing bureaucratization, has since been filled by violence, uncertainty and political paralysis.

The articles in Part IV were written during the period of the second uprising and examine not only the inevitability of Oslo's failure but the

damaging impact of this failure on Palestinian life. The peace process brought not promise but disaster to Palestinians and this is clearly seen in the dramatic changes to their economy and society. The Oslo process created and imposed some critical precedents—since incorporated into new “peace” plans (see Chapter 18 on the Gaza Disengagement Plan)—that further precluded a workable Palestinian state, demonstrating Israel’s continued unwillingness to relinquish control of Palestinian lands, return to pre-1967 borders, and meaningfully end the occupation. These precedents include:

- 1) The rejection of international law in favor of bilateral negotiations between two very unequal actors, one possessing great power and the other possessing virtually none at all. Although the PA was assigned responsibility for various sectors of activity under Oslo, ultimate authority over the territories—and the power to impose it—remained entirely with Israel. Further, by agreeing to official Israeli control over the West Bank and Gaza Strip, the PA, ipso facto, accepted both the existence and legitimacy of Israeli occupation.
- 2) A “land for peace” formula that left the amount of land returned unclear. Israel made no commitment to return to the June 4, 1967 borders, that is, withdraw from the entire West Bank and Gaza Strip. Negotiations came down to a question of how much land Israel, backed by the U.S., was willing to give up. When Yasir Arafat signed the Declaration of Principles (DOP) and the subsequent interim agreements, he, in effect, affirmed the Israeli position, which has prevailed and is reflected in all of the Oslo Accords, none of which acknowledge Israeli occupation or Palestinian national rights. It is worth noting that between 30–40 per cent of the Gaza Strip (for example, settlements, military bases, bypass roads security and buffer zones) remained under direct Israeli military control during Oslo.
- 3) The fragmentation and isolation of Palestinian lands, especially in the West Bank, and with it, the institutionalization and formalization of territorial non-contiguity as a characteristic feature of a future Palestinian state. With Oslo and the division of Palestinian lands into areas a, b and c, the need arose to delineate Palestinian from non-Palestinian areas and checkpoints were increasingly used to

surround the former. It is vital to understand that although the absolute area under full or partial Palestinian control had increased during Oslo, these areas were non-contiguous and remained isolated cantons separated by areas under the control of Israel, allowing the occupation to remain in a powerful form. In this way, the contest over territory during Oslo gave rise to a policy of separation with certain features that were altogether new: not only did Israel seek to insure the demographic and political separation of Palestinians and Israelis, but also sought to separate and isolate Palestinians from each other and from their land, thereby containing (as opposed to expelling) the Palestinian demographic threat.

- 4) The final precedent was the relegation of core issues such as borders, refugees, Jerusalem and settlements to a later (end) phase of negotiations, that is, the Camp David summit. In the interim, Israel established key facts on the ground, which severely compromised negotiations, for example, the expropriation (with the PA’s approval) of at least 70,000 acres of Palestinian land, the doubling of the settler population, the construction and expansion of settlements and a vast network—250 miles—of bypass roads that not only connected Israeli settlements to each other but to Israel as well.

Hence, despite dramatic changes in the Israeli position at Camp David in July 2000, Prime Minister Barak’s offer to the Palestinians was anything but generous. At best, it would have left Palestinians with an edifice of autonomy in geographic non-contiguous areas and little more, a reality they could not accept.<sup>1</sup>

### The Uprising

Not long after the uprising began, a friend of mine living in Ramallah described the core impulse beneath the revolt:

We are not going to go quietly. We are not going to let Israel continue to inflict its violence or impose its dictat unopposed or with impunity. If they elect to use lethal force against us, our dead bodies, and the gut sympathy and outrage they provoke will help draw the world’s attention to our plight, help impress upon Israelis the costs and risks of denying us our right to live as full citizens of an adequately sovereign . . . state. Then perhaps we

can win the political solution that we have so far failed to gain through peaceful means.<sup>2</sup>

These words not only reflect the logic of the Intifada but the way in which Palestinians, by then, had been compromised—indeed laid bare—politically by the Oslo process. It further persuaded Israelis of the need to separate from the Palestinians, resulting in the imposition of more comprehensive external and internal closures, especially in Gaza.

Political erosion was accompanied by, and itself mirrored, the continued disempowerment of Palestinian civil society. If one begins with the first Intifada, the chaos of today represents nearly 20 years during which (a) the education system as a socializer and organizer of young people all but collapsed (7,500 new teachers and 4,700 classrooms are needed immediately in Gaza just to bring its education system up to the level of the West Bank); (b) the health care system deteriorated due to the fragmentation and forced decentralization of services imposed by closure and the Bantustanization of the West Bank (to maintain present levels of health care in Gaza alone, 425 additional physicians, 520 additional nurses and 465 new hospital beds will be needed by 2010<sup>3</sup>); (c) a whole generation of Palestinians grew up knowing nothing but violence and unpredictability; (d) de-development accelerated exponentially as a result of closure and other restrictive economic measures; (e) an entire population was traumatized and desensitized by brutality—the brutality of the occupation, the brutality of the PA and its security forces and its appalling governance, and the brutality of poverty and hopelessness; (f) traditional family structures and sources of authority broke down, complicated by conflicts resulting from population pressure, and finally; (g) governance systems failed to fill the void left by disappearing traditional structures of adjudication, rule of law and conflict resolution.

These factors, among others, have produced many pernicious outcomes and have aggravated preexisting ones including the lack of public order and collective responsibility, popular alienation from politics and the abstraction of the nationalist cause, reversion to tribal forms of political and social organization and increasing clan warfare (and even less legitimacy for tottering governmental structures), and an increasingly traumatized and poorly educated and socialized generation of children who lack respect for authority and the law, and who have little experience with restraint or self-discipline.<sup>4</sup>

Thus, Palestinian identity, already reduced and narrowed by decades of occupation and violence, was further violated during Oslo by the reality of separation and the geographic boundaries used to impose it, severing the collective into physically and demographically isolated and dysfunctional parts.<sup>5</sup> The current uprising has only deepened the problem, finding perhaps its most acute expression in greater political fragmentation and violence.

Political fracture is characterized in part by the virtual loss of the PA as a political institution or governing authority able to care for or protect its population against abuse, a position not dissimilar from the one it held during the Oslo period when the PA consistently failed to defend its people against the most damaging policies of the occupation regime and sometimes collaborated in them. The Palestinian regime came to be synonymous with corruption and tyranny—*hamba haramba* (its protector is its thief)<sup>6</sup>, sacrificing Palestinian national goals, indeed Palestine itself, for personal gain (a dynamic that ultimately led to Fateh's stunning 2006 electoral defeat).

Because of this, the Intifada has produced the severe disruption of existing political arrangements, as seen in three very important political dynamics, which now powerfully define the Palestinian political landscape: (1) the fragmentation of the Palestinian national movement, notably Fateh, among the older PLO elite (who refused to democratize and enfranchise their younger counterparts), middle-aged cadres who grew up under occupation and belong (or once belonged) either to the PA security services or the Palestinian Legislative Council (fundamentally anti-PA), and a younger generation who were born during the first uprising and have known little but violence and armed conflict; (2) a change in the domestic balance of power with the dramatic ascendancy of the Islamists, and (3) the proliferation of militias, which are associated largely with the younger generation and with Fateh.

Hence, it was the failure of the peace process coupled with the PA's (and Arafat's) inability and unwillingness to provide leadership before and since the uprising that dramatically undermined the PA's legitimacy. The very real institutional breakdown of the Palestinian Authority—resulting from Israeli attacks against it and from its own dysfunction and malfeasance—created a political vacuum, which has been filled by a variety of armed groups from the middle and younger cadres who became (and some argue, still are) the new sources of

legitimacy. They are an autonomous-cum-independent force within the Palestinian national movement with an agenda that diverges from that of the National Authority. Unlike the PA, which had continually sought accommodation with Israel and the United States, the middle and younger guards advocated armed confrontation with Israel as the only way to end the occupation (before reaching accommodation) and, I might add, insure their dominance in the post-Intifada era, a struggle that was painfully played out during the preparation for the January 2006 parliamentary elections. Whether any of this will change under the newly installed Hamas-run government (2006) remains to be seen.

The decision to use arms against the occupation arose not only in response to the moribund and self-defeating political and diplomatic process that increasingly was Oslo but to the very real measures taken by the Israeli government during the uprising. In 2002 especially, Palestinians were subjected to the large-scale destruction of their institutions, both governmental and civic, resulting from Israel's violent five-week incursion into the West Bank that began at the end of March 2002 and almost daily incursions into parts of the West Bank and Gaza Strip since then, particularly Israel's reoccupation of most West Bank cities in June 2002. And as the political analyst Graham Usher pointed out, when Sharon's military strategy moved from military attacks to reoccupation, the Palestinian resistance went from guerilla warfare in the West Bank and Gaza to suicide bombings in Israel. Indeed, the strategic embrace of military force initially led the younger guard into an alliance with the Islamists and other opposition forces, perhaps to preclude the formation of a parallel Islamist leadership (which nonetheless emerged), institutions and strike forces of the kind that arose during the first Intifada.

The growing strength and dominance of the Islamists since the start of the uprising, culminating in their 2006 election victory, represents a dramatic shift from their greatly weakened political role in the years just prior to the Intifada. For example, before the uprising, poll after poll revealed that popular disappointment with the nationalists did not translate into support for the Islamists as people remained on the political sidelines. My own research with the Islamists during this period similarly revealed a striking absence of political discourse and

action, and a clear shift within the movement towards social activities in the face of political defeat.

The Intifada and the failure of the Palestinian leadership (and Palestinian organizations) to translate popular resilience into strategized resistance brought about the first significant change in the domestic balance of power since 1995–96 when popular support for Arafat and the Oslo process was high. Desertion of the nationalists subsequently translated into support for the Islamists. By July 2001, the Islamists increased their support by 80 per cent, rising to 27 per cent. If other opposition groups are added, support for the opposition stood at 31 per cent, surpassing the mainstream Fatah and its allies at 30 per cent. This trend has only strengthened over time particularly in light of the growing anarchy and functional bankruptcy within the Palestinian Authority.

Based on the 2005 municipal election results in the West Bank and Gaza, the Islamists won significant victories, leaving them in control of municipalities where over one million Palestinians live. With the January 2006 legislative elections, Hamas—to the surprise of many, including Hamas—gained a majority share of power and authority, a stark reflection of popular outrage at Fatah and its corruption, and its total failure over the last decade to achieve anything meaningful for Palestinians.

In light of the internal disarray currently gripping Gaza—which some argue is being deliberately provoked by influential (older) Fatah members who do not want to see a real change in the political status quo (which the January elections in fact brought) and the loss of power and wealth that would attend it—it is safe to say that the unity of vision and action that guided the first uprising has been completely extinguished. At best, there appear to be tactics, absent of strategy and long-range thinking, spurring greater political fragmentation. No actor, including the PA, has espoused a political program guiding its actions or a political strategy for moving forward. What is clear is that political groups of all sorts are mobilized around a decidedly negative agenda—the need to exact revenge—rather than around a positive agenda of reconstruction and rehabilitation. Some observers posit this may change with the ascent of the Islamists to power, especially at the local level. Yet, even in those areas where Hamas

has won municipal power, they, too, have done little to articulate an economic strategy forward.

Hence since the uprising, the nature of Palestinian resistance and political praxis has been defined by armed factions rather than by civic institutions and the tragic but logical outcome of this strategy is being played out in Gaza and large parts of the West Bank today. Fatah, for example, aimed to restore its past legitimacy as a national liberation movement through the militarization of the Intifada and not through the incorporation and mobilization of Palestinian civil society, which has been largely marginalized and weakened. While it is beyond the scope of this introduction to enter into a detailed discussion of this political phenomenon, the militarization of society and the pernicious political divisions it has produced have contributed to terrible political fracture *within* the nationalist forces—notably Fatah—and *between* Fatah and the Islamists, a struggle that remains very much alive. (In fact, Hamas's only real post-election option is to try to address internal fracture and polarization by resuming a national dialogue and articulating a governmental program to which Fatah could agree. Without it, the Hamas-run government will most likely fall.)

Add to this the decimation by Israel of the authority's infrastructure, particularly its security forces, and the result has been greater lawlessness, chaos and insecurity, particularly in the continued absence of an effective leadership and institutional (political, legal, or civil) body or bodies capable of addressing these problems. One dangerous phenomenon—seen during the civil war in Lebanon—is the rapid growth of militias. In the absence of credible government, these militias have become very powerful actors. Their leaders have vested interests in maintaining their power and in eliminating other loci of authority (as in a real government). They also resonate strongly in a society where tribal feelings and needs for group affiliations are deeply felt at the cultural level. With a militia, even if one's family has no social status, an individual can still belong to a powerful tribe with all the privileges and protections therein.

Because both the PA and Palestinian society find themselves gripped by such profound paralysis, Israel's continued attacks have brought Palestinians to a breaking point, which in large part explains the internal chaos and Islamist success.

## The Impact of 9/11<sup>7</sup>

A brief examination of the impact of 9/11 on the character of the Palestinian-Israeli conflict generally and on Palestinians politics specifically is warranted because excepting Afghanistan, the impact of September 11 upon domestic politics has nowhere been quite as visible and dramatic as in Palestine. Yet, the main effect of 9/11 in Palestine has been to reinforce and accelerate preexisting trends brought into being by or as a result of the uprising, rather than to create, determine or reverse them. Not less important than examining how 9/11 has impacted Palestinian politics, is the question of why it has been able to do so. Here again, one must turn to the uprising for clarification. Almost immediately in this respect, one is confronted by the crisis of Palestinian leadership. With its inability to determine and enforce a clear strategy for managing the confrontation with Israel, the leadership proved simply unable to properly understand and deal coherently with the new geopolitical realities.

President Bush's war on terrorism mandated that the Palestinian problem be solved, despite his administration's seeming ambivalence toward it. Having failed to solve the problem politically and reach a settlement fully congruent with Israeli terms, which was tried under Oslo, and faced with continued Palestinian violence against Israeli civilians, the U.S. government gave Prime Minister Sharon the green light to subdue the Palestinians militarily and defeat them outright through the elimination of the PA, that is, security forces and government institutions (in a more recent strategic version of the 1982 invasion of Lebanon), the physical isolation of Arafat, the destruction of the Palestinian economy, the destruction of Palestinian civic institutions (development organizations and professional associations) and physical infrastructure, continued Israeli settlement expansion and expropriation of Arab land, prolonged curfews, comprehensive and long-term closures, home demolitions and political assassinations. Israel's 2002 reoccupation of most West Bank towns and the reinstatement of Israel's civil administration, followed three years later by the Gaza Disengagement Plan are perhaps the clearest indicators of Israel's determination to alter if not destroy preexisting Israeli-Palestinian agreements and maintain Israeli control over Palestinians and their land especially in the West Bank.<sup>8</sup>

Since 9/11, Israeli actions against Palestinians have been cast by Israel as part of the war against terror, which critically removed the Palestinian struggle against occupation from its political context. The political denuding of the Palestinian struggle in this way has enabled Israel to attack Palestinians in whatever ways it chose with little if any accountability. It has also enabled Israel to undermine or destroy those attempts aimed at achieving ceasefires or restarting negotiations.

After 9/11, the absence of a political process (combined with dramatic socioeconomic declines) gave rise to certain political realities that have had a pronounced impact on the Palestinian political arena, among them:

- The growing international isolation of the Palestinian leadership and the formalization of Sharon's eliminationist agenda, which stated that Israel is "at war" with the PA in the conventional sense and will therefore seek military victory, vowing to overpower the Palestinians prior to any resumption of negotiations;
- The apparent unwillingness of the U.S. to pursue seriously a political resolution of the conflict;
- Sharon's eradication of the concept of territory under full Palestinian security control and the reactivation of direct Israeli rule, especially in the West Bank;
- The absence of a national liberation movement among Palestinians that could create institutions to support a strategy of national resistance and reconstruction;
- The total rejection by Palestinians of security arrangements and piecemeal interim arrangements;
- The continued absence of a clear hierarchy and chain of command within the PA;
- The strengthening of armed and cross-factional militias—the young guard—that seeks political power through intensified militia warfare;
- The rise to real power of the radical Islamists;
- The increasing decentralization and fragmentation of Palestinian politics;
- The creeping establishment of a new political strage with no Palestinian Authority, continued colonial military occupation and the organization of long-term resistance led by young,

underground, armed, refugee-based militias that may be more democratic but definitely more extreme and religiously oriented (the overwhelming victory of Hamas in the 2006 parliamentary elections may support this contention); and

- The continued militarization of Palestinian politics and marginalization of society in the absence of a political alternative.

In this greatly weakened context, therefore, it is difficult to envision a process of reconstruction or reassertion be it political, social, or economic. Today, much as before, there is no governing institution in Palestine that can protect or defend its citizens or engage in meaningful public service or leadership in any form. There is no due process or any real system of accountability, appeal, or justice. And, there is no economic growth or development or any possibility of any. Indeed, the discord that is seen at the political level is also found at the economic and social levels in the macro- and micro-spaces of daily life where survival is struggled over, fostered and sometimes lost.

With the second Palestinian uprising and the enormous pressures imposed by the Israeli authorities on an already weakened economy and society, Palestinians now face a moribund economy, a humanitarian crisis characterized by levels of impoverishment and economic decline that have no parallel during Israel's 39-year occupation of the West Bank and Gaza, and the destruction of ordinary life. Some features of Palestine's economic dismemberment include a decline in per capita income of some 75 per cent between 1993 and 2004, and 46 per cent since 1999; the contraction of the economy by half; unemployment levels that until 2004 averaged between 30–35 per cent with some as high as 50 per cent in certain parts of Gaza and the West Bank; a poverty rate that increased from 21 per cent in September 2000 to 60 per cent as early as December 2002, with certain regions of Gaza reaching 80 per cent; a decline in overall food consumption of more than 25 per cent per capita, with more than half the Palestinian population totally dependent on food aid, and around 13 per cent of Palestinian children suffering from some form of malnutrition (2005).

On the eve of Israel's disengagement from Gaza, the Palestinian Center for Policy and Survey Research reported that for the first time since the occupation began, unemployment was ranked as the

most critical issue for Palestinians, superseding occupation.<sup>9</sup> Under a best-case scenario, the World Bank predicts that it will take the Palestinian economy 20 years to return to where it was on the eve of the current uprising.

Two new and pernicious features of the Intifada period with profound economic consequences, particularly for issues of viability, are the creation of buffer zones in the Gaza Strip (even after Israel's disengagement from Gaza) and the building of the separation barrier or wall in the West Bank, both logical expressions of territorial fragmentation and spatial partitioning.

Buffer zones are areas forcibly emptied of people, buildings and agriculture by which the army is able to monitor large areas of land. Once emptied, buffer zones become firing zones that Palestinians enter at their own risk and many, including children, have died doing so. Between 2000 and 2005 entire agricultural areas and residential neighborhoods were systematically destroyed, the most egregious example being Rafah where the IDF demolished over 1,600 homes alone, displacing over 10 per cent of the local population. The razing of homes and land was concentrated along the border—making it even more impermeable—and on the periphery of settlements: “The destruction was often carried out in an incremental fashion, which gave the impression that individual acts of destruction were tied to specific instances of combat, thus keeping international outrage within acceptable limits.”<sup>10</sup>

Despite its “disengagement” from Gaza, Israel has continued to establish buffer zones in the northern and eastern borders of the Strip—evacuating part of the population there—officially in response to Palestinian rocket fire into Israel. Recreating the failed “security zones” carved into Lebanon over 20 years ago, Gaza’s buffer zones have been declared closed military areas off limits to Palestinians, which the army regularly shells with artillery from Israel and from the air in order to prevent Palestinians from approaching the border. In late December 2005 the Israeli Defense Forces Command issued the following leaflet to residents of the northern area of the Gaza Strip: “While the terrorists continue to launch rockets from your houses towards Israeli territories, [the] IDF acts to defend the safety and security of Israeli inhabitants and would continue to hunt perpetrators of these actions. Remaining in these areas from which these rockets are launched would endanger

your lives.” In the period between its withdrawal from the Gaza Strip in September 2005 and June 2006, the Israeli military fired more than 7,700 shells at northern Gaza.<sup>11</sup>

In the West Bank the Israeli military has, since June 2002, been erecting a barrier or wall that is meant to separate Israel and the West Bank and thereby prevent the uncontrolled entry of Palestinians (that is, suicide bombers) to Israel or Israeli settlements. The barrier is currently over a hundred miles in length and was originally projected to be 217 miles at completion. However, with the subsequent decision by the government to expand the wall to the eastern side of the West Bank, it will be approximately 425 miles (681 kilometers) when finished—four times the length of the Berlin Wall. According to the World Bank:

The wall is not just a wall. Depending upon location, sections will comprise some (or all) of the following elements [themselves a kind of mitigated buffer zone]: four meter [12 feet] deep trenches on either side; a dirt path “to which access will be forbidden” where potential infiltrators would be exposed to IDF fire; a trace path to register foot prints; an electronic warning or “smart” fence; a concrete barrier topped with barbed wire; a concrete wall rising as high as eight meters [24 feet]; a two-lane military patrol road; and fortified guard towers placed at regular intervals.<sup>12</sup>

The Israeli human rights group, B’selem states: “In most areas the barrier is comprised of an electronic fence with dirt paths, barbed wire fences, and trenches on both sides, at an average width of 60 meters [approximately 180 feet]. In some areas, a wall six to eight meters [approximately 18–24 feet] high has been erected in place of the barrier system.”<sup>13</sup> Furthermore, the territory between the Green Line, Israel’s border with the West Bank, and the wall has been declared a closed military zone.

The path of the separation barrier does not adhere consistently to the Green Line but at some points deviates several miles into the West Bank in order to incorporate Israeli settlements into the “Israeli” side of the wall. As of this writing only 11 per cent of the wall runs along Israel’s border with the West Bank.

The wall will, in effect, annex large tracts of the most fertile Palestinian land, and confiscate many of the water wells used for drinking/agricultural purposes. According to B’selem and the World Bank, over 250,000 Palestinians will be trapped in enclaves to the east and west of the wall. Furthermore, the barrier will separate

approximately 200,000 Palestinians who live in East Jerusalem from the rest of the West Bank while more than a hundred communities will be separated from their agricultural land. In all, nearly 17 per cent of the West Bank will be totally surrounded by barriers, fragmenting and isolating Palestinian communities over and above the enduring isolation already imposed.<sup>14</sup>

The wall's construction and the suffering, dispossession and impoverishment it is causing can only be considered acceptable if one embraces the premise that every single Palestinian man, woman and child is responsible for suicide bombers and deserves punishment on this scale. Indeed, the construction of the wall, together with continuous settlement expansion, exacerbated physical fragmentation of Palestinians achieved through the imposition of military checkpoints and bypass roads, the accelerated destruction of Palestinian homes, agricultural lands and livelihood, and the massive destruction of Palestinian institutions and physical infrastructure, have given rise to specific outcomes—some of which have no precedent in Palestinian life—such as the jurisdictional fragmentation of territory and space (by the end of 2002, the U.N. reported that the West Bank was cut up into 50 disconnected pockets while Gaza was divided into four), the emergence of an internal refugee problem, the virtual destruction of the Palestinian middle class, brain drain and the weakening of the productive sector of society, the rapidly diminishing health and educational status of the population, changing ideals of the society, and a visible shift in the balance of power among various strata of Palestinian society toward the radical extreme. There is, in effect, an inexorable return to subsistence—economic, political and psychological—and the final arbiters of power remain the United States and Israel.

### The U.S. Roadmap for Peace

It was within this diminished context that the “Performance-Based Road Map to a Permanent Two-State Solution to the Israeli-Palestinian Conflict”—known more commonly as the U.S. roadmap for peace—was introduced. Formerly announced on April 30, 2003, the roadmap—like Oslo before it and the Disengagement Plan after it—was hailed as an historic compromise. Given its central role during the period of the Al

Aqsa Intifada and continued invocation as a policy framework (post-disengagement), some of its main features will be examined.

The roadmap contains many of the structural flaws of the Oslo Accords. For one, it maintains the occupation and the structural imbalance of power until the last phase of the process and defers key issues until the end phase of negotiations in line with a staged approach that eventually undermined Oslo. The roadmap similarly rejects international law as a legal framework for resolving the conflict except for U.N. Resolutions 242, 338 and 1397, and makes the Palestinian state contingent on a new Palestinian leadership, reformed authority, the cessation of violence and on a security apparatus that would enforce Israeli security, which was the very basis of the Oslo agreements.

The Palestinians accepted the roadmap because they had no choice. Ariel Sharon's cabinet accepted it on May 25, 2003 conditioned on 14 amendments, which would effectively stalemate negotiations and preclude the establishment of a viable Palestinian state. For example, Palestinians would have to stop and dismantle terrorism as originally stated in President Bush's June 24, 2002 speech although there is no mention of ending Israeli violence against Palestinians, which after 9/11, is regarded as a justifiable response to terrorism. Palestinians would also have to renounce the legal refugee right of return, something they could never do.

Further, the freezing of Israeli settlement activity will only occur after a prolonged period of calm and this freezing refers only to new settlements. Critically, the only settlements to be dismantled are those that were established since March 2001, leaving the overwhelming majority of settlements in place and reinforcing the geographic non-contiguity of Palestinian lands, a hallmark feature of Oslo. In this regard, Palestinians were being asked to undertake momentous reforms including the cessation of violence while the Israeli government was being asked to refrain from doing what was already illegal: freeze all settlement activity. In a similar vein—and in line with its narrow interpretation of land-for-peace under Oslo—Israel agreed to withdraw its forces to the September 2000 border as security increases and not to the June 4, 1967 borders, which would mean withdrawing from the West Bank and Gaza entirely.

Despite these features, the roadmap has been lauded as a breakthrough for two reasons (which technically represent a departure from Oslo).



First, it makes explicit reference to a provisional Palestinian state with uncertain boundaries, whose final configuration, however, is left undefined. That is, the roadmap calls for enhancing Palestine's territorial contiguity but does not demand it. Not surprisingly, there is no mention of an independent Palestinian state nor is there a map of one. Second, the roadmap refers explicitly to occupation and to ending the occupation at the end phase of the process. However, there is no mention that Israeli occupation is illegal (there is, for example, no reference to the separation wall), and must end in accordance with international law and U.N. resolutions.

Embedded in all this are specific assumptions underlying the roadmap, which not only reflect political understandings after 9/11 but which (re)shaped the context for future Israeli-Palestinian relations and negotiations. These assumptions argue that:

1. Terrorism is forcing Israel to maintain the occupation, and not that the occupation is generating resistance and terrorism.
2. Israel's fight against the Palestinian Authority and the Palestinians is part of the U.S. global war against terrorism. If the Israeli-Palestinian conflict is defined as a war on terrorism, then negotiating with Palestinians or giving into their demands is a form of moral compromise. And since Palestinians are considered terrorists, they have ceded some of their sovereign rights. In this way, Sharon managed to position the question of territory and its control beyond the reach of diplomacy, thereby insulating those policies and undermining the emergence of a Palestinian state.
3. The Israeli-Palestinian conflict is not the primary source of insecurity in the area, the lack of democracy is. Therefore, democratization must precede peace; this will take time and needs a long-term transitional phase. Hence, Palestinians must reform and change before the occupation ends. In fact, in response to the December 2002 draft of the roadmap, the Israeli government stated that the roadmap's purpose is to seek an end to the conflict rather than an end to the occupation.<sup>15</sup>

So framed and conditioned, the roadmap, like Oslo, has proved to be a non-starter because the primary condition that produces the violence—

the occupation and the oppressive policies that define it—remained unchanged and unchallenged, and after 9/11, legitimized. Yet, the roadmap continues to be invoked by the international community as a reference point for negotiations as it was during and after the disengagement from Gaza, and as a reasonable point of departure.

Given the evolution of the conflict particularly since Oslo, it would seem logical that negotiations should follow, not precede, concrete changes on the ground. It is also essential to create a negotiating framework that eliminates the power asymmetries between Palestinians and Israelis in favor of one that introduces greater parity. Furthermore, phased solutions, conditioned change and imposed settlements have failed. The most important issues between the two protagonists must be dealt with up front and not deferred: the final objective of the process must be defined in advance in order to proceed. The occupation must end before the conflict can be resolved. Any attempt by the U.S. and Israel to impose a political settlement on Palestinians while maintaining the occupation and Israel's matrix of control, which underpinned the Oslo process and the roadmap, will ultimately fail (whether the Palestinian government is run by Hamas or Fatah). Yet, the imposition of such a political "settlement" is exactly what happened with Israel's 2005 unilateral disengagement from Gaza and subsequently with Prime Minister Olmert's realignment plan for the West Bank.

Throughout the second Intifada, the Sharon government made it increasingly clear that what it sought was an encircled non-contiguous Palestinian entity on about half of the West Bank controlled by Israel with the other half effectively annexed to Israel. Gaza, too, would be encircled and remain under Israeli control. This diminished entity would critically eliminate Palestinian control over the whole of the West Bank and East Jerusalem. In order to achieve this the government needed to attenuate Palestinian demands—which it attempted to do largely through economic deprivation, physical/institutional destruction and demographic isolation—and create a malleable leadership that would accept a highly compromised outcome. Towards this end, the Israeli government is using siege as well as occupation as a method of control, imprisoning people and eroding their capacity to resist internally. If it succeeds (and it is likely that it has, at least in the near-term), the Israeli government will argue that it has ended the occupation (as it did after its disengagement from Gaza) but in a manner that will undeniably

maintain it. The occupation will then be transformed from a political and legal issue with international legitimacy into a simple dispute over borders. With the Gaza Disengagement Plan, the Israeli government has arguably and finally achieved this goal.

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## *Why Peace Failed: An Oslo Autopsy\**

THE TRAGEDY OF SEPTEMBER 11 and the increasingly violent struggle between Palestinians and Israelis have refocused attention on the continuing Palestinian–Israeli conflict as a primary concern of the Arab world. The Palestinian problem, perhaps more than any other, resonates deeply with Arab and Muslim peoples. According to a recent survey quoted by journalist David Hirst, nearly 60 per cent of the people of Saudi Arabia, Kuwait, the Gulf Emirates and Lebanon regard Palestine as the “single most important issue to them personally”; for Egyptians this figure rises to 79 per cent. Not surprisingly, Osama bin Laden, for whom the Palestinian issue had not appeared primary, stated that Americans will not be safe until Palestinians are safe. Soon after, President George W. Bush and British Prime Minister Tony Blair acknowledged the centrality of the Palestinian question in the current crisis and the need for a viable Palestinian state (although the Bush administration’s hardening toward the Palestinians following the suicide bombings in December 2001 may change this).

It is commonly believed that the failure of the Middle East peace process to resolve the Palestinian–Israeli conflict occurred at the Camp David II summit in July 2000, when Israeli, Palestinian and American delegates met to reach a final settlement. It was at Camp David that Israel supposedly offered the Palestinians an exceedingly generous compromise that came close to an agreement—but which the Palestinians selfishly and foolishly rejected. This perception was reinforced by President Bill Clinton, who publicly blamed Palestinian

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