



# **THERE IS NO “STATUS QUO”**

**DRIVERS OF VIOLENCE IN THE  
ISRAELI-PALESTINIAN CONFLICT**

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Nathan Stock is a non-resident scholar at the Middle East Institute. Prior to joining MEI he spent nine years working for former President Carter's organization, The Carter Center. He served in the Center's Conflict Resolution Program, out of Atlanta, GA, before moving to Jerusalem to run the Center's Israel-Palestine Field Office. Stock led Carter Center efforts to facilitate the reunification of the Palestinian political system and to assert Palestinian sovereignty via international fora. He designed and managed projects targeting the Fatah-Hamas conflict, and implemented programming to monitor and advance political solutions to the Syrian civil war. Prior to joining the Center, Stock worked in Afghanistan on a USAID-funded grant to strengthen local civil society organizations. During the Al-Aqsa Intifada, he lived in the Gaza Strip, working with a Palestinian NGO to design and fundraise for conflict resolution programs targeting the Palestinian community. Stock is currently based in South Carolina, where he consults and writes on Israeli-Palestinian affairs.

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## EXECUTIVE SUMMARY

The Israeli-Palestinian conflict remains a destabilizing element in an already volatile Middle East. The Palestinians are too weak to wrest their independence from Israel. But as long as their right to self-determination is denied, they are likely to engage in regular violence targeting Israel. Absent outside intervention, Israel is powerful enough that it can suppress Palestinian demands for freedom — but it is not able to completely pacify the Palestinians. Thus, the conflict continues, punctuated every few years by rounds of more significant violence. The Israeli-Palestinian conflict, in turn, prevents most Arab states from upgrading their relations with Israel — despite the fact that many share security concerns with the Jewish state regarding Iran.

In this context, this report explores the domestic political dynamics in Israel and Palestine, analyzing how developments within the two societies will impact the conflict between the two sides. The result is particularly worrying. The Palestinian national movement has rarely been weaker. Israeli control on the ground has divided the Palestinians geographically, while Israel's unwillingness to grant the Palestinians a state has steadily

undermined the Palestinian Authority's (PA) *raison d'être*. Consequently, in the eyes of many Palestinians, the PA seems to exist solely as an instrument for ensuring Israeli security, often at the expense of Palestinian freedoms. These Israeli policies have intersected with (and predated) the Palestinians' own bitter political divisions, such that the PA lacks a democratic mandate. The key Palestinian parties, Fatah and Hamas, have been unable (or unwilling) to agree on organizing elections, and the terms in office of the existing PA leaders all have expired. Palestinians look to the Palestine Liberation Organization (PLO) as their highest political body, but it too is no longer seen as representative.

The existence of an increasingly unrepresentative PA — which is not sovereign and has been prevented from securing Palestinian independence — and an Israeli government that continues to control the things that matter in the occupied territory is a constant source of tension. This report highlights the dangers of a lack of an agreed plan for succeeding Palestinian President Mahmoud Abbas, the volatile mix between Hamas' authoritarian control of Gaza and the Israeli-Egyptian closure of the territory, and the consequences of all this for Palestinians, particularly young people, who are angry with the status quo. Most dramatic in the near term is the siege of Gaza. The blockade that Palestinians there have endured for over a decade has only intensified. Surrounded by Egypt and Israel, Hamas has failed to find a way out that avoids complete surrender. As a result, war constantly looms on the horizon.

This report contrasts these trends on the Palestinian side — each of which could stoke further violence — with the dominant view in Israel that the conflict cannot be solved, that it must be managed, and the stance of the right in Israel, which is increasingly vocal in promoting the annexation of Palestinian territory. These opposing forces leave Israel and Palestine on a collision course, just as dangerous as the risks inherent in unchecked settlement growth.

Finally, this report situates these negative trends in the context of the Trump administration's recognition of Jerusalem as Israel's capital, radical cuts in aid to the Palestinians, and other steps which have veered away from traditional, pro-two-state diplomacy. Through its actions, the Trump administration is adding fuel to the fire, encouraging maximalist right-wing Israeli beliefs that the Palestinians will somehow agree to second-class status, with at best the trappings of statehood, under permanent Israeli military control. The administration has taken a series of steps, from closing its diplomatic representation to the Palestinians to having senior U.S. officials attend events in Israeli settlements, that would seem to legitimize a conservative Israeli view of the conflict wherein the Palestinians are not a people entitled to political rights, including self-determination, and the settlements are indistinct from Israel proper. At the same time, the administration's diplomacy on the conflict has only exacerbated Palestinians' fears that the U.S. means to pressure them

to accept something far less than an independent state on the equivalent of Gaza and the West Bank, including East Jerusalem. After over two years of work, in June 2019, the administration finally released the economic portion of its much-ballyhooed peace plan. The plan is an entirely aspirational “vision” for the future of the Palestinian economy that says nothing about how Israeli control of the West Bank and Gaza will be ended.

*The conclusions in this report are based in large part on primary source material. They draw on dozens of interviews with a range of Israelis and Palestinians conducted by the author, structured roundtable discussions, and a series of detailed public opinion surveys.*



## CHAPTER ONE

# WHY ISRAEL PALESTINE MATTERS

Despite the somber conclusions outlined in these pages, it remains possible to impact positively the trajectory of the conflict and create a viable Palestinian state in the West Bank and Gaza. Since the Arab Spring uprisings of 2011, the Israeli-Palestinian conflict has been a lower priority for the international community. Given the catastrophic war in Syria, high civilian casualties in Yemen, and civil war in Libya, a shift in priorities was inevitable. The plight of the Palestinians also has lost its status as the cause célèbre of the Arab and Muslim worlds.

Despite these regional upheavals, there are three compelling reasons for continuing to pursue a final status agreement to the Israeli-Palestinian conflict. First, a resolution would aid Western and regional efforts to counter transnational Salafi-jihadist groups. While establishing a Palestinian state would not end this threat in the Arab world or the West, bringing the Israeli-Palestinian conflict to a just resolution would eliminate one of the major grievances being exploited by transnational Salafi-jihadist groups. Key U.S. analysts, as well as intelligence and defense officials, have long stressed the importance of addressing the Israeli-Palestinian conflict as part of the broader

strategy to confront al-Qaeda, ISIS, and similar groups. Commenting on Israel/Palestine, former U.S. Secretary of Defense James Mattis has warned that “the current situation is unsustainable.” He also stressed the costs to the U.S. of our inability to resolve the conflict. “I paid a military security price every day as the commander of CENTCOM because the Americans were seen as biased in support of Israel.” He lamented “the moderate Arabs who want to be with us [but] can’t come out publicly in support of people who don’t show respect for the Arab Palestinians.”<sup>1</sup> In recent years some Arab states, foremost among them the United Arab Emirates and Saudi Arabia, have strengthened their ties with Israel in ways that have become increasingly public. Yet, they cannot risk inaugurating *de jure* relations with Israel for fear of a backlash from their populations and damaged relations with other Arab/Muslim countries.

Rob Malley, former senior advisor to President Barack Obama for the Counter-ISIS Campaign, made a similar point in December 2015:

*“The absence of a resolution is fueling extremism. ... I think it stands to reason that resolving this conflict would at least help. It wouldn’t resolve, but it would be a major contribution to stemming the rise of extremism and to allow[ing] the kind of cooperation that is needed [to take on] what should be a common challenge, which is the challenge of [ISIS].”<sup>2</sup>*

Osama bin Laden, Omar al-Baghdadi, and other Salafi-jihadist leaders have routinely cited Palestine as one justification for their violence, and oppression of the Palestinians has been a key driver for militant recruitment into al-Qaeda and ISIS. There is even some evidence of recruitment into Salafi-jihadist organizations spiking in correlation with outbreaks of Israeli-Palestinian violence.<sup>3</sup> Even as support for al-Qaeda and ISIS among Palestinians remains marginal, ISIS has used Palestine opportunistically in an effort “to appeal to the legitimacy that the question of Palestine enjoys amongst the target group that Salafi-jihadis want to reach.”<sup>4</sup>

Second, the continued occupation is undermining Israel’s viability — and the U.S. needs Israel as an ally and values Israel as a democratic Jewish state. Since President Harry Truman recognized Israel on the same day that Prime Minister David Ben-Gurion declared its existence, the U.S. has been bound by deep cultural and religious ties to Israel. As many Arab states moved toward the orbit of the Soviet Union during the Cold War, the relationship evolved into a strategic one. The interminable occupation risks undermining this relationship. Speaking in March 2017, former Mossad Director Tamir Pardo summarized the danger: “Israel has chosen not to choose, hoping the conflict will resolve itself — perhaps the Arabs will disappear, maybe some cosmic miracle will happen.” Pardo elaborated:

*“Israel has one existential threat. It is a ticking time bomb. We chose to stick our head in the sand. ... An almost identical number of Jews and Muslims reside between the sea and the Jordan. The non-Jewish residents of Judea and Samaria live under occupation. ... Israel [also] is responsible for the humanitarian situation [in Gaza], and this is the place with the biggest problem in the world today.”*

According to Pardo, “Israel must deal with the demographic reality and [decide] which state we want to be. Life with alternative facts harbors a disaster for the Zionist vision. The key to saving the state requires brave leadership.”<sup>5</sup>

Israel’s indefinite control of nearly 5 million noncitizens in East Jerusalem, the West Bank, and Gaza is a recipe for instability, particularly as the Palestinian population between the Jordan and the Mediterranean surpasses the Jewish population.<sup>6</sup> The recent history of the Middle East illustrates starkly the perils of minority religious communities attempting to maintain control of states by force. Israel will not face the systemic breakdowns witnessed in Iraq or Syria — the Palestinians are too weak to mount such a challenge. However, if current trends continue, Palestinians almost certainly will engage in regular acts of protest and violence. Israeli efforts to suppress these outbursts will generate further images of Palestinian suffering, prompting anger in the region and making it harder for the West and the Arab world to address other pressing challenges.

The U.S., Europe, Israel, and key Arab states share common regional interests and security concerns. Fear of Iran is pushing Gulf Arab states to develop closer ties with Israel. The U.S. has strong interests in improving these regional relationships, including through cementing peace agreements and formal diplomatic ties between Israel and additional Arab states. But the ongoing occupation makes such progress very difficult.

Third, Israel-Palestine has the potential to be a “win” for the international community in the Middle East-North Africa (MENA) region. There are no easy solutions for the wars in Syria, Libya, or Yemen. The U.S. experience in Iraq and Afghanistan starkly illustrates the unique challenges posed by failed states. Reaching and maintaining peace agreements for many of the internal conflicts now raging in the Arab world will require rebuilding legitimate state institutions, to say nothing of sorting out the competing interests of local warlords, militia commanders, and their various regional and international patrons. In this bleak context, to quote a senior Western diplomat in Jerusalem, “Palestine is low-hanging fruit.”<sup>7</sup>

But Palestine is not a failed state, at least not yet. On the contrary, Israel, the West Bank PA, and even Hamas in Gaza are coherent political actors. Israel and the PA both are particularly dependent on outside assistance. Israel has benefited for years from the exercise of U.S. vetoes at the UN Security Council.

At the end of the Obama administration, the U.S. signed an agreement committing to provide Israel \$38 billion in military aid over the next decade, the largest such pledge in U.S. history.<sup>8</sup> Before the Trump administration's cuts, foreign aid to Palestine was estimated at \$700 million for 2016, out of a total GDP of approximately \$13 billion. Such a substantial sum grants Palestine's Western and Arab donors significant influence, should they choose to use it constructively.<sup>9</sup>

The U.S. and key European states also have decades of cumulative experience working on this conflict, including well-established relationships and channels of communication with senior Israeli and Palestinian officials. In both the government of Israel and the PA many of the same senior leaders have been engaged with the international community on these issues for over 20 years. The Israel-Palestine conflict does not present challenges akin to the Syrian civil war, where Western diplomats and intelligence agencies have at times struggled to understand and build relations with an evolving kaleidoscope of opposing political and military leaders.

To be clear, re-establishing Palestinian democracy and reaching a final status agreement between Israelis and Palestinians would be extremely challenging. This would require the U.S. and other members of the international community to engage in muscular diplomacy, laying out incentives and disincentives for both sides, in a manner that is unlikely for the foreseeable future. Nevertheless, if sufficient political will were present, this conflict is more amenable to resolution via the tools of post-Cold War diplomacy than other conflicts now besetting the Middle East. It could constitute a success for the international community in a region where so much else is going wrong.

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## CHAPTER TWO

## WORKING ASSUMPTIONS

This study is based on three core assumptions: (1) The U.S. and the rest of the international community could create conditions that make a peace agreement more likely; (2) a two-state solution remains feasible; and (3) a two-state solution still is the best means of resolving the conflict.

## THE U.S. COULD INCENTIVIZE AN AGREEMENT

This document does not proceed from the trope that the U.S. “can’t want peace more than the parties.” This idea, which has been voiced by U.S. policy makers, particularly since the Clinton administration, does not withstand scrutiny. First, it appears to suggest that the parties want conflict. It is not that the parties do not want an agreement. Rather, their positions for reaching an agreement are too far apart. Second, this mantra would seem to negate any U.S. interest or agency in the matter, despite compelling geostrategic and national security interests for resolving this conflict. While there is no guarantee that the U.S. and the international community could ever force Palestinian reunification and an end to the occupation, there are steps that might be taken

at some stage to make a resolution more likely.

## TWO STATES CAN WORK

Many argue that settlements make a two-state solution impossible. In fact, even with some 600,000 settlers beyond the 1967 Green Line, it remains possible to draw a border that swaps land between the states of Israel and Palestine, radically reducing the number of Israeli settlers who would need to be evacuated. Depending on the size of the agreed land swaps, estimates of the number of settlers who would need to move range from approximately 85,000 to up to 130,000-160,000, per borders drawn by the Geneva Initiative, a model peace agreement.<sup>1</sup>

But moreover, the two-state solution is not simply a question of geography. It is fundamentally a political construct. As much as settlement construction makes the implementation of a two-state agreement costlier, it does not make it impossible. During decolonization, France evacuated 1 million settlers from Algeria. If there were sufficient political will in Israel to allow the creation of a Palestinian state, settlements could be evacuated, with their buildings demolished or transferred to Palestinian control. This does not excuse deliberate Israeli policies that have sought to thwart the creation of a Palestinian state; instead, it is to point out that there is no clear turning point on the ground after which a two-state solution becomes definitively impossible.

The fact that the “end of the two-state solution” is difficult to define explains, in part, why the constant threats of the impending demise of a two-state model have been ineffective at creating a sense of urgency within the international community, much less stopping settlement expansion. Western governments also do not want to acknowledge that this diplomatic project in which they have invested over 20 years may have failed — especially when there are no good alternatives. And, as detailed below, many Israelis either do not believe that solving the conflict is a priority, or they think it is an impossible goal. As such, concerns about the end of two states do not resonate sufficiently with much of the Israeli public.

## TWO STATES ARE THE BEST OPTION

Not only is a two-state solution possible, it remains the least challenging option for bringing the conflict to a sustainable resolution. First, after a century of conflict and the oppression of the Israeli occupation, most Palestinians do not like and do not want to live with Israelis, and the reverse is also true. Palestinians and Jewish Israelis have national identities that are not only distinct but, in some measure, have evolved in opposition to one another.

A two-state solution allows both peoples to realize their separate national aspirations. While support for a two-state solution has been declining for years, it remains significantly more popular than other possible models for addressing the conflict. In a summer 2018 survey, 43 percent of Israelis and Palestinians expressed support for a two-state solution, in principle. When asked about a package deal including, among other things, a demilitarized Palestinian state, an Israeli withdrawal with equal land swaps, and East Jerusalem as the Palestinian capital and West Jerusalem for Israel, 37 percent of Palestinians, and 46 percent of Israelis (including 39 percent of Israeli Jews) expressed support. The low numbers are a function of the mistrust between the two sides and a pervasive belief that a two-state solution is not forthcoming.

However, the same survey found that when three additional factors are added to the two-state package, including that:

*"Israeli [sic] and the future state of Palestine will be democratic; the bilateral agreement will be part of a regional agreement along the lines of the Arab Peace Initiative; and the US and major Arab countries will insure [sic] full implementation of the agreement by both sides"*

then 53 percent of Israelis (including 45 percent of Israeli Jews) and 42 percent of Palestinians support the proposal. Crucially, support for a two-state solution rises further among Israelis and Palestinians who believe a two-state solution remains viable. Sixty-one percent of Israeli Jews and 66 percent of Palestinians who believe a two-state solution is possible expressed support for a final status agreement with the three incentives noted above. Support for a two-state solution also remains significantly higher than support for a unitary democratic state, with equal rights for both peoples.<sup>2</sup> These findings illustrate that support for a two-state solution could be generated, with the right incentives, and support is likely to rise if Israelis and Palestinians could see that an agreement was actually forthcoming.

Second, a two-state solution is relatively easier to implement than other models. As difficult as it would be to move 100,000 settlers out of the West Bank, such a relocation is more likely to be accomplished than the prospect of Israel being willing to grant full and equal rights to the 5 million Palestinians in the West Bank and Gaza. Survey data suggests that the Israeli public does not support equal rights for all. A 2016 Pew survey found that 79 percent of Israeli Jews believed they deserve "preferential treatment" over non-Jewish minorities in Israel.<sup>3</sup> In a January 2018 poll, a mere 14 percent of Israeli Jews and 10 percent of Palestinians supported a "one state solution with equal rights for Jews and Palestinians."<sup>4</sup> In the June 2018 poll cited above nine percent of Palestinians and 19 percent of Israeli Jews supported this option, out of four options for the future of the conflict.<sup>5</sup> A July 2017 survey commissioned by the



author echoed these findings, with 18 percent of Israeli Jews either “strongly” or “somewhat” supporting the “annexation of all Jerusalem and the West Bank and full citizenship for all residents, Jews and Palestinians.”<sup>6</sup>

Particularly among younger Palestinians, there is an emerging discourse focused on securing basic rights — a result of a pervasive sense of desperation and disillusionment — with or without independent statehood. That said, low support for a single state is a reminder of the fear and mistrust between the two communities.<sup>7</sup> One public opinion analyst described the level of distrust between the two publics as “overwhelming.”<sup>8</sup> These findings have been echoed in discussions conducted by the author for over a decade and were reinforced in workshops convened for this study in November 2016. The idea of real equality for Palestinians of the West Bank and Gaza is anathema for most Jewish Israelis. Most do not realize the range of rights they enjoy, over and above those of Palestinians, including preferential access to water and other natural resources in Palestinian territory, not to mention the right to vote in Israeli elections.

Third, the establishment of a Palestinian state could unlock other positive steps. A Palestinian state is at the core of the commitments enshrined in the Arab Peace Initiative, which promises Israel full normalization of relations with the Arab world when the Palestinians are granted independence. A foundation of Palestinian independence also can be leveraged into new forms of constructive relations between Palestine and its neighbors. The Two States One Homeland initiative includes creative suggestions for extending rights to the citizens of Israel and Palestine to travel and even reside in the other state. This approach also includes a framework for acknowledging each side’s historical attachment to the land.<sup>9</sup>

Fourth, a two-state solution affords the international community a clear legal and political basis for taking concrete action to advance Palestinian statehood. International opposition to Israel’s occupation is grounded in UN Security Council resolutions that have been binding for 50 years. A clear consensus also exists that Palestinians in the West Bank and Gaza must be afforded the protection of the Geneva Conventions. Coupled with the PLO’s acceptance of UN Security Council Resolution 242 and the Oslo Accords — wherein the Palestinians accepted Israel’s right to exist and committed to seek their state in the West Bank and Gaza only — the international community has grounds for considering the use of the levers at its disposal to pressure Israel to end the occupation. The case for international action to pressure Israel to grant equal rights to Palestinians under occupation is far less clear. A dialogue is emerging on the illegality of long-term occupation,<sup>10</sup> but, at least at present, the legal basis for calling on a state to extend citizenship to an occupied people is murky. It also is difficult to envision the international community calling on Israel to

take such a radical step.

The only scenario in which momentum could build for a one-state model is if the Palestinians collectively and credibly shift their national goal. For the foreseeable future, however, this appears unlikely. As discussed below, the PLO in its current state is no longer seen by many Palestinians as representative or as a legitimate platform for serious national decision-making — yet there is no alternative to it. As such, there is no existing Palestinian political institution that can speak credibly for the Palestinian people, much less execute a radical change in national goals. If the Palestinians do rebuild the PLO (and if progress is not made toward a two-state solution), it is possible to imagine revitalized national institutions that could build consensus and shift their struggle toward one state. If a large majority of Palestinians in the occupied territory and the diaspora began a serious civil rights campaign for democratic representation in a unitary Israeli state, the international community would have to respond, and support for a two-state model might become untenable.

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7. The second survey, also by Dr. Scheindlin, was conducted in July and early August of 2017, among 500 Jews (in Hebrew, via the internet) and 150 Arabs (in Arabic, by phone). The Jewish sample was conducted July 13-15, and the Arab sample July 31-Aug. 3. Fieldwork was conducted by New Wave Research for the Jewish sample, and by Statnet for the Arab sample. The margin of error for the total sample is +/- 4 percentage points and higher for each subsample.
7. This is clearly borne out in survey data. "Among Palestinians, a solid majority (89%) feel Israeli Jews are untrustworthy. On the Israeli Jewish side, a somewhat smaller majority (68%) also indicated that Palestinians cannot be trusted." Similarly, "A solid majority (76%) of the Palestinians are worried or very worried that they or a member of their family could be hurt by Israel in their daily life or that their land would be confiscated or home demolished. Likewise, among the Israelis, 71% are worried or very worried that they or a member of their family may be hurt by Palestinian attacks in their daily life." See: Israel Democracy Institute and the Palestinian Center for Policy and Survey Research, "Palestinian-Israeli Pulse," (August 22, 2016), <http://pcpsr.org/en/node/660>.
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## CHAPTER THREE

SOCIETIES ON A COLLISION  
COURSE

## INTRODUCTION

Israeli settlement construction is widely and correctly recognized as a threat to the two-state solution. Since the launch of the Oslo peace process in 1993, the number of Israeli settlers in the occupied West Bank and East Jerusalem has more than tripled from less than 200,000 to over 600,000 today. Settlement planning and construction has increased further under the Trump administration. In 2017, 2.5 times more plans for new settlement homes were advanced than 2016.<sup>1</sup> That same year, Israel also began work on the first entirely new settlement in 20 years, Amihai, in the northern West Bank.<sup>2</sup> In the first nine months of 2018, new construction starts were 20 percent higher than the same period in the previous year. In addition, new issues have arisen that were less salient when the peace process was launched. The most significant of these is control of the Holy Esplanade, what Jews refer to as the Temple Mount and Muslims call the Noble Sanctuary or al-Aqsa Mosque.<sup>3</sup>

This section will explore how political trends within Palestine and Israel constitute an additional threat to a two-state solution and are likely to drive increased conflict in the absence of robust international engagement. Israeli policies that divide Palestinians politically and geographically have intersected with Palestine's own political divisions to throw the Palestinian political

system into crisis. Elections are long overdue and there is no agreed plan for succession, whenever Palestinian President Abbas leaves the scene. The inability of Palestinians to elect new leadership has led to increasingly authoritarian governance in those parts of the occupied territory where Palestinians have autonomous control. Young Palestinians in particular are disconnected from their erstwhile leaders. This constellation of factors is itself a likely catalyst for violence. There are fears that Israel will move to annex Palestinian territory in the context of a succession crisis, if not before, doing away with the pretense of engaging with any national-level Palestinian leadership. While conservatives in Israel see such measures as at least partial solutions to the conflict, Palestinians are correct in asserting that these moves would stoke long-running violence between the two sides. Left unaddressed, the closure of Gaza constitutes an additional possible catalyst for armed conflict.

This section will contrast these mutually reinforcing trends with a growing tendency in Israel either to deprioritize resolving the conflict or to promote the outright annexation of Palestinian territory, formally scuttling any two-state solution. The public perception in Israel that the Palestinians rejected a generous territorial offer in the summer of 2000, and that Israel ended its control of Gaza in 2005 only to suffer Palestinian rocket attacks, has formed a near-consensus among Jewish Israelis that the creation of a Palestinian state is impossible — that it would damage Israeli security and that there is “no partner” on the Palestinian side. This has led to a focus on “managing” the conflict with the Palestinians, while settlements continue to grow and occupation infrastructure deepen. Meanwhile, President Trump’s first two years in office, particularly his recognition of Jerusalem as Israel’s capital and of Israel’s sovereignty over the Syrian Golan Heights, has further emboldened an existing segment of the population that seeks to annex parts of the West Bank. Neither of these visions comes close to meeting Palestinian demands, either for self-determination in an independent state or for equal rights in a unitary state. This disconnect alone virtually guarantees increased Israeli-Palestinian violence over the medium term.

## PALESTINIAN FRAGMENTATION AND POLITICAL DECAY

The Palestinian political system has been divided since the 2007 intra-Palestinian conflict. With the Fatah-Hamas split 12 years old and elections long overdue, the damage to Palestinian democracy is mounting. Neither Hamas in Gaza nor the PA in the West Bank is sovereign. Israel controls the things that matter in the occupied territory, including the movement of people and goods,

the electromagnetic spectrum, airspace, and water. Nevertheless, where they have jurisdiction, Palestinian authorities have become increasingly autocratic — notably more so than under the rule of Yasser Arafat in the 1990s.<sup>4</sup>

## BACKGROUND

In January 2006, Hamas won a majority in the Palestinian Legislative Council (PLC), the PA's parliamentary body. The election, monitored by international observers, was conducted in accordance with international standards. Its victory gave Hamas the right to form the PA cabinet and select the prime minister. Meeting after the election, the Quartet on the Middle East (the U.S., Russia, EU, and UN) asserted that any Palestinian government had to: (1) renounce violence, (2) accept prior peace agreements, and (3) recognize Israel to avoid a boycott by the international community. The Bush administration pushed for these conditions, which became known as the Quartet Principles, despite concerns expressed by other Quartet members at the time that they could not be implemented and would exacerbate internal Palestinian conflict.

Paradoxically, the principle of the “Quartet Principles” was not the problem. In the aftermath of the 2006 election, there was general agreement within the international community on the need to avoid violence, keep the peace process on track, and maintain contact between the PA and Israel. Though Israel cut relations with the PA, President Abbas was not boycotting Israel, and the Palestinian factions were observing a ceasefire. Grounds for pragmatic compromise existed. Despite Hamas' refusal to recognize Israel or renounce violence *de jure*, through its participation in the 2006 elections, Hamas had signaled a clear willingness to recognize the reality of the Oslo process.<sup>5</sup> Hamas also had maintained long-term ceasefires with Israel, and, since 2006, has repeatedly and publicly stated its openness to a “Palestinian state on the 1967 borders including East Jerusalem.”<sup>6</sup> This point was made again in a policy document, released by Hamas in May 2017.<sup>7</sup>

The problem was that articulating the Quartet Principles in such an explicit manner ensured that Hamas would reject them on political and ideological grounds. It is highly unlikely that Hamas will ever engage in *de jure* recognition of the State of Israel. Hamas is the militant Palestinian incarnation of the Muslim Brotherhood. This Islamist identity shapes the organization's worldview. Critical to this ideology is the belief that historic Palestine constitutes a sacred Islamic trust, such that any recognition of Israel on this territory would be sacrilegious. In addition, Hamas has long been sensitive to Palestinian public opinion. For a mass movement that has staked its political identity on “resistance” to Israel, formally recognizing Israel risks a significant backlash from their base of supporters.

This insistence of form over function was a serious mistake on at least two counts. First, the international community's strict adherence to the letter of the Quartet Principles squandered an opportunity to bring the largest rejectionist bloc in Palestinian politics into the framework of the peace process. Historically Hamas had played the role of a classic peace spoiler. In the 1990s Hamas operatives blew up buses, killing dozens of Israeli civilians, in an attempt to sabotage the negotiations. During the al-Aqsa Intifada, Hamas suicide bombers killed hundreds more. But by the mid-2000s, after years of grinding war, Hamas was signaling it could coexist with Israel. To be sure, hardline elements within Hamas, which seek all of historical Palestine, remain. However, hundreds of hours of talks have made clear that Hamas retains a pragmatic core of leadership that could be part of a solution.

Second, recognition of states is undertaken between states, not political parties. Prime Minister Benjamin Netanyahu's Likud Party does not support the creation of a Palestinian state, but this is not grounds for severing ties between the U.S. and Israel.<sup>8</sup> Diplomatic relations are not maintained between factions. The Oslo Accords were signed between the PLO, the Palestinian government in exile, and the State of Israel, not Fatah and the Israeli Labor Party. President Abbas and his Fatah faction continue to control the PLO — the institution with which the “prior peace agreements” were signed — and the PLO's position on recognizing Israel has not changed. The stance of one particular party, Hamas (with only limited representation in the PLO), did not necessitate upending the U.S. and the rest of the Quartet's relationship to the PA, which was created by and subordinate to the PLO.

Regardless, after the election, the U.S. and EU boycotted the new Hamas-dominated PA government. Donor aid from Western governments was either cut or re-rerouted around the PA cabinet to the Palestinian public.<sup>9</sup> For its part, Israel stopped transferring the customs revenues it collects at border crossings on behalf of the Palestinian government. These external pressures — amounting to a rejection, by Israel and the Quartet, of the results of a democratic election — added significantly to the tensions building within Palestine and contributed directly to the brief 2007 Palestinian civil war. That conflict saw Hamas-backed security forces seize control of the interior of Gaza, while forces loyal to Palestinian President Abbas drove Hamas underground in the West Bank cities, where the PA has jurisdiction. In the aftermath, President Abbas accused Hamas of having launched a coup, declared the Hamas government illegal, and formed an “emergency government” under the premiership of Salam Fayyad, based in the West Bank. Hamas and Fatah, and the Palestinian governments in the West Bank and Gaza, have been effectively divided since that time.

A series of reconciliation agreements have been signed in an effort to end

the split between Fatah and Hamas. One of these agreements, in the spring of 2014, led to the dissolution of the Hamas-backed cabinet in Gaza and the creation of one ostensibly unified government, based in Ramallah, though in practice governance has remained divided between the two territories. For most of the last decade, the PA government has exercised almost no authority in Gaza, and political activity by Hamas in the West Bank has been repressed by PA security forces loyal to the Palestinian president. The impasse has meant that the Palestinian legislature, with its Hamas majority, has never met in a full session since 2006, and President Abbas dissolved the Council in December 2018.<sup>10</sup> In addition, the terms in office of the Palestinian president and all the legislators have long expired, as the two dominant parties have been unable to agree on new elections.<sup>11</sup>

In April 2017, as part of a series of measures to pressure Hamas in Gaza, the PA reduced salaries to PA employees in the territory, causing significant damage to the local economy and indirectly impairing Hamas' ability to collect taxes. In October 2017, a combination of the PA's economic sanctions, pragmatic leadership from Hamas, and significant pressure from Egypt led to the signing of a new reconciliation pact. That Egyptian-brokered agreement, in turn, saw the first tangible step toward the reunification of the PA in the West Bank and Gaza. On November 1, per the timetable laid out by the Egyptians, Hamas vacated its posts at Gaza's border crossings with Israel and Egypt, allowing the PA to take control. Since then, however, the process stalled. The parties missed a February 1, 2018 deadline for reintegrating the West Bank and Gaza civil service and Hamas ultimately reestablished control of the border crossings.<sup>12</sup>

The fact that the handover of these crossing points constitutes the most significant step toward ending the division, since the 2007 Fatah-Hamas split, illustrates how intractable the divide has become. The history of failed reconciliation agreements past also highlights the many pitfalls that remain — if the Palestinians are actually to reunite their political system. Part of the challenge, over the last decade, has been the stance of Western governments. Throughout this period, the U.S. and EU have paid lip service in support of Palestinian elections. Despite ostensible support, however, without careful advance planning, the U.S. and at least some EU member states are likely to reduce significantly aid to any resulting government that would include Hamas cabinet ministers. This ambivalence has been a major factor preventing new elections, perpetuating the political split between the West Bank and Gaza.

Another significant external obstacle to Palestinian reunification has been the position of the Israeli government. In the aftermath of the 2006 election, Israel arrested dozens of newly-elected Hamas legislators.<sup>13</sup> Hamas legislators in the West Bank have cited fear of arrest by Israeli authorities as a major obstacle to holding new elections or persuading candidates to stand. Israel



also has sanctioned Palestinians when they elect candidates with whom Israel disagrees or when they move toward unification.<sup>14</sup> Israel stopped transferring taxes to the PA after the 2006 election, only resuming the payments when the Fayyad government was formed in 2007.<sup>15</sup> Israel has restricted the movement of PA officials, including government ministers, between the West Bank and Gaza,<sup>16</sup> while various Israeli officials have been explicit about a policy of “separation” designed to sever political and economic links between the West Bank and Gaza.<sup>17</sup>

Whatever the external obstacles to Palestinian reunification, disagreements between the dominant parties, Fatah and Hamas, remain at the core of the conflict. At one level, their dispute can be viewed as two interrelated sets of disagreements on concrete policy questions. The first includes: (1) resolving the payment of civil service salaries in Gaza, (2) control of Gaza’s borders, and (3) security sector integration and reform in the territory. The more substantive political questions revolve around: (1) the functioning of the PA government in Gaza, (2) organizing elections, and (3) the reform of the PLO and an agreed national Palestinian political program.<sup>18</sup>

The impasse on these issues is symptomatic of a more fundamental rift. Senior Hamas and Fatah leaders remain divided by deep, ideologically driven animosities, profound mistrust, and a basic struggle for power. Some Hamas leaders have come to view President Abbas and the PA not only as collaborators with the Israeli occupation but also as a spent political force. Hamas hardliners see their version of political Islam as the only way forward for Palestine, while believing that the collapse of Abbas’ PA is a matter of time. For his part, PLO Chairman and PA President Abbas frequently has demonstrated his own deep-seated resistance to any serious steps toward sharing power or constructively asserting the PA in Gaza. Abbas’ position as president of Palestine carries moral and symbolic authority, which could be used to pressure Hamas into accepting at least a partial reconciliation deal.

Deep animosity between the two sides, combined with a history of obstruction from the international community and regional actors, has made the internal Palestinian conflict nearly as intractable as the Israeli-Palestinian conflict itself. Yet, resolution of the former — including elections that inaugurate Palestinian leadership with a renewed democratic mandate — is necessary to secure a sustainable end to the latter.

There is also evidence that the Israeli public would support Palestinian reunification. There is little question that Israelis view Hamas as a key player in implementing a peace agreement. In a 2017 survey, commissioned for this report, 62 percent of all respondents said Israel should negotiate with both Hamas and Fatah for this reason, including half of the right wing, and roughly three-quarters of the center and left. In a 2016 survey, 73 percent of Jewish

Israelis supported including Hamas, indirectly, in negotiations, while 62 percent of Jewish Israelis gave this response in 2017.

## REPRESSION AND DECAY AT HOME

With no legislature and no elections on the horizon, Hamas authorities in Gaza and the PA in the West Bank effectively have been ruling by decree for years. A former PA minister and respected academic lamented the absence of elections:

*“Our institutions are decaying and are rotten, mainly because of the lack of elections. There’s no accountability because of the lack of elections — no new ideas, no new thoughts, no checks and balances, no injection of elements from the new generation into institutions.”*<sup>19</sup>

This deterioration of Palestinian political institutions has led to a decline in public confidence in the Palestinian leadership. In late November 2016, President Abbas’ Fatah faction convened its seventh party congress. The congress, which is supposed to be held every five years, is the largest gathering of Fatah leaders and is used to elect the party’s Central Committee, its highest leadership body. The seventh congress came two years late and amid increasingly bitter disputes, with President Abbas and his allies arrayed against former Fatah strongman Mohammed Dahlan, who was exiled to the UAE after a rift with the president. The 2016 congress saw Abbas unanimously re-elected as Fatah’s leader in a decisive and positive outcome for him. The election weakened Dahlan and his allies. However, in a survey conducted shortly after the congress, only one-third of the Palestinian public expressed “confidence in the ability of the new leadership to attain the goals Palestinians aspire to.”<sup>20</sup> Palestinian analyst Hani Masri warned that while the outcome strengthened Abbas, the exclusion of so many in the process was a “failure” for Fatah as a whole.<sup>21</sup>

The number of Palestinians identifying as independents, shying away from the factions, has been growing for years. More generally, since Abbas took office, he has increasingly relied on his security agencies, as opposed to his party, to bolster his rule. The PA security apparatus is now “a major part of the decision-making in the Palestinian Authority, and they are supportive of Abbas — even if this includes [committing] violations of human rights.”<sup>22</sup>

President Abbas’ reliance on his security forces comes as part of a larger worldview. Years of engagement by the author with a range of Palestinian officials and analysts have made clear that Abbas believes that the Second Intifada, with its armed Palestinian attacks on Israeli civilians and security forces, was an enormous strategic mistake. He fears that sustained confrontations of any kind

(whether nonviolent demonstrations or stone throwing) between Palestinians and Israeli security forces will evolve into armed Palestinian attacks. He was elected in 2005 on a platform of demobilizing the Palestinian militias that had sprung up during the Second Intifada, a promise he carried out in the West Bank. Since that time, in the cities under his jurisdiction (some 18 percent of the West Bank), the default policy of Abbas' security apparatus has been to prevent, wherever possible, confrontations between Palestinians and Israel.

The primary focus of the PA security apparatus in the West Bank has been Hamas. Palestinian security services should be credited for those cases where they have prevented armed attacks against Israeli civilians. In so doing, Abbas has demonstrated a willingness to take actions that are controversial at home but have nonetheless saved lives.<sup>23</sup> Further, Abbas is not wrong to be concerned about the potential for Israeli-Palestinian violence. Without a carefully agreed national strategy and legitimate leadership that could carry out a nonviolent struggle, there is a real potential for frustrated Palestinians to take up arms against Israeli civilians, as has happened in recent years.

However, Hamas militants have not been the PA's only focus. For years, PA security has taken a broad approach, also targeting political and social activists with ties to Hamas. Typically, such individuals are charged with money laundering. Hamas officials in the West Bank have long made clear that their affiliates have no space in which to operate, even for nonviolent political activity.

As disputes within Abbas' Fatah faction have escalated, PA security also has targeted his Fatah rivals, again on specious grounds.<sup>24</sup> The PA has deployed police to prevent Palestinian demonstrators from reaching Israeli checkpoints, and has used its intelligence service to monitor, harass, and detain even purely nonviolent Palestinian activists, some simply for critical Facebook posts.<sup>25</sup> Despite President Abbas' stated support for nonviolent "popular resistance," his security forces routinely harass Palestinians involved in these activities.<sup>26</sup>

The environment in Gaza is no better. Hamas-backed security forces there have arbitrarily detained, tortured, and even killed political rivals. Hamas continues to maintain tight control of political activity not only by Fatah, but also activities undertaken by nonviolent, independent activists. Demonstrations calling for better electricity service (in a territory with 18-hour-a-day blackouts) have been broken up forcefully. Peaceful protests calling for national unity — an issue on which all Palestinians, including Hamas, ostensibly agree — have been dispersed violently, with protesters arrested. After the March 2017 assassination of a senior Hamas militant in Gaza, Hamas security forces began questioning Gaza residents en masse. They even prevented, for a time, Palestinian patients from exiting Gaza for medical treatment.

The lack of political space within both the PA-controlled West Bank cities and Hamas-dominated Gaza was a frequent theme in the author's discussions with a range of Palestinians. According to a veteran analyst, this repression has resulted in "a huge separation" between the system that is supposed to represent Palestine and "the people."<sup>27</sup> In the words of a female activist in Gaza:

*"Our governments are not allowing anyone to do anything good. If any guy on Facebook shares something about his views and the future of Palestine, in Ramallah or the West Bank, if anyone talks about the mistakes of the government — I mean Hamas or Fatah, both sides — they take and arrest him, torture him in prison. ... In Gaza, Fatah youth are not allowed to do anything, not even to post on Facebook. They are so intimidated."*<sup>28</sup>

A Palestinian activist in Jerusalem was explicit:

*"The Palestinian Authority ... is perceived by the Palestinian people as a contractor of the occupation. Now it's clear to us that this authority is not really interested in, or at least not effectively working towards, any type of Palestinian liberation. It is keeping the status quo. It is doing the job for the Israeli authorities, arresting political activists and putting off demonstrations, keeping the Palestinian people on a leash."*<sup>29</sup>

She continued, Fatah is "clearly collaborating with the occupation authorities," while "Hamas is just trying to deepen its grip over the people" of Gaza. "Our own political leadership is becoming more and more fascist towards us." They are becoming "a mirror of the Israeli occupation authorities. ... Now people are more worried about their own [Palestinian] police than the Israeli police in the West Bank. Without getting rid of this Palestinian Authority shackle, we will not be able to get rid of the Israeli occupation shackles."<sup>30</sup>

The slow collapse of the Palestinian political system has had two particularly serious consequences. First, it has made it nearly impossible for Palestinians to agree on a new national strategy. Second, it has created significant obstacles to a smooth political transition when President Abbas eventually leaves office.

#### *DIVISION AND A LACK OF STRATEGY*

This combination of a repressive political environment under the jurisdiction of Palestinian authorities in the West Bank and Gaza and Israeli policies designed to divide Palestinians physically has led to the increasing fragmentation of the Palestinian national movement. A Palestinian journalist summarized Israel's role in this process eloquently:

*“Israel has mastered the art of fragmenting our worries. Each of us carries so many burdens related to the occupation that it’s becoming harder and harder to rally around one thing. There’s competition between the different worries and tragedies on the agenda, whether it’s prisoners, home demolitions, checkpoints, the blockade [of Gaza]. ... [The Israelis have] fragmented ... our perspective to the point where there are bubbles of activism. ... Prisoners only ... home demolitions only, water. But the general picture of Palestine being under occupation is increasingly missing, which is tragic because it serves the purpose of Netanyahu ... and it sets us back.”*<sup>31</sup>

Similarly, Dr. Mahdi Abdel Hadi, chairman of the Palestinian Academic Society for the Study of International Affairs, argued, “We used to speak of the Palestinian cause, Palestinian aspirations.” Instead, both the Palestinian agenda and their geography have atomized. There are “three separate entities,” Hadi said. Gaza is “a different world.” The West Bank is divided into “cantons,” and “Jerusalem is totally isolated.” There is “no connection with the diaspora.” As a result, Palestinians are focused on local issues. “You go to Nablus, you talk about [a] Nablus agenda.” Everything is “isolated, closed.” There’s a political and cultural “separation between Balata Refugee Camp and the city” of Nablus, even though they constitute a contiguous urban space, he said.<sup>32</sup>

Even before President Trump’s recognition of Jerusalem as Israel’s capital — which Palestinians perceive as having stripped away any remaining veneer of American impartiality — there already was widespread agreement among Palestinians in the occupied territory that the strategy of waiting for U.S.-backed negotiations to deliver their independence has failed. This consensus explains, in part, why consistent survey data demonstrate that two-thirds of Palestinians in the West Bank and Gaza have wanted Palestinian President Abbas to resign.<sup>33</sup>

However, the combination of political and physical divisions within the Palestinian community (which are in large part engineered by Israel) makes it difficult for Palestinians to engage in a sorely needed conversation on what to do next. What should their national goals be and how should they reach them? The Fatah-Hamas conflict is “destructive to the ability of the political system to come together and act in a rational way.”<sup>34</sup> At the same time: “Due to the division and isolation ... the communities themselves are not able to meet and strategize. ... They are failing to discuss far future resolutions or solutions. ... Palestinians are busy surviving. They are busy securing a home to live in and income, a job.”<sup>35</sup>

Over the years, various Israeli governments have viewed the Palestinian national movement as a threat, which they have targeted accordingly. Former Prime Minister Menachem Begin’s 1982 invasion of Lebanon targeting the

PLO and moves by the current Netanyahu government to undermine Abbas and the PA are just two examples. Today, Israel has succeeded, to a degree not seen in decades, in profoundly weakening Palestinian political parties and governing institutions. Additionally, Palestinian leaders from Hamas and Fatah, through their inability to resolve their differences, have played directly into Israel's strategy, further discrediting themselves in the eyes of their public. Israel is likely to regret this "success."

### SUCCESSION QUESTIONS

No one can predict how much longer President Abbas will remain in power. While he has been hospitalized occasionally, there is no definitive evidence that his health is failing. On the contrary, he continues to execute the functions of his office, while remaining in the public eye.<sup>36</sup> Abbas also retains firm command of the PA security forces, and the November 2016 Fatah congress allowed him to claim dominance of the party.

Were Abbas to die in office, the Palestinian Basic Law outlines a clear plan for succession. According to Article 37, paragraph 2 of the Basic Law:

*"If the office of the President of the National Authority becomes vacant ... the Speaker of the Palestinian Legislative Council shall temporarily assume the powers and duties of the Presidency of the National Authority for a period not to exceed sixty (60) days, during which free and direct elections to elect a new President shall take place in accordance with the Palestinian Election Law."<sup>37</sup>*

The Basic Law was followed when President Arafat died in 2004. However, when Abbas exits, the smooth transition of power in 2005 almost certainly will not be repeated. Hamas legislator Aziz Dweik was elected speaker of the PLC after the 2006 election. While Hamas has insisted that the speaker should assume the transitional role prescribed by law, in the event of Abbas' death, it is extremely unlikely that Fatah would support this. President Abbas has dissolved the PLC, thus allowing him to argue that Dweik has no claim to serve as interim president. In conversations with the author over several years, Fatah officials in the West Bank repeatedly have dismissed the idea out of hand.

The terms in office of the PLC members and the president are long expired, and President Abbas can argue that the PLC no longer exists (though the legal basis for this is highly dubious).<sup>38</sup> But none of this provides a way around the Palestinian Basic Law, which would still presumably require that Dweik become interim president. The PA has no position of vice president. While such a post could be created, the only legal route would be to convene the now dissolved-PLC to pass an amendment to the Basic Law with a two-thirds

majority. With Hamas commanding a majority in the body, it is extremely unlikely that Fatah will call a session, much less that the requisite two-thirds could be mustered.

Fatah officials have emphasized that the PLO (which Fatah controls) is Palestine's highest political reference. They assert that, whenever Abbas leaves the scene, the PLO will select a new leader from Fatah's ranks, and that person will be their candidate in elections, which the PLO would oversee. This idealized vision glosses over divisions within Fatah. The author's consultations emphasized that a number of Fatah leaders have presidential ambitions. Not only did the 2016 Fatah congress not address the question of presidential succession, but the outcome may have further complicated the matter. If the congress pointed to any heir, it would be Marwan Barghouti, who received the highest vote total. Barghouti remains in an Israeli jail, however, making it difficult for him ever to serve as president.<sup>39</sup> The idea of a Fatah/PLO-managed transition also takes no account of how Hamas would react to a move that not only has no legal basis, but also disadvantages the party politically. If presidential elections were called on the shaky legal grounds that Fatah envisions, it is unlikely that Hamas would participate in the West Bank or allow a vote in Gaza. Elections in the West Bank alone could cement a long-term political division between the West Bank and Gaza, and any Palestinian president elected under such conditions would have a dubious mandate at best. Voter turnout for a West Bank only election is likely to be low.<sup>40</sup>

## GAZA: ISOLATION AND INSTABILITY

A further source of instability is Israel's ongoing closure of Gaza. Israel withdrew its settlers and soldiers from Gaza in 2005, but it did so without giving up control of the territory. Gaza is not a sovereign state. Births in Gaza are recorded in an Israeli-run population registry. The movement of people and goods at crossing points between Israel and Gaza is severely limited. Israel destroyed Gaza's airport in 2001 and has never allowed it to reopen. Israel also controls and blockades Gaza's coastline. Because it retains "effective control," the UN and the International Court of Justice have confirmed that Israel remains responsible for the territory and that its residents continue to be entitled to the protections of the Fourth Geneva Convention.<sup>41</sup>

The 2006 capture of Israeli soldier Gilad Shalit and the Hamas takeover of the territory the following year saw Israel's closure of Gaza reach its zenith, but the first widespread Israeli controls on the movement of Palestinians from Gaza go back to 1991.<sup>42</sup> Since that time, Israel has gradually increased such restrictions. Israel built the first fence around Gaza in 1994. By 2000, on the eve of the Second Intifada, most Palestinians could not leave the territory, though

approximately 30,000 laborers still entered Israel daily. The vast majority of those workers lost their permits with the outbreak of the second uprising.<sup>43</sup>

Besides sealing three of Gaza's four commercial crossing points, the bureaucratic backbone of Israel's closure policy is the "dual use" item list. Israel prohibits a wide array of commercial products from entering Gaza, arguing that they could have both civilian and military applications. The Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies governs the movement of dual-use goods around the world. Participant states include the U.S., Russia, Japan, and most EU members. The Arrangement regulates an array of items, from conventional weapons up through certain forms of plutonium and uranium-titanium alloys. Israel's dual-use list for Gaza is vastly broader, including restrictions on plywood thicker than one centimeter, wire for soldering, cement, steel, and an array of other basic products used in construction and manufacturing. Restrictions on items deemed "dual use" are so encompassing that they make the development of a healthy economy impossible and have hampered reconstruction from the last war. Factories have shut down, unable to import needed materials. The World Bank estimates that easing dual-use restrictions in Gaza could lead to 11 percent GDP growth per year — reversing years of economic contraction.<sup>44</sup> Israeli restrictions on imports, as well as on access to the sea and areas near the border fence, also have had a devastating impact on fishing and agriculture.<sup>45</sup>

The end result of these policies is that, in 2018, 68 percent of the population was food insecure<sup>46</sup> and 52 percent of residents were unemployed.<sup>47</sup> Eighty percent of the population is dependent on foreign assistance. Overall, from 1994 to 2015, Gaza's GDP increased by 2 percent, compared to an average increase in the Arab world of 244 percent over the same period. According to the World Bank, "In the absence of conflict and blockade, one would expect Gaza's GDP to [have increased] by at least as much as 250 percent over the past 20 years."<sup>48</sup> A July 2017 UN report supported earlier predictions that Gaza will be "unlivable" by 2020, if not before, due to the combined economic and environmental impacts of the closure, armed conflict with Israel, and the Palestinian political impasse.<sup>49</sup>

These conditions have had an enormous negative impact on people's daily lives. In the words of one young activist:

*"The siege is affecting our mentality, our psychology. The vast majority aren't thinking about how to develop Gaza. ... People don't have a vision for the future. They don't know how they will find food, so how will they think about the future of their country? ... I cannot imagine that the blockade would be lifted one day, that the border would be open. ... Now, it's impossible to go back to where things were in the 1990s. The world is developing very fast, and we are going backwards very fast.*



*How can we become like some developed countries, or even Arab countries?”<sup>50</sup>*

The closure has reached the point that fishermen celebrate when the fishing zone is increased from six to nine miles, though they have the right to go up to 20 miles per the Oslo Accords.<sup>51</sup> A Palestinian civil society activist summarized Israel’s approach:

*“Israel believes Palestinians need food, water — that’s it. Israel hasn’t accepted that we’re a real people, and that we need a real solution. They think we just have basic needs — food, work, sleep. Israel believes Palestinians shouldn’t have civil or political rights. But people can’t live on electricity and water alone.”<sup>52</sup>*

## THE ISRAELI CONSENSUS: NO PARTNER, NO SECURITY

Even accounting for the corruption scandals ensnaring Prime Minister Netanyahu, the Israeli political system is not experiencing the kind of profound crisis playing out on the Palestinian side. Elections are held, and the government is seen as largely legitimate. Israel also is better integrated into the international community and global economy than at any point in its history. That said, the overall drift of Israeli policy vis-à-vis the Palestinians has become ever more conservative. On February 6, 2017, for the first time since Israel started building settlements in the West Bank, the Knesset passed a law to legalize retroactively virtually all settlement outposts, which had been considered illegal, even under Israeli law. The controversial bill, which was approved against the recommendation of the judiciary, applies to settlers who built their homes on privately owned Palestinian land. In the summer of 2018, Israel passed a new Basic Law (the Israeli equivalent of a constitutional amendment) that enshrined Hebrew as the official language, while downgrading Arabic. It asserted that the “fulfillment of the right of national self-determination in the State of Israel is unique to the Jewish people.” The law also defines Jewish settlements as a “national value” that the state vows to “promote.”<sup>53</sup>

One result of the rightward drift of Israeli politics has been a demonization of the left, particularly Israeli organizations working to counter occupation policies or advance Palestinian rights. It is important to put these moves into context of the broader phenomenon of illiberal democracies. An Israeli political scientist and public opinion expert stated, “The trends are not good, but we are far from being a nondemocracy within the Green Line [Israel’s 1948 border]. Palestinian citizens of Israel live with discrimination — but that

doesn't mean Israel is nondemocratic.”<sup>54</sup>

That said, in recent years, Israel's government has taken steps to demonize the work of Israeli human rights organizations.<sup>55</sup> Some groups and their leaders have been targeted for criticism in the media by government officials and right-wing groups.<sup>56</sup> One Israeli employee of a human rights organization noted, “I had trouble finding a roommate ... because of the work I do here.” There is increasing “intolerance for any ideas even slightly outside of the [conservative] consensus.” Even former Shin Bet officials who have spoken out against the occupation have been criticized. Overall, the space for “discourse and freedom of speech” is shrinking.<sup>57</sup>

Secular Israelis are particularly concerned about the country's growing religiosity. Looking to the future, a former Knesset member worried that Israel will be “religious with secular autonomy here and there. Legislation in next 10-15 years will confine Israel to Jewish law.” He lamented, “There was an attempt to build a new modern Israel — it's a lost case.”<sup>58</sup>

The International Crisis Group's senior analyst argued that the narrative that Israel is “becoming more religious, conservative, and fundamentalist,” making a two-state solution less likely, is “overly simplistic.” Rather, he suggested,

*“Religious Israelis are trying to get more and more liberal autonomous powers. They want to control their own destiny. More religious people want to live according to Jewish law but not the [rulings of] rabbis. More rabbis are ruling in ways that were previously prohibited. ... Contrary to what they say, many religious people vote for nonreligious parties, and some just don't vote at all.”*

He argued that Israel is in “an identity crisis,” but the fault line is “between being primarily Israeli or Jewish.” This schism should be the “spectrum” for measuring left versus right, more so than looking at who is for and against two states.<sup>59</sup>

At workshops in November 2016, Israeli participants discussed at length questions of communal identity within Israel, the role of religion, and how these issues are impacting the conflict with the Palestinians. Participants echoed concerns heard in the author's discussions with Israeli interlocutors for nearly a decade. They described Israeli society as increasingly divided into sectors or “tribes.” These include Palestinian/Arab citizens of Israel (approximately 20 percent), Ultra-Orthodox (Haredim, over 20 percent), national religious (approximately 20 percent), and the remaining secular Ashkenazi elite who founded the state but have seen their societal dominance declining. Participants argued that the divisions between these groups are growing. Many hold profoundly conflicting views on the nature of Israeli identity and the role of Judaism therein. Participants suggested that these internal conflicts distract

Israel from being able to address the conflict with the Palestinians, much less agree on a solution.

Related to these internal dynamics, for some years increasing evidence suggests that Israelis simply do not see resolving the conflict with the Palestinians as a top priority. In a November 2016 survey commissioned for this report, just 23 percent of Israelis said “resolving the Israeli-Palestinian conflict” is one of “the two most important problems in Israel today.” In a July 2017 follow-up survey, nearly half of Israelis admitted that resolving the conflict based on a two-state accord is not a “burning” need.<sup>60</sup> A small majority, 52 percent, responded that it is a burning need. Consistent with most of the issues tested, Arab/Palestinian and Jewish citizens of Israel showed opposing views: Among Arabs a near-consensus of 88 percent said it is a burning need, but just 44 percent of Jews agreed. In the 2016 survey, resolving the conflict with the Palestinians came in fourth on a list of national priorities. Israelis ranked “addressing the economy/cost of living,” as their “most important” problem. The summer of 2011 saw the largest social movement in Israeli history, which at one point had over 400,000 people in the streets. Thousands camped out in downtown Tel Aviv. The object of these demonstrations was not peace, nor any issue related to the Palestinians; rather, it was a protest against the rising cost of living. Issues related to the conflict were deliberately kept off the table for fear of upsetting the broad coalition that had coalesced around an economic agenda.<sup>61</sup>

Additional factors also push the conflict with the Palestinians to be a lower priority. First, most Israelis do not encounter Palestinians regularly. Around 100,000 Palestinians work in Israel daily, but they tend to be clustered in construction, agriculture, and some service jobs. A June 2016 survey found that 52 percent of Israeli Jews said they had “not visited or traveled in the West Bank in the past five years.”<sup>62</sup> In addition, for those who do venture beyond the Green Line border, Israel has succeeded in creating a nearly seamless geography, with excellent infrastructure and Hebrew-language street signs, such that there often is no visible difference between communities inside Israel and the settlements. For many Israelis, the 1967 border no longer exists. They do not see it, “not even on the weather map.”<sup>63</sup> In an April 2016 poll, 44 percent of Israelis were “sure” that “Israel’s control over the territories should not be defined as an “occupation,” plus another 18.2 percent who “think” it is not.<sup>64</sup> In the words of one Israeli activist, “Israelis can ignore the occupation and forget it’s there. The escapism is so deep.”<sup>65</sup>

In the context of this overall rightward shift and the de-prioritization of the conflict, two particular trends, which are not new, have negative implications for the long-term prospects for resolving the conflict. First is the Israeli perception that there is “no partner” for a deal on the Palestinian side. Second

is the belief that any withdrawal from the West Bank will make Israel insecure. These perceptions in Israel have dominated the public debate for several years, and this report is not the first to highlight these trends. The problem is that the current consensus in Israel leads to a lack of focus on resolving the conflict at the historical moment when Palestine's internal political crisis (which is in good measure engineered by Israel) and the closure of Gaza are likely to stoke increased violence.

## THE PALESTINIANS ARE DIVIDED AND/OR TERRORISTS

After the collapse of the July 2000 Camp David talks, former Prime Minister Ehud Barak inaccurately blamed Palestinian leader Arafat for the failure. With the outbreak of the Second Intifada only months later, the narrative that there was “no partner” on the Palestinian side became seared into the Israeli consciousness: Barak had made a “generous offer;”<sup>66</sup> Arafat spurned this and instead opted to send suicide bombers to target Israeli civilians. Any effort to resolve the Israeli-Palestinian conflict today must take this perception into account. It creates a self-fulfilling prophecy. Even those Israelis who would have no objection to dividing Jerusalem and giving up the West Bank may not feel inclined to vote for candidates supporting a viable two-state solution. According to this line of reasoning, it does not matter what Israel does, or what it offers to the Palestinians, because the Palestinians are innately opposed to Israel. Palestine's internal political divisions have only reinforced the sense that there is no partner on their side.

Among Israeli Jews, 68 percent believe “Palestinians cannot be trusted;” only 43 percent believe that Palestinians “want peace.”<sup>67</sup> A 2014 survey found that 77 percent of Israeli Jews believe that “Palestinians have proved themselves to be unreliable,”<sup>68</sup> while in a December 2012 survey, 62.4 percent of respondents said there was no viable Palestinian partner for peace.<sup>69</sup> This sentiment has been reflected in the author's discussions with Israeli interlocutors over a number of years, including in interviews for this report. “Most Israeli Jews do not believe in the existence of a partner. Many talk about options for a solution, but they don't see it in the cards. It's not alive in their consciousness.”<sup>70</sup>

Related to this sentiment is the concern that the Palestinians' internal political woes mean that they are incapable of governing themselves. The current chaos in the Arab world augments these fears. A reserve general and former member of Israel's negotiating team noted that increasing numbers of Israelis believe the Palestinians are not “mature enough” to manage a state.<sup>71</sup> Similarly, according to a retired senior officer:

*“When you come to Israelis and say, ‘We are moving towards one state, so you must support two states,’ the question is: How? With who? ... I'm*

*talking about people from the center, center-right, center-left — [people] that think one state is a nightmare. There is no partner. There was a partner, but now, realistically, I have big doubts. If we give them the keys to a state, if we recognize it, Jerusalem, refugees, all core issues, etc., can the Palestinians pick it up and ... be a responsible partner that will maintain their obligations? [Can they] bring Hamas and Gaza into it?”<sup>72</sup>*

A right-leaning analyst raised similar concerns:

*“Israelis feel that they won’t profit from a peace agreement. They see what’s happening on the Palestinian side. We are not perfect, but our core values, even at the extremes, are democratic and liberal. Palestinians are separated between Gaza and West Bank. They have no elections. They have no leadership that can compromise. They still demonize Israel.”<sup>73</sup>*

A senior Israeli academic noted that the “no-partner narrative” is strengthening in part because it is tied to a deeper narrative, which posits that “this is a country of Jews from the Jordan River to the sea. There were no Palestinians here.” “A lot of people believe this and they refuse to hear the Nakba [Palestinian] narrative. ... Israelis are increasingly unaware or in denial about the Palestinian narrative,”<sup>74</sup> she said. As an example of this trend, in 2016 Israel’s Foreign Ministry was criticized for releasing a satirical video depicting a Jewish Israeli couple who see their apartment “invaded” by a series of peoples from ancient Assyrians to modern Palestinians. The video suggests a negation of any historic Palestinian presence.<sup>75</sup>

## WITHDRAWAL WILL MAKE ISRAEL INSECURE

Since the start of his second premiership in 2009, Netanyahu has dominated Israeli politics. The 2009 election marked a resurgence of the Israeli right that continues to the present. Netanyahu’s victory drew in part upon the degree to which the no-partner narrative had discredited the Israeli left. Netanyahu also was re-elected on the heels of the 2008-09 Israel-Gaza war. By that point, in the eyes of many, Israel’s 2005 “disengagement” from Gaza appeared to be a mistake. While the disengagement did not in fact end Israeli control of Gaza, a narrative took hold among the public that Israel had ended its occupation, and this gesture was answered with Palestinian rockets.<sup>76</sup> This perception fueled new fears that any future Israeli withdrawals from the West Bank would lead to similar Palestinian attacks.

Israeli threat perceptions in the context of a possible peace agreement are grounded in a much wider Jewish historical experience of persecution and fear.

This point has been raised repeatedly in the author's engagements with Israeli interlocutors over many years. Many Israeli Jews view Palestinians as simply the latest historical group in a long line that seeks to hurt them. This theme also was raised in workshops convened for this report. As one Israeli academic and Holocaust scholar put it, people will never feel totally secure because of the Holocaust. "We all live in the house of the Holocaust. Netanyahu and the right wing in Israel exploit this."

In this context, the erroneous Israeli perception that the occupation of Gaza ended in 2005 — yet Palestinians from Gaza continue to shoot at them — is particularly impactful. It has generated a widespread view, on the left and right, that further withdrawals would be risky. According to a prominent conservative activist: "The unilateral disengagement — we tried it. We did an experiment in 2005 with Gaza. Withdrawal led to greater threat and terror."<sup>77</sup> Speaking in 2015, then opposition leader Isaac Herzog echoed this sentiment: "Without a doubt, from a security perspective, the disengagement was a mistake."<sup>78</sup>

Fears instigated by the Gaza withdrawal have intersected with increasing arguments from the right that settlements actually strengthen Israeli security. Evidence suggests that this line of reasoning may be affecting public perceptions. In a Pew survey conducted from October 2014-May 2015, 42 percent of Jewish Israelis said "settlements help Israel's security," while 30 percent said they "hurt Israel's security." In 2013, according to Pew, 35 percent said settlements "hurt Israel," while 31 percent said they "help."<sup>79</sup>

The belief that no Palestinian partner exists, the lack of exposure to Palestinians, and years of efforts to erase the border and normalize the occupation have combined to lead to the current Israeli consensus on continuing the status quo. As the International Crisis Group's Olfert Zalzberg suggested, this is not a simple case of increased religiosity driving a more hardline position vis-à-vis the Palestinians. A former Knesset member with the Zionist Camp summarized the consensus as follows:

*"Let's not be in love with a solution. We cannot solve [the conflict] today. Let's think about how to reduce terrorism, maybe ease Palestinian life a bit, but it's not a primary goal. We are pragmatic. ... You see turmoil in Middle East, the lack of Palestinian unity, so how can you tell us to separate from the [Palestinian] territories?"*

This view represents the "normative, middle class, secular consensus," the legislator said. These Israelis believe "it is pragmatic to manage the situation, so they will continue to vote Likud." They realize the current relationship to the Palestinians is "not ideal," but they feel that any more significant steps would "risk stability."<sup>80</sup> The same point is reflected in "stable" survey data that shows that "Israelis accept the concept of the status quo. They don't believe a process

will yield a two-state solution.” Rather, there is an acceptance of living “without any expectation of a solution. There are no protests. People just deal with the situation.”<sup>81</sup> Whether the Israeli government has made “a decision” to continue with the status quo or the policy is the result of inertia, there is no “statement on a vision for Israel from the government, and the people do not demand it. No one is really asking: ‘Where are you taking us? What is your policy?’ We prefer not to deal with this heavy issue.”<sup>82</sup>

## ENDNOTES

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2. BBC News, "Israel starts work on first new West Bank settlement in 20 years," (June 20, 2017), accessed February 2, 2018, <http://www.bbc.com/news/world-middle-east-40339768>.
3. In 2014, among national-religious Jews (some 600,000 Israelis), 75% supported ascension to the Esplanade. The issue also has gained resonance among secular Israelis, including many who see the right to pray at the site as a matter of freedom to worship. Increased visits to the site by religious Jews have come in the context of decreased Palestinian access to East Jerusalem, including the Esplanade. The combination of increased Israeli interest in visiting and rising Palestinian fears of exclusion from a location so central to their national identity constitutes a new volatile challenge that must be addressed in any final status agreement. For more information see: International Crisis Group, "The Status of the Status Quo at Jerusalem's Holy Esplanade," (June 30, 2015), <https://d2071andvip0wj.cloudfront.net/159-the-status-of-the-status-quo-at-jerusalem-s-holy-esplanade.pdf>.
4. Arafat also, at times, undermined his legislature and used his security forces to persecute rivals. But there was, in those days, a more meaningful push and pull between the executive and legislative branches of the PA, and his security forces were more circumspect when dealing with the public. Now, it is common in Ramallah to hear stories of Palestinians being detained by PA security, simply because they were overheard making a joke at President Abbas' expense. A senior Fatah official told the author, "Abbas has 10 times more power within the PA than Arafat ever did."
5. Hamas had boycotted the 1996 PA elections, arguing that Israel, and any peace process with it, were illegitimate. They held that the elections that year were similarly illegitimate, as they were a product of the Oslo Accords.
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9. See for example: European Commission, "EU contributes €105 million to the Temporary International Mechanism for the Palestinians," (June 23, 2006), accessed June 30, 2019, <https://reliefweb.int/report/occupied-palestinian-territory/eu-contributes-%E2%82%AC105-million-temporary-international-mechanism>; European Union, "EU contributes €105 million to the Temporary International Mechanism for the Palestinians," (June 23, 2006), accessed March 21, 2018, file:///C:/Users/Nathan%20Stock/Downloads/IP-06-831\_EN%20(1).pdf.
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11. The PLO's Central Council has unilaterally extended President Abbas' term in office. As such, the president's supporters argue that his presidency continues to have legal validity – despite his having been elected to a four-year term in 2005.
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- Accords, established in the 1990s, Israel and the occupied territory form a customs union. Israel collects import taxes on goods brought in via Israeli-controlled crossings bound for the West Bank and Gaza. These Palestinian tax revenues, which Israel normally turns over to the PA on a monthly basis, constitute two-thirds of the PA's operating budget.
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  20. Palestinian Center for Policy and Survey Research, "Palestinian Public Opinion Poll No (62) " (December 13, 2016), accessed December 27, 2016, <http://www.pcpsr.org/en/node/676>.
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  22. Electoral Analyst Tahsin Alawneh, interview by Author, Ramallah, August 17, 2016.
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  26. Palestinians working with the anti-wall movement and nonviolent "popular resistance" activists in the West Bank and Gaza have relayed to the author stories of harassment and detention by Palestinian security forces.
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  28. Palestinian Youth Activist, interview by Author, Gaza City, November 1, 2016.
  29. Grassroots Jerusalem Fayrouz Sharkawy, interview by Author, Jerusalem, August 30, 2016.
  30. Ibid.

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## CHAPTER FOUR

# CONFLICT DRIVERS IN THE ABSENCE OF INTERVENTION

**I**srael's consensus on managing the conflict is a recipe for further violence. This section will explore two possible medium-term outcomes springing from Palestine's political crisis. One scenario describes how the conflict may evolve if President Abbas is succeeded by someone who attempts to continue his policies of close security coordination with Israel. The second, more likely scenario outlines possible impacts of a succession crisis after Abbas' departure. Both invariably will lead to further conflict with Israel in the absence of international intervention.

## THE "STATUS QUO" IN PALESTINE

The problem for the Palestinians, and with the conflict more generally, is that there is no "status quo." The situation on the ground is not static. In the West Bank, under the current Israeli government, the "status quo" means

that settlements continue to expand, Palestinian displacement increases, and occupation infrastructure deepens. Per the current “status quo,” Prime Minister Netanyahu criticizes Abbas for incitement, yet continues brisk security coordination with the PA. Israel neither grants the PA additional territory or prerogatives, nor annexes outright West Bank territory. This approach generally spares Netanyahu criticism from abroad and, for the most part, opposition from his base, but it generates constant tension among West Bank Palestinians. In Gaza, the “status quo” means a continuation of the current siege, which strangles prospects for economic growth, stymies even basic infrastructure development, and leaves the territory on the brink of the next armed conflict with Israel.

The following section will explore how the “status quo” will fare in the West Bank and Gaza if Palestinian governance continues its current authoritarian bent, during or after Abbas’ tenure. Thereafter we will consider the impacts of a succession crisis on the Israeli-Palestinian conflict.

## WEST BANK

On the question of Palestinian succession, Netanyahu tends to side with Israel’s professional security bureaucracy (the IDF, the Shin Bet), whose members “prefer business as usual.” Ideally, for the security establishment, “when Abbas steps down they will find someone to duplicate Abbas. Maybe Palestinian intelligence chief Majed Faraj. This system works well for Israel, so there is no reason to replace it.”<sup>1</sup> The problem is that authoritarian PA governance is not sustainable — even if a new Fatah strongman manages to consolidate power after Abbas leaves the scene.

The combination of repressive PA governance under overarching Israeli military control, with no political horizon, cannot last. The PA directly controls only 18 percent of the West Bank, and even then Israeli security forces raid this territory at will. It is one thing to be the head of a sovereign state, where the ruler has a monopoly on the use of force and the resources of the state to dole out patronage. But the Palestinian president has neither. He manages a disconnected archipelago of city-states amid a West Bank controlled by Israel, whose settlement activities and occupation infrastructure expand daily. The Palestinian people are subject to violence by the occupying power, which the Palestinian leadership cannot stop. Israel even controls most Palestinian government tax revenues. The Palestinian people are left buffeted by oppression from their own security forces, the Israeli military, and Jewish settlers. If current trends continue, this is a recipe for increased violence. The sense of isolation and frustration being experienced by young Palestinians guarantees as much.

In discussions with Palestinian interlocutors over the last few years, in interviews, and in workshops for this project, the author heard significant concerns about the state of Palestinian youth. More than 70 percent of Palestinians in the West Bank, Gaza, and East Jerusalem are under age 29.<sup>2</sup> Palestinian young people today lack avenues for participation within their political parties, and Fatah and Hamas have been unable to agree on holding elections, whether local or national. A July 2017 survey of Palestinian youth, ages 18-30, in East Jerusalem, the West Bank, and Gaza, commissioned by Birzeit University for this report, found that a mere 13.1 percent had participated in national Palestinian elections, and only 27.1 percent had participated in student elections.

More generally, the Palestinian political parties “are unable to communicate and to connect with youth. ... They are unable to offer them a vision. They are unable to simply talk to them about the realities on the ground.” This communication gap has led to “serious” questions about the parties’ mandate to represent the Palestinian people, particularly youth.<sup>3</sup> On the ground in the occupied territory, the Palestinian national movement no longer captures the imagination of young people. It does not attract the masses. The leadership is seen as infighting, and party affiliation, if any, is increasingly a function of family connections to a particular faction, as opposed to some underlying political conviction or ideology. According to the Birzeit survey, only 38 percent of Palestinian youth found “activities and events organized by the Palestinian political parties” to be “important” or “very important,” versus 62.1 percent who assessed political party activity as “neutral,” “not very important,” or “not important.” Over 80 percent had never participated in an activity organized by a political party. Today, there is no “cradle or incubator” to bring the ideas of young people into the political system. When youth organize to do volunteer work, “the first thing they put on their Facebook page is that ‘we are not a political faction.’ They see the lack of political affiliation as a ... note of credibility, because if you’re affiliated with a political faction, then you’re ... corrupt.”<sup>4</sup>

As one Palestinian activist in Jerusalem put it, the youth are “fed up with everyone. They are fed up with our own leadership ... [and] with political parties.” They are “fed up” with the older Palestinian generation. “They are fed up with the occupation authorities. ... They are fed up with [the] international community. ... My generation and even the younger generation, those who were born around the same time that the Oslo agreement was signed, they have no faith in any of these” institutions. They believe that “no one is going to change the situation but us.”<sup>5</sup> A journalist echoed this: Palestinian youth are “frustrated, impatient, fed up — fed up with everybody.” From their perspective, “everybody looks like a failure. Nobody has delivered. Hamas

hasn't. Fatah hasn't. The PLO hasn't. The world hasn't. And so everybody is a failure.”<sup>6</sup>

These frustrations, and the pervasive sense of mistrust that underlies them, were borne out in the Birzeit survey results. Over 72 percent of youth cited “lack of trust in institutions organizing activities and events” as a “key” or “secondary” factor reducing their civic and political participation. Similarly, 73.3 percent cited “lack of confidence in local leadership and implementers of activities and events” as a further barrier to participation.

The profound frustrations of Palestinian youth — including with their own political system — come in a political context wherein Israel controls the things that matter in their lives, from basic freedom of movement to the fundamentals of the Palestinian economy. Palestine is not a sovereign state. Even if Palestinian institutions were democratic, Palestinian youth still would lack citizenship. The spike in Palestinian demonstrations and attacks against Israelis, witnessed between October 2015 and March 2016, was the latest reminder that Palestinian young people, in particular, remain frustrated enough that they are willing to die attacking heavily armed Israeli security forces with kitchen knives — even in the absence of an overarching strategy. During that period, there were 211 reported stabbings of Israelis by Palestinians, as well as 83 shootings and 42 car-ramming incidents. These led to the deaths of 30 Israelis and two U.S. citizens. More than 200 Palestinians were killed, some 130 of whom died allegedly while carrying out attacks.<sup>7</sup> As of early December 2015, the average age of the Palestinian assailants was 21.<sup>8</sup> Most were politically unaffiliated, and there was evidence that some — especially the youngest perpetrators — were motivated at least in part by personal grievances and conflicts in the home. The experience of this spasm of violence suggests that the fragmentation and ossification of Palestinian political structures, Israel's “success” in undermining the Palestinian national movement, has not led to a pacified Palestinian population. Rather, it has bred more scattered, disjointed acts of violent resistance — targeting Israeli civilians and security forces alike.

According to an expert Palestinian public opinion analyst, “There is no doubt that we do have a very important generation gap that is emerging from the youth ... particularly those between the ages of 18 to 22.” Describing these youth as “a class on their own,” he continued:

*“They are becoming alienated from the rest of society, both socially and politically. Their sources of information are different from the rest of society. ... They are driven to ... radical ideas, a lot more than the rest of the society. ... I worry very much about the generation gap that we currently see. ... I worry that this could ultimately be a major driver of violence.”*



He continued, these youth basically “believe that violence is the answer,” that “nothing else is likely to work.”<sup>9</sup> Indeed, a plurality (33 percent) of youth, ages 18-29, in the Birzeit survey found “armed resistance” to be the most “suitable” means for achieving “liberation” and “national self-determination.”<sup>10</sup> The situation for Palestinians has reached a point where “what is most effective is least likely to happen and what is least effective, which would be violence ... is the most likely outcome, given the current almost total despair among the youth ... in particular.”<sup>11</sup> In this context, stabbing attacks are, in part, an attempt by young Palestinians to fill a vacuum between their moribund leadership and the predations of the Israeli occupation.

*“We’ve been witnessing ... how the new generation in Jerusalem is raging. ... They are going out, attacking, stabbing, rioting, clashing with the army, and I think the situation will only get worse. ... More and more will be going out and resisting in this non-strategized way, which on the one hand is natural, normal to expect.”*

The problem is that “more and more rage and anger is going to come out, and I am afraid that it will not come out in an organized way, in a ... strategized way.” These youth and their families will continue to pay “a personal price.” Eventually the youth end up “dead or imprisoned without leading to any kind of real political change. ... It’s going to be much worse for us if the situation continues as it is today.”<sup>12</sup>

## GAZA

The “status quo” in Gaza is similarly precarious. Nothing justifies Palestinian rocket attacks against Israeli civilians — they violate international humanitarian law. Nevertheless, Israel’s closure of the territory has been the single biggest factor that has pushed Israel and Gaza to war three times since 2008. The closure “doesn’t distinguish between good people and bad.”<sup>13</sup> It affects militants and civilians alike. At the same time, while the siege of Gaza is more severe in human and material terms than anything Israel is currently implementing in the West Bank, the lack of an Israeli presence inside Gaza also affords a greater degree of stability. Working within this space, Hamas’ security forces maintain a tight grip on political dissent as well as the small Salafi-jihadist groups that occasionally launch rockets into Israel.

## IMPACTS ON YOUTH

The status quo in Gaza has been especially hard on the young, the vast

majority of whom have never seen the outside world. One veteran Palestinian aid worker in his 50s remarked that his generation was “lucky because of access.” Unlike Gaza’s trapped youth today, “we used to be human beings.”<sup>14</sup> According to the director of the Palestinian NGO Network in Gaza:

*“Gaza is suffering from the worst humanitarian conditions we ever witnessed. This has serious implications ... for the future. In the last 10 years, there’s a new generation that’s grown up amidst three wars, the blockade, internal conflict. ... These children no longer dream. ... They are not planning for families, for the future. ... People are not thinking about tomorrow. Israel succeeded to ... isolate Gaza, preventing the entrance of any hope for the people, mainly the youth.”*

He warned that these “youth will carry with them such hate toward all the parties who created these conditions.”<sup>15</sup>

These same conditions push at least some young people toward Hamas, for financial reasons if not out of ideological affinity:

*“ Hamas has the manpower to build tunnels. The workers are good IT graduates, good geologists, physicists, who have no chance for work. They do it because they have no chance to support their families. If there was a big Microsoft office in Gaza, they would choose that over the tunnels. ... Unemployment among youth is up to 60 percent. If a 22-year-old sees his future blocked, where will he go? Isolation, deprivation, and putting such pressure on people is only creating hatred. It’s only creating a generation that will be even tougher against Israel.”<sup>16</sup>*

A 2016 workshop in Gaza, convened for this report, brought together Palestinian civil society leaders, youth activists, and Hamas and Fatah officials. Interlocutors described youth in Gaza as a “lost generation.” While ISIS has little to no operational presence in Gaza, they warned that the “mentality” of ISIS is increasingly appealing to a segment of young people who have become profoundly disillusioned. They expressed frustration that Gaza is treated by the international community as a “humanitarian case.” Youth leaders lamented the lack of a willingness to address the core political conflict and called on the international community to “impose a solution.”

At the same time, Gaza also is impacted by the collapse in legitimacy of the Palestinian political system. “On the streets of Gaza, if you asked any young person, ‘Who’s representing you? Do you believe in Hamas or Fatah?’ of course they would say ‘No one.’” According to a female youth activist, “We really lost hope in our leaders.”<sup>17</sup> As in the West Bank, this lack of affiliation with a larger national movement is unlikely to breed passivity. Another veteran aid worker commented that his teenage son “doesn’t really know where he belongs.” At his age, “I used to know where I belonged.” He argued that Palestinians who came

of age in the 1970s and 1980s saw themselves as part of a global struggle for national liberation. They identified with anti-colonial efforts in South Vietnam and Algeria. “Younger people today don’t have this.” They do not see themselves situated in a broader, credible liberation movement. At the same time, they are hardly pro-Israel. “They’re not collaborators. ... They will be more extreme. This is something that people don’t understand.”<sup>18</sup>

### *THE HAMAS RESPONSE*

Years of engagement by the author in Gaza and with Hamas suggest that, despite the misery in the territory, and frustrations with Hamas’ rule, effective, organized opposition to the Islamist movement remains unlikely. No foreseeable scenario exists in which a mass uprising topples Hamas. Locals are struggling to survive and many blame Israel and the PA in Ramallah for their woes before they blame Hamas. Given the tight grip Hamas maintains on the local population, and the relative lack of Israeli targets, there is no straight line between the frustration of the masses and another war with Israel. Hamas has demonstrated an ability to control (and when needed suppress) stone-throwing demonstrations along the border fence with Israel, as well as rocket attacks by smaller militant groups. In the West Bank, the pervasive presence of Israeli settlers and security forces provides constant potential friction that could spark a larger conflict. Lacking an Israeli presence on the ground, Gaza is different. Israel and Gaza will return to war only if one of the parties makes an explicit decision to do so.

There is little evidence that Israel has made a conscious decision to provoke another Gaza war. However, changes in Israel’s Gaza policy have the potential to spark renewed armed conflict. After becoming Israeli defense minister in 2016, Avigdor Liebermann gave Israel’s internal security service, the Shin Bet, increasing authority over Gaza’s closure. The Shin Bet began to routinely overrule the Israeli military on the issuance of travel permits for Palestinians from Gaza, and the nature and quantity of goods entering and exiting the coastal territory. Tactical differences in approach between the IDF and Shin Bet are not new. A similar divide can be seen regarding Israeli policy vis-à-vis the West Bank. The military tends to take a broader view, focused on maintaining the stability of the Palestinian population where possible. In the case of Gaza, the office of the IDF’s Coordinator for Government Activities in the Territories has long advocated for measures to partially ease the closure. Military personnel responsible for overseeing the state of Palestinians in the occupied territory are more sensitive to economic factors and other local hardships, which ultimately stoke violence against Israel.

By contrast, the Shin Bet — given its status as an internal intelligence/

law enforcement agency — focuses on countering individuals suspected of engaging in violence or of supporting Palestinian militant groups. Throughout much of 2016 it was through this lens that the Shin Bet systematically reduced travel permits for Palestinian businesspersons — out of a concern that some had been involved in smuggling banned goods or transporting funds for Hamas.<sup>19</sup> Exits from Gaza continued to decline throughout 2017, falling by 51 percent compared to 2016.<sup>20</sup> For 2018, an average of 8,607 Palestinians left Gaza for Israel monthly, via the Erez crossing. This is an increase from 2017, but down from a 2015 high of 14,276 average crossings per month.<sup>21</sup> Smuggling has occurred. However, these wide-ranging prohibitions on travel and, by extension, commerce have an adverse effect on the economy of Gaza, exacerbating the underlying instability in the Gaza-Israel relationship.

In 2017, then-IDF Chief of Staff Gadi Eisenkot told Knesset members that the IDF was using ground-penetrating munitions to destroy Hamas tunnels in the course of retaliatory Israeli airstrikes on Gaza, something the author corroborated with Hamas officials. Then in April that year came a series of measures instigated by the Palestinian government in Ramallah, including reductions in the salaries of PA civil servants in Gaza, which further reduced the electricity supply and damaged the local economy. Israel also has accelerated work on an anti-tunnel barrier along its border with Gaza. In November 2017 Hamas evacuated its posts at border crossing with Egypt and Israel, the culmination of months of Egyptian-brokered reconciliation talks. This was the most significant move Hamas ever made toward lessening its control of Gaza.<sup>22</sup> But the process collapsed after a bomb in Gaza targeted the Palestinian prime minister and in the face of opposition from President Abbas, Israel, and the U.S.<sup>23</sup>

Since then, Hamas has shifted tactics. In the spring of 2018, the organization came to support a grassroots protest movement, along Gaza's border with Israel. Hamas hoped that the protests could bring regional and international attention back to Gaza.<sup>24</sup> Protestors began launching small balloons into Israel, carrying incendiary materials, designed to start wildfires. The protests and the wildfires ratcheted up tensions with Israel and contributed to several rounds of Israeli airstrikes on Gaza and Palestinian rocket and mortar attacks into Israel. The worst of these, in May 2019, left 22 Palestinians and four Israelis dead.<sup>25</sup> Throughout this period, Hamas has been pressing for the implementation of a series of Egyptian and UN-brokered “understandings” with Israel. This ceasefire agreement is supposed to see Israel ease the closure of the territory in exchange for a significant reduction in Gaza border demonstrations and a cessation of rocket and mortar attacks against Israel. Infusions of cash from Qatar, for needy families and to help the electricity supply, have improved conditions slightly, but Hamas needs to see more fundamental change to

commit to an ironclad ceasefire.<sup>26</sup> And, as recently as June 2019, Hamas leaders were expressing frustration about Israel's slow progress.<sup>27</sup>

Experience suggests that the combination of attacks on tunnels, something Hamas views as a strategic asset, and restrictions on the economy — especially when they dent Hamas' internal revenues — can be viewed by the organization as cause for engaging in increased violence. As such, understanding Hamas' own calculation of its status and its perception of the efficacy of initiating armed conflict is critical for evaluating the prospects for renewed Israel-Gaza war.

The events of May 2016 illustrate Hamas' thinking. May 4-6 witnessed one of the most significant periods of violence along the Israel-Gaza border since the summer 2014 war. The fighting started when Gaza-based militants fired a small volley of mortars at Israeli forces operating inside Gaza, near the border fence. These Israeli units were not the "usual" armored bulldozers clearing brush around the fence. Israel had detained a Hamas operative in early April 2016 who, according to media reports, had significant knowledge of Hamas' tunnel infrastructure. The operation inside Gaza was designed to destroy tunnels, just as new tunnel openings were being found inside Israeli territory.

Even moderate Hamas leaders have emphasized that they see tunnels as their only effective military asset against Israel, and they cannot afford to stand quietly by as those assets are destroyed. As such, on May 4, it appears that Hamas fired upon the Israeli troops and equipment in question. Hamas did not claim responsibility directly for the attacks, but the use of mortars and the careful sequencing and targeting of the strikes all suggest this was the work of Hamas itself, not some smaller Salafi-jihadist group. This was the first direct exchange of fire between Israel and Hamas since the 2014 war. The initial fire from Gaza on the morning of the 4th led to several days of fighting, with Israel countering with tanks and eventually airstrikes. On May 5, a 54-year-old Palestinian woman was killed by Israeli tank fire. The exchange ended when Israel terminated its anti-tunnel operations.

In a conversation with the author later in May 2016, a senior Hamas figure in Gaza described the situation there as "the most difficult" ever. He said that the pain people were experiencing was "equal or worse than the pain of another war," warning that any spark could ignite an explosion. He also emphasized that this would not be "an internal explosion." Rather, it would "vent towards the enemy" (i.e., Israel). He emphasized that Hamas does not want war, though he noted that Hamas was expecting "the enemy to make a mistake, which will cause the pressure in Gaza to vent against them." At the time, Israel had been blocking cement imports to Gaza for over six weeks, causing construction virtually to cease, with negative ripple effects throughout one of the largest sectors of the economy. Water and electricity remained in short supply, and

the territory was almost completely closed off. Reports also suggested that the stoppage of cement imports and the resulting hit to the construction sector were hurting Hamas' internal tax revenues.

These events illustrate that the conventional wisdom, that Hamas is deterred from another war with Israel, is correct — but only to a point. Hamas monitors the level of misery and frustration in Gaza closely, but general public unhappiness alone is not enough to push it to take up arms. For the foreseeable future, Hamas believes it can contain public discontent. However, if Hamas sees its military assets and revenues being threatened — on top of the pervasive sense of public frustration and hopelessness — then it could decide that war is its least bad option. Palestinian politics also factor into this equation. One of the causes of the 2014 Israel-Gaza war was Hamas' perception that it had made significant concessions to its Fatah rivals, in a reconciliation agreement signed that spring, only to see President Abbas renege on their agreement.

Finally, as numerous interlocutors in Gaza have suggested, in the unlikely event that Hamas ever were seriously threatened by internal dissent, they could provoke a war to divert public criticism. As an activist put it, if the situation remains the same in five years, “We’ll have three more wars, not one. ... Hamas’ support is dropping. They’re being squeezed. So, they’ll start another war — even if it’s not in their interest.” If they have to, “they’ll go to war to survive, to keep power.”<sup>28</sup> This is the “status quo” that Israel is maintaining in Gaza.

## TRANSITION AND VIOLENCE IN PALESTINE

The violent medium-term scenarios described above for the West Bank and Gaza could come to pass while President Abbas remains in office, or if he were replaced by similarly authoritarian Palestinian leadership. However, numerous Palestinian interlocutors have expressed concerns to the author that the Palestinian political system is currently incapable of producing a stable democratic transition, and that, sooner or later, Abbas' departure will cause the political system that he dominates in the West Bank PA to fray. Given the lack of agreement on succession, this section will consider the impacts of a breakdown of PA security control in the West Bank that a succession crisis could generate.

Were President Abbas to die in office, stability would be preserved, at least initially. The most likely scenario is that Palestinian security forces would deploy in the streets and maintain order. This deployment would buy time for Fatah and the PLO to establish a succession process. Steps likely would include dividing the four different titles that Abbas now holds: president of the State of Palestine, chairman of the Executive Committee of the PLO, leader of Fatah, and head of the security services. The assembled Fatah Central Committee

members almost certainly would not confer such wide-ranging prerogatives on one individual. It is more likely that they would divide these crowns among their members and/or try to organize presidential elections — which, as noted above, Hamas is likely to boycott.

Problems are more likely to arise as time passes. It is difficult to identify anyone on the Palestinian political stage at present who could amass the control of the political system that Abbas has achieved — especially as the new leader, or leaders, must contend with frustrated youth, the lack of a unified political program, and the Israeli occupation. A former government minister was explicit: “I warn very strongly” against maintaining this state of affairs as is until Abbas leaves the scene. If he goes with things as they are, ultimately “collapse” is the most likely result:

*“This will not happen suddenly. They might make certain arrangements, but those guys in the Central Committee of Fatah are ... unable to organize themselves. ... Abbas is keeping [the system] in place for two reasons: He has a little bit of legitimacy, and he is the last of the historic leaders of Fatah.”*<sup>29</sup>

Other analysts echoed this opinion: The political system likely will function less and less. Given the Palestinian crisis of leadership, the “disunity ... the divisions, the inability to unify the West Bank and Gaza, and create good governance, it is likely that this will continue to degenerate.” Internal political conflicts will “lead to internal clashes which will, as a result, weaken the Palestinian security services.” This in turn “will lead to a major eruption with the Israelis.”<sup>30</sup>

If such an outbreak were to occur, three broad scenarios are possible. One is that the Israeli government would attempt to manage a far more violent status quo, protecting a range of far-flung settlements, some deep in the West Bank, while conducting increased offensive operations against Palestinian militants. Taken to an extreme, this could mirror 2002’s Operation Defensive Shield, when the Israeli army reoccupied most West Bank cities. In this scenario, as was the case in the Second Intifada, Israel would not target directly the senior PA leadership, attempting to leave some vestige of the PA intact.

However, if the PA security forces were to begin fraying into internal violence, Israel likely would not attempt to carry on with the “status quo.” If the PA cannot function as a coherent partner, helping to ensure Israeli security, its utility to Israel diminishes significantly. Moreover, given the rightward drift of Israeli politics and public discourse, if widespread armed Palestinian attacks resumed in the West Bank and Israel, it is hard to see any appetite for resuming the “status quo.” Rather, two other scenarios are more likely. Either Israel will execute a partial, unilateral withdrawal, or it will move to annex at least parts

of the West Bank, perhaps in coordination with a partial withdrawal.

## PARTIAL, UNILATERAL WEST BANK SEPARATION

One response to the rise in violence since the fall of 2015 was increasing talk in Israel of some form of “separation” from West Bank and Jerusalemite Palestinians. The Labor Party published a plan centered on this theme in February 2016:

*“[W]ith the understanding that ... it is not presently possible to realize the vision of two states, we must take steps to begin separation from the Palestinians. ... Israel will take interim measures to ensure national security, while avoiding the reality of one Arab-Jewish state, and promoting the eventual realization of the two-state vision. ... Israel will transfer civil powers to the Palestinian Authority in the territories beyond the security fence. ... The IDF will remain in every region to maintain security for as long as conflict continues, [and Israel will] separate the scores of Palestinian villages surrounding the city from Jerusalem’s municipal boundaries.”<sup>31</sup>*

Public support for these measures appears mixed. In late 2015, with Palestinian attacks in Jerusalem spiking, 69 percent of Israelis favored separating from Arab neighborhoods in Jerusalem, up from 38 percent in late 2014.<sup>32</sup> However, the January 2016 Peace Index survey found only 41.5 percent of Israelis either “strongly” or “moderately” agreeing with former Labor leader Herzog’s statement earlier that month, in which he proposed “building a large wall between Jerusalem and the nearby Palestinian villages because, at the moment, there is no partner for peace talks on the other side.” Fifty-two percent of respondents did not agree, “at all” or “so much,” with the statement.<sup>33</sup> In the run-up to the April 2019 election, Kahol Lavan, Prime Minister Netanyahu’s main center-right challenger, made no reference to a two-state solution in their platform, though they did express support for the principal of “separation” from the Palestinians.<sup>34</sup>

The idea of some partial, unilateral separation is very much in keeping with the Israeli “normative, middle class, secular consensus” described above. It assumes that Israel cannot achieve a solution, so it must take steps to better manage the situation. The author has heard this model of conflict management described as a likely outcome from a number of Israeli interlocutors — though many also warned of the dangers of such an approach. “Our slogan for many years was for a two-state solution. What changed is that now the message is separation from Palestinians, to preserve Israel as [a] Jewish nation-state. We do not talk about Palestinian rights or human rights.”<sup>35</sup> Brig. Gen. (res.) Udi Dekel



echoed some of this, arguing that Israel should move to implement what steps it can. Such steps would not “close the door to negotiations,” but rather would “anchor the two-state reality by our own means.” He also acknowledged that such steps ideally should be taken together with the Palestinians.<sup>36</sup> According to the director of the Geneva Initiative, an organization that promotes a two-state solution, “unilateral withdrawal. . . will start by removing settlers, then it will be the soldiers, etc. It’s such a stupid scenario, and I think it’s the most realistic one.”<sup>37</sup>

Concerns about the longer-term implications of such unilateral moves are well-founded. Whether or not Israel attempted to frame such measures as partial steps, which would not preclude a final two-state agreement, Palestinians invariably would conclude that Israel was drawing a border — without their consent. This border would exclude them from the core of East Jerusalem, and such an arrangement would not address the fate of Palestinian refugees. It could easily be interpreted as a step away from Palestinian independence. This would further weaken not just the credibility of the PA, but its *raison d’être*. And, if such moves went beyond Herzog’s plan and began to withdraw some Israeli security forces without any agreement with the Palestinians, this could lead to further attacks against Israeli targets.

Former MK Ksenia Svetlova also warned, based on the experience with Gaza in 2005, that disengagement for the West Bank would be “very bad.” She thought it might be possible if the prime minister were powerful enough. Ultimately, however, she suggested that even a limited withdrawal of settlers would not be accepted by the public, in light of their collective memory of the Gaza disengagement and the current *zeitgeist*. She argued that the more likely scenario was “annexation and controlling Palestinians in Bantustans.”<sup>38</sup>

## ANNEXATION

The final scenario considered herein is the potential for Israel to engage in unilateral annexation of the West Bank, in whole or in part. One possibility is annexation if the Palestinians reject the Trump administration’s peace plan after its release. While the political plan has not been made public, numerous media reports suggest that the proposal will fall far short of Palestinian demands for a sovereign state on territory at least equivalent to Gaza and the West Bank, including East Jerusalem.<sup>39</sup> The economic “vision” for Palestine, released in June 2019, was dismissed out of hand by the Palestinian leadership.<sup>40</sup> Its focus on billions of dollars in aid for the Palestinians — while remaining utterly silent regarding Israel’s continued control of the West Bank and Gaza — does not inspire confidence that the administration has a plan for Palestinian freedom and independence.<sup>41</sup> Further, in March 2019 the Trump

administration recognized Israeli claims of sovereignty over the Syrian Golan Heights.<sup>42</sup> Two weeks later, in the throes of his re-election campaign, Prime Minister Netanyahu promised to “apply sovereignty” to Israeli settlements throughout the West Bank.<sup>43</sup>

For years, Israeli governments have shied away from outright annexation of occupied Palestinian territory, fearing a backlash from Western governments, including the United States. The Trump administration’s recognition of Israeli claims to Syrian territory — reversing 50 years of U.S. policy — has invariably been interpreted by the Israeli right as a sign of U.S. support for further annexation of occupied territory. If the Palestinians reject the American peace plan, even if the plan simply codifies existing Palestinian Bantustans in the West Bank and Gaza, Israel could respond with at least partial annexation of occupied territory — with U.S. support.

If annexation does not occur surrounding the Trump administration plan, a breakdown of PA control in the West Bank could prompt or accelerate Israeli annexation of parts of the territory. In preparing this report, a variety of Palestinian interlocutors, and some Israelis, warned that a fraying of PA control as a result of a succession crisis within the Palestinian leadership represents the most likely future — especially if the Palestinians cannot reconstitute a coherent and democratic political system. In recent years, the Israeli right has expanded settlements as the “proper Zionist response” to Palestinian attacks, and talk of annexation has become commonplace.<sup>44</sup> If a succession crisis causes a major breakdown in the functioning of the PA security apparatus, leading to a significant rise in attacks against Israel, annexing Palestinian territory could become the preferred “Zionist response” for the right wing.

Support for moving beyond current ad hoc arrangements and formally annexing parts of the West Bank has been growing for years, and there is particular evidence of support for smaller-scale acts of annexation. In a July 2017 survey commissioned for this report, 52 percent of Israeli Jews either “somewhat” or “strongly” supported annexing Area C, the 61 percent of the West Bank that the Oslo Accords left under direct Israeli security and political control — if the Palestinians living there were denied the right to vote in national Israeli elections. Naftali Bennett, former minister of education, has a plan to annex Area C.<sup>45</sup> This area is home to the Jordan Valley and major Israeli settlements. Bennett and his associates also have been advocating for annexing the large settlement of Ma’aleh Adumim, east of Jerusalem. The July 2017 survey found that 48 percent of Israeli Jews “strongly support” and 26 percent “somewhat support” annexing Ma’aleh Adumim — even when the question noted that doing so “separates the northern and southern parts of the West Bank.” Perhaps most disturbingly, the July 2017 survey found that 47 percent of Israeli Jews either “somewhat” or “strongly” support Israel’s

annexing all of the West Bank, if Israel “continues governing the Palestinians like today.” The question specified that “in order to govern Jews under civilian law and Palestinians under military law efficiently, Israel will create a separation between areas that are open to Palestinians and those that are open to Jews, through infrastructure, transportation and separate roads.” Only 52 percent were opposed. In December 2017 the Likud Party congress voted unanimously to “take action to facilitate unlimited construction and to apply the laws of Israel and its sovereignty over all the liberated settlement zones in Judea and Samaria.”<sup>46</sup> In a Haaretz survey conducted in March 2019, 42 percent of Israelis supported some form of West Bank annexation, with 28 percent opposed. Sixteen percent supported annexing the West Bank without granting political rights to Palestinians residing there. Eleven percent supported annexation while allowing Palestinians to vote and run for office.<sup>47</sup>

There is broad agreement among the right in Israel that the creation of a Palestinian state is impossible, if for no other reason than that it would pose a security threat to Israel. The author interviewed a selection of thinkers on the right to discuss how they see the long-term status of the Palestinians in the absence of a state. While this was by no means a comprehensive review of such ideas, a few themes were consistent. First, there is no shared vision regarding exactly what should replace a Palestinian state, but most of the debate revolves around how much of the West Bank Israel should annex and the status of Palestinians therein.<sup>48</sup> Also, there was an underlying assumption that Israel unilaterally can impose new long-term arrangements on the Palestinians. Some suggested Palestinians would learn to live with far less than a state. Others were more fatalistic, proposing these arrangements but also believing long-term conflict inevitable.

According to a former communications director for Prime Minister Netanyahu, Yoaz Hendel, eventually “the Jordan Valley and the settlement blocs will be annexed,” although when speaking to the author in 2016 he did not see this happening in the next 10 years.<sup>49</sup> Parts of the West Bank defined as Areas A and B, per the Oslo Accords, will be Palestinian, he said. In his vision, the Palestinians start out with territory roughly equivalent to Areas A and B, giving them contiguity in about 40 percent of the West Bank. Thirty percent would be annexed to Israel, such that the remaining 30 percent would be open for negotiation, the latter including small settlements and Palestinian villages. Hendel sees annexing the Jordan Valley as a potentially positive step. “If you give up on solving or putting an end to the conflict, you actually find yourself territorially with a map that makes it easier for Israelis and Palestinians to understand what they will be negotiating.” According to Hendel, the world could call the Palestinian entity left in half the West Bank “a Palestinian Authority, a demilitarized state, the Palestinian Empire — it doesn’t matter.”

Either way, “Israel will declare it under its supervision.”<sup>50</sup>

Sara Haetzni-Cohen, a well-known activist on the right, insisted that “There is no solution. The conflict is not about 1967 territory, it’s about 1948.” She did not claim to have a complete alternative plan for a Palestinian state, though she insisted that “land annexation must be part of a solution, with the option of giving citizenship to Palestinian residents there (roughly Area C).” Otherwise, “one [possibility] is to reach an agreement with Jordan” on the status of the rest of the West Bank. “Another option is to create a new body — not the PA, which is corrupt and anti-Israel.” Israel should “talk to people on a grass-roots level and less with leaders. You cannot negotiate with terrorists.” Regardless, she pointed out that “of course” Israel “cannot give Palestinians full responsibility over water, air[space], and security.”<sup>51</sup>

Bar Ilan University’s Dr. Mordechai Kedar was confident that his eight-state solution is a workable alternative to a two-state solution. His premise rests on the idea that “there is no Palestinian nation,” but rather, a collection of “tribes.” Thus, he proposes creating eight “independent emirates.” In the West Bank, these would be comprised of the major Area A cities, including portions of Hebron, as well as Jericho, Ramallah, Tulkarem, Qalqilya, Jenin, and Nablus, with Gaza comprising the eighth. Israel would annex remaining territory, comprising roughly 80 percent of the West Bank. Kedar believes that large Palestinian clans could rule the cities. “Once the clans are left alone, the sheikhs will take responsibility. The real leaders, not the politicians. And everyone will be behind them.” He described these states as “sovereign,” but noted that Israel would need to restrict imports into them at least initially, blocking things like “metal pipes,” which could be used to manufacture rockets. He suggested that Palestinian security forces in the city states could have pistols, but nothing larger. He used the example of Palestinian billionaire Munib al-Masri as a possible leader for the large West Bank city of Nablus.<sup>52</sup> According to Kedar, “If [the Palestinians] have no choice, they will accept it.”<sup>53</sup>

It is important to put these scenarios into context. An April 2016 survey asked whether respondents preferred “that in the state of Israel there will be a Jewish majority or that Israel will be the only sovereign in the whole area of the historical Land of Israel?” Fifty-six percent of Israeli Jews chose a “Jewish majority,” as opposed to 21.9 percent who preferred Israel being “the sole sovereign.”<sup>54</sup> And, in the July 2017 survey commissioned for this report, only 18 percent of Israeli Jews supported annexing the West Bank — if Palestinians therein were to receive full citizenship. When considering the likelihood of annexation occurring in the short term, the International Crisis Group’s senior analyst for Israel/Palestine emphasized the importance of President Trump’s approach. As of February 2017, national religious leaders, favoring annexation, were predicting the annexation of Ma’aleh Adumim settlement within six

months. As the Trump administration initially veered back toward more traditional, pro-two-state, U.S. positions, later that year, national religious leaders began warning that a “historic opportunity” to annex was “slipping between their fingers.”<sup>55</sup> This suggests that President Trump might be able to prevent the most blatant Israeli moves to undermine the two-state solution. It also highlights how destructive moves like the Trump administration’s recognition of Jerusalem as Israel’s capital can be. In so doing, President Trump is adding fuel to existing, negative trends, emboldening Israel’s far right.

Even if annexation is not a foregone conclusion, the related belief that the PA is an obstacle that can be sidelined is also gaining traction. Former Israeli Defense Minister Lieberman wanted to hold a “personal dialogue” with Palestinians, bypassing the PA. He also favored a “carrot and stick” policy toward Palestinians — more arrests and limitations on construction in the towns and villages of Palestinians who engage in violence, while encouraging “civilian projects” in more passive locales.<sup>56</sup> The previous Coordinator of Government Activities in the Territories, Israeli Maj. Gen. Yoav Mordechai, the senior-most IDF officer responsible for the occupied territory, held a live Facebook chat with Palestinians.<sup>57</sup> In July 2017 the Israeli military launched an online video magazine to appeal directly to Palestinian youth.<sup>58</sup> Lieberman reflects a long-standing strain of thinking among some in Israel that Israel can manipulate Palestinians to their ends and choose its preferred Palestinian leaders. Though Lieberman is on record opposing annexation of the West Bank, those who advocate some form of annexation also tend to display high confidence in their ability to manage Palestinians to suit Israeli desires.

These Israeli statements about marginalizing Palestine’s national leadership are being internalized by Palestinians at a time of growing concern about the fragility of their political system and the potential for internal violence, which would quickly involve Israel. Violence in the West Bank refugee camps already is on the rise. The northern West Bank has been particularly unstable, with intermittent fighting between Palestinian security forces and disaffected Fatah elements in Nablus and Jenin-area refugee camps. And there are increasing reports of various Fatah leaders stockpiling weapons in anticipation of internal struggles for power after President Abbas leaves office.<sup>59</sup> For some time, the author heard reports of wealthy Palestinians moving assets into Israeli-controlled Jerusalem, when possible, fearing for the stability of the PA. And, having refused to accept customs clearance revenues, collected by Israel, now that Israel is debiting them to offset payments to Palestinian “martyrs” and their families, the PA is facing an unprecedented financial crisis.<sup>60</sup>

This context helps explain Palestinian concerns that the government of Israel could exploit a vacuum created by a succession crisis to implement at least a partial annexation of the West Bank and/or to do away with the pretense

of engaging with national-level PA leadership. Israeli security forces may opt to work through local Palestinian security officials (termed “warlords” by one Palestinian analyst) to administer the various West Bank cities, establishing permanent Palestinian cantons in a West Bank otherwise annexed by Israel. Israel is “preparing [an] agenda for [Palestinian] thugs ... to govern — a thug in Nablus, a thug in Hebron, a collaborator next to the [Israeli] military governor.” They will maintain the “canton-ization of the West Bank,” while “Gaza [is] totally ... isolated and under siege.”<sup>61</sup>

This scenario is not a foregone conclusion. Prime Minister Netanyahu has opposed steps toward annexation, and on more than one occasion he has reinstated tax revenue transfers to the PA when the lack of funds appeared to be destabilizing. According to analyst Dr. Menachem Klein, Netanyahu has generally “preferred not to rock the boat,” vis-à-vis the West Bank. That said, Klein feared that “if the [security] professionals turn towards [annexation], then Netanyahu will go along with it, and much will depend on outside pressure.”<sup>62</sup> For now, as noted above, the Israeli military and Shin Bet oppose such measures. But these institutions are increasingly being dominated by right-wing religious nationalists.<sup>63</sup> Their opposition could wane. More generally, particularly since President Trump’s election, annexation has moved to the “top of the agenda” for the Israeli right, Klein said, and their vision of annexation is not grounded in equality for annexed Palestinians.<sup>64</sup> Yet Trump administration policy has done nothing but encourage these maximalist right-wing visions. If Israel were to move toward annexation and side-line national-level Palestinian leaders, Palestinian interlocutors were unanimous in warning that such a scenario would never work. It would only lead to greater levels of violence.

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## CHAPTER FIVE

# CONCLUSION: GETTING BACK TO BASICS

This analysis has illustrated the dangers inherent in attempting to maintain the “status quo” between Israelis and Palestinians, much less annexing Palestinian territory. The debate in Israel regarding Palestine pits proponents of annexing Palestinian territory against those who would “manage” the conflict, expanding settlements and further atomizing Palestinians. There is little meaningful debate between pro- and anti-peace camps. These tendencies alone are likely to drive escalating violence with an occupied Palestinian population that has no hope of self-determination. When coupled with the political malaise on the Palestinian side, growing internal repression, and the lack of an agreed plan for succession after President Abbas, the situation is even more explosive.

In this context, the Trump administration’s recognition of Jerusalem as Israel’s capital, the recognition of Israeli control of the Golan, and the complete cessation of U.S. foreign assistance to the Palestinians is extremely concerning.<sup>1</sup>

While the “status quo” is itself a recipe for violence, steps such as these have the potential to significantly exacerbate existing negative trends on the ground, encouraging Israeli annexation of Palestinian territory.

Palestinians have long recognized that the U.S. is not a “balanced” mediator of their conflict with Israel. Israel has benefited from billions of dollars of military aid, as well as consistent support in international fora, including the UN Security Council — to a degree that dwarfs America’s financial or political support for the Palestinians. Despite that reality, since at least the 1980s, the PLO leadership has prioritized maintaining good relations with Washington. The late Palestinian leader Arafat and President Abbas both held on to the hope that the U.S.’ very closeness to Israel made it uniquely suited to pressure Israel to accede to the creation of an independent Palestinian state in the West Bank and Gaza.

As the conflict has dragged on, with the situation on the ground in the occupied Palestinian territory continuing to deteriorate, Palestinian disillusionment with the U.S. role, both on the part of the public and political elites, has grown. In a December 2017 survey, 91 percent of Palestinians in the West Bank and Gaza characterized President Trump’s declaration on Jerusalem as “a threat to Palestinian interests.” Seventy-two percent believed that the Trump administration would “not submit any ideas or plans for Palestinian-Israeli peace.” In the event that the U.S. were to do so, 86 percent believed that any such proposal would “not meet Palestinian need to end [the] occupation and build a state.”<sup>2</sup> In a March 2019 survey, 79 percent of Palestinians in the West Bank and Gaza believed that the Palestinian leadership should reject the Trump administration’s peace plan.<sup>3</sup>

Thus far, President Abbas has been careful not to alter fundamentally the status quo. After President Trump’s Jerusalem recognition, a January 2018 meeting of the PLO’s Central Council, its second-highest decision-making body, did not make any major changes in the regular operations of the PA. Rather, the Central Council called on the PLO’s Executive Committee to follow up on its recommendation “to suspend recognition of Israel until it recognizes the State of Palestine on the 1967 borders” and to “stop security coordination” with Israel.<sup>4</sup> A further call to suspend the PLO’s recognition of Israel was made at an October 2018 meeting of the Central Council.<sup>5</sup> The Council has made similar recommendations in the past and as before, they are unlikely to be implemented. As of this writing, security coordination between Israel and the PA continues.

For his part, in his January 2018 speech to the Central Council, President Abbas used extraordinarily harsh language. He called President Trump’s peace plan “the slap of the century.” He insisted he would not meet President Trump and emphasized that the U.S. has forfeited any role as a mediator in the conflict.<sup>6</sup>

For a Palestinian leader who has long been very sensitive to maintaining good relations with Washington, the speech was an indication of Abbas' profound disillusionment with the Trump administration. Consultations with Palestinian officials in Ramallah support the view that the PA leadership is furious with President Trump.

In addition to expressing genuine anger, President Abbas' denunciations of President Trump come in a sensitive domestic political context. Even if President Abbas were not personally aggrieved (which he clearly is), widespread public anger at the United States, especially after the recognition of Jerusalem, creates enormous pressure for a harsh response.<sup>7</sup> President Abbas lacked the support of most Palestinians in the West Bank and Gaza long before the U.S. appeared to back unilaterally Israel's claims to Jerusalem, while saying nothing about their own. As such, if he is to maintain any shred of domestic credibility, Abbas has no choice but to condemn the Trump administration.

That said, the fact that the PA has not changed fundamentally its working relations with Israel, including continuing security coordination, suggests that there may be a way out of the current impasse. President Trump is unlikely to reverse his Jerusalem announcement. What is needed is an additional, follow-up statement wherein the U.S. demonstrates that, while it recognizes West Jerusalem (the parts of the city controlled by Israel prior to 1967) as Israel's capital, it also supports East Jerusalem serving as the future Palestinian capital. Such a statement could leave open the possibility of sharing access to, and perhaps sovereignty over, key religious sites in Jerusalem's Old City and Holy Basin.

President Trump's December 2017 statement allows for this. He noted that the U.S. was "not taking a position of [sic] any final status issues, including the specific boundaries of the Israeli sovereignty in Jerusalem, or the resolution of contested borders."<sup>8</sup> While the current Israeli government would be infuriated by such a move, an announcement of this nature and a resumption of aid could help restore a degree of U.S. credibility with the Palestinians and the rest of the world. Moreover, it is difficult to envision any other course of action that would allow the Trump administration to resume its role as the primary mediator between the two sides.

It is important to emphasize that a return to the traditional model of U.S.-backed negotiations, alone, is unlikely to impact positively the long-term trends in Israel and Palestine, highlighted above. The Israeli consensus against a Palestinian state is so strong, and the Palestinians are so weak and divided, it is difficult to envision how the U.S. could bridge these gaps without bringing to bear new forms of constructive pressure on the two sides.

Indeed, with the right mix of incentives and disincentives, there are steps that might be taken to encourage Israelis and Palestinians to move toward a

two-state solution and to reunify the Palestinian political system. To succeed, the U.S. would have to work in close coordination with the international community, including Arab states, and be willing to take action at the Security Council. Similar coordination between Western and Arab states would be necessary to push the Palestinians back to long-delayed elections. The U.S. also would have to resist any Arab pressure on the Palestinians to accept proposals that fall short of granting them a sovereign, viable state and an agreed solution to the refugee question. Even if a Palestinian leader could be found to sign on to some codification of the status quo, masquerading as a Palestinian state, such a “solution” would never be viable in the long term. There is no shortcut to a peace agreement. There is no substitute, in the foreseeable future, to granting the Palestinians a free and independent country of their own.

The multilateral cooperation required to achieve a viable agreement would be challenging, and the pressure that would need to be employed vis-à-vis Israel would be controversial. The failed record of the last 25 years of diplomacy also suggests that this level of effort would be necessary, if there is any hope of overcoming the fears of the two sides and reaching an agreement.

But none of that would be possible if the United States is not seen as a credible mediator that can build and lead a multilateral consensus on means of resolving the conflict. Moreover, in the short term, the Trump administration’s endorsement of Israeli claims to Jerusalem, coupled with blunt and counterproductive financial pressure on the Palestinians, is only further sapping the credibility of the moderate Palestinian political leadership. The analysis above has demonstrated that the Palestinian political system is fragile. The Trump administration is exacerbating the stresses on that system at a time when President Abbas’ credibility is at an all-time low — and there is no agreed mechanism for succeeding him.

There are no easy solutions to the Israeli-Palestinian conflict. Among other things, any real progress toward ending the occupation would likely require bringing to bear pressure on Israel that the U.S. and the rest of the international community has no appetite for. Thus, for the foreseeable future, the best-case scenario is likely conflict management — despite the clear limitations of such policies, highlighted above. In that context, the Trump administration should consider a “do-no-harm” approach in its diplomacy on the conflict. This would entail mitigating the damage caused by its Jerusalem announcement with some statement on Palestinian aspirations to the east of the city and restoring aid to the Palestinians. This could allow the U.S. to resume its role as mediator and bring pressure to bear on Israel, pushing back against settlement expansion or moves toward annexation of occupied territory. But this is not a formula for peace. Such an approach — at best — can only delay future violence.

## ENDNOTES

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