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## Israel and the Palestinians

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## ISRAEL AND THE PALESTINIANS

**T**he rush of notable events set into motion by the uprising nearly two years ago of Palestinian Arabs in the West Bank and Gaza is impressive. Two decades of near tranquility in Israel's occupied territories were shattered. The *intifadeh* provoked Jordan's King Hussein to relinquish his claims to the West Bank, which his grandfather had annexed in 1951. It led the Palestine Liberation Organization to declare Palestinian independence, to renounce terrorism and to accept Israel's right to exist, which in turn paved the way for the diplomatic dialogue between the United States and the PLO. Finally, in Israel, it led the Likud-Labor coalition to adopt an initiative for elections in the occupied territories for transitional self-rule to be followed by negotiations on their final status. Opponents on all sides rallied in an effort to cripple Prime Minister Yitzhak Shamir's initiative. These events, and more, were crammed into a short period of time, creating a sense of unparalleled passion and fluidity, of fears among some and euphoria among others.

But has all this brought a settlement of the long festering conflict any closer? In the absence of any indication that Israel is prepared to withdraw from at least some of the disputed territories, or that the Palestinians are willing to settle for something less than an independent state, what is there to talk about? Is there any realistic diplomacy that can sidestep the questions aptly put by Henry Kissinger: What territories, if any, will be given up by Israel? Who shall govern there? And what security arrangements will prevail after Israel's withdrawal? Can Israel be asked simultaneously to give up territories and permit the foundation of a PLO state?

There are no clear answers yet to any of these questions and the present outlook is grim on the three main concerns: the peace process itself, the issue of Palestinian representation and

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the nature of the permanent solution. Yet leading Israeli officials and Palestinian leaders have in fact started to draw tentative and vague images of what a permanent solution might look like. Though largely unnoticed, amid the rush of dramatic incidents, these images are significant; they form a new psychological context for every step in the peace process.

Israelis and Palestinians alternate between a hard and a soft rhetoric. The hard speech of rejection gets the most attention, but the softer, insinuating subtext intimates the outlines of the conceivable. The softer subtext suggests that Israel will be ready to offer maximal self-rule and political rights for the Palestinians in the West Bank and Gaza, the formula called "self-rule plus," and that the Palestinians will be prepared to accept a "demilitarized state" linked to Jordan.

In seeking the contours of a conceivable solution, it is clear that the simple measures of earlier days will no longer do. The old arsenal of remedies used to end the Arab-Israeli wars is inadequate: ordering armed forces to new lines, enlisting U.N. observers, separating adversaries and so on. Fresh thinking about relatively unfamiliar notions has to adjust to a conflict that has an unmistakable communal dimension.

The principles involved in a conceivable solution are hardly those conventionally associated with either the Likud or the PLO. Yet they can be discerned and abstracted from both the published and implicit views of "hardline" Israelis and of the PLO leadership in Tunis. They come alive in the context of broad themes on which the subtexts of Palestinians and Israelis coincide to a significant extent. These are themes heard not among dovish circles only—hence their significance.

## II

The issue of Palestinian representation bedevils all efforts to create an environment to launch and sustain negotiations. Israel refuses to have any dealings with the PLO, for reasons that run deep. The present Israeli government fears that talking to the PLO goes a long way toward accepting the legitimacy of Palestinian aspirations for a state that would constitute a mortal danger for Israel. Moreover, many in Jerusalem doubt that the PLO has the authority it claims to have in the occupied territories despite the verbal support lavished on it. Leading officials in Jerusalem are convinced that for making peace there is only one Palestinian community that matters, the inhabitants of the territories. Beyond Israel they

have to face the terrorist factions subservient to Syria. The PLO, as they see it, is disorganized and fragmented. For their part, important Palestinian factions continue to oppose any political accommodation with Israel. Some, like the Islamic Hamas, militate for the obliteration of the Jewish state: "There is no solution for the Palestine question except through *Jihad* [Holy War]."

Some in Jerusalem still hope that the PLO will fade away before negotiations on final status begin. They put faith in the emergence of an authentic local leadership that, in spite of lip service paid to the PLO, can be expected not to hand over control of its destiny to the men in Tunis. They know the bitter hostility of Syria's Hafez al-Assad toward Arafat. They are also familiar with King Hussein's wariness of the PLO. They believe that neither the PLO nor its leader is trusted or loved in other Arab capitals despite the diplomatic backing it receives. They believe further that the organization is largely a creature of the smoke and mirror effects of international diplomacy, which, with time and patience, will eventually become irrelevant. In the meantime however, the PLO maintains its hold on the hearts of Palestinian Arabs and continues to weave its involvement deeper into the fabric of world diplomacy.

Moving the peace process along is a high-wire act. Washington faces contradictory pressures. Israel and the local Palestinian leadership must move toward agreement on procedures for elections if these are ever to be held. However, the local leadership shows no signs of moving without the PLO's approval. No progress is thus possible without the participation of Tunis, and Arafat will not go along unless he is satisfied that the process will carry him further along the road leading to a Palestinian state. The United States must therefore cajole him with gestures and assurances to obtain his agreement.

The steadfast refusal of Israel to have anything to do with the organization, and the deep dismay that the U.S. dialogue with the PLO has engendered in Jerusalem, do not alter the reality of the need to secure the assent of Tunis to the Shamir initiative if local leaders are to enter into a dialogue with Israel, stand for elections and negotiate agreements for transitional self-rule. A peculiar feature of the U.S.-managed peace efforts, therefore, is to engage the PLO as a party to the process despite Israel's refusal to deal with it. As a result the United States is now pursuing a "duologue" in which it carries on two separate dialogues without acting as an intermediary. In the dialogue

with Jerusalem, the government of Israel refuses even to be briefed on the U.S. dialogue in Tunis; Jerusalem does not concede the relevance of the views of the PLO leaders to any foreseeable political process. Nevertheless there are surprising similarities of views between the leaders of Jerusalem and Tunis that can best be seen by juxtaposing some of their public positions.

### III

Throughout the process, some concepts and phrases have become symbols, code words and battle cries. The idea of a "state" for the Palestinians, the notion of "withdrawal," the concepts of "sovereignty" and "self-determination" and the formula "land for peace" all belong to the family of verbal expressions; buzz words that must be de-demonized and demystified or simply sidestepped. Coalitions and alliances have formed around these concepts, which impede the fluidity of discourse on the future of the territories. But the considerable symbolic potency of some of the more difficult concepts—such as sovereignty—can be defused. This can be achieved by a careful "deconstruction" into their discrete components.

#### *The End of Israeli Rule Over Palestinian Arabs.*

This is without question the key to any progress. Contrary to common opinion, it is not a point of contention. All sides agree that Israel should no longer rule over the more than 1.5 million inhabitants of the West Bank and Gaza. This principle is the foundation of the Camp David accords and is equally central to the Shamir initiative. It is contested by none of the major parties in the Knesset. To this end, the Israel Defense Forces will be withdrawn and the remaining Israeli forces will be redeployed into specified localities. The military government and its civilian administration will also be withdrawn.

This much is unexceptional and has already been agreed to in the Camp David Framework Agreement, which promotes the principle of self-government by the inhabitants of the territories and the legitimate security concerns of the parties involved. The accords contemplate that these Israeli withdrawals will take place before negotiations on the final status of the territories begin. The accords thus provide for the withdrawal of Israel's forces from the West Bank and Gaza except from specified security locations and except to the extent that Israeli forces participate with Jordanian forces in joint patrols and in

the manning of control posts to assure the security of the borders.

*Palestinian-Jordanian and Israeli Links.*

The notion of a confederal link between Jordan and Palestinians on the West Bank is now generally accepted. Last November in Algiers, the Palestine National Council (PNC) confirmed "the privileged relationship between the two fraternal Jordanian and Palestinian peoples, and that the future relationship between the two states of Jordan and Palestine will be established on confederal bases."

The consensus on the need for a link between the two banks of the Jordan does not tell us what kind of Palestinian polity would emerge in the West Bank and Gaza. The PLO insists that it be an "independent state," but what does this really mean? The notion of state in international practice calls to mind different images. The United States, Vanuatu, the Vatican, Austria and Byelorussia are all states in international law. The PLO and the Palestinians now under Israeli rule are determined to get their "state." It is the aim and end-all of their movement. They aspire to such a state as a symbol of their vindication and honor, a state with a flag, delivering passports to its citizens, with a government of its own replacing foreign rulers. It would take its rightful place in the family of nations and affirm the common identity of Palestinians, their common fate and their aspirations. It would provide justice, compensation and solace to the Palestinian refugees and restore their right of return to their country. This is precisely the sort of state that the Israeli government opposes.

One striking feature in the discourse of Israeli and Palestinian leaders is their willingness, at a time of continuing strife, to speak of institutions common to the two peoples. The institutions discreetly alluded to are not limited to the economic realm. They also encompass political and functional concerns like water resources. In this matter, it is best to quote the principals. Yasir Arafat was asked in one interview: "Everyone talks about a Palestinian confederation with Jordan. . . . Would you consider a confederation with Israel?" His answer was, "Why not? Look at the EEC. The youth of Europe are living peacefully together, not killing each other the way their fathers did."<sup>1</sup> His willingness to endorse the idea of a confederation

<sup>1</sup> T. D. Allman, "On the Road With Arafat," *Vanity Fair*, February 1989, p. 180.

with both Jordan and Israel, and of the Benelux model in trade and economic matters, is particularly telling. "Benelux" and "confederation" are rapidly turning into new code words pointing to a future of active relations rather than to a cold peace. This concept has even received the support of a Soviet representative to a Cairo conference earlier this year who urged Palestinians to think of new solutions: "One must speak of confederation with Israel, not with Jordan only."<sup>2</sup>

Prime Minister Shamir's chief of staff, Yosef Ben-Aharon, has also spoken of "a future confederal arrangement based on ties with an Arab party east of the Jordan River and west of the river that could be acceptable after a transition period of autonomy." He observed that "a construct that includes three entities makes more sense than a confederation between two states."<sup>3</sup> He was very specific: Palestinians would choose leaders to represent them in a new confederal body with Israel and Jordan. "They would represent the entire territory." The seat of the new administration—like that of the Israeli government—might be in Jerusalem where, together with the elected Palestinians, there would be representatives of Jordan and Israel.

The confederation, as Ben-Aharon suggested, would acquire its constitutional authority not from Israel, Jordan or the Palestinians, but from the agreement among all three, making the newly formed body the sovereign entity in the territories: "That's the higher umbrella which connects all three elements."<sup>4</sup> Ben-Aharon recognized that Israel would also be required to cede some sovereignty to create the confederation. He added that each of the three parties could have a veto over major decisions, including the allocation of water resources and the establishment of new Israeli settlements. The confederation would have wide powers in economic legislation, licensing, freedom of access and passports. On these matters, Prime Minister Shamir himself is more guarded. He has said, how-

<sup>2</sup> Translated from an article by Yosef Harif, *Maariv*, Jan. 27, 1989.

<sup>3</sup> Translated from an article by Akiva Eldar, *Haaretz*, Jan. 6, 1989.

<sup>4</sup> The views of Ben-Aharon were outlined in an interview with Janet and John Wallach, *The Washington Post*, March 26, 1989, p.1, as well as in *Haaretz*, Jan. 6, 1989, p.1, and the *Jerusalem Post*, June 15, 1989, p.1. For an earlier and more elaborate study of two- and three-way constructs, see the author's article on "The Future of Palestine/Eretz Israel," in *Divided Nations in a Divided World*, eds. G. N. Henderson and J. G. Stoessinger, New York: D. McKay Co., 1974.

ever, that he is open to discussions not only about autonomy but about federation as well.

Distinctions must be made between a confederation of a territorial nature, a confederation between states, and one between peoples. Likud may not be opposed to a confederation between the Palestinian people and Jordan, provided the issue of sovereignty can be sidestepped. Likud has long sought to solve the question of the rights and status of the Palestinian Arabs before the status of the land. A separation of the two issues—the political rights of a people and their territorial claims—is fundamental to any approach that the nationalist center is prepared to entertain. Flexible and innovative formulas can be found in the framework of the confederal idea. Complex political and juridical notions such as “state” and “republic,” with all their ideological significance, will have to be adjusted to the specific, real and symbolic needs of Israel and the Palestinians.

King Hussein long ago shared the vision of the unity of both banks of the Jordan River. He wrote in his 1962 memoirs, *Uneasy Lies the Head*, that “Palestine and Jordan were both (by then) under British Mandate, but as my grandfather pointed out . . . they were hardly separate countries. Transjordan being to the east of the River Jordan, it formed in a sense, the interior of Palestine.” Yet Hussein decided on July 31, 1988, to dissociate his kingdom from the West Bank, and Jordan has since largely removed itself from the diplomatic process dealing with the future of the territories.

It is by now plain to see that both Israel and the PLO wish Jordan to play a key role in the permanent solution for the occupied territories. Jordan will likely be drawn back into the maelstrom of the Palestine problem. The King will be called to play a central role in negotiations that could lead to the establishment of a confederation with the Palestinians. The old “Jordanian option,” with Jordan returning to territories vacated by Israel, ended with the King’s speech of July 1988. But Jordan ultimately remains an essential party to any permanent solution.

The United States has for a long time advocated a link between the two banks of the Jordan. President Ronald Reagan, in his speech of September 1, 1982, spoke of “self-government by the Palestinians of the West Bank and Gaza in



association with Jordan.” This is the formula that Secretary of State James Baker repeated in his speech of May 22, 1989.

*Foreign and Trade Relations.*

The Shamir concept of self-rule for the Palestinian Arabs excludes the conduct of foreign relations. Jerusalem’s opposition to a Palestinian state and the Palestinian Arabs’ aspiration to such a state will turn foreign relations prerogatives into a central issue when a permanent solution is negotiated. The conduct of foreign relations is rich in symbols. But in this matter also, the arsenal of formulas and solutions provided by the concept of confederation could come to the rescue.

Palestinian spokesmen maintain that the state they demand will give Israel a bridge to the Arab world and pave the way for the acceptance of Israel by the Arabs, something that not even Egypt could do. In a benign relationship, a confederation or a similar construct linking Palestinians with Jordan could be guided by the twin principles of neutrality and demilitarization. It could be given international standing separate from and in addition to that enjoyed by Jordan in the international community, without in any way affecting or modifying Jordan’s own status.

On a formal juridical plane no obstacle exists to giving an entity that forms a part of another sovereign state full membership in the community of nations. Thus, the United Nations recognized from the start the membership of the Ukraine and Byelorussia—a formal juridical precedent for some, an anomaly for others. It is a precedent nonetheless that unties the notion of international standing from that of independent statehood in a manner that could also be used creatively to resolve other major conflicts around the world. These two notions were also untied in Western Europe, where the European Community now engages in diplomatic relations side by side with its member states.

The views now beginning to be heard in Jerusalem and Tunis on future market arrangements are strikingly similar (although Israel’s positions have certainly not been addressed with a Palestinian audience in Tunis in mind). Arafat’s vision for the economic future of the area is one of association and cooperation, not of partition and separation. He envisages an economic union in the region like the one that currently exists among Belgium, the Netherlands and Luxembourg and extending even further, “Jordan, Israel, Palestine, Lebanon, the

area. You think that peace [is] only a paper? Peace has something to be implemented, joint ventures, another Marshall [Plan]."<sup>5</sup> On the other side, in Jerusalem, similar views are held in Prime Minister Shamir's office: a currency arrangement reflecting the affinity between the Israeli shekel and the Jordanian dinar. In such a construct the Arab side would be given free port facilities in Israel; this has indeed been a long-standing offer made to Jordan. Shimon Peres has also spoken in support of a Benelux approach.

The United States and the European Community have the means to reinforce the commonality of economic interests between Israel and its Arab neighbors and to enhance benign aspects of a Palestinian polity. The U.S.-Israeli Free Trade Agreement could be extended to the whole of a nascent common market community while the EC would be requested to enter into a generous agreement of association with it. Thus, it will be incumbent on outside powers to give the area an economic lift to stabilize its societies.

*Ideology, State and Homeland.*

All the governments of Israel, whether dominated by Labor or Likud, have distinguished between the *State* of Israel and the *Land* of Israel. Apart from Egypt, no Arab state has been willing to recognize any boundaries for the Jewish state. The boundaries of the Land of Israel are biblical and are broadly synonymous with those confirmed by the League of Nations for the old British Mandate area. They include all of Palestine west of the Jordan River. Before 1967, the State of Israel was demarcated by the 1949 armistice lines. The distinction between the State of Israel and the Land of Israel is thus based on international and juridical considerations.

This distinction is suggestive of two important principles:

- state and homeland are separate concepts;
- the national rights of a people can be exercised in different fashions in different parts of the homeland.

On the Arab side, the deeply felt claims to all of Palestine (including all of Israel) also form a formidable ideological obstacle. It deeply divides the PLO. The PLO had long rejected coexistence with a Jewish state and anything that might smack of a two-states solution. This position was discarded in the resolutions adopted at the Algiers meeting of the PNC in 1988.

<sup>5</sup> Interview by Mike Wallace, "Sixty Minutes," CBS News, Feb. 19, 1989.

However, the PNC has yet formally to repeal its covenant that calls for armed struggle to replace Israel by a secular, democratic state of Palestine. A few influential and hardline members of the organization continue to support a phased strategy that is intended ultimately to remove the state of Israel from the map.

From a Palestinian nationalist perspective Jaffa, Haifa and Nazareth are no less part of the Palestinian homeland than Jenin, Nablus and Hebron. The Palestinian refugees of the 1948 war dream of their return to homes in areas west of the armistice lines in those parts of Palestine that Arafat would now concede to the Jewish state. The PLO's decision to assent to a two-states solution for the first time implicitly accepts the principle that for the Palestinians also, state and homeland can be separate concepts. In this regard the opposing positions of Israel and the PLO are now symmetrical.

The principles that an Israeli Jew is in his homeland anywhere in the Land of Israel beyond the limits of the State of Israel, and that a Palestinian Arab is in his homeland anywhere in Palestine west of the Jordan River, faithfully represent the attachment of both peoples to their land. Agreement will be necessary on the extent and nature of the rights that Israelis and Palestinians will concede to each other in areas regarded as part of the others' homeland. Clearly, neither Israelis nor Palestinians will accept the settlement of large numbers of Arabs in the case of Israel, or of Jews in the case of the Palestinians, on the basis of a homeland theory or on any other grounds.

States rather than homelands have rights and duties under international law. The notion of homeland has no juridical standing. However, it is entirely possible by treaty to give legal expression and legal status to the concept of homeland as distinct and separate from the concept of state. Such a juridical construct can be designed to overlap with or arise side by side with the concept of state while remaining distinct from it. A people may thus perceive that it has rights in a homeland that stretches across state boundaries.

The problem of the Jewish settlements and towns established beyond the Green Line (demarcating the 1949 armistice frontiers with Jordan and Egypt) could be approached under a homeland formula. Israeli Jews beyond the state limits would be citizens of Israel yet living in their homeland, the Land of Israel. In the framework of a two- or three-party confederation,

the presence of scattered Jewish communities among the Palestinian Arabs should not be an anomaly.

*Sovereignty.*

Sovereignty is, in Prime Minister Shamir's words, "the most difficult issue between nations in any national conflict." Ingrained habits of thought among statesmen raise it up again and again. It remains a potent symbol. Yet for our purposes, it is a redundant notion, one that serves no function in the solution of this conflict, a notion that in truth is best side-stepped. It should be possible to avoid altogether the debate over sovereignty in the West Bank and Gaza by distributing its various attributes among the parties in such a way as to satisfy their essential demands.

Sovereignty in a three-party confederation has already been discussed in Jerusalem. Ben-Aharon would place the area under the sovereignty of a tripartite confederation of Israel, Jordan and the Palestinians. It would acquire its constitutional authority not from Israel, Jordan or the Palestinians, but from the agreement linking all three, making the newly formed body the sovereign entity in the territories. One particular advantage to this solution is that it could make it possible to dispense with an agreement on sovereignty altogether or to settle for a purely formal outcome that will pose no problem to the ideologues in Israel who pledged there will be no Arab sovereignty in any part of the country west of the River Jordan. A solution of this character should also go a long way to satisfy some Palestinian nationalists.

*Self-Determination.*

This is another issue shrouded in a cloud of dense emotions and the confusion of evolving legal doctrines. Derived from President Woodrow Wilson's Fourteen Points, it became associated in U.N. practice with the process of decolonization. Self-determination is a right that a people is supposed to exercise when a territory emerges from colonial rule. It is a right that all states attempt to circumscribe whenever they face the national claims of a minority for secession or autonomy. In the context of the Palestine question it has become a euphemism for the right to establish a state.

But the concept of self-determination was given quite another meaning in the elaborate Evian Agreements of 1962 that ended France's Algerian war. Those agreements provided that the Algerian people would vote in a "self-determination con-

sultation” whether to accept or to reject the accords that had been negotiated between France and the FLN (National Liberation Front). The accords established that the right of self-determination can be exercised by a people when it votes in a plebiscite on a negotiated agreement.

The Evian Agreements are particularly germane because the struggle of the Algerian people is widely regarded in the Arab world as the high-water mark of heroic opposition to foreign rule. They cannot be faulted in Arab eyes. They can serve as a highly valuable precedent in negotiations for a Palestinian settlement.

In Israel, the phrase “self-determination” seems to be losing some of its threatening overtones. Speaking from the Prime Minister’s office, Ben-Aharon commented that he was “not afraid of the term ‘self-determination for the Palestinians’. . . . The label ‘self-determination’ is semantic. . . . I can also say that I would give the Palestinians self-determination. If our scenario materializes, we can give them a great deal to satisfy their political aspirations and this is a kind of euphemism for self-determination.” He was even more explicit when he said, “If you say that there are ten components of self-determination, the Palestinians can achieve nine of them. An anthem and a flag will not be given to them by any Israeli government.”<sup>6</sup>

#### *Boundaries and Other Functional Lines.*

Israelis and Palestinians alike appear to accept the notion that a multiplicity of lines, serving different functional purposes, will separate Israel from its neighbor to the east. This in a real sense is “new thinking.” In the Camp David accords, for example, Israel agreed to differentiate between its borders and lines for the redeployment of its military forces. Israeli officials have also made reference to Israel’s security boundary on the Jordan River that need not coincide with its political limits. Israel has constantly distinguished between the limits of the State of Israel and those of the Land of Israel. In a speech in New York Prime Minister Shamir said early in 1989 that he hoped for “the kind of cooperation and understanding with our Arab neighbors which will make borders irrelevant, . . . just as they are becoming irrelevant in Europe.” On the Palestinian side, Arafat’s support for the principle of a common

<sup>6</sup> Menachem Shalev, “Not Afraid of Palestinian Self-Determination,” *Jerusalem Post*, June 15, 1989, p. 1.

market with Israel implicitly distinguishes between political borders and functional borders of an economic character. Like Shamir, he supports an approach inspired by European solutions to age-old conflicts.

These positions are of profound significance, for they point to a readiness by both Israeli and Palestinian leaders—always bearing in mind that Arafat is not in Israel's view a partner for peace—to blend aspects of two approaches to an eventual solution of the conflict. These can be characterized as, first, the separation approach that would reestablish the physical barrier between Israel and its Palestinian and Arab neighbors that prevailed between 1948 and 1967 and, second, the cooperative or functional approach that would look for pragmatic solutions to different categories of problems: security, water, trade, finance, holy places, refugees and so on. A combination of selected features of the two approaches, "association through separation," would yield a variety of boundary and demarcation lines that are increasingly common in the practice of states. This approach does not imply that either Israel or its Palestinian neighbor would agree to an influx of unwanted workers, immigrants or settlers beyond those they might specifically agree upon.

#### *Security Arrangements.*

The issue that will make or break any agreement is the issue of security. Without security arrangements that satisfy Israel, there will be no agreement. The facts are well known though they can be obscured by a comparison of Israeli armed strength with that of the PLO. Israel in its struggle for survival had to face military dangers far greater than those posed by the Palestinians. Since 1948 Israel has been at war with Egypt, Syria, Iraq, Jordan and even Lebanon; Egypt alone has made peace with Israel, and a cold peace at that. Hence Israel views its security problem in terms of the Arab world as a whole.

Israel has a diminutive territory with no strategic depth. The whole state would fit comfortably in a typical American county. From what is essentially a beachhead on the Asian mainland, Israel faces on its eastern front formidable Arab forces greater than those of NATO in Europe. Syria and Iraq alone can muster an armada of 10,000 tanks. The quantitative gap between Israel and these forces continues to widen. The Arab armies are being equipped with accurate ballistic missiles. Egypt, Syria and Iraq have a proven gas warfare capability.

None of the Arab regimes is democratic and they have all experienced coups, assassinations or uprisings to which they remain vulnerable. In Egypt and many other Arab states, political stability is threatened. Islamic fundamentalist movements dedicated to the destruction of Israel aspire to seize power. Domestically, Israel's security problems are compounded by its Arab minority, which consistently votes for parties hostile to the Zionist ideals and increasingly expresses solidarity with the *intifadeh*. Internationally, Israel's isolation has become proverbial and its only remaining ally, the United States, has begun to retrench in Europe as America enters an era beyond containment with limited capability to project power in the Middle East. All the while, the Soviet Union continues massive arms sales to its Syrian ally, extends the strike range of the Libyan air force and is close to a major arms deal with Iran.

Taken cumulatively, Israel's security problems appear daunting despite the proven valor of its armed forces. Its military strength is to no avail in the struggle with Palestinians in the territories. Nor would it be effective in countering the spread of the *intifadeh* into Israel proper that many observers now expect.

On the Arab side, Palestinians, Lebanese, Syrians and Egyptians have all experienced firsthand the force of Israeli arms at one time or another during the past 25 years. The perception in the Arab world that Israel presents a threat is thus easily understood, especially since Israel is credited with its own powerful nuclear arsenal. From an Arab perspective, the fact that Israel has been struggling for survival in an Arab world that calls for Israel's extinction is beside the point; what counts is that it is Arabs who have found themselves under Israeli rule and not the other way around. Hence the Arab side too will seek some security assurances, although its leaders know that the root of the conflict in the area lies in the hostility of the Arab world to the Jewish state. It is this very hostility that has built Israel into a major military actor.

Territory is a major component of Israeli security. It is needed for warning time to mobilize the civilian army and to carry the battle away from the vulnerable heartland. The Israel Defense Forces require early warning stations on the ridges above the Jordan River that are only 12 hours' driving time away for Iraq's huge mobile tank forces. It also enables Israel to monitor a security fence along the border with Jordan to

prevent the infiltration of terrorists, to keep the vital city centers of Jerusalem and Tel Aviv beyond small arms and mortar range, and to keep its highways safe for travel. Military considerations such as these dictated the territorial plan of Yigal Allon two decades back that remains the basis for the Labor Party's peace proposals. When it was in power, Labor strenuously resisted efforts to have Israel withdraw to the armistice lines of June 1967, which Abba Eban once described as the "lines of Auschwitz" for the deadly danger they posed to the survival of Israel.

The lines demarcated for different military purposes need not coincide; patrols along the Jordan River, early warning stations, areas for the redeployment of forces, demilitarized zones and special strategic areas could all be considered if one is to take seriously Arafat's statement that "a peace settlement will contain every conceivable condition necessary to guarantee Israel's security." The security regime for areas from which the Israeli army will have withdrawn or from which it will be redeployed will undoubtedly be one of the thorny issues in negotiations.

*Refugees, Right of Return and Citizenship.*

Fatah's second in command, Abu Iyyad, wrote in 1981 about the Palestinians' need for "a flag and a passport." This is a recurrent theme in the Palestinian rhetoric. It expresses their craving for dignity, identity and roots. It also addresses the problem of the Palestinian refugees, many of whom are stateless or travel on refugee documents. The symbolism of a flag and a passport is not to be dismissed lightly. A passport usually signifies the right of the holder to travel back to his country; the issue, therefore, is closely linked to one of the thorniest questions, the right of return.

A dual system of passports for Palestine "nationals" and for "citizens" of the confederation could help address the problem of the refugees. This could be done in terms that would differentiate the rights of refugees from those of the inhabitants of the territories. A national passport would express for every holder the emotional and symbolic bond that unites the Palestinian people. The rights of "nationals" in a future confederation would have to be defined with care. Inhabitants of the territories would be entitled to a passport of "citizen" of the confederation in addition to the national papers.

The right of return is one of the great symbolic issues of the



conflict. The declaration of Palestinian independence implicitly distinguishes between two parts of Palestine: the state of Palestine and the state of Israel. Before the declaration, the right of return applied, in the Palestinian view, to the whole of Palestine. The declaration has altered the position of the PLO, which now accepts coexistence with the Jewish state. The PLO has not yet clarified its position on the right of return to the areas that it is now willing to concede to Israel for the first time. The new PLO position does, however, suggest that the right of return does not have the same meaning as it applies to Israel and as it applies to the state of Palestine. In Arafat's words, the state of Palestine is the state of "all" Palestinians, presumably also the state of the Palestinian refugees. Does the PLO affirm the right of return of Palestinians to a Palestinian state or also to Israel? Will it be satisfied with compensation for those who choose not to return to the Palestinian state?

The inexcusable plight in which so many refugees are still trapped requires that compensation be not only full and prompt but that it be generous as well. The international community will be called upon to help. But no Israeli government can agree to the actual physical return to Israel of the descendants of the refugees of the 1948 war. Such a return, it is widely believed, would spell the end of Israel as a Jewish state. The PLO would not necessarily insist upon it, provided the Palestinian refugees of the 1967 war are granted the right of return to the West Bank and Gaza. The principle of compensation for all Palestinians who choose not to return is not contested by anyone.

### *Jerusalem.*

It is perhaps wise at this stage not to explore too deeply the most emotionally loaded problem of all: the future of Jerusalem. The tantalizing comments on the future of the Holy City by Prime Minister Shamir's close aide suggest the barest framework of an approach. Jerusalem would remain an undivided city. The municipal limits could well be enlarged. This would make room for the institutions contemplated for the confederation, which would have its seat in Jerusalem together with its Israeli, Jordanian and Palestinian representatives. Jerusalem would remain, of course, the capital of Israel, and since it could also be the capital of the joint confederation it would thus become a true "capitals district." On this problem as well, a confederation formula may ease the way.

## IV

The difficulties of turning the “soft” subtext into reality are truly awesome. In Tunis, Arafat appears to be the main unifying force behind the new two-states policy. It is not clear who could replace him were he to leave the scene. In Israel, perhaps only a leader from the right is in a position to make the difficult decisions, as was true when President Nixon managed a successful opening to China. It was, after all, Menachem Begin who concluded peace with Egypt. It may take a Shamir to reach a historic compromise with the Palestinians.

The salient features of such a compromise are beginning to stand out from the analysis above. In a conceivable solution:

- Israel will not rule over the Palestinian Arabs in the West Bank and Gaza;
- Israel will withdraw its military administration and redeploy its forces in specified security locations;
- there will be elaborate security arrangements involving demilitarization and other measures;
- several kinds of boundary and other lines will be drawn for different purposes.
- The solution is likely to involve a two- or three-way construct or confederation among the Palestinians, Jordan and Israel.
- The political rights of the Palestinian people and the formal status of the lands between Israel and the Jordan River can be disentangled from one another and dealt with at different times.
- The two concepts of statehood and homeland will also have to be disentangled and adapted to the specific ideological requirements of Israelis and Palestinians alike; some national rights—including the presence of some settlements—will have to be confirmed in those parts of the homeland that lie beyond state limits.
- “Sovereignty” and other divisive notions and code words may have to be deconstructed or sidestepped altogether.
- “Association through separation”: The permanent status of the West Bank and Gaza will combine aspects of a separation as well as aspects of a solution based on association. The separation features will protect the national character of the Jewish and Arab polities; association will allow practical problems such as trade and water resources

to be addressed within the two- or three-way construct linking Palestinians with Jordan and Israel.

A settlement along the lines gingerly hinted at in Tunis and Jerusalem would have evident weaknesses. It would be complex and ambiguous. It could fail to fully satisfy the ardent constituencies on either side that clamor for a clearcut outcome. It would bypass the problems of sovereignty, of statehood and of boundaries in terms that are familiar to the embattled nations. It would create closer economic and trade links between Israelis and Palestinians than many consider desirable. It would disappoint many and antagonize those who refuse to compromise historical rights and just claims. It could be vulnerable to a demographic tide more threatening to Israel in time of peace than in wartime. It would be exposed to religious passions.

Yet, for all the impediments and for all the ominous threats to the diplomatic efforts, the significant and consistent, gentler subtext of the rhetoric begins to show the way to a viable Israeli-Palestinian coexistence.