

Land for No Peace

Douglas J. Feith

THE Israel-PLO accord was supposed to bring on the new dawn of peace that optimists contended could be Israel's for the asking. Many Israelis, fatigued by decades of securing the land and themselves against Arab threats, military and terrorist, had come to regard the status quo as unbearable. Perhaps, they speculated, Palestinian-Arab leadership had evolved away from ideological anti-Zionism toward a pragmatic willingness to share the land with the Jewish state in peace. After the Soviet Union's collapse and the American-led attack on Iraq, Israel's strategic strength and Yasir Arafat's political and economic weakness combined to make Israeli officials think they could test that hopeful proposition without undue risk.

The accord comprised, first, the Declaration of Principles (DOP), which was concluded on August 20, 1993 and signed by Arafat and Prime Minister Yitzhak Rabin at the White House on September 13, 1993; and, second, the mutual-recognition agreement embodied in the letters dated September 9, 1993 exchanged by Arafat, Rabin, and the Norwegian Foreign Minister. No one can doubt that these agreements are significant; but what exactly do they signify?

The DOP provides for the withdrawal of Israel's military forces from Gaza and Jericho and the transfer of governing authority for "education and culture, health, social welfare, direct taxation, and tourism" to an Arab Council "empowered to legislate." The DOP is often called the Gaza-Jericho accord, but this is misleading because the transfers of *governing* authority are not limited to Gaza and Jericho. On the contrary: the Council's jurisdiction will cover "the West Bank and the Gaza Strip as a single territorial unit, whose integrity will be preserved during the interim period"—i.e., "a transitional period not exceeding five years."

The Council, to be established following general elections, will assume the responsibilities Israel is relinquishing, but in the meantime authority rests with the PLO. "Palestinians of Jerusalem

who live there will have the right to participate in the election process [for the Council]," and Jerusalem is one of the "issues that will be negotiated in the permanent status negotiations."

Such Israeli concessions went far beyond the West Bank-Gaza Strip autonomy provisions of the 1978 Camp David accord signed by Israel's Menachem Begin and Egypt's Anwar Sadat. That accord designated the autonomy authority as an "administrative council" and withheld from it all legislative or proto-parliamentary powers. At Camp David, the Israeli government took care to specify that the aim was "to provide full autonomy to the inhabitants" (emphasis added) rather than to the territories as such, let alone to all "the West Bank and the Gaza Strip as a single territorial unit." Begin considered this distinction between autonomy for the inhabitants and autonomy for the territories important to prevent prejudicing the issue of Israel's right to assert claims regarding the territories in the final status negotiations. Israel did not, at Camp David, accept the PLO as an interlocutor. And it refused to make Jerusalem a topic for negotiation at any time.

Placing the 1978 accord side by side with the 1993 DOP highlights the historic and unprecedented nature of Israel's concessions in the latter agreement.

WHAT of the PLO's concessions? The Arafat-Rabin agreements were not the first time the PLO chairman had acknowledged Israel's right to exist, declared the PLO's acceptance of UN Security Council Resolutions 242 and 338, and promised to renounce anti-Israel terrorism. Arafat did all of that in December 1988 to win the PLO its official, open dialogue with the U.S. government. (Eighteen months later, Arafat's unwillingness to repudiate a PLO terrorist attack compelled the Bush administration to terminate the dialogue.)

Nor was this the first time the PLO had announced that it would consent to accepting authority in whatever portion of the territories became available to it. The Palestine National Council originally did that in the summer of 1974, when it formally resolved to combine diplomacy with armed struggle. In what came to be known

DOUGLAS J. FEITH, a new contributor, is an attorney in Washington, D.C. who has written for the *New Republic* and the *National Interest*. He served during the Reagan administration as Deputy Assistant Secretary of Defense and as a Middle East specialist on the White House National Security Council staff.

as the “phased plan,” the PLO leadership agreed that its principles were not offended by the dismantlement of Israel in stages and through diplomacy, rather than all at once and solely by military means.

Wherein, then, lay the much-heralded “breakthrough to peace” on Arafat’s side? In the view of those who perceived one, the breakthrough was that this time Arafat actually meant what he said. (One Israeli official was quoted to the effect that quarrels within the PLO over Arafat’s peace pledges were a sign that the pledges were not tactical but reflected a deep ideological change.) Skeptics were referred to the fact that Arafat’s promises were now formulated explicitly (as if an explicit statement cannot be false). Also, those promises now included an unambiguous commitment to delete provisions in the Palestinian Covenant rejecting Israel’s right to exist. Furthermore, Arafat had formally agreed, directly with the Israeli government, to an autonomy timetable that was supposed to defer for years into the future any demand for Arab sovereignty in the territories. And finally, not only would the PLO’s own anti-Israel violence end, but Arafat would cooperate in keeping Hamas, Islamic Jihad, and other overt rejectionists in check.

None of these PLO promises was kept.

To begin with, the PLO did not amend its Covenant. Though accepted by Israel as leader of the organization deemed “representative of the Palestinian people,” Arafat proved unable to command the requisite endorsement of his leadership from the Palestine National Council, the body empowered to amend the Covenant, or even from many of the top officials of his own Fatah faction of the PLO. After a number of his top PLO colleagues resigned or otherwise protested the Israel-PLO agreements, Arafat dropped whatever plans he had to propose amendment of the Covenant.

Secondly, in violation of its agreement to defer the demand for sovereignty, the PLO insisted upon immediate moves toward that goal. Thus, throughout the negotiations that produced the May 4 agreement on implementing the DOP, Arafat pressed for an expansive definition of “Jericho” (far broader than the bounds of the town itself), exclusive PLO control over border crossings, immediate removal of Jewish settlements, and implicit endorsement of PLO claims to Jerusalem.

Thirdly, in the months after the DOP was signed, there was intensified violence by Arabs against Jews, some of it perpetrated by Arafat’s own Fatah faction. Nor did the PLO crack down on Hamas and other non-PLO extremists. In fact, open collusion among them was evident, including the publication of joint declarations, participation in demonstrations together, PLO demands for the release of arrested Hamas personnel, and announcement of new PLO-Hamas understand-

ings on cooperation to remove Israel from the territories. Though Palestinian-Arab terrorism had plagued the land for nearly a century, every new attack now evoked defensive explanations that the actual target was the “peace process.” (This led one Israeli wit to call for an end to the peace process so that he could get some peace.)

ISRAELI government officials voiced frustration over this state of affairs, but they took pains not to sound accusatory. Shortly before the DOP was signed, Yossi Beilin, Israel’s Deputy Foreign Minister, declared, “If there are problems on the way to implementing the agreement and if they cannot control their opposition and there is no order, we will say we can’t go on.” This reassuring theme was stressed repeatedly before the signing ceremony. On August 31, the *Washington Post* reported: “Peres told the [Israeli] parliament that Israel will not recognize the PLO unless it removes from its charter a call for armed struggle against Israel and halts violent attacks on Israeli targets.” The next day, the *Wall Street Journal* reported:

Mr. Beilin . . . also said that the [DOP plan] is conditional on the Palestinians being able to prevent Islamic fundamentalist groups who oppose the peace talks from carrying out terrorist attacks against Israel. . . .

Mr. Beilin . . . said that a key part of the “Gaza and Jericho first” plan is the fact that it is reversible.

Mr. Beilin continued, “As in any other agreement, there is the belief that both sides will be able to implement it and can be trusted, but if there is a clear violation, it will be more than understandable that we cannot adhere to it.”

Nevertheless, when the PLO failed to control its opposition (and even its own elements), when there was terrorism and no order, and when the PLO otherwise violated the DOP and the mutual-recognition agreement, the Israeli government did not say, “We can’t go on.”

On September 13, the very day the DOP was signed, Jordanian television aired a speech by Arafat which, among other offensive features, explained his peace policy by reference to the phased plan:

O my beloved ones: do not forget that our Palestine National Council made the decision in 1974. It called for the establishment of national authority on any part of Palestinian soil that is liberated or from which the Israelis withdraw. It is the fruit of your struggle, sacrifices, and jihad. . . .

Brothers, beloved ones: Palestine is only a stone’s throw away for a small Palestinian boy or girl. It is the Palestinian state that lives deep in our heart. Its flag will fly over the walls of Jerusalem, the churches of Jerusalem, and the mosques of Jerusalem.

They see the day indeed as a far-off event, but we see it quite near and we indeed are truthful.

This extraordinary statement was tantamount to Arafat's concluding his White House speech with a loud and jeering "I take it back!" The Israeli government took it in stride, however, as it did the PLO's subsequent failure to amend the Covenant. Israel exerted itself to lure the PLO back to the table when the PLO walked away. Israel urged its U.S. supporters *not* to link PLO promises—for example, on the Covenant issue—to any waiver of various anti-PLO provisions of U.S. law. And Israel restrained itself and its U.S. supporters from pressing for a U.S. veto of the UN Security Council resolution condemning the massacre of Muslims by a Jew in Hebron, even though the resolution referred prejudicially to the territories as "Palestinian" land and designated Jerusalem "occupied territory."

In light of the history of PLO terrorism and untruthfulness, and of Israeli defense-mindedness and distrust, it was stunning—one might even say disorienting—to see Israeli officials soliciting European and American financial support for the PLO, gesturing good will through the release of hundreds of suspected Palestinian-Arab terrorists, and muting their own and their public's outrage over continuing anti-Israel terrorism by the PLO. Students of military history are familiar with the fog-of-war phenomenon. Students of the Arab-Israeli conflict have, since September 13, 1993, come to know the fog of peace.

WHAT kind of strategy or rationale or theory underlies such a policy? The usual answer is Land for Peace. But this longstanding concept has in important respects been transcended or shunted aside by the Israel-PLO accord and the implementation talks.

Israelis who view territorial withdrawal as the key to resolving the conflict between themselves and the Palestinian Arabs have generally done so on pragmatic grounds. The contention has been not so much that Israel lacks rights in the territories as that their retention, given the over-1.5-million Arab inhabitants, would swamp the Jewish state demographically. The classic formulation has been that holding on to the territories will ultimately destroy either the Jewish nature of the state, if the Arabs are given Israeli citizenship, or its democratic character, if they are not. Exponents of this view, most notably the present Foreign Minister, Shimon Peres, consistently maintained, however, that they would be willing to relinquish the militarily valuable territories to an Arab power only in return for peace and security.

There was always, I submit, a contradiction inherent in the demographic-bomb theory. If the Arab powers refused to grant Israel peace and security, would a proponent of that theory favor retaining the territory even though doing so

would be suicidal, in that it would destroy either Israel's Jewish or its democratic nature? Clearly, underlying this position has always been a rationale not for trading territory for peace, but for unilateral withdrawal by Israel. The theory in effect tells Israel's enemies that they need not pay a price for the territories because Israel will either destroy itself by sitting tight, or up and leave for its own reasons, without demanding much (or perhaps anything) in return.

In the past, this contradiction was effectively finessed by the contention that the Palestinian Arabs (perhaps in confederation with Jordan) were in fact willing to offer Israel a secure peace if only the Israeli government, as a matter of policy, would agree to trade territory for it. Essential to a Land-for-Peace policy was a sequence of steps (and the order was important). First, Israel would renounce permanent control of the land, declaring its readiness to trade land for peace. Second, Israel's Arab interlocutors would make a credible and authoritative pledge of peace. And third, with this reliable peace promise in hand, Israel would effect the agreed-upon withdrawal.

This, in essence, was the policy the new Rabin government adopted when it came to office in 1992. In the so-called Madrid Process, the Rabin government, unlike its predecessor, made clear that it was willing to relinquish territory in return for peace. But after a year, the talks had produced no peace agreements. There was stalemate on all fronts. Mutual recriminations were rife. Anti-Israel violence was claiming numerous victims and provoking Israel into large-scale retaliations, such as the expulsion of 400 accused fundamentalist terrorists to Southern Lebanon in December 1992 and Operation Accountability in July 1993, which forced thousands of Arabs in Lebanon to evacuate their homes. Around the world, journalists and officials criticized these Israeli actions.

A Land-for-Peace policy had not produced the anticipated softening of Arab negotiating demands, and Israeli officials spoke with exasperation of their unhappiness that the Arabs refused to meet them halfway in the Washington talks.

If the Israeli government continued to insist on a credible and authoritative pledge of peace as a *precondition* of withdrawal, the prospect loomed that it would not be able, within its four-year term of office, to deliver to its citizens a new peace agreement or deliver them from the travails of the occupation. So the traditional idea of Land for Peace was set aside, and Israel concluded the deal embodied in the DOP.

It is noteworthy that the DOP was agreed upon and published by the Israeli government *before* the PLO and Israel had concluded the mutual-recognition agreement by which Arafat promised to respect Israel's right to exist; to renounce, prevent, and punish anti-Israel terrorism and violence; and to detoxify, as it were, the Palestinian

Covenant. On September 1—that is, after the DOP was published but before the mutual-recognition agreement was achieved—Peres announced that Israel intended to implement the Declaration even if the PLO failed to make the peace pledges required for Israeli recognition: “[The Declaration] stands on its own legs. It doesn’t need any further confirmation.” The next day the *New York Times* reported: “Israeli officials say that if the two sides cannot agree on terms of mutual recognition in the near future, Israel would be ready to sign the accord anyway.”

In other words, policy had evolved to the point where Israel was intent on beginning to withdraw from at least some of the territory *whether or not* it received a specific, authoritative promise of peace from the Arab side.

The deal, then, falls outside the traditional concept of Land for Peace. It treats Israeli withdrawals not as the reward, after the fact, for a clear-cut, credible, duly formalized, pacific change of heart on the part of an Arab interlocutor, as was the case with Anwar Sadat. Rather, Israel is to withdraw in the hope that this will encourage such a change of heart and, if no such change occurs, then so be it.

THOUGH the case for unilateral withdrawal by Israel—now sometimes described euphemistically as a “divorce” from the territories—has greater internal consistency than the traditional Land-for-Peace idea, it puts Israel on a perilous course leading to grave disappointment and worse.

The traditional Land-for-Peace approach entailed danger for Israel because the land in question could serve as a staging area for terrorism, military attacks, or both, and because the promises given to Israel, even if sincere, would come from individuals who ruled undemocratically and could not commit their political successors. But the current approach of withdrawals-first-and-maybe-peace-later entails all these risks and more. For as the expression on Rabin’s face made clear during the first famous handshake on the White House lawn, Israel can hardly take Arafat’s credibility for granted. And even if it could, subsequent events have demonstrated that Arafat cannot win a reassuring margin of support for the deal from the PLO as a whole, or even from his own Fatah organization, let alone from the growing number of Palestinian Arabs who line up with Hamas, Islamic Jihad, and other non-PLO rejectionist groups.

Some Israelis dismiss these considerations. They believe that, even if the withdrawals do not resolve or even mitigate the Arab-Israeli conflict, Israel is better off confronting its future security problems without what they view as the encumbrance of the occupation. This is strongly implied when officials like Beilin refer to the territories as “a burden and a curse.”

But unilateral withdrawal cannot produce the promised liberation from moral, military, or other problems. It will instead result in Israel’s exchanging one set of problems for another. The material and moral burdens of the occupation—though not to be denied or belittled—are not a threat to Israel’s existence. Neither, as 27 years of history attest, need they be fatal to Israel’s democratic institutions or principles. They create strains, sometimes severe; but many democracies have suffered and survived strains from security threats, and Israel’s commitment to a liberal rule of law remains robust.

On the other hand, territorial withdrawals that (1) reduce Israel’s strategic depth; (2) deprive Israel of control over the Judean and Samaritan highlands; (3) reduce Israel’s time for mobilization in a crisis; (4) require greater reliance on preemption strategies; or (5) increase Israel’s chances of being cut in half in a war will create problems of a far higher order. The often demoralizing psychological and economic burdens of the occupation will then be replaced by even more demoralizing psychological and economic burdens arising from physical insecurity and a hair-trigger national-defense posture.

It has been asserted that the Israel Defense Forces could easily handle any military threat Arafat and the PLO might pose from the territories. This is a reassurance that deserves to be credited—so long as current circumstances prevail. But if Islamic fundamentalist forces were to win additional political successes in countries like Egypt, Jordan, Syria, and Lebanon, and among the Palestinian Arabs themselves—hardly an inconceivable eventuality—the ability of Israel’s enemies to exploit any territorial concessions made now to the PLO would increase substantially.

THERE is yet another important issue in the negotiations: national rights.

In debates over national-security policy, it is always useful to remind oneself of what one is aiming to secure. For a country like the United States or Israel, national security is far more than simply the physical survival of the citizenry. America is more than a land and a people: it is a society based on a constitution; it is an idea. Israel too is an idea. It is the fulfillment of the Zionist dream, the embodiment of the internationally recognized national rights of the Jewish people.

When contemplating a proposed concession by Israel, it is not enough to ask whether that concession would endanger the state’s physical security. It is altogether proper for Israelis to ask themselves also whether the concession involves an undue relinquishment of national rights. This point was underlined for me by the comment of an Israeli friend—a strong proponent, by the way, of the Israel-PLO accord. He said:

I have great sympathy for those Jews who value Hebron and Nablus, who have intense Zionist feelings about them. I personally don't share those feelings for those places, but I do share them for Jerusalem. If the Arabs were to say, "You Jews can have peace but you must give up Jerusalem," I would say that I'd rather have Jerusalem. If it ever got to the point where I would rather have peace than Jerusalem, I would move to the United States.

A statement like this reminds us that there is more at stake in the negotiations than peace and the physical security of Israelis. One cannot define the national security of Israel without reference to the principles of Zionism, any more than one could define the national security of the United States without reference to the principles of the U.S. Constitution. Though it is common for nations to trade assets with one another for purposes of commerce or to solve quarrels, there are some things that a nation can never trade away unless it is willing to change its basic character. Nations that try to buy peace with aggressive neighbors by trading national rights often wind up with neither sovereignty nor peace.

MUCH is made of the fact that the Arab parties are for the first time willing to negotiate peace with Israel openly. That is something; but does it establish that the Arab intent is peaceable? After all, every ambitious and aggressive dictator for the last 100 years engaged in highly publicized peace talks: Lenin, Stalin, Hitler, Saddam Hussein, and Slobodan Milosevic all participated in peace negotiations and used them to pursue belligerent designs.

Nor is there any guarantee that the follow-up negotiations will succeed in carrying the DOP into full effect. Notwithstanding the lengthy, complex, and bitterly negotiated May 4 implementation agreement, the overarching Israel-PLO accord of September 1993 could disintegrate, as have other diplomatic gossamers of the Middle East from the 1919 Feisal-Weizmann agreement to the 1983 Israel-Lebanon treaty.

Israeli withdrawal from the territories is beginning. Whether it can continue and to what extent are questions that hinge largely on Arafat's credibility and authority. Though the avant-garde of Israel's unilateral-withdrawal school may say to itself, "We will not let Arafat block our withdrawal, no matter what," the general Israeli public has been taught to expect reliable peace and security

commitments in any trade for territory. It is crucial, then, that the PLO provide political cover: enough concessions from Arafat to give the appearance of mutuality; at a minimum, sufficient controls on political violence to allow Israeli forces to go on withdrawing from the territories without precipitating outbreaks of mayhem and killings; a decent interval. Yet the more influential the unilateral-withdrawal school has appeared to be in Israel, the less Arafat has been inclined to make any concessions at all. Indeed, for more than half a year after he signed the DOP, Arafat devoted himself to taking back important concessions—for example, by raising issues like the settlements and Jerusalem. Given Arafat's record, traits, and various incapacities (including his lack of authority over even his core constituency), there remains a substantial possibility that the negotiating dynamics will ultimately produce not a final settlement under the Israel-PLO deal, but an unraveling.

If this unraveling should occur, Israeli advocates of unilateral withdrawal will lose the valuable cover provided by the peace process, but they may—in the open, as it were—succeed in winning their essential point. Perhaps Israel will make further withdrawals and additional concessions even without credible and authoritative moves toward peace by Arafat and the PLO. If it does, its Arab enemies may take this as confirmation that unremitting hostility and violence, having driven the Jews from the territories, can also drive them the rest of the way out of Palestine. In much of the Arab world, the Crusader analogy—two centuries were required to wear down and expel the Crusaders from the Holy Land, and Arabs should be prepared to do the same with the Jews no matter how long it takes—is frequently invoked and is vivid and inspirational.

Israel may thus discover that the problem is not the intransigence or the flexibility of its own policies or the shape of its boundaries. Rather, the problem is whether its neighbors have the political leadership and the good will to sustain peace with a Jewish state on what, according to their religious and cultural convictions, is *their* land, *Arab* land—that is, anywhere in Palestine. If, contrary to all benevolent hopes, it transpires that those neighbors are not so willing, Israelis will have to tap into their Zionist heritage to find enough conviction and fortitude to defend themselves, for however long may be necessary, against hostility and violence, against *intifadas* and wars, if they are to preserve their state.