

ARYEH RUBIN

February 25, 1998

Senator Joseph Lieberman
SH-706 Hart Senate Office Building
Washington DC 20510-0703

Re: Israeli–Palestinian Peace Process

Dear Senator Lieberman:

On September 10, 1997, I was part of a group that met with you on behalf of the Israel Policy Forum. Our purpose in meeting with you (and with several other members of Congress) was to make two fundamental points: First, the silent majority of American Jews believe in the Israeli-Palestinian peace process; second, the United States, as Israel's strongest ally, has an important role in acting as a credible and effective mediator to bring about a final peace agreement between Israel and Palestine.

Last month, I went on a personal fact-finding mission to Israel. I met with Yesha representatives, who provided me with a first-hand look at the settlements and villages of the West Bank. I conferred with representatives of Shalom Achshav (Peace Now) and of Derech Hashlishi (The Third Way). I visited with Dr. Ron Pundik, one of the architects of the Oslo accord. Finally, I spoke, at length, with scores of Israelis about their positions on the issues related to the peace process. I cannot recall any disagreement on policy, in any country, on any issue that has raised such intense passions. The Right believes the Left to be naïve and that the Left's policies could lead to the destruction of Israel. One thinker noted that the type of idealistic relationship envisioned by the Left between Israel and Palestine doesn't even exist between any two Arab states. For its part, the Left feels the Right is destroying any chance for a life of normalcy and peace. Within Israel, it's as if two distinct tribes were at odds with one another. If one faction is in control, the other doesn't even think of cooperating with it. Both sides are impassioned, and each believes that only their view is the correct one.

The following is my assessment of the Israeli-Palestinian peace process. I stress that the opinions herein expressed are my own and should not be construed to represent any positions of the Israel Policy Forum or other organizations.

The Mood of the People

It's my impression that the people of Israel are tired: tired of being an occupying force, tired of the bombings, tired of Lebanon, tired of the tensions. They're tired of sending their children to serve in the territories, and they're tired of being conscripted into the reserves. Israel is no longer a third-world country (its per capita income exceeds Spain's), and her people enjoy their economic prosperity. A majority of the people, according to every poll I've read, want to cut a deal with the Palestinians.

The argument is over what sort of deal to make. The Oslo accord was achieved as a result of both sides being exhausted: Israel by the intifada; the PLO by bankruptcy and the isolation engendered by the Gulf War. Israel has not acquiesced to Palestinian statehood, and the Palestinian Authority (PA) really hasn't abrogated its charter. Neither side, at some level, yet accepts the legitimacy of its counterpart. No wonder, then, that they put off the problematic issues (Jerusalem, statehood, and final borders) to a later date.

My take is that the Israelis are more tired than the Palestinians. The consensus among the people is to reach an agreement with the Palestinians—providing Israel's security concerns are met. The Palestinians have fire in their bellies. What many Israelis hope for is that once those bellies are filled with food, the fire will subside, and the Palestinians will make the transition into a peaceful consumer society.

Palestinians Don't Have Much to Lose

There are those who maintain that a significant obstacle to the peace process is that the deal offered to the Palestinians just isn't good enough. If the deal sours, the reasoning goes, the Palestinians haven't lost much. All they get from the existing proposal is a small piece of territory that isn't economically very viable, and they would still have the Israelis breathing down their necks. The existing proposal makes no commitment to a Palestinian state, no definition of Jerusalem, and no promises about the Palestinian Diaspora. I think that's a mistake, and I advocate a different tack. Professional negotiators sometimes put all their cards on the table right up front—rather than engage in tit-for-tat concession trading—the theory being that the counter-party is more likely to concede on comparatively minor points (and less likely to walk) if he knows, from the start, how much he'll give up if he does walk. If the Palestinians would agree to do their part (see below), discussing the end game early on in the process might prove beneficial to both sides and to the goal of peace.

The representatives of the Left with whom I met differ on how to deal with this nettlesome issue. Some are perhaps overly generous and claim that the Israelis have an obligation to pay damages for confiscated properties. These are the same advocates who suggest that Israel create a separate national anthem to embrace Arab sensibilities. Most of the Israeli population—including most of the Left—don't take serious note of such views. Comparing

the Palestinian question to America's Vietnam, one Leftist thinker commented that there is no alternative solution. There would never be any transfer of populations as in Iraq nor ethnic cleansing as in Bosnia; and the Palestinians will not sit quietly for much longer. Such thinkers maintain that everyone knows where this deal will eventually come out, so, they say, let's get on with it and avoid the interim bloodshed. Following are some of my thoughts on some of the tougher issues.

Jerusalem

The Israelis will have to work out an arrangement on Jerusalem. While this was to have been settled later on in the process, after both sides had built up trust, it's better for both sides if the deal on Jerusalem is made now, to allay Israeli fears (after all the other concessions have been made, the Israelis fear a PA position that would, in effect, say, "If we don't share Jerusalem, there won't be peace") and to assure the Palestinians of some presence in Jerusalem. Whether under the Ottoman Empire, the Jordanians, or the Israelis, Al Quds—or Jerusalem—has always been a major center for the local Arab population. And while Jerusalem may not have the religious importance to Islam some have claimed for it of late, it is of spiritual significance, and it is of utmost importance to them—in part because of its resources, including its hospitals and medical centers and its fraternal organizations. There is a deal to be had—based on some sort of municipal recognition—with which both sides could live. The Palestinians would have to bite the bigger bullet, but an agreement on Jerusalem made now would give them some presence in the city.

The Palestinian Diaspora

There are several subgroups within the Diaspora: the Lebanese refugees who have no rights and are not allowed to work, the Syrians who have Syrian identity cards but are identified as Palestinians, those residing in Jordan who are full-fledged citizens, and the Israeli Arabs.

The problem of what to do about the Diaspora can be solved only by money—and lots of it. The Lebanese are true refugees living in hovels, and many of them will want to be repatriated to improve their quality of life. The Syrian refugee camps are almost a suburb of Damascus, their quality of life is somewhat better, and only a portion of Syrian refugees will want to move to Palestine. As for those in Jordan, they are an integral part of their society and would be unlikely, for the most part, to uproot themselves. The Israeli Arabs will stay where they are. Very few will move from a first-world country to a third-world environment (though many Israelis wish they would). Their place in Israeli society needs to be elevated to full and equal status. (My view is that they should live as first-class—but minority—citizens in Israel, and I vehemently disagree with those who suggest that any anthems be added or that any significant reparations be paid.)

The world community, World Bank, IMF, and the like should undertake to finance the reconstruction of Palestine. Without the advance commitment of funds for reconstruction, repatriation cannot be allowed to occur. The only chance of a permanent peace is if the Palestinians become as “fat and happy” as the Israelis. The economic incentives for eventual financial security must be in place. If the Palestinians have something tangible to lose, they won’t risk losing it.

The Settlements

The West Bank settlers represent the current-day chalutzim (pioneers), and they are among the finest and most idealistic personages Israel has to offer. They are patriots who believe strongly in Jewish destiny, serve valiantly in the defense forces, and are, as individuals, much admired by Israeli society.

Many Israelis react negatively to the concept of the settlements (as opposed to the settlers themselves) as an impediment to peace. At best, such persons consider the settlements a waste of resources that could have been better spent on the infrastructure that serves the majority of Israelis. (Settlers represent fewer than 5% of the total population.) There is an overwhelming consensus, however, that the Israeli government—which acquiesced to and, in many instances, encouraged settlement in the West Bank—should shoulder the burden of assuring the settlers’ well-being.

Numerous maps delineating the return of the territories have been proposed by different governments, various statesmen, and by assorted organizations (Sholom Achsav, Derech Hashlishi, etc.) These maps vary in detail, but, in essence, they propose the retention, by Israel, of 5% to 15% of the West Bank, thus incorporating those settlements that hold 75% of the settlers. For those settlers who don’t live within this area, the different solutions reflect the different philosophies of their backers. Under alternate scenarios, these settlers would either become Palestinian citizens or Israeli subjects with access roads to Israel proper. There is further philosophic division over how to induce the Palestinians to take anything less than a full return to the ’67 borders. The extreme Left prefers giving the Palestinians a piece of the Negev in exchange for the “expropriated” land. Most Israelis, however, scoff at this notion.

Obviously, most of the settlers themselves would prefer that no deal be made. According to one recent poll, a very small minority of several thousand West Bank residents maintains they would resort to violence if any efforts were made to remove them from their homes. The majority, however, are prepared to deal with the new reality and would like to get the best terms possible. In a frank discussion with Pinchas Vallerstein (mayor of Mateh Binyamin Regional Council), who has had his own version of the map ready for years, Mr.

Vallerstein claimed that he is looking for guarantees that the settlers can maintain their own infrastructure, personally controlling their own water supply, electricity, communications, and access roads between settlements.

The upshot here is that there is a solution on the settlements issue that would not be too onerous for those involved. Here too, like the refugee issue, it will cost significant amounts of money to clean up.

Netanyahu, Har Homa, and the USA

Bibi Netanyahu must be encouraged to deal more often and more directly with Arafat. He must be made to realize that his succumbing to his Right-wing constituency won't serve his personal political interests. He must stop the expansion and building of new settlements while the talks are continuing. He should (but probably won't in the near future) accept the concept of Palestinian statehood. That carrot of statehood (which is inevitable in any case) could induce the Palestinians to make changes within their society that could cajole much of the reluctant Israeli populace into partnership with Arafat. And everyone agrees that Netanyahu needs a new spin-doctor.

Har Homa is just one indication of how his "honed" communication skills have failed him. His revisionist political philosophy, combined with a regrettable lack of empathy, prevented him from using even rudimentary public relations skills. (One can imagine him blustering, "Nobody dictates where Jews can or cannot live in Jerusalem.") Har Homa is not on expropriated land, and it is not prohibited by the Oslo accord. The Palestinians claim that it was not in the spirit of Oslo, yet it was, and it continues to be a PR disaster. Some simple steps—such as announcing with fanfare a new sewer system in East Jerusalem (that was actually started) and incorporating some housing for the Arabs as part of the Har Homa project—would have defused much of the outcry. Netanyahu must be pressured to move soon. If Arafat resigns (as he has been threatening) or dies, the resultant power struggle would have far-reaching and unpredictable effects on the peace process.

The United States must continue to act as an impartial broker continually nudging both sides toward agreement. An oft-cited concern among Israelis is that Secretary Albright, like most diplomats, is more likely to lean on her ally, while coddling the recalcitrant party; that is, many feel that too much pressure is being placed on Netanyahu—and not enough on Arafat—to make concessions. While Bibi may have presented an unreasonable list of compliance issues, there is near-unanimous consensus that Arafat must take certain steps—some concrete, some confidence builders, and some a matter of life and death—before a lasting deal can be achieved. This is one area where American pressure can be of paramount importance.

It's Arafat's Turn for Concessions

First and foremost, there can be no tolerance of terrorism. (To their credit, the Palestinian Authority has made some progress in this area.) Second, the Israelis need and deserve a seismic shift in attitude on the part of the Palestinian leadership and its people. After Oslo, Rabin prepared his people for peace: He called for a difficult, but necessary, psychological shift from the concept of a Greater Israel to the realization that Israel must share the land with the Palestinians, for some of the Palestinian's claims were legitimate. The Palestinians themselves never made such a shift. Arafat never prepared his people for the end of the struggle. He continues to talk of jihad—whatever the intended meaning of the word, the mere mention of it sends shivers down Israeli spines. If Arafat is ever to build up a modicum of confidence among the Israeli masses, such rhetoric has to stop. But that is only part of what needs to be done.

Media controlled by the Palestinian Authority is virulently anti-Semitic, apropos Die Sturmer. Palestinian TV resorts to Jewish stereotypes that were common in the Middle Ages. Holocaust denial is de rigueur. References to the Khoreish tribe—which was slaughtered by the prophet Mohammed after signing a peace treaty—are practically a regular feature of Arafat's lecture circuit. These references, these attitudes, must cease if peace is to be achieved. The incitement common in Friday services at mosques all over the country arouses Palestinians to a feverish hatred. Curricula for schoolchildren are fraught with venomous disdain of Jews and Israelis, and songs of the return to Jaffo and Al Quds are chorused throughout the entire school system. Arafat's making of that paradigm shift—i.e., that the time has come to end the struggle—in his people's thinking would go a long way to countering the popular refrain among Israelis that negotiation with Arafat is impossible.

Just as the Israeli masses rejected Peres's concession-oriented approach without reciprocity, they—despite the tragedies of suicide bombings and Arafat's continued hostile attitude—reject Netanyahu's hard-line approach. Their patience, however, is wearing thin. If Arafat were to undertake this necessary shift in attitude and would prepare his people to accept that the struggle is over, he would have the backing of most Israelis. In the current atmosphere, any further suicide bombings would unite the Israeli public against the PA and would give Netanyahu the consensus to walk away from the table. In a dire scenario (e.g., suicide bombers escape to PA-held territory and are not found), one can envision a nightmare in which Netanyahu orders Operation Field of Thorns into effect, thus dispatching the IDF to PA-controlled areas. Clearly, such a scenario would be disaster for both sides. (Will Egypt, Syria, and Iraq sit by quietly on the sidelines?) But if the PA were sincere in their rapprochement with the Israeli government and her citizens, any crises that might arise

would be relegated to the proper perspective. If Arafat demonstrates an all-out and sincere effort in weeding out the terrorists—even if he is not completely effective—the Israelis will give him the credit he would, then, deserve. The bottom line is that if Arafat shows good will, Netanyahu will have to fall in line.

Most will agree that it's not the Arafat and the Palestinians of years ago. There are joint patrols between Palestinians and Israelis; there is movement; there is dialogue. While there isn't any Palestinian equivalent of the Israeli Left to speak of, the average Palestinian would like to see some sort of understanding, so he could go on with his life. Arafat, like Netanyahu, must rein in his own constituency and must appease the hawks and the ever-popular Hamas within his party. Much of the Israeli attitude on the Hamas issue is simple: It's Arafat's responsibility to keep Hamas in line. If he can't or won't, he can't be trusted—not on Hamas and not on Oslo.

On the other hand, the Palestinians are extremely frustrated. While they were expecting a big payoff—the peace dividend and resultant economic security—the Palestinian GNP has gone down more than a quarter, while the Israeli GNP (until last year) had continued to grow. Palestinians have not been able to improve their infrastructure, and the refrain, “it's the economy, stupid,” is just as applicable here as anywhere else. Arafat is treading on very thin ice with his people. Furthermore, Palestinian institutions are very new, while those of Israel have the benefits of 50 years of experience. Governments, like people, develop more tools with which to make and execute rational and adaptive decisions as they mature.

How to Continue?

Despite all the tragedy that has occurred since the Oslo accord, there is, in my opinion, only one course of action, and that is to continue the peace process. A majority of Israelis (and myself) feel that many of the Palestinian claims need to be taken seriously and to heart. But even if one were to discount the legitimacy of the Arab claims and to deny any credence to Palestinians' demands for rights and need for self-determination, Israel's best chances for a thriving and continued existence as a state come from cutting a deal with the Palestinians. Israel cannot expect to thrive while trying to control almost two million Arabs.

Even if one does question the ultimate goals and motivations of Arafat and his cohorts, even if some or many Palestinians view an accord with Israel as an interim stage to reach the ultimate goal of recovering all of Palestine, Israel's current strength makes the risk-reward ratio of pursuing an agreement worth it.

If Israel is to survive long term, it cannot repeatedly battle with—and expect to continually come out ahead of—500 million Arabs or one billion Moslems. Weapons of mass destruction are proliferating all over the neighborhood, and the grave potential for violent

battle and loss of life looms over the region. A negotiated peace offers the possibility of hope, survival, and time for all.

Though the agreement with Egypt brought about a cold peace, it did buy time—almost 20 years thus far. Buying time with the Palestinians could prove especially advantageous. Consider that two peoples living in such close proximity—and with the resulting intermingling of their respective media—may enjoy a cross-fertilization of ideas. With time, the concept of democracy may osmotically enter the fabric of Palestinian life. If it does, this will serve our ultimate purpose of peace between the peoples. Perhaps a growing financial security will help dampen hostilities while fostering the realization that Israelis have come home to stay.

If it doesn't work, Israel would be able to reassess the situation with a clear conscience that it did its part for peace. If hostilities were to break out, Israel would still be a major military power with formidable might and would, then, have cause to redress.

Of course, any deal with the Palestinians will have to consider Israel's security needs. Trust alone won't work. The Palestinians will have to accept restrictions unprecedented for a sovereign state or entity. Treaties are never consummated solely on trust (though trust is certainly requisite to bolster the populace's acceptance); rather, they are always premised on a balance of power and the meeting of each side's needs and interests. There would have to be oversight by an enforcing and responsible third party, with agreed-to-beforehand sanctions for violations (e.g., Israel's not providing an access corridor between the West Bank and Gaza or the Palestinians having more armed police than specified in the Oslo agreement).

Both sides need to make concessions that will, unavoidably, alienate part of their respective constituencies. The opportunities to salvage the essence of Oslo are quickly running out. Force feeding the political leaders has not been effective to date. A minimal level of trust and a clear indication of direction needs to be established, and the US's leadership and position as an impartial, fair-to-both-sides broker is integral to that establishment of trust and direction.

Israel must be much less provocative and must seriously take note of the precarious position of Arafat's political standing. Netanyahu should encourage and applaud Arafat—not continually back him into corners. He must announce his intentions and negotiate earnestly and sincerely.

To win over the Israeli masses, Arafat must mentally prepare his people for peaceful coexistence and demonstrate a full effort on all fronts. If Arafat doesn't take a different tack

than he has so far, I don't see the Israelis taking a chance on any sort of agreement—much less on a treaty of peace.

Sincerely,

Aryeh Rubin

AR/tlh

cc: Congressman Howard Berman

Mr. Leon Fuerth

Congressman Sam Gejdenson

Senator Carl Levin

Senator Arlen Specter

Selected Additional Members of Congress

Ambassador Eliyahu Ben-Elissar