

Fundamental Early Warning

Military Logic May Undermine National Security

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Essence of Warning

According to Israel's military logic, only through military presence in Gaza is it possible to contain the firing of Qassam rockets and the build-up of Palestinian terrorism. However, Israel's national security requires the ending of its control over the Palestinian population in order to maintain its Jewish and democratic identity.

Israel's present policy is first and foremost based upon its military logic. However due to several emerging trends, these policies may cause Israel to renew its responsibility over the Palestinian population and undermine its national security.

Introduction

1. The end of control over the Palestinians is an existential Israeli interest which was the fundamental rationale behind the political process.
2. The Disengagement Plan (8/05) was intended to end Israel's responsibility over the Palestinian population in Gaza.¹ In order to attain this goal, Israel withdrew from the Philadelphi Route and transferred control over the Rafah border crossing to the PA and Egypt under the supervision of the EU.²
3. In light of the deadlock in the political process after the Disengagement, Israel considered unilaterally withdrawing from areas of the West Bank within the framework of the Convergence Plan. This plan was unofficially shelved in the aftermath of the war in Lebanon.³
4. Since Hamas' operation in Kerem Shalom and the kidnapping of Gilad Shalit (6/06), the IDF has renewed its activities in Gaza. In light of the firing of Qassam rockets into Israeli territory and the smuggling of weapons to Gaza from Egypt, Israel has increased its military activity in Gaza and along the Philadelphi Route in recent weeks.⁴

Existing Mindset - War on Terrorism Precedes End of Control

Israel's present policies vis-a-vis the Palestinians are based on the following assumptions:

¹ See articles 1 and 2 of the Disengagement Plan.

² See: The Agreements on Movement and Access (Rafah Agreement).

³ The report of the 'Convergence Committee' established by former Justice Minister Tzipi Livni, presented a number of problems with implementing the plan and questioned the value of unilaterally withdrawing from the West Bank and converging behind the security fence (Ben, **Ha'aretz**, 8/15/06) Following the publication of the report, Prime Minister Olmert announced that Convergence "was no longer on the agenda" (**Ha'aretz**, 8/18/06).

⁴ Following IDF activity in Gaza, there have also been calls for renewed control over the Philadelphi route (Marciano, **YNET** 10/24/06).

5. **Two threats, two logics** – Two different logics guide Israel in dealing with challenges in the Palestinian arena:
 - **The military logic: war on terror** – Effective tackling of the Qassam threat requires military action against terrorists that is designed to destroy their capabilities, and prevent them from acquiring strategic weapons (such as anti-tank and anti-aircraft missiles).
In the absence of a Palestinian address, Israel is required to act within Palestinian territories and control the external perimeter of the Gaza Strip, such as along the Philadelphi Route, and the aerial and maritime spaces.
 - **The political logic: ending control over the Palestinians** - In order to curb the one state threat,⁵ Israel needs to promote a sustainable separation from the Palestinians. The basic condition for this separation is the end of Israeli control over the Gaza Strip and the West Bank.
6. **The political process is at an impasse**– Israel cannot end its control over the Palestinians because there is:
 - a. **No negotiation option** – In the absence of a Palestinian partner there is no way to advance the political process through negotiations.⁶
 - b. **No unilateral option** – In the aftermath of the war in Lebanon and current Qassam rocket fire from Gaza, the political and military logic of unilateral steps has been eroded.⁷
7. **Urgent military threat** - Against the backdrop of the Hamas victory, Qassam rocket fire, and increased arms smuggling into Gaza, there is an enhanced fear of the 'Lebanonization' of the Palestinian territories.
8. **Fighting terror is more urgent than ending control over the Palestinians** - Currently, ending control over the Palestinians entails a serious security risk and has therefore taken a back seat. In the absence of any political horizon, the military challenge of preventing Qassam firing has taken precedence.

Diverging Reality - Erosion of the Two-State Solution

Trends are developing among the Palestinians that are liable to lead to a strategic surprise for Israel.

9. **The PA is not functioning** – To date, PA institutions exist only on paper and do not function as a governing power.

⁵ The one state threat stems from a combination of demographic trends and the de-legitimization of the Jewish right to self determination. It is based on forces that combine violence with political means for the establishment of one state in the entire area of mandatory Palestine and the erosion of the principle of the two state solution.

⁶ Even before Hamas' rise to power it was assumed that there was no basis for negotiations and no Palestinian 'address' that had the capability or the will to make decisions and to implement them. This feeling was strengthened in light of Hamas' denial of Israel's right to exist. The Reut Institute defines 'partner' as a political entity with a "will" to take part in a political act in a particular context. 'Address' is defined as an entity that has the ability to make and implement decisions in matters under its jurisdiction (see: 'carrying capacity').

⁷ This is seen through the erosion of public support for unilateral steps, together with the report of the 'Convergence Committee' established by former Justice Minister Tzipi Livni that expressed doubt as to the efficacy of Convergence.

Due to the constitutional structure of the PA, effective governance requires full cooperation between the government and the President.⁸ Since the elections, this type of cooperation has not existed due to the political struggle between Hamas and Fatah.

10. **Palestinian inversion regarding the two-state solution** - Continuous erosion in Palestinian popular support for the principle of the two states solution has recently become evident. This trend may reach its peak with the 'inversion' of the official Palestinian position: from demanding a Palestinian State alongside Israel to the adoption of a one state solution. (see: Moment of Inversion towards Palestinian Statehood). The emergence of this trend is reflected in the following ways:

- a. **Decline of Fatah's hegemony** – Until the last elections, Fatah controlled the institutes of the Palestinian national movement (both in the PA and in the PLO), thus ensuring the ascendancy of the principle of historic compromise and the two state solution.⁹

Hamas' electoral victory (1/06) and the increasing internal fragmentation within Fatah¹⁰ are eroding the principle of historic compromise and strengthening support for the Palestinian ethos of struggle.¹¹

- b. **Trend towards dissolution of the PA** – Even before Hamas came to power there were calls for the dissolution of the PA in light of the political impasse and the growing erosion of its capacity to function. These calls have increased since Hamas' electoral victory, and can now be heard among senior politicians from all sides of the Palestinian political spectrum.¹²

⁸ Amendments to the basic Palestinian law in 2003 have split the executive authority in the PA between the President and the Prime Minister in a way that creates an overlap between the two offices (see: Palestinian Elections – Towards Institutional Dysfunction).

⁹ According to the principle of historic compromise, the Palestinian right of self determination will be realized according to the principle of the two state solution. Initially Fatah denied Israel's right to exist and called for an armed struggle to liberate all parts of mandatory Palestine. However, in the Algiers Declaration (11/88) the movement accepted the principle of the two state solution for the first time. The signing by Yasser Arafat, the founder and leader of Fatah, of the Declarations of Principles (9/93) that included recognition of Israel and the repudiation of terror, was seen as an official identification with the principle of historic compromise.

¹⁰ There are currently two main struggles taking place within Fatah. The first, between the 'external' Fatah leadership (identified with Farouk Kaddumi) and the 'internal' Fatah leadership (see: Rubenstein, **Ha'aretz**, 10/18/06). The second, between the 'old guard' identified with Abu Mazen and Abu Ala, and the 'young guard' identified with Marwan Barghouti. These struggles reached a peak before the last elections in the PA.

(See: Mohamed Yaghi and Ben Fishman, "Fatah's Prospects in the Legislative Elections", Peace Watch no. 534, 10/1/06. Click here for full article on Washington Institute website).

¹¹ According to the 'Ethos of Struggle' the Palestinian right to self determination is only achievable through Palestinian control over all of mandatory Palestine. Since the national aim of the Palestinian national movement denies the Jewish right to self determination, there cannot be 'finality of claims' through negotiations with Israel.

¹² See: Dissolution of the Palestinian Authority – an Emerging Trend. Voices calling for the dissolution of the PA base their arguments on the claim that the PA is unable to take responsibility and control in Gaza and the West Bank, and that, in reality, the occupation is not ending but getting worse.

The PA is the cornerstone for a future Palestinian state and the two state solution. The intensifying discourse regarding the possible dissolution of the PA emphasizes the erosion of the principle of the two state solution

11. **Shift in the international discourse**– the continued erosion of Palestinian support for the two state solution is liable to influence the discourse in the international community.¹³
 - The current discourse within the international community revolves around **how** to implement the two state solution.
 - As a result of the inversion, the discussion may shift to the question regarding whether to a two state or a one state solution.

Implications

12. Israel is caught in a predicament. Terrorism makes it difficult for Israel to end its control over the Palestinians either by agreement, unilaterally or through coordination with third parties. In the absence of a political option, Israel focuses on military activity against terror.
13. **However, it is doubtful that military activity will achieve its goal.** It seems that there is no military way to fully solve the Qassam rocket threat. As long as there is no clear Palestinian address, the effectiveness of the military measures is limited.
14. **Moreover, military action does not solve the political threat, but rather aggravates it:**
 - The renewal of IDF activity along the Philadelphi Route is liable to renew the burden of responsibility for Gaza's population on Israel's shoulders. Thus, Israel may find itself again as an 'occupier' in Gaza.
 - Moreover, Israel's military activities in Gaza and the West Bank hurt the PA's ability to govern and increase Palestinian mistrust in the political process. As such, it strengthens the trend of 'inversion' regarding the principle of the two state solution.¹⁴
15. The intensifying trend of inversion and its trickling into the international community's discourse is liable to put Israel in a situation where:
 - Israel is unable to end its control over the Palestinian in light of the increased terrorist threat.
 - Its Jewish identity is being challenged in light of the erosion of the support for the two state solution.
16. **Therefore, though military action may contain terrorism to some degree, it is liable to result in political losses and will not provide an answer to the one-state threat.**

¹³ Even today there are sources in the international community that are neglecting the two state solution paradigm (see: Contemporary One State Argument).

¹⁴ "Israel wants to weaken Hamas but instead undermines Abu Mazen" (Rubenstein, **Ha'aretz** 11/5/06). See also: How to Deal with the Bear Hug Paradox.

Policy Options

17. In order to best deal with the two strategic threats facing Israel, Israel needs to find the balance between the use of essential military action and the necessity to end control over the Palestinians.
18. **Maintain the principle of separation** – Israel needs to take steps to achieve a sustainable separation from the Palestinians, which will allow the future implementation of the two state solution.
 - **A strong PA validates the two state solution** - Israel must refrain from damaging PA government institutions and infrastructure while undertaking its fight against terror. Similarly, in its current unstable situation, it is necessary to rehabilitate the civilian and economic ability of the PA.
 - **Not to establish permanent military presence** in the Philadelphi route or civilian presence in territories that are due to become part of a future Palestinian state.
19. **Finding an alternative to a direct military presence** – this mode of operation relies on developing political and military means in order to establish a stable border regime with the PA:
 - **Developing a defense concept, a military doctrine and technology** based on defense from *within* Israeli territory.
 - **International involvement** that combines buffer forces that have a mandate to apply force and to help build the Palestinian address. In this framework, it is worth considering the possibility of an international trusteeship.
 - **Cooperation with Egypt and Jordan** in all issues regarding security arrangements in the external perimeter of the PA.
20. **Military action does not contradict dialogue** – It is doubtful whether complete eradication of Palestinian terror, or Hamas compliance to Israel's 'three demands' is achievable. Therefore conditioning dialogue with the Palestinians on these requirements may lead to a complete deadlock in the political process.
 Therefore, Israel should consider easing the restrictions imposed on the Palestinians and even look into reaching limited political arrangements while continuing its military activity.