

Reflections on the Current Palestinian-Israeli Impasse

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In order to understand the dimensions of the current Palestinian-Israeli impasse and recent developments, it is necessary to look at a number of factors. These include the escalation of Israeli atrocities in Jerusalem, the West Bank and Gaza Strip; the stalemate in the Palestinian political factions' reconciliation process; the seemingly deadlocked mission of the US Secretary of State John Kerry to uphold the negotiation process; regional powers' struggle with political Islam; and the current international crises, which have preoccupied the major external players – the US, EU, Russia and China: the 'Crimea Crisis,' the (nuclear) dialogue with Iran, and the Syrian civil war.

Israeli Atrocities and the Situation on the Ground

A new chapter of Israeli atrocities can be witnessed in Jerusalem, where Palestinians face unprecedented challenges to the Al-Aqsa Mosque, which were set off with the highly provocative 'visit' of Ariel Sharon in September 2000, which led to the second

Palestinian Intifada.² Israeli attempts to have a presence on the third holiest site in Islam are nothing new; however, in recent months the demand to have access to the holy site has emerged at the top of the agenda of different Israeli groups and actors – religious entities, military leaders, political figures. Coupled with the Israeli policy of restricting the religious freedom of Muslims and Christians on and during religious holidays by barring their access to the sites of worship in Jerusalem, the new focus of Israeli right-wing politicians and their religious zealot allies on touring the Al-Aqsa compound raises fears that there will be attempts to copy what has been done at Hebron's Al-Ibrahimi Mosque since 1994:³ putting the site under Israeli military control and restricting Muslims from praying freely by imposing prayer times and locations for Muslims and Jews, respectively.⁴ In addition, Israel is creating a large network of settlers in and around East Jerusalem by expanding its settlements and claiming ownership of Palestinian property. Settlers now number around 200,000,⁵ with numerous settlement projects underway, all serving the goal of eventually outnumbering the city's 370,000 Palestinians.⁶ Israel is furthermore working to create a 'new city' underneath Jerusalem, trying to connect the settlements with the Old City by building tunnels that pass under the Al-Aqsa Mosque compound.⁷ Alongside this, Palestinian residents of Jerusalem are exposed to routine

* This article was finalised in April 2014. (Editor's note).

¹ See www.passia.org/.

² HARMS, Gregory & FERRY, Todd M. *The Palestine-Israel Conflict: a basic introduction*, 3rd Edition, London: Pluto Press, 2012.

³ After the 'Hebron massacre' on 25 February of that year, when Baruch Goldstein, a Jewish fundamentalist from the nearby Kiryat Arba settlement, shot and killed 29 Palestinians in the mosque.

⁴ Ramzy BAROUD. "Saving al-Aqsa mosque," Al Jazeera, 6 March 2014, at www.aljazeera.com/indepth/opinion/2014/03/saving-al-aqsa-mosque-2014355375242745.html [accessed 29.03.2014].

⁵ "Press Release on Israeli Settlements in Palestine, 2012," PCBS, 13 August 2013, at www.pcbs.gov.ps/site/512/default.aspx?tabID=512&lang=en&ItemID=861&mid=3172&wversion=Staging [accessed 03.04.2014].

⁶ "East Jerusalem – By the Numbers," The Association for Civil Rights in Israel, 7 May 2013, at www.acri.org.il/en/2013/05/07/ej-figures/ [accessed 03.04.2014].

⁷ Ramzy BAROUD. "Saving al-Aqsa mosque."

measures of violence and intimidation by Israeli forces, which raid houses, destroy homes,⁸ arrest Palestinians, severely restrict the movement of the people (through checkpoints and the separation barrier), and, altogether, create a culture of fear with the ultimate goal to 'legitimise' and legalise Israel's control over the city⁹ and shake the Palestinians' sense of religious and national identity.

Meanwhile in the West Bank, Palestinian land continues to be confiscated and Israel is accelerating the expansion of its colonies, most recently with plans to build over 2,300 new settlement homes.¹⁰ The underlying mentality is that Jews have a "God-given right" to the land.

In Gaza, Hamas is losing support from its traditional allies such as Syria, Hezbollah, Iran (which stopped most of its financial support), and Egypt (after the ousting of President Morsi)¹¹ and has become isolated in the "world's largest open-air prison,"¹² where over 1.7 million Palestinians are effectively locked up on some 365 km².¹³ Recently, Egypt has closed over 1,300 tunnels to Gaza,¹⁴ and Israel and Egypt are both limiting the movement across the three main border crossings.¹⁵ Meanwhile the Islamic Jihad, another political faction in Gaza, is attempting to provoke Israel by firing missiles to get the Israelis re-involved in Gaza and draw the attention of the international community to the siege on the coastal strip. However, this strategy has catastrophic consequences for the people of Gaza, as Israeli retaliation is usually much worse than the initial provocation.

Israeli politicians are, furthermore, constantly attacking Palestinian President Mahmoud Abbas (Abu Mazen), smearing him, publicly questioning his ability to lead, and saying he is not a partner for a peace deal. Hinting at his age, the Israeli media compares his situation to the last days of the late President Yasser Arafat and the need for a 'new leader' in Palestine.

So what are the Israelis' aims? They are clearly not interested in ending the occupation, but rather are quite content with the status quo which allows them to push forward the Israelisation of Jerusalem, while containing Palestinians elsewhere in big 'prisons' – whether Nablus, Ramallah, Hebron or the Gaza Strip – and carrying on its 'colonisation tsunami' in the West Bank. They nourish a 'war culture' directed at Hamas, Hezbollah, Iran and Syria rather than seeking a political settlement with the Palestinians, meanwhile performing as a spoiler in the region as well as in the global political arena.

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⁸ Israel's discriminatory policies make it almost impossible for Palestinians to obtain the necessary permits to legally build in the city. As a result, over 500 Palestinian homes have been demolished during the last decade – either by Israeli authorities or by Palestinians themselves, in order to avoid high fines and demolition costs. "Statistics on demolition of houses built without permits in East Jerusalem," B'Tselem, 10 March 2014.

⁹ Rightwing politicians have already introduced a bill in the Knesset, calling on "the Israeli government to enforce its 'sovereignty' over the holy site," which officially is administered by Jordan as stipulated in the Jordanian-Israeli peace treaty of 1994. Ibid.

¹⁰ "Israel promotes plans for 2,372 settler homes in the West Bank," *Al-Arabiya*, 21 March 2014, at <http://english.alarabiya.net/en/News/middle-east/2014/03/21/Israel-promotes-plans-for-2-372-settler-homes-in-the-West-Bank.html>.

¹¹ Ehud YAARI. *Hamas in Crisis: Isolation and Internal Strife*, The Washington Institute, 30 July 2013, at www.washingtoninstitute.org/policy-analysis/view/hamas-in-crisis-isolation-and-internal-strife.

¹² This phrase was coined by the renowned American linguist, philosopher and political activist Noam Chomsky after visiting the area in 2012. See Noam CHOMSKY, "Noam Chomsky: My Visit to Gaza, the World's Largest Open-Air Prison," *Truthout*, 9 November 2012, at <http://truth-out.org/opinion/item/12635-noam-chomsky-my-visit-to-gaza-the-worlds-largest-open-air-prison>.

¹³ *Al-Akhabar English*, "Palestinian toddler dies at Gaza's closed Rafah border crossing," 14 March 2014, at <http://english.al-akhbar.com/node/19024>. See also *Daily News Egypt*, "Closure of Rafah border crossing 'crime against humanity': Hamas spokesman," 19 March 2014, at www.dailynewsegyp.com/2014/03/19/closure-rafah-border-crossing-crime-humanity-hamas-spokesman.

¹⁴ Missing Peace, "Egypt outlaws Hamas as situation in Gaza deteriorates," 4 March 2014, at <http://missingpeace.eu/en/2014/03/egypt-outlaws-hamas-situation-in-gaza-deteriorates/>.

¹⁵ See B'Tselem. "Rocket fire from Gaza to south Israel does not justify collective punishment of Gaza residents," 13 March 2014, at www.btselem.org/gaza_strip/20140313_closing_of_gaza_crossings. See also Asmaa AL-GHOUL. "Gaza patients suffer as Egypt keeps Rafah crossing closed," *Al-Monitor*, 26 March 2014, at www.al-monitor.com/pulse/originals/2014/03/gaza-patients-rafah-crossing-egypt-siege.html.

Palestinian Society and Affairs

Palestinian society has been divided politically and geographically since 2007, with all attempts at reconciliation between Fatah and Hamas leaders so far having been unsuccessful.¹⁶ Both factions are currently stuck within their own respective political 'boxes,' facing internal as well as external legitimacy problems, while in the meantime holding endless rounds of unity talks under Egyptian, Saudi and Qatari umbrellas.

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As Hamas has lost its traditional alliances with Iran, Syria, Hezbollah, and Egypt and finds itself cut off from the rest of the world following the destruction of smuggling tunnels and the Rafah border crossing,¹⁷ it is facing growing criticism from within Gaza, which challenges its position as the governing faction there. Fatah, too, is going through a leadership crisis, and, with the peace talks apparently at an impasse, also faces a crisis of vision. The turmoil within the ranks of Fatah became obvious when President Abbas, at a recent Fatah gathering in Ramallah, accused the deposed Fatah member Mohammad Dahlan of 'conspiracy' during his official posting in the PA's Central Committee.¹⁸ This exposure of Fatah's 'dirty laundry' occurred in "a critical period of diplomatic battle for the Palestinians' future"¹⁹ and has shaken the credibility of Fatah among the Palestinians.

It is not clear where this situation will be heading, but three scenarios are plausible: first, a continuation of the status quo, with the West Bank as a 'semi-autonomous' entity, *de facto* controlled by Israel and divided up into three small cantons;²⁰ second, the (re-)emergence of Fatah leader Marwan Barghouti as a candidate to head the Palestinian Authority (PA). However, his release from prison is rather unlikely. Third, new elections, which would open a window of opportunity for independent candidates to rise to the challenge.

In the meantime, Palestinian youth, who represent around 60% of the Palestinian population in the Occupied Palestinian Territories, have opened a new chapter of resistance, combining national pride and steadfastness with new means to resist. They stand up for themselves, their property and their dignity, for example, by increasingly confronting settlers' assaults rather than asking the PA for protection – sometimes even 'arresting' and subsequently handing settlers to the PA. Another example is the erection of tent 'villages' like Bab Al-Shams and Ein Hijleh. Although they were short-lived, as Israel was quick to destroy the tents²¹, they demonstrated an unprecedented confidence among youth and challenged the impotence of the PA.

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The youth have also adopted the BDS (Boycott, Divestment and Sanctions) campaign, which promotes

¹⁶ See PASSIA, *Fatah & Hamas and the issue of reconciliation*, Jerusalem: PASSIA, 2013.

¹⁷ *Daily News Egypt*, "Closure of Rafah border crossing 'crime against humanity'."

¹⁸ Ramzy BAROUD. "The Fatah showdown: Mahmoud Abbas vs. Mohammad Dahlan," 27 March 2014, <http://english.alarabiya.net/en/views/2014/03/27/The-showdown-Mahmoud-Abbas-vs-Mohammad-Dahlan.html> [accessed 31.03.2014].

¹⁹ Isabel KERSHNER. "Palestinians Criticize Abbas for Public Fatah Feud at Delicate Time Diplomatically," *The New York Times*, 22 March 2014, at www.nytimes.com/2014/03/23/world/middleeast/palestinians-criticize-abbas-for-public-fatah-feud-at-delicate-time-diplomatically.html.

²⁰ The three cantons are Nablus, Ramallah and Hebron.

²¹ "PHOTOS: Ein Hijleh village evicted after seven days of protest," *+972 Magazine*, 7 February 2014, at <http://972mag.com/photos-ein-hijleh-village-evicted-after-seven-days-of-protest/86871/>.

an economic and political boycott of Israel,²² and some groups have taken the boycott a step further, engaging in anti-normalisation activities, involving an unwillingness to even accept Israeli visitors and promoting a total divorce of Palestinian society from Israel.²³

In addition, committees such as the cultural group Zedni have emerged to awaken, empower and politicise the youth.²⁴ Zedni began in Nablus as a student society that focused on book reviews but then went viral over the social media. It is based on youth educating themselves about the Palestinian struggle by interpreting and discussing Palestinian literature, films and videos.²⁵

Negotiations

It is interesting to draw a comparison between the 'negotiations' that are currently taking place and those in 1948. Back then, talks were held under the mediation of Count Folke Bernadotte, who was appointed by the UN Security Council.²⁶ Today, US Secretary of State John Kerry, appointed by US President Obama, is in charge of roughly the same mission. The enormous difference in the approaches of these two mediators reflects not only shifts in the global power balance but also how much power the Israelis have gained relative to the Palestinians over the last decades. Especially striking are these observations with regard to four topics, namely refugees, Jerusalem, land, and the affiliation with Jordan. *Refugees:* In the current Kerry mission, the issue of refugees is being dealt with based on the Clinton Parameters of 2000 and the clauses on refugees in

the unofficial 2003 Geneva Accord. Accordingly, five options for refugees are distinguished, namely:

- (1) return to the future State of Palestine,
- (2) return to areas in Israel being transferred to Palestine as part of a land swap;
- (3) resettlement in present host countries
- (4) resettlement in third countries; and
- (5) return to/resettling in the State of Israel "at the sovereign discretion of Israel," meaning that Israel will determine the total number of Palestinian refugees allowed to return.²⁷

As part of Kerry's refugee scheme, host countries of the last 60 years – such as Jordan, Lebanon, and Syria – would receive compensation for offering citizenship to refugees. Since the refugee issue is left to the individual choice of refugees, this proposal takes it out from under the national PLO umbrella, although President Abbas has made it clear that holding a referendum is a condition for approving this scheme,²⁸ whose particular danger lies with the fact that Israel would no longer carry responsibility for the creation of the refugee problem.

Jerusalem: In the current talks, Kerry is proposing a watered-down version of the Clinton Parameters of 2000 by stating that Palestine will have a capital in Jerusalem existing of 'certain parts' of East Jerusalem.²⁹ In effect, this would mean a mere symbolic Palestinian presence in only parts of East Jerusalem, and not in the entirety of the occupied eastern part of the city.

Land (Swap): The Kerry mission is talking about a limited land swap, which would involve acceptance of the 'status quo' of the three major Israeli settle-

²² The BDS campaign has been very successful and has led to numerous boycotting activities all over the world. For more information see www.bdsmovement.net/. See also <http://boycottisrael.info/>.

²³ See for example PACBI, "Israel's Exceptionalism: Normalizing the Abnormal," 31 October 2011, at www.pacbi.org/etemplate.php?id=1749. For a discussion of the historical roots of anti-normalisation in Palestinian and Israeli society, see Walid SALEM "The Anti-Normalization Discourse in the Context of Israeli-Palestinian Peace-Building," *Palestine-Israel Journal*, Vol.12 No.1 (2005), at www.pij.org/details.php?id=334.

²⁴ Ibid.

²⁵ Ibid.

²⁶ PAPPÉ, Ilan. *The Making of the Arab-Israeli Conflict, 1947-51*, London: I.B. Tauris & Co Ltd, 1994, p. 136.

²⁷ "The Geneva Accord: A Model Israeli-Palestinian Peace Agreement," *Geneva Initiative*, 12 October 2003, at www.geneva-accord.org/main-menu/english.

²⁸ On 12 March 2014, Mahmoud Abbas gave a speech to the Fatah Revolutionary Council in which he outlined Clinton and Kerry's categories of refugees and stated that he had accepted the scheme. For the original Arabic text of his speech, see <http://wafa.ps/arabic/index.php?action=detail&id=170086>. For a rough English translation, see Lt. Col. (ret.) Jonathan D. HALEVI *Has Mahmoud Abbas Really Accepted the Clinton Parameters on the Refugee Problem?*, Jerusalem Center for Public Affairs, 19 March 2014, at <http://jcpa.org/mahmoud-abbas-really-accepted-clinton-parameters-refugee-problem/>.

²⁹ Peter BEINART, "Why John Kerry's peace mission should worry liberal Zionists," *Haaretz*, 12 March 2014, at www.haaretz.com/opinion/.premium-1.579441.

ment blocks on territory that is supposed to become the future State of Palestine.³⁰

John Kerry has pleaded for a 'peace economy' involving Jordan, besides Israel and Palestine. The US wants a normalisation of Israel's relations with its neighbours, in order to get Israel out of their 'military ghetto' in the Middle East. While normalisation has been on the table since the Arab Peace Initiative from 2002, the Israelis prefer their 'military ghetto,' which allows them the claim to serve as a base for the West in the region. This argument may not prove valid for much longer as the US and the EU have been involved in shaping and influencing events and relations in the Middle East, while Israel has emerged as a spoiler on various fronts.

Kerry is currently facing an unprecedented Israel-driven smear campaign against his mission and his personality (e.g. portraying him as an obsessed Christian³¹) aimed at intimidating him and eventually ending his efforts. The Palestinian bargaining power has greatly diminished over the last decades to the benefit of Israel. John Kerry is not meeting the Palestinians' expectations for self-determination and statehood. Instead, he has been restricted to merely keeping alive the process of dialogue and shuttle diplomacy between the two parties, without ending the Palestinian tragedy – although he has very recently acknowledged the asymmetry in the conflict and reinforced the Palestinian version regarding the deadlocked peace process, blaming Israel for letting the talks fall apart –.³²

Conclusion

Under the current Palestinian-Israeli impasse, it is clear that there is no future for a two-state solution.

Instead, Palestinians fear that they will be facing a political 'one-state' reality, in which they will be contained to separate cantons served by municipalities, which are controlled by military occupiers.

Israeli leaders seem unable to look at what lies ahead but are trapping themselves in their own rhetoric, full of vanity for their military muscles and their unquestioned strategic alliance with the US and EU.

The Palestinian cause, meanwhile, has been undermined by a severe leadership crisis, political division, the lack of a consensus on a vision, and the little support from their traditional allies in the Arab and Islamic world. However, the Palestinians have been facing military control for over four decades now and are proud to have maintained their national identity and cultural heritage. They are not desperate, but continue to be committed to their national cause – Palestine.

The negotiations under Kerry have arrived at a new impasse after Israel refused to release a final group of Palestinian prisoners as previously agreed upon, and the Palestinians responded by seeking accession to several international treaties as a state, including the Geneva Conventions. In retaliation, Israel unveiled new sanctions against the Palestinians, including the withholding of tax revenues it collects on behalf of the PA, and demolished several European Union-funded humanitarian housing shelters in the contentious E-1 area.³³

It seems that the 'battleground' for the Palestinian-Israeli conflict will eventually be entering the international arena. This will not just involve states, the UN, the International Court of Justice and other international organisations, but also global civil society in which the influence of the BDS movement will continue to rise.

³⁰ Renee LEWIS, "Report: Kerry Peace Plan to Recognize Israel as a Jewish State," *Al Jazeera America*, 11 February 2014, at <http://america.aljazeera.com/articles/2014/2/11/report-kerry-peaceplantorecognizeisraelasajewishstate.html>.

³¹ Barak RAVID, "Kerry: I won't be intimidated by Israeli attacks against me," *Haaretz*, 5 February 2014, at www.haaretz.com/news/diplomacy-defense/1.572705.

³² www.jpost.com/Middle-East/Kerry-hints-Israel-to-blame-for-deadlocked-peace-process-347943.

³³ www.maannews.net/eng/ViewDetails.aspx?ID=689358.