A PALESTINIAN STATE

Implications for Security & American Policy

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Introduction

T he United States has ample reason to believe the establishment of an inde-
pendent Palestinian State in territories vacated by Israel would be inimical
to American interests.

The Palestine Liberation Organization (PLO), and its offshoot the Palestinian
Authority (PA), have a long history of non-democratic, anti-Western and
specifically anti-American activities and rhetoric. The period of self-rule by the
PA has shown no growth in democracy, respect for the rule of law or peaceful
intentions regarding Israel. The PA has failed to keep financial and political
commitments made to the Congress, commitments that were the *quid pro quo* for
congressional allocations of American funds to the PA.

1. **The United States has had many years in which to assess the Palestine
   Liberation Organization's behavior regarding U.S. interests. During the time
   prior to the signing of the Oslo Accord in 1993, the PLO leadership:**

   • Instigated and fomented acts of terrorism inside Israel which killed numerous
     Israeli civilians and American citizens;
   • Instigated and fomented acts of terrorism outside Israel which killed Israeli
     civilians and diplomatic personnel and American citizens and diplomatic
     personnel, including Ambassador Cleo Noel and Leon Klinghoffer;
   • Revolted against King Hussein of Jordan, resulting in the expulsion of the
     PLO to southern Lebanon. In Lebanon, the PLO created a "state within
     a state" which was used to terrorize the local Lebanese population, invite
     Syrian occupation of parts of Lebanon which continues to this day, and
     rain missiles on northern Israel;
   • Opened and managed training camps for terrorist groups including the Italian
     Red Brigades, the Japanese Red Army and the German Baader Meinhof
     Gang; and trained communist revolutionaries in El Salvador, Nicaragua and
     other places in Central and South America. In these activities, they made
     common cause with and promoted the interests of the Soviet Union, the East
     German Stasi and other communist countries; and
   • Yasser Arafat and the PLO aligned themselves with Saddam Hussein
     before, during and after the Gulf War. During the Gulf War SCUD attacks
     on Israel, Palestinians were observed on their rooftops, calling for Saddam
     to attack Israel with poison gas.

2. **The United States has had nearly six years in which to assess Palestinian intentions and capabilities regarding the fulfillment of its commitments in the Oslo Accords. During that time the Palestinian Authority:**

- Failed to change the PLO Charter calling for the destruction of Israel. (The December 1998 legislative session in Gaza did not meet the internal requirements of the Charter for its own emendation, although the United States has indicated that it is generally satisfied on that count.);
- Placed more men under arms than permitted by the Accords and put individuals wanted for security crimes and terrorism into the Palestinian Police. The "police" furthermore have been armed with weapons not permitted by the Oslo Accords and are organized into army-style units rather than police-style units. Wye Memorandum agreements on the limitation of police have been dismissed by PA Police Chief Ghazi Jabali, "There is no problem. We will get around it by reallocating policemen such that one who serves in one location can serve in another. We will get around it by adopting a policy of transferring policemen."(*Al Quds*, 4 Nov 98) Muhammad Dahlan, PA Preventive Security Chief in Gaza said, "We will have no problem providing one list of policemen and a second list of policemen who do administrative work." (*Al-Ayyam*, 26 Oct 98);
- Continues to call for violence and threaten violence if their demands are not met. In 1998, a senior Palestinian Authority figure threatened that a visit by the US Speaker of the House to a site in Western Jerusalem owned by the United States would result in violence – for which, he noted, the Speaker would be responsible. Security cooperation with Israel was a non-negotiable part of the Oslo Accord, the underpinning of all of Israel's commitments to the Palestinians. Security cooperation however, has been sporadic and tied to Palestinian demands for further Israeli concessions;
- Spent millions of American taxpayer dollars – allocated by Congress for the advancement of economic infrastructure and education in the PA-controlled areas – without proper accounting procedures or transparency. Money given to the Palestinian Broadcasting Authority has been spent to produce children's programming extolling violence, martyrdom and the destruction of Israel, most recently in January 1999;
- Jailed journalists who criticized the PA and Yasser Arafat and failed to develop an independent judiciary for the protection of citizens from the regime. Three people were executed by the PA in a six month period in 1998-1999 – following trials of less than a day, and with no right of appeal;
- Failed to extradite to Israel figures wanted by Israeli authorities for acts of terrorism; and
- Called for demonstrations against the United States during the Gulf crises of 1997-98. *Associated Press* correspondent Ibrahim Barzak reported

on 17 February:

Hundreds of Palestinian high school and university students, meanwhile, marched in support of Iraq through the West Bank town of Bethlehem, burning US and Israeli flags and shouting, 'Saddam, we want the chemicals!' and 'Beloved Saddam, hit Tel Aviv.'

One Palestinian Authority figure was quoted as saying, "The Israelis are cleaning their (sealed) rooms. The Palestinians are cleaning their roof," a reference to Palestinians cheering from their rooftops as SCUD missiles landed on Israel in 1991. In December 1998, thousands of Palestinians rioted and burned American flags in support of Saddam just days after President Clinton visited Gaza.

It is reasonable to conclude from the behavior of the PLO and the PA that the *sine qua non* of democratic societies – compliance with treaties signed, the rule of law, democracy and personal freedom – were never part of the ideology of the PLO, and have not been developed in the areas controlled by the PA after the Oslo Accords. Since these areas contain 97 percent of the Palestinian population in the territories once governed by Israeli military occupation, the United States has good reason to believe that the establishment of an independent state in ANY territory vacated by Israel would be inimical to American national security and political interests. American interests include, but are not limited to a strong and secure Israel serving as an anchor of U.S. policies in the Middle East and Eastern Mediterranean region. A strong Israel, for example, is able to move forward in a security relationship with Turkey, a strategically located NATO ally. A weakened Israel, however it comes to be weakened, is less of an asset for the United States.

3. **The United States should oppose the establishment of an independent Palestinian State owing to:**

- The ability of the PA to provide safe haven to terrorists, as has already been demonstrated;
- The ability of the PA to import offensive weapons through an independent seaport and airport. Offensive weapons could make Israel's international airport vulnerable to missile attack and could endanger the U.S. Sixth Fleet when it is anchored in Haifa;
- The ability of the PA to join with countries such as Iraq and Iran in military alliances which could include the acceptance of Iraqi or Iranian troops west of the Jordan River. Such agreements – and such troop movements – would have major implications for US policy regarding Israel, Jordan, Turkey, Lebanon and Saudi Arabia;

- The fundamentally undemocratic, anti-Western thrust of Palestinian policies thus far and the likelihood that a newly independent state will continue those policies; and
- The threat posed by such a state to America's democratic ally, Israel, and to other friendly states in the region.

Congressmen Jim Saxton, Matt Salmon and Majority Whip Tom DeLay have submitted a resolution in Congress that reads in part:

> "Whereas the United States has traditionally opposed the unilateral declaration of a Palestinian State because of concerns that such a State could pose a threat to Israel and could have a destabilizing effect on the entire Middle East;
> Whereas the United States stated its position, after Israel and the Palestinians signed the Oslo Accords, that all questions of Palestinian sovereignty and statehood are matters which must be mutually agreed upon by the parties;
> Whereas the Palestinian Cabinet on 24 September 1998 stated, 'at the end of the interim period, it (the Palestinian government) shall declare the establishment of a Palestinian state on all Palestinian land occupied since 1967, with Jerusalem as the eternal capital of the Palestinian State;
>
> *Resolved by the House of Representatives (the Senate concurring)*, that it is the sense of the Congress that:
>
> 1. Israel, and Israel alone, can determine its security needs;
> 2. The final status of the Palestinian entity can only be determined through bilateral negotiations and agreement between Israel and the Palestinian Authority;
> 3. The President must reaffirm that any such unilateral declaration of a Palestinian State would be a grievous violation of the Oslo Accords, would seriously impede any possibility of advancing the peace process, and would have severe negative consequences for Palestinian relations with the United States; and
> 4. The President should now publicly and unequivocally state that the United States will actively oppose such a unilateral declaration and will not extend recognition to any unilaterally declared Palestinian State."

The Palestinian Authority's history of compliance with agreements with both Israel and the United States has been riddled with opposition and violations. As a result, irrespective of how a Palestinian State is

established, it will be inimical to American interests, and will force the United States to deal with its destabilizing effects in the region.

Thomas Neumann **Shoshana Bryen**
Executive Director Director, Special Projects

A Palestinian State and American Interests

Senator Rudy Boschwitz

A PERSONAL NOTE

While in the Senate, and especially during my time as a member of the Senate Foreign Relations Committee and chairman of the Middle East Sub-Committee, I was often asked, both by Israelis and others, how Israel should structure a peace with its neighbors, and particularly how much land should be "traded" for peace. My answer was always that this was for the Israelis to decide, and we Americans should not seek to compel the Israelis to make a deal they found inimical to their interests. Nor should we create a situation that would compel a certain outcome.

I often told the Israelis that I was a Senator from Minnesota, that my state was about 1200 miles from the oceans, and that even on the other sides of those oceans there were no real foes that threatened our existence. Israel, on the other hand, was a small narrow country, not as wide in spots as the distance from downtown Minneapolis to downtown St. Paul, the Twin Cities. Additionally, most of Israel's neighbors are larger, more populous, and sworn enemies of that democracy which refuse to make peace with Israel. Then consider that the West Bank, which rises to heights of 3000 feet above the Mediterranean, is the high ground that overlooks the narrow plain where most Israelis live (in the Tel Aviv area particularly). Occupying that high ground is an enormous strategic advantage.

Security is so different for Americans, I believe, that it is impossible to substitute our thoughts and feelings for the problems facing the Israelis. Their long "special relationship" with the United States is based upon shared values of democracy, justice and human dignity. I felt that we could rely on them to make a just peace. It is with these thoughts in mind that I approach the question of Palestinian statehood and evaluate the actions of Yasser Arafat's Palestinian Authority.

RUDY BOSCHWITZ *served as U.S. Senator from the state of Minnesota from 1978 to 1991. During his time in Congress, Mr. Boschwitz was a member of the Senate Foreign Relations Committee, and served as chairman of the Middle East Sub-Committee for six years. He is a member of the Board of Directors of the Jewish Institute for National Security Affairs.*

Members of a Palestinian Authority delegation that visited Washington in February 1999 boasted to reporters that relations between the United States and the Palestinians are warmer under the Clinton administration than under any previous American government.

In a meeting with congressional staffers, Nabil Sha'ath of the PA reportedly talked about creating and sustaining some five separate committees that fall under the aegis of the "U.S.-PA Bilateral Committee usually chaired by Secretary of State Albright and Yasser Arafat." According to Sha'ath, these committees include economic investment, economic assistance, legal assistance (rule of law, legal training, drafting legislation), exchange programs with Congress and the Executive Branch, and businessmen's committees. These committees, he suggested, are separate from the peace process and the CIA-PA security cooperation group.

Such U.S.-Palestinian coziness is a tragic mistake - because morally, strategically and economically, an American-Palestinian entente is a disaster for American interests. American support for a Palestinian State would be a mistake of enormous proportions. It would undermine our ally Israel and reward violence, demagoguery and treachery.

It is morally wrong because Yasser Arafat consistently sides with tyrants and America-haters. His closest allies are Iran and Iraq. He has warm relations with North Korea, Syria, and Cuba. His own regime suppresses and tortures political dissidents, shuts down opposition newspapers, brutally persecutes Christian Arabs, and provides haven for terrorists who have murdered American citizens. The Palestinian Authority has executed three people in the past six months - after trials lasting only hours, with no right of appeal. Nothing in the formative years of the Palestinian Authority give us reason to believe that a Palestinian State would have standards of justice, freedom, rule of law and personal liberty that in any way mirror the operative principles of the United States or our ally Israel.

Economically, an American-Palestinian alliance would also be a disaster for the United States. Foreign donations, earmarked for social services and education, have more often than not ended up lining the coffers of Arafat's ministers and government officials. The $500 million already sunk into Gaza by the United States has joined billions of dollars of foreign aid that have disappeared into a black hole of Palestinian Authority graft and mismanagement. The additional $900 million that the Administration wants Congress to give the PA will probably end up in the same place; the corruption of the Palestinian Authority shows no sign of abating. In his February meeting with congressional staff members, Nabil Sha'ath denounced Congress as "unhelpful," "nosy" and wrongly biased in favor of Israel for wanting to determine what had happened to the previous donations.

Supporting Palestinian independence is a strategic mistake as well. America's security interests in the Middle East require stability and moderation. Arafat represents exactly the opposite. He coddles and collaborates with radical terrorists who wage war on Israel, and has made the West Bank and Gaza Strip internationally recognized as havens for terrorists. He has made no bones about its expansionist

desires, coveting Jordan, which he considers part of "Greater Palestine." If there is a Palestinian State, it will be a launching pad for military adventures that will drown the Middle East in bloodshed.

Arafat has already shown in Lebanon what he can do if given military control over territory. It was Arafat's 1970 attempt to overthrow King Hussein of Jordan that led to the PLO's expulsion from that country. Arafat led his troops to Lebanon, subverted the fragile balance of the existing Muslim-Christian government there, set up a puppet state in the south of Lebanon and fomented the Lebanese civil war of 1976. This, in turn, led to a Syrian occupation of Lebanon that continues to this day - with 40,000 Syrian troops in Lebanon and another 100,000 "guest workers" there. It is Lebanon's continuing inability to assert government control in the south that gives Syrian and Iranian-backed Hezballah terrorists free access to Israel's northern border.

The United States should not be part of giving Arafat the opportunity for a similar performance on Israel's eastern border.

Palestinian subversion of Jordan would be a direct threat to the security of Israel and a blow to American interests in the region. Amos Perlmutter, editor of "The Journal of Strategic Studies," wrote in *The Washington Times* (March 1999) about the potential takeover of Jordan by "peaceful" means:

> Now that King Hussein is dead, Mr. Arafat is setting the stage, ideologically and tactically, for eventual Palestinian domination of Jordan. He is certainly not foolhardy enough to try to overtake Jordan by force as he failed to do in 1970, nor is he in a hurry. There is a more subtle way to achieve the same result: calling for democratic elections.
>
> Palestinians are estimated to comprise more than 60% of the population of Jordan. Palestinian intellectuals in the West Bank and the United States have all of a sudden begun calling for democracy in Jordan.

Perlmutter believes Arafat is still aiming for "Palestine" on both sides of the Jordan River, and that Israel and Jordan must work together to prevent it:

> Separate bilateral security arrangements must be signed between… Israel and Jordan, Israel and the United States. The reason is clear. This will weaken any Palestinian effort to create conditions for a confederation with Jordan, a military alliance with Saddam Hussein, Hafez al-Assad, revolutionary Iran, or any other present or future belligerent Arab or Muslim state that has no peace treaty with Israel…. It is in the interest of both the Israel government and the Jordanian Hashemite monarchy to deter and discourage Palestinian utopian expansionist ideas that could be fulfilled through democratic means… There is nothing wrong with democracy in Jordan or Palestine unless it means a step toward

the fulfillment of the complete Palestine utopia… In view of present Palestinian aspirations, (a Jordanian-Palestinian) confederation will only threaten Israeli security.

Under Perlmutter's utopian scenario, a "peaceful" confederation between a Palestinian State and Jordan would only be a stage leading to the bloody subversion of Jordan, Israel and American interests. Under Perlmutter's scenario, moreover, the United States would be called upon to fulfill security obligations to Israel.

Over the past decade and a half, the United States and Israel have established strong security ties, including a rotating American military presence in Israel. The U.S. Sixth Fleet is a frequent and welcome visitor in Haifa harbor, with thousands of American service personnel on ships and on land. The U.S. Army and Marines hold exercises both with the IDF and using Israeli ranges in the desert. Military-to-military exchanges are a frequent occurrence and groups of American military personnel find Israel an excellent place for vacation and R&R.

Thus far, however, nothing in those arrangements requires the United States to provide for the defense of Israeli territory, nor is such a possibility an attractive one for either country.

The West Bank is a formidable barrier to conventional military attack from the east, providing a vital shield for American interests in Israel. Dr. Dore Gold, Israel's permanent representative to the United Nations, in a paper entitled *Fundamental Factors in a Stabilized Middle East: Security, Territory and Peace*, described the geography protecting both Israel and American activity in Israel:

> [The West Bank's] north-south hill ridge might only be 3,000 feet high, but it is set against the Jordan River and the Dead Sea, which is 1,200 feet below sea level. Therefore, an attacking army from the east faces a net 4,200-foot incline that must be traversed over 15 miles alone. Again, since there are only five east-west routes connecting the Jordan River to the Mediterranean, the attacker must move along predictable axes that can be anticipated and defended with relatively small forces.

> …The Iraqi-Jordanian border is approximately 210 miles east of the West Bank; advanced units of an Iraqi division could easily traverse this distance in 36 hours – in less time than the reserve mobilization of the IDF.

He continues later in the same article:

> Since the Palestinians are not a major Arab power, an Israeli-Palestinian understanding would not directly modify the hostile intent of a major adversary of Israel. The Palestinians have laid claim to territory that is

vital to Israel's defense against an Arab state war coalition to its east. Thus, an Israeli-Palestinian territorial understanding might only increase Israeli vulnerabilities without addressing the claims of a major Arab military power like Iraq or an Islamic power like Iran further eastward. A stable peace must preserve Israel's access to the West Bank in order to defend itself against enemy attacks from the east, while removing the burden of military rule for its Palestinian Arab population.

Israel and the United States share concerns about terrorism, instability, and the proliferation of weapons of mass destruction and ballistic missile capability in the region. The two share technology and weapons systems and Israel is a partner to the United States in the development of ballistic missile defenses. The emerging Turkey, Israel, Jordan security axis benefits the United States as well as the parties.

The United States and the Palestinians share no strategic interests, and share only a limited interest in Palestinian self-rule – which is already a reality, with 97 percent of the Palestinians once governed by Israeli military occupation now under the political control of the PA.

The Palestinian Authority, and its appointed religious leaders and PA-controlled media have engaged in a continual campaign of anti-American rhetoric. It is impossible to ignore the possible impact that this will have on the opinions and actions of the Palestinians – directly or indirectly placing Americans in the region in danger. Following American raids on Iraq in December, tens of thousands of Palestinians rioted on the West Bank, burning American flags and loudly supporting Saddam Hussein. Arafat has, in fact, been Saddam's chief supporter during and since the invasion of Kuwait.

Ultimately, the question for the United States boils down to whether the Palestinian Authority (or a future Palestinian State) will be a friend to the United States or will be simply another violent, anti-democratic, anti-Western country hostile to American principles and American interests in the region.

So far, at least, there are few promising signs.

And, as so often happens in regional matters, the United States and Israel are asking themselves the same question about their future with the Palestinians. What kind of government will the Palestinians have? What kind of neighbor will it be? A story, apocryphal perhaps, is told about a discussion in the Israeli Cabinet about maps of hypothetical borders with a Palestinian Authority. Two maps emerged prominently. The first gave the Palestinian Authority 60 percent of the territory of Judea and Samaria, and suggested that Israel annex the other 40 percent. The second reversed the proportions.

When asked to justify the borders, the proponent of the first map said, "When the final status negotiations are finished, our problems with the Palestinians will be

resolved and I believe they will cease to be a hostile neighbor. Therefore, my borders reflect the 'good neighbor' status I believe we will achieve."

The proponent of the more conservative map said, "I believe that even after we finish our negotiations and the last paper is signed, the Palestinians will still be hostile to the premise and the reality of the State of Israel. Therefore, the borders reflect my belief that Israel must hold defensible positions against future Palestinian attacks."

The dangers posed by the Palestinian government to both Israeli and American interests should be recognized in creating a viable peace formula. The eventual shape of Israeli-Palestinian borders and relations should, first and foremost, reflect Israel's determination of its security needs. The United States should be Israel's patron and supporter, without trying to substitute its vision of the future for that of the Israeli government. But, there are definite American interests at stake. The central dilemma for both the United States and Israel, according to Gold, is "finding a formula for peacemaking that reduces the chances of conflict breaking out without increasing Israeli vulnerabilities to a point that necessitates greater American interventionism in the future."

Therefore, the United States should clearly enunciate its moral, strategic and economic concerns about the behavior of the Palestinian Authority over the past six years and reject calls to recognize a unilaterally declared independent Palestinian State.

And what if the circumstance should arise in which a Palestinian State is declared as a result of Israeli-Palestinian negotiations?

Israel, certainly, will determine the quality of its relations with the new state. But the quality of the relationship any Palestinian entity or state has with the United States should reflect *American* standards of democracy, freedom and respect for the rule of law. The United States must insist on justice in the name of American citizens murdered by the PLO and under the rule of the Palestinian Authority. From U.S. Ambassador Cleo Noel in 1973, to Leon Klinghoffer, Nachshon Waxman, Alissa Flatow and many others, nothing less will do.

It is for good reasons, based on shared values, that the United States has for so long had what it calls a "special relationship" with Israel. The Palestinian Authority has exhibited none of these values. Since the Palestinians have as yet done nothing to deserve a special relationship with the United States, it would be wrong to treat them as if they have.

Water Resource Distribution & Future Israeli-Palestinian Relations

Paul Michael Wihbey

Rising populations in the Middle East are forcing a dramatic new look at the significance of water in the region. Although volumes have been written about the overarching importance of oil to the stability and economic well-being of the area, relatively little research has been devoted to the political, economic, and security implications of water distribution in the area. Issues relating to water management, scarcity, and self-sufficiency are yet to impact on the public policy debates that surround Middle Eastern peace and stability.

According to a recent World Bank study on Middle East and North African (MENA) water resources, the region is considered the poorest in fresh water resources, amounting to only 0.9 percent of total world resources, for a population that represents 5 percent of the world total. With a high population growth rate of 3.5 percent, overexploitation of groundwater resources and inefficient use of water for agricultural and urban use, the per capita availability of water in MENA has fallen from 870,000 gallons to 333,000 gallons per year, the lowest in the world. That represents a third of Asia's water availability levels and 15 percent of Africa's. Given current trends, the region's water resources are expected to be reduced by half by 2025. Water experts state that the equivalent of a second Nile River is required to meet current regional needs.[1]

Of particular concern are the relations between Israel and her neighbors over water sharing. With the exception of Israel's coastal plain, most of the surrounding region is semi-arid or arid, with the bulk of crop production irrigated. Rainfall is less than 10 inches per year. Half of Israel is desert, and the ready availability of irrigation water is the only way to prevent creeping desertification. The large degree of demand, derived from agricultural needs, is producing a strategic deficit

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of the water supply. Driven by rapid increases in population, such as immigration in the case of Israel and birth rate in the case of the Palestinians, both the Israeli government and the Palestinian Authority are hard-pressed to meet the demands of domestic consumption, water for the industrial sector, and agriculture. The severity of the crisis is best illustrated in Gaza, where each Palestinian has access to less than 15 gallons of water per day, and where the absence of proper sewage disposal systems has led to outbreaks of disease, which portends any number of crisis or conflict scenarios stemming from the availability of a natural but limited strategic resource, fresh water.

How these contentious issues can affect security relations between Israel and her Arab neighbors has been demonstrated as recently as March 15, 1999, when Jordan held a special cabinet meeting in response to Israel's decision to halve its annual allocation of 2 billion cubic feet of water to Jordan, as stipulated in the 1994 Israel-Jordan Peace Treaty. Jordanian Prime Minister Abdul Raouf Rawabdeh stated, "The water deal is an official agreement signed by the two sides, and we will insist on its implementation as it is." In response, Israeli Prime Minister Benjamin Netanyahu denied that Israel was backtracking on the agreement, and insisted that the reduction was a result of severe drought in the region. Both sides have agreed to additional meetings to try to find solutions to the water shortage.[2]

This crisis is the first test of domestic leadership for newly crowned King Abdullah. In January, Jordan announced a state of drought due to inadequate rainfall (two-thirds of the kingdom's water supply comes from rainfall). Lacking expensive desalinization plants and faced with a 50 percent reduction of Israel's water allocation, it is highly probable that the Jordanian government will mandate water rationing and other contingency plans. The social, economic and political implications of a prolonged emergency could present Abdullah with a crisis that alters Jordan's relations with Israel, as well as affects issues of Jordanian domestic stability. Jordan's water deficit is expected to increase to 250 million cubic meters by 2010, despite $5 billion of investments in water resources over the next decade.[3]

Israel and Water Resources:

Three major water sources supply two-thirds of Israel's water requirements:

- **The Lake Kinneret (Sea of Galilee) basin**–Israel's only surface water source, it supplies Israel with about one-third of its total annual water supply. The quality of its water permits use in drinking and agriculture. The Lake Kinneret basin currently provides about 610 million cubic meters of water.
- **The Coastal Aquifer**–an underground reservoir extending from Mount Carmel in the north to the Gaza Strip in the south. The Coastal Aquifer currently supplies about 450 million cubic meters.
- **The Mountain Aquifer**–an underground reservoir composed mainly of limestone, at the central mountain ridge of the West Bank. The water is

of high quality and is utilized for domestic consumption. The Mountain Aquifer currently provides about 740 million cubic meters.

Along with underground water supplies, these combined sources make up Israel's National Water System. However, a 1992 Nativ Center study by geologist Martin Sherman found that Israel's population utilized almost all available water, and low-grade water and recycled sewage has been adapted for agricultural irrigation.[4]

The quantity and quality of each of the sources that make up Israel's national water supply are currently conditioned by political, environmental and managerial problems.

• The Kinneret basin is fed by the Hatsbani River in Lebanon, the Banias River and the Dan River presently flowing through Israeli territory. In the 1960s, Syria attempted to divert these water sources away from Israel to the Syrian-controlled Yarmuk basin. These attempts were principal contributing factors to the 1967 Israel-Syrian war over the Golan. Israel's presence in the Golan since 1967 has in part resulted from its need to ensure the continued flow of these streams into the Kinneret. Since continuing drought is expected to force rationing and cuts in the Damascus water supply this summer, and has already forced the government to import barley crop/animal feed for the first time in 10 years, the importance and attractiveness of this water resource to Syria should not be ignored.

• The Coastal Aquifer is suffering serious deterioration of its water supply as a result of:

> -Salinization resulting from seawater intrusion, with concentrations unsuitable for unrestricted irrigation, of at least 10 percent of the 1,700 wells currently on the coastal strip, according to the Israel Hydrological Service;[5]
> -Overpumping resulting from further encroachment of seawater interface, and preventing the flushing of contaminants into the sea;
> -Groundwater contamination by fuel at several sites;
> -High nitrate concentrations caused by intensive use of fertilizers in agriculture and irrigation with sewage effluents;
> -Contamination of wells in the Haifa/Tel Aviv high-density area through water pollution. These wells have been taken out of service, further reducing the drinking supply.

• As the Coastal Aquifer is being degraded; the Mountain Aquifer is becoming the main source of drinking water for Israel. According to the Nativ report, the Mountain Aquifer, which is currently supplying key areas like Tel Aviv, Jerusalem and Beersheba, is the most important long-term source of water

for Israel. However, because of political considerations arising from the peace process, the utilization of this source has not been expanded, so as not to create a dependency on it as the exclusive future water source for the population on the coast.

Crisis over Water Resources: Israel and the Palestinians

On December 17, 1982, the United Nations General Assembly condemned Israel "for its exploitation of the national resources of the occupied Palestinian and other Arab Territories."[6] The United Nations further reaffirmed "that all measures undertaken by Israel to exploit the human, natural and all other resources, wealth and economic activities in the occupied Palestinian and other Arab territories are illegal" and called upon Israel to desist from such measures. Since then, Israeli activities relating to water use in the West Bank and Gaza have been conditioned by international pressures, including the Water Resources Group of the Multilateral Peace Process that was established in January 1992 and designed to support bilateral negotiations by increasing practical cooperation between the interested parties. However, progress on resolving water-related issues between the Israelis and the Palestinians has been arduous at best, nonexistent at worst. There are two primary reasons for the impasse:

1. **Legal/Political.** Future territorial adjustments that will help secure Israel's water supply from the Mountain Aquifer require that Israeli sovereignty be exercised over critical and disputed areas of the mountain ridge. Israeli access to this water would involve shifting Israel's 'permanent' boundaries several miles east of the current 1967 Green Line border. Israeli restrictions on the usage of water extraction from the Mountain Aquifer have resulted in Palestinian claims that they are being unfairly denied sufficient water requirements. The Israelis in turn claim that the water from the Aquifer flows naturally into Israel, and so is legally theirs by the rights of natural flow and historic use.

2. **Security.** Any attempt by the Palestinian Authority to prevent the flow of mountain water to Israel, either by deliberate and punitive measures, or even by developing an effective modern system of wells, could have a deleterious effect on relations between the two sides. West Bank water currently makes up at least 30 percent of Tel Aviv's water supply. A hostile, inefficient or irresponsible Palestinian approach to shared use of the aquifer would leave Israel's urban and industrial centers vulnerable and subject to negative social and economic consequences. Any serious interference with the natural flow of these resources toward the 3 million person population of the coastal plain could not only deprive that densely-inhabited and cultivated region of a significant part of its water supply, but could also cause serious damage to the saline water balance

in parts of the aquifer on the coastline.

Transferring more territory to the Palestinian Authority is therefore not only a matter of direct security, but also a matter of water distribution. For Israel, water becomes a key component in its strategic and political calculus towards its relations with the Palestinians and any final agreement on boundaries. This explains the significance of certain requirements that are connected to redeployment issues like natural reserve areas and agricultural development.

Toward Resolution?
<u>Israeli-Palestinian Water Disputes</u>

To date, attempts to resolve Israeli-Palestinian disputes over water resources have failed to achieve significant headway. On August 27, 1998, the Israeli Water Commissioner Meir Ben-Meir, Deputy Palestinian Water Commissioner Fadel Kawash, and several other senior officials, including the Co-Chairman of the Israeli-Palestinian Water Committee, met to discuss serious problems on an array of water related issues. The meeting was notable for the confrontational atmosphere and the severity of charges that were leveled at the participants. The meeting highlighted the gap in the positions of the two parties.

The Palestinians claimed that the severe water shortages in the West Bank were compounded by inaccurate Israeli pumping figures, and that Israel was failing to fulfill its commitments under the Water Annex of the Oslo Agreement. The Palestinians angrily denounced the great disproportion of water available to Jewish settlers in comparison to neighboring Palestinians, whose access to water is one-sixth that of the settlers. The Palestinians claimed that as a result, a new black market in water, with prices as high as 25 NIS (New Israeli Shekel) per cubic meter, was introducing a new criminal element into the West Bank. Furthermore, the IDF was charged with preventing the connection of water pipelines between West Bank villages.

Summing up the Israeli response, Ben-Meir stated that the Oslo Agreement is not a solution to the water problem, and that "We cannot divide the deficit of water between us." The basic operating principle was to be based on equality for humanitarian needs. Nevertheless, the outstanding practical issues – like forging an agreement, procuring money for investments, and determining the water source – remained unanswered. Even the 'solution' of desalinization plants could not find acceptance, since the cost of the new water would be too high for the Palestinians to buy. The Israeli position was that donor countries should not provide funds for the construction of plants, but should rather subsidize the costs of desalinated water for the Palestinians over a ten-year period.[7]

According to the Palestinians, Israelis consume 80 percent of the West Bank Mountain Aquifer, leaving only 20 percent for the Palestinians. And because the Interim Agreement makes no provision for equitable sharing of water

resources, severe water shortages in the future will impact disproportionately more on Palestinians than Israelis. However, water shortages affect West Bank Jewish settlements as well. Kiryat Arba, near Hebron is without water once a week; Mevo Dotan was nearly evacuated for lack of supply, and the Telem and Adura settlements have had chronic water problems. When the Israeli government built a new $2 million well for the Palestinian town of Jenin, the PA failed to connect the well to Palestinian consumers, as had been agreed upon. In areas like Hebron, Bethlehem, Tekoa and Saflit, Israeli authorities provided the necessary licensing for additional wells for Palestinians, only to have PA inaction, negligence or corruption prevent the completion of the projects. Adding to the problem is PA indifference to the stealing of water from water pipes in places like Hebron. Taken in trucks, the water is then resold at a hefty profit to other Palestinians. Antiquated water systems in the Palestinian municipalities often go unrepaired because of resistance from wealthy local well owners who profit from lack of supply.[8]

Water Rsources and a Palestinian State

The declaration of a Palestinian State with sovereign right over its natural resources and recognized control over the flow of water has obvious and significant implications for Israeli security considerations. Would a belligerent Palestine block divert or reduce the water supply to extort concessions from an Israeli government? Could a Palestinian government guarantee that the water supply would not be poisoned by terrorists using biological or chemical agents? Would a massive influx of Palestinians from other parts of the Arab world overload the infrastructure capacity of the Palestinian State, thereby creating the conditions of unsafe sanitation and outbreak of disease that would invariably impact on Israel? In the case of open conflict, would Israel's water supply from the Mountain Aquifer diminish or cease to the extent that Israel would be forced to invade the territory of the new state? The creation of a Palestinian State, in light of the scarcity of water resources and the failure of Israel and the Palestinians to comprehensively begin to resolve water disputes, is likely to adversely impact on Israel's security and the state of its natural resources.

Endnotes

1. "From Scarcity to Security: Averting a Water Crisis in the Middle East and North Africa," World Bank report, 1996, cited in *Arabia OnLine*, October 25,1997.

2. *Associated Press*, March 15,1999.

3. *Reuters*, October 18,1998.

4. See Yedidya Atlas, "Water: The Secret Strategic Resource," *Arutz-7*, January 25,1996.

5. Save Israel's Rivers, March 1999, http://www.yarok.org.

6. "Permanent Sovereignty over Natural Resources in the Occupied Palestinian and other Arab Territories," United Nations General Assembly Resolution 37/135, December 17, 1985.

7. *Israel/Palestine Center for Research and Information Report*, August 27, 1998.

8. Andrea Levin, *ON CAMERA Report*, The Committee for Accuracy in Middle Reporting in America, September 1, 1998.

Terrorism and a Palestinian State

Meyrav Wurmser

Future Palestinian attitudes toward terrorism stand at the forefront of regional and international concerns regarding the establishment of a Palestinian State. The question of whether or not the Palestinian community will continue to support terrorism relates, first and foremost, to the issue of the final status of the territories under the control of the Palestinian Authority (PA) - namely, to the question of Palestinian statehood. Even should the Palestinians achieve an independent state, its future relationship with Israel and its engagement in, or prevention of, terrorist acts will be determined by three factors: the eroding support for Yasser Arafat, and Arafat's need to externalize resentment toward his regime; the PA's current and future relations with militant Palestinian Islamic organizations; and the extent to which a substantial ideological change toward Israel has taken place in the Palestinian side since the signing of the Oslo Accords.

Will an Independent Palestinian State be Declared?

The Declaration of Principles on Interim Self-Government concluded between Israel and the Palestine Liberation Organization in September 1993 stipulated "a transitional period not to exceed 5 years, leading to a permanent settlement based on Security Council resolutions 242 (1967) and 338 (1973)." Following the Declaration of Principles, the two sides concluded partial implementation agreements, followed by the 1995 Interim Agreement on the West Bank and Gaza Strip, which outlined the details of the five-year transitional period, beginning with the Israeli withdrawal from Gaza Strip and Jericho in 1994 and to end on May 4, 1999. The last agreement concluded between the Israelis and the Palestinians was the Wye River Memorandum of October 28, 1998. Here, the two sides again

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agreed to "immediately resume permanent status negotiations on an accelerated basis" and to "make a determined effort to achieve the mutual goal of reaching an agreement by May 4, 1999."

Currently, the bilateral track of the talks toward an agreement is, in fact, nonexistent, leaving room for unilateral action by either of the sides following the five-year transitional period. While Israel is not threatening to take unilateral steps, it is not yet clear what the Palestinians will do. In recent months, many Palestinian officials, including Yasser Arafat himself, repeatedly assured the Palestinian people that upon the expiration of the agreements with Israel, they will unilaterally declare an independent Palestinian State. For example, Arafat's advisor, Nabil Abu Radina, said in February 1999: "the fourth of May [1999] is a holy date. The Palestinian State is a finalized historic fact; the struggle today is not for the [establishment of] the State, but over its territory. The whole world knows it and treats us accordingly."[1]

The Palestinian National Council (PNC) actually declared the establishment of the State of Palestine, with East Jerusalem as its capital, in Algiers in 1988, on the basis of the two state solution stipulated by the U.N. General Assembly in Resolution 181 of November 1947 (the partition resolution). This declaration was recognized by more than 108 states. The Palestinians say that the second declaration will finalize the first one, in the sense that it will consolidate the sovereignty of the Palestinian State over its territories.[2]

The logic behind the PA's policies is based on the premise that once the five-year Interim stage ends, and if no agreement has been reached on final settlement, the PA will be free of the inhibitions undertaken in Oslo, particularly those which enforce the continuity of the political and legal status quo in the West Bank and Gaza strip. Hence, the PA believes that after May 4, it will be free to unilaterally advance its national agenda. An interesting aspect of this change relates to the fact that the PA, which came into existence through the power of the agreements between Israel and the Palestine Liberation Organization (PLO), will be replaced by the PLO as the sole representative of the Palestinian people.[3] Such a change would be significant because, unlike the PA, which only represents the Palestinians in the territories, the PLO claims to represent all the Palestinians, including those in the diaspora, who insist on the right to return to their homes inside Israel proper.

Palestinian desire to declare a state on May 4, however, has met much American opposition. In early February 1999, the United States, whose friendship is crucial to the Palestinians, told Israeli officials that it was opposed to any unilateral action by either party that would contradict the principle of resolving differences through negotiations.[4] This stand was reconfirmed by Senate and House of Representatives resolutions in March 1999 against a unilateral declaration of statehood by Arafat. This opposition was also shared by the European community, Egypt and Jordan, all of which were concerned that unilateral Palestinian action would help to reelect Israeli Prime Minister Benjamin Netanyahu in the May 17 elections in Israel.[5] In light of this opposition, Arafat launched a series of international consultations in

an attempt to trade a postponement of the unilateral declaration of independence to late December 1999 for a recognition of an independent Palestinian State at the end of the century. He has been only partially successful. While the U.S. has continued to adhere to its opposition to any unilateral steps, the European community meeting in Berlin on March 26, 1999, declared its reaffirmation of "the continuing and unqualified Palestinian right to self-determination including the option of a state" and announced its "readiness to consider the recognition of a Palestinian State in due course."[6]

Whatever shape the Palestinian declaration of statehood will take, and whenever it will take place, there is little doubt that a Palestinian State will come into being at least on the territories currently under PA control. The only questions remaining are whether the Palestinians will attempt to apply their sovereignty to areas beyond those agreed upon with Israel, and what Israel's reaction will be to unilateral Palestinian acts. Should a violent clash break out between the Palestinians and Israel over this issue, the PLO will probably engage directly in hostilities against Israel, including a resumption of terrorist acts. This position has been echoed in the statements of many high-ranking PA officials; Palestinian Minister of Planning and International Cooperation, Nabil Sha'ath, warned that the Palestinians would "fight Israel if it declares war in an attempt to reoccupy Palestinian lands."[7] The head of the Preventative Security Apparatus in the West Bank, Jibril Rajub, said "...talks of Israeli incursion into PA territories is a flagrant provocation... we will use every means and capacity at our disposal in order to defend our national and military honor..."[8]

If, conversely, and against most assessments, Arafat chooses not to declare an independent Palestinian State, it is highly probable that the Hamas movement and the Palestinian Islamic Jihad Organization will accelerate their terrorist activities, supported by the PA's failure to deliver real political gains from the peace process.

Eroding Support for Arafat and its Consequences

After returning to the West Bank from Tunis, Arafat enjoyed an unprecedented level of support among Palestinians because he was seen as the leader who had brought about an Israeli withdrawal and the international recognition of Palestinian rights. In January 1996, Arafat was elected by a large Palestinian majority as President of the newly born Palestinian entity. Since that time, however, things have changed for Arafat. Support of his regime is on the decline, and he is faced with a growing and vocal opposition. Reasons for Arafat's declining support include:

1. *The Corrupt Nature of the Palestinian Regime* – Since its establishment, the PA has received $1.8 billion in foreign aid.[9] This money was invested in an economy characterized by a system of powerful monopolies closely

associated with the regime. The arch monopoly is the Palestine Development and Investment Company (PADICO), which controls most facets of the Palestinian economy through subsidiaries, and whose various boards of directors are dominated by members of a small number of powerful families.[10] The economy as a whole is guided by Arafat's economic advisor, Muhammad Rashid, who not only rules the monopolies, but also ensures that certain parts of their profits benefit Arafat and his closest family members and associates.[11] Over time, the corruption has become so severe that the Palestinian Legislative Council appointed a special committee in 1997, which released an incriminating report on the PA administration. The report demanded that two Palestinian ministers, Nabil Sha'ath and Jamil Al-Tarifi, be ousted for corruption, but even after reshuffling his cabinet, Arafat ignored this demand.[12] In recent months, public criticism of the PA's corrupt practices is being voiced more openly, particularly because of the growing social gap between the few benefactors of the corrupt practices and the impoverished Palestinian masses.

2. *Arafat's Failure to State-Build* – Since the creation of the Palestinian National Council in 1996, Arafat has limited its role to ceremonial functions, despite the frequent lip service he pays to the importance of the legislature. The laws initiated by members of the legislature are ignored by Arafat, who prefers to rule by decrees. Furthermore, Arafat refuses to permit the legislature to check the working of the Executive. For its part, the Executive refuses to carry out the decisions of the judiciary. Instead, Arafat encourages the continuous activities of "tribal courts" (in Arabic: *Mahakim 'Ashairiyya*) that reinforce the traditional structure of society. But the relations between the various branches of the government are not the only problem. Fundamentally, Arafat has failed to replace the traditional structure of society with the structure of a modern state. Such a modern structure depends on the emergence of a middle class, which cannot occur under the current system of monopolies. The traditional familial structure thus continues to play a major role in Palestinian society.

3. *The Role of the Security Services* – Arafat rules through a host of security forces and mechanisms, some of which fulfill the tasks of an army, others of a police force, and still others of external and internal intelligence and security services. This multiplicity of security services, all of which act simultaneously and with overlapping jurisdictions, inherently exposes the Palestinian people to oppression. In fact, according to some reports, the ratio of Palestinian police to the population is among the highest in the Western world (1 policeman to every 50 citizens; the U.S., by comparison, has 1 policeman for every 400 citizens).[13] Since these services perform their duties according to Arafat's instructions rather than the rule of law, the inevitable result is, generally speaking, a brutal dictatorship. The situation is exacerbated by the competition

and clashes between these services, which sometimes kill each other's men as well as innocent civilian bystanders. Arafat, who serves as the commander-in-chief of all the security forces, promotes this brigandage as a means to better control the population and preserve his regime.

4. *Undemocratic Practices* – The PA's oppressive practices and violations of human rights are another cause of resentment among the Palestinian public. Palestinian and international human rights groups frequently report the Palestinian Preventive Security Services' human rights abuses, which include extrajudicial punishment, the abduction of residents from their homes, warrantless arrests, lengthy detention without judicial scrutiny, refusal of legal representation, and the use of harsh torture techniques which have caused deaths. Agents of the Security Services conduct policing actions without any lawful authority, and their activities are subject to no judicial review.[14] Their systematic human rights abuses also extend to the unlawful collection of taxes and the arrest of "suspected" individuals, their torture, and demands of payment for their release.[15]

5. *Failure to Meet Popular Expectations* – Since the beginning of the Oslo negotiations, Arafat has promised his people that this process will fulfill the national Palestinian goals: an independent Palestinian State with Jerusalem as its capital and the right of return of all Palestinian refugees to their homes. For some time, the initial Palestinian achievements (the Israeli withdrawals, the establishment of the PA, and the international support which the Palestinians enjoyed) created the impression that further accomplishments were to follow. But in the last year, there has been a growing Palestinian realization that the final status talks, if and when they take place, will not bring about the achievement of these goals. Arafat is more frequently speaking of the availability of other options, and of the need to continue the Palestinian national struggle. This has become a major source of public disappointment and disapproval of the PA which, in turn, has translated into growing support for the Islamic opposition groups.

Arafat's declining popularity was evident, for example, in the March 1999 student council elections of several Palestinian universities. In these elections, significant because they are widely seen as a reflection of Palestinian public opinion, the Fatah pro-Arafat blocs consistently lost to the Islamic blocs affiliated with the Hamas movement. This was true in both Islamic and secular universities, and points to a growing sense of disapproval with Arafat in the Palestinian street. The student opposition to Fatah was expressed in the election campaigns, which concentrated on what the pro-Hamas students called the "dual oppression"- namely, the oppression of the Palestinian people by both Israel and the PA.[16] The very comparison of the PA to Israel, which many Palestinians still view as the archenemy, points to the deepening degree of alienation that many Palestinians feel toward Arafat and

the Authority. Moreover, the student party platforms, which were critical of the security services for their human rights violations and of Arafat for his failure to fulfill his promises, further testified to the decreasing popularity of the Palestinian leadership among its population.

As Arafat's popularity declines, he is likely, like many other totalitarian leaders, to externalize the conflict in order to regain public support. An early sign of this trend was evident in Arafat's renewal of anti-Israel incitement in late March 1999. Facing growing American pressures not to declare a state on May 4, the Palestinian leader, who since the signing of the Wye River accords has generally refrained from using violent anti-Israel language, declared to a Fatah crowd in a ceremony commemorating the battle of *Al-Karameh*: "Let the far and the near know on this occasion that the Fatah movement is ready to fight battles like *Al-Karameh* daily, if anyone tries to diminish our legitimate rights and our right to declare a state."[17] If Arafat's political fortunes continue to deteriorate, he is likely to rally his population against Israel and/or resort to terrorism. This will become particularly true if, following a peaceful May 4, he is only able to present his people with minimal political achievements, further strengthening the Islamist opposition to his regime.

Relations with
Militant Islamic Organizations

According to the premises of Oslo, as well as the subsequent accords, in return for territory, the PA was to fight Hamas and the Islamic Jihad in order to provide Israel with the security it required. But the Palestinian leadership did not comply, viewing Hamas as a national opposition rather than a terrorist group. Even the Izz Al-Din Al-Quasam Brigades, Hamas' military wing, are not, in Arafat's eyes, a terrorist group.[18] Arafat's animated public speeches resonate compassion for Sheik Ahmad Yassin, Hamas' leader.[19] Yahya 'Ayyash, the Hamas mastermind of various bombings in Israel, nicknamed 'the Engineer,' has also been extolled by Arafat in his public speeches, with 'Ayyash called "a sacred martyr," like all of Hamas' fallen heroes.[20]

The very notion of fighting Hamas is unacceptable to Arafat, and is perceived by him as an Israeli plot to push the Palestinian people into internal strife and civil war between the PLO and Hamas (a trap that - needless to say - Arafat vows never to fall into).[21] As for Hamas, its leadership made it absolutely clear from the moment Arafat entered Gaza, that they would not seek to topple the PA. All they asked for was to preserve their right to continue the *jihad* against the enemy.

It is no wonder, therefore, that Arafat has never outlawed either Hamas or its military wing.[22] In fact, Arafat has attempted to entice Hamas to join the PA, with a moderate degree of success.[23] Arafat has also (successfully) encouraged Hamas activists to create a political party. The "Salvation Party" has been acting as a Hamas front for almost two years, and its publication, *Al Risala*, appears

undisturbed every week. Other Hamas activists were encouraged by Arafat to run for PA Council elections, and five of them won seats with Arafat's support - at the expense of his own Fatah candidates.

On several occasions the PA has acted forcefully against Hamas. This was the case after the 1996 series of suicide bombings which halted the peace process, and also after Israel halted withdrawals under the Wye Agreement for lack of compliance by the Palestinian Authority. However, arrests of Hamas activists are always temporary at best, since the PA has adopted a "revolving door" policy, and is quick to release the activists it arrests.

More typical of the relationship between the PA and Hamas is an agreement signed in Cairo on December 21, 1995 by Arafat's deputy and confidant, Head of the Palestinian National Council Salim Za'anoun, and Hamas head of the Politburo Khalid Mash'al.[24] Under this agreement, Hamas consented "not to embarrass the PA," and was permitted to act against Israel only from areas not under the control of the PA.[25] Through this agreement, Arafat sought to guarantee a controlled and paced degree of violence via Hamas, through which he intended to pressure Israel without directly entangling the PLO or endangering his relations with the United States.

Currently, the PA maintains a consistent relationship of both conflict and cooperation with Hamas and Islamic Jihad. In the short term there can be conflict or competition between the various Palestinian factions, while in the long-term the PA and Hamas share a common understanding that achieving Palestinian goals requires national unity against Israel.

Has There been an Ideological Change Toward Israel?

A central aspect that will determine whether or not a Palestinian State will use terrorism against Israel has to do with the attitude toward the Jewish State in Palestinian society. From its early days, Palestinian nationalism centered around anti-Israel feelings and calls for violence against its Jewish citizens. This has become particularly true since the formation of the PLO, whose stated goal was the destruction of Zionism and the State of Israel, in 1964. Through the Oslo negotiations, the organization was asked to change its covenant calling for armed struggle against Israel, because peace required a Palestinian ideological shift.

Even after steps have been taken to change the covenant, the question of Palestinian attitudes toward Israel deserves examination, because a nation's psyche extends beyond its formal documents. A true ideological change must stem from a redefinition of stated Palestinian national goals - from the destruction of Israel to coexistence with it. This change should be expressed through peaceful statements by its leaders and opinion makers, as well as through the way Palestinians educate their youth. If this change of heart has not taken place, and if Palestinian society continues to be fundamentally mobilized against Israel, a renewed outbreak of

Palestinian violence against Israel is but a question of time.

Since the commencement of the Oslo Accords, Arafat has continually presented the negotiations to his own people as a temporary agreement, and not as a lasting peace. He has consistently based and legitimized his reconciliation on two important precedents: the contemporary 'plan of stages' and the ancient *Hudaybiya* agreement.

> *The 'Plan of Stages'* – Palestinian officials on all levels have stressed time and again their commitment to the 1974 "ten points plan," known as "the plan of stages." This plan, adopted by the PLO following the 1973 war, was a way of demonstrating its willingness to create a parallel political track to its traditional path of armed struggle as a means of achieving its goals. The plan, which was supported by the PLO's central faction, Fatah, accepted an independent Palestinian entity in Judea, Samaria, and Gaza as a stage in a longer process leading to the creation of a Palestinian State in *all* of Palestine.[26] No substantial change in the PLO's ideology has occurred since then. Even on September 13, 1993, the day of the signing of the Oslo accords, Arafat gave a speech to his people in which he explained the Oslo process in terms of the 1974 'plan of stages.' It provided the context through which he wanted his people to understand this peace agreement - as a merely temporary settlement leading to the realization of the Palestinian dream.

> *The Hudaybiya Agreement* – Time and again Arafat has also compared the Oslo Accords to the *Hudaybiya* agreement signed by the Prophet Mohammed with the tribe of Qureish, which has become the legal Islamic precedent for any *temporary* agreement between Muslims and their enemies. In a speech to a Fatah conference on November 16, 1998, Arafat said: "we chose the 'peace of the brave' out of faith in [the conduct of] the prophet in the *Hudaybiya* agreement. We adopted this agreement, the 'agreement of the brave'... The Palestinian revolution is a great revolution. Let the far and the near know that the Palestinian rifle is ready and we will aim it if they try to prevent us from praying in Jerusalem."[27]

Since the 1993 Oslo Accords did not change the basic tenets of the PLO's ideology, anti-Israel incitement remains a fixture in the statements of leaders on all levels. It is also present on the popular level in newspaper articles, television shows, and in the way Palestinian children are educated, and has not ceased even after the 1998 Wye River Accords.[28] Similarly, the PLO's anti-Western ideology has not abated, and the United States has continued to be portrayed as arrogant and imperialistic. In particular, American policy toward Iraq has created a backlash from the PLO. In a speech given on behalf of President Arafat, Secretary General of the Palestinian Authority Presidency Al-Tayyeb Abd Al-Rahim, identified with Iraq, stating that: "American aggression against Iraq is aggression against Arab national security and against Iraq's sovereignty and that of the Arab people..."[29] Other American efforts in the region, such as the strikes

on Sudan and Afghanistan, have also elicited a strong reaction from the Palestinian media. In *Al-Manar*, Isma'il 'Ajwa condemned American actions, stating: "this is the age of American hatred, the age of bullying and barbarity."[30] The Palestinians also continue to distrust and malign the intentions of the United States. Palestinian researcher and historian Ahmad Sudqi Al-Dujani, in an interview by the PA daily, compared the conduct of the Clinton administration toward the Palestinians to that of 18th and 19th Century Americans toward the American Indians, stating that "the Wye Agreement expresses the view of 'settlement' common amongst Americans."[31] These statements point to a continued distrust of, and antagonism toward, the United States, despite its role as the broker of the Israeli-Palestinian peace negotiations.

Conclusions

This review of internal Palestinian developments points to the fact that a Palestinian State, if and when declared, is likely to engage in terrorism against Israel, due to both the regime's political necessities, and the continued ideological motivations which mobilize the Palestinian polity against Israel. The changes which occurred in the condition of the Palestinian people as a result of the Oslo process - from living under an Israeli occupation to living under autonomous self-rule, and the prospects of moving toward an advanced level of political sovereignty in the framework of an independent Palestinian State - are insufficient to end the violent aspects of the Palestinian-Israeli conflict. The political structure which came into being in the territories under the control of the PLO is similar to other undemocratic regimes in the Middle East. Like them, it is bound to suffer instability and resort to external conflicts as a means of self-preservation.

The destabilizing effects of continued terrorist activity will affect not only the security of Israel, but also that of neighboring states, and finally, American interests in the region as well. The Palestinian government remains mired in anti-Israel and anti-American ideology, as well as a policy of long-term cooperation with Islamic movements. The failure of the peace process negotiations to alter the ideology of the PA make it likely that terrorism, motivated by anti-Israel and anti-American sentiment, will remain a continued obstacle to American interests in the Middle East.

ENDNOTES:

1. *Al-Ayyam*, February 16, 1999

2. PNC Member Mahmoud Al-'Ajarmi explained that the declaration of statehood is about "sovereignty over the land, people, territorial water, aerial domain, borders, foreign affairs, the right to sign international conventions, etc." *Al- Quds*, August 28, 1998.

3. This position was clearly stated by Fatah. See: Official Fatah Website Editorial: "A State in the Making: Rights and Duties" http://www.fateh.org/e_editor/99/150299.htm

4. Nitzan Horowitz, "Breakfast without Israel," *Ha'aretz*, February 2, 1999.

5. David Makovsky, "If it is Good for Netanyahu then it is Bad," *Ha'aretz*, January 19, 1999.

6. "EU Declaration on Middle East Peace Process," communicated by the European Union's Jerusalem Office online: eudelwbg@planet.com

7. *Al-Hayat Al-Jadida*, September 17, 1998.

8. *Al-Quds*, January 8, 1998.

9. Stacey Lakind and Yigal Carmon, "The PA Economy—Free Market or Kleptocracy?" Parts I and II, *MEMRI Inquiry and Analysis*, Numbers 10 & 11, (January 7-8, 1999).

10. Ibid.

11. Ibid.

12. Yigal Carmon and Yotam Feldner, "Reshuffling in the Palestinian Authority's Cabinet," *MEMRI Inquiry and Analysis*, Number 2, August 7, 1998.

13. Gal Luft, "The Palestinian Security Services: Between Police and Army," *Peacewatch* Number 189, The Washington Institute for Near East Policy (November 13, 1998).

14. *Neither Law Nor Justice: Extrajudicial Punishment, Abduction, Unlawful Arrest, and Torture of Palestinian Residents of the West Bank by the Palestinian Preventative Security Services* (B'Tselem report, August 1995).

15. *The Palestinian Human Rights Monitor*, Volume 2, Number 5 (Tax report), The Palestinian Human Rights Monitoring Group, August 1998.

16. Amira Hess, "Victory to the Islamic Lists in Three Palestinian Universities," *Ha'aretz*, March 28, 1999.

17. "Palestinian Leadership Renews Calls for Violence," *MEMRI Special Dispatch*, Number 29 (March 22, 1999).

18. Arafat in an interview with *Novoia Vremya*, May 25, 1997.

19. Arafat in a speech in Bethlehem, October 21, 1996.

20. For example, Arafat's speech in Dura/Hebron, Palestinian Television, January 7, 1996.

21. The only serious clash between PLO police and Hamas demonstrators occurred in November 1994, and has never been repeated. The clash, which resulted in the killing of 11 Palestinians, was due to the lack of experience of the PA police, and was not ordered by PLO leadership.

22. After the 1996 series of suicide bombings, it was falsely reported by the media that Arafat had outlawed Hamas.

23. Although on the whole Hamas spurned these efforts, Arafat did persuade certain individuals in Hamas to join him, and eventually succeeded in including some of them in his administration: Imad Faloogi and Talal Sidr were appointed as ministers, Hamid Bitawi—as Chief of *Sharia* (religious) courts in the north, and Iqrima Sabri as "Mufti of Jerusalem and Palestinian lands."

24. I thank IDF Col. (Res) Yigal Carmon, President of the Middle East Media & Research Institute, for bringing the details of this agreement to my attention.

25. *Al-Nahar*, December 22, 1995.

26. Guy Bechor, *Lexikon Ashaf* (Lexicon of the PLO). (Tel-Aviv: Ministry of Defense, 1999), p. 318.

27. "Arafat's Speech in a Fatah Conference," *MEMRI Special Dispatch*, No. 13 (November 17, 1998).

28. The Secretary General of Fatah in the West Bank, Marwan Al-Barghuthi has stated that "there will be no concession on the Palestinian axiom that includes the right of return, the right to self-determination, and the establishment of an independent Palestinian State on the entirety of the Palestinian land with Jerusalem as its capital." 'Palestinian Comments on the Wye River Memorandum," *MEMRI Special Dispatch*, No. 9 (October 27, 1998); Arafat's assistant for National and Political Guidance, Othman Abu Gharbiyyah, in a speech before senior officers in Gaza, similarly said that "We say to the martyrs that our commitment is still standing and we continue on the same path... We are all seekers of martyrdom... we will continue to be seekers of martyrdom who take pride in the guns on our shoulders." "The Fatah Day in the Palestinian Media," *MEMRI Special Dispatch*, Number 21 (January 11, 1999).

29. *MEMRI Special Report: Palestinians and Iraq*, (February 4, 1998).

30. *Al-Manar*, August 24, 1998.

31. *Al-Hayat Al-Jadida*, December 12, 1998.

The PLO and the Future of Jordan

David Wurmser

Though not always understood by Israel, the West as a whole, or even by itself at times, Jordan represents an antithesis to the violent politics of revolution that have gripped the Middle East and plagued Israel since Nasser's coup in Egypt in the early 1950s. As a result of its political character, Jordan has not only traditionally been a quiet neighbor to Israel, a friendly state to the West, and an irritant to Israel's most determined enemies – such as Syria and the PLO – it has also gradually, since 1970, become Israel's strategic partner, along with Turkey. Jordan's history over the decades has been marked by Hashemite attempts, and retreats from those attempts, to wean themselves away from PLO domination. As a result, the current upheaval in Jordan, and the growing power of the PLO, will have profound strategic ramifications for Jordan's long-term future. Jordan will either deteriorate into another Lebanon – a vortex drawing in and being swallowed by the competitive energies of its neighbors – or it will resist this fate through resolutely confronting the PLO.

The Origins of Jordan's Strategic Role

For most of this century, Arab politics have been torn by a rivalry between the old, traditional establishment and a new, revolutionary upheaval. This tension first surfaced during the great Arab revolt against the Ottomans in World War I. The revolt was led by the Hashemite Sherif Husayn of Mecca, a symbol of the old, traditional establishment of Islam and the Arabs, but the rank and file of the revolt included a new revolutionary group of Arab officers, many of whom were schooled in the West or in Western schools in the Middle East. After the war, with the

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common enemy of the Ottoman Empire removed, these two trends within Arab society entered a conflict which continues to the present day.

In particular, since the middle of the last century, radical efforts in both Europe and the Middle East have continuously challenged traditional society, and utopian, statist, and arrogant politics have replaced a more liberal, decentralized, and humble form of politics. In the Middle East, the revolutionary impulse has dominated. As a result, the prevailing form of government in the Middle East has been, and continues to be, republican tyranny. The violence, instability, anti-Americanism, and anti-Zionism which grips Arab politics emerges neither from lingering resentment from the colonial era, nor from the "exotic" or "primitive" nature of the Arab world. It emerges from the Arab world's embrace – be it in secular or religious garb – of a great and deadly aberration of Western thought prevalent in this century. In particular, Arab politics is haunted by utopian, tyrannical attempts to radically transform man through totalitarian despotism – attempts which are easily exploited by cynical, ambitious men to annihilate political opponents, achieve absolute power and wage war on traditional elites who stand in their way. Such angry and revolutionary politics have brought the politics of mass murder to the Middle East, as despots erase opposing factions, ethnic groups, sects, elites and all other forms of diffused power and civil society.

The Hashemites and Jordan versus Radical Pan-Arab Nationalism

Jordan, however, resisted the neighborhood's trendy statist tyranny and desisted from attempting to homogenize Arab society. Unlike its neighbors (such as Saddam, Assad, Nasser, Qaddafi, Khomeini, and Arafat) Jordan has tolerated its tribalism and traditional divisions in society, and its leaders have emphasized individual rights and dignity, rather than the subordination of its individuals to the requirements of the collective, as the basis for politics in the Arab world. Indeed, its embrace of the idea that robust nations emerge from coalitions of strong communities, rather than from tyrannical, destructive efforts at homogenizing societies, is the most potent idea Jordan offers other Arab nations. Such ideas, however, cannot be tolerated by the region's radical rulers; they threaten them by shaking the very legitimacy of their regimes. As a result, they invite enmity, fuming envy, sneers and fears among the region's totalitarian despots.

This was a matter of great concern for Jordan, and especially for King Hussein. From personal experience, Hussein knew that this enmity would assume a violent and determined form. His grandfather had been gunned down before his eyes by a Palestinian nationalist. His Hashemite relative, King Faisal II of Iraq, was murdered in 1958 as Iraq became engulfed in one of the many regional revolutions inspired by Egypt's Nasser and his violent brand of radical pan-Arab nationalism. And the Hashemite regent of Iraq had been deposed by a coup during World War II by the radical pan-Arab nationalist Rashid al-Gaylani, only to be reinstalled by

direct British and British Jewish Legion intervention.

These personal experiences, and the knowledge that many in his realm, as well as a number of neighboring leaders, relished the prospect of helping bring him to a similar end, shaped much of King Hussein's politics. He ruled a nation smaller and more barren of resources than any of its neighbors in a turbulent and brazenly competitive region. Iraq is to the east, Syria to the north, the Saudis – who are wary of the Hashemites' claims to their ancestral home in Mecca from which the Saudis had driven them – to the south, Israel to the west, and the Palestinians within. King Hussein's survival, and the continuation of Jordan's independence itself, could thus not be secured by raw power or easily found wealth. In response to this challenge, Jordan has learned to maneuver adeptly on a tactical level. More importantly, it has also accepted a Western, then Israeli, and more recently a Turkish-Israeli, strategic umbrella to survive.

Jordanian Strategic Responses

Throughout its history, Jordan has responded to radical pan-Arab nationalism in two ways. At times, it has sought to appease the threat and attempted to purchase its narrow security through championing Arab nationalist causes, such as on the Palestinian issue. At other times, it has placed itself at the forefront of rejecting radical pan-Arab nationalism, and turned to non-Arab actors, such as Britain, the United States, Israel and Turkey, for help. Paradoxically, it has been far more secure when it has embarked on the latter course, and it has nearly been destroyed numerous times by embracing the former.

King Hussein assumed the throne of Jordan with full constitutional powers on his eighteenth birthday in May 1953. It was an age of revolution; the previous year, Gamal Abdel Nasser had seized power in Egypt, touting a radical pan-Arab nationalist movement. The first challenge to Hussein's reign came soon after coronation. Nasser forced Britain's expulsion from Egypt in 1954, and later that year a pro-Nasserite revolt erupted in Algeria to force France's removal. Nasser also pressed King Hussein to expel foreign forces from Jordan, knowing that much of Jordan's regime rested on the armed forces, which were commanded by senior British officers. Their withdrawal would leave Jordan vulnerable, but leaving them in place would have opened Hussein up to the accusation that he was a colonial, pro-Western agent. Hussein buckled under the pressure, and in March 1956, replaced the senior British officers under Sir John Bagot Glubb.

Nasser's agents were quick to try to fill the vacuum. In March 1957, King Hussein foiled an attempted coup. King Faisal II, Hussein's Hashemite relative, and his main advisor, Nuri as-Said, were overthrown in Iraq in 1958 – in part because they underestimated the insatiable nature of the threat from pro-Nasserite officers in the military. The Iraqi revolution triggered a similar revolt by pro-Nasserite elements in Jordan's army in July 1958 which, though crushed, forced Hussein to request the intervention of British and American troops. The entry of U.S. and British troops into Jordan and nearby Lebanon broke the momentum of

revolutionary fervor which had been triggered by the Egyptian Revolution and emboldened from 1952-1958 by the defensive response of the region's monarchs, including King Hussein.

The affairs of Jordan, and even of the entire Middle East, calmed temporarily after 1958. Jordan receded as a target for Nasser and his followers, in part because of Nasser's entanglement in a difficult war in Yemen and occupation with an intrigue-filled trilateral relationship with Syria and Iraq (both of whom had come under radical, pan-Arab nationalist control and were trying to form a union). Moreover, Jordan believed it coopted some of the revolutionary fervor, or perhaps preempted some of Nasser's hostility, by tolerating the gradual buildup within it of one of Nasser's causes celebres – the Palestine Liberation Organization. This tolerance slowly dragged Jordan into the crossfire of the Arab-Israel conflict. Syria, in union with Egypt at the time, used Palestinian factions to launch terror attacks on Israel from the Jordanian-controlled West Bank. This in turn forced Israel to retaliate against Jordan. But the real danger from the PLO, as much a tentacle of Nasser's revolutionary Egypt as it was a Palestinian-based indigenous movement, was internal to Jordan.

Turning Toward Confronting Nasser

In 1965, King Hussein's government appointments signaled a turn away from attempts at appeasing the Nasserite wave which, in large part because of its miserable setback in Yemen, had lost some of its luster. The new Prime Minister, Wasfi al-Tal, was known for his opposition to Nasser's Egypt, the new Baathist Syrian government, and to the growing power and influence of the PLO among Palestinians. In contrast to Tal, the previous Prime Minister, Bahajat al-Talhouni, had been known – apart for being famously corrupt – for his sympathies toward Nasser's Egypt, Ahmad Shukairi and Yasser Arafat's PLO, and Egypt's close partner, Baathist Syria.[1]

In 1967, matters took a more ominous turn. During a particularly serious Israeli retaliation into Samu (biblical Eshtemoa) in the West Bank in 1967, Israeli and Jordanian forces waged nearly a day of pitched battles. King Hussein saw the ever-growing autonomy of pan-Arab nationalist forces, in the guise of PLO factions, operating in his realm, ostensibly "continuing the struggle for Palestine," but in reality using violence – and Hussein's inability to cope with Israeli retaliations – to demand a free hand in establishing areas of activity under sole PLO control, and to discredit and weaken Hussein's monarchy enough to eventually challenge it directly. The PLO's Fedayeen had also begun, despite Hussein's efforts to tolerate and champion their cause, to constantly and brazenly interfere in internal Jordanian questions, to threaten and stir up trouble against politicians known for their antipathy to Nasser, the PLO, and Syria, and to encourage, in part through Egyptian help, pro-PLO Jordanian politicians, foremost among them former Prime Minister Bahajat al-Talhouni. The PLO also began to conduct a series of terror attacks in

Amman, Jerusalem, and other major Jordanian cities to further create a climate of instability.

Realizing the implacable threat he faced, King Hussein and Prime Minister Wasfi al-Tal shifted to a policy of open confrontation with Nasser and his allies, including the PLO, in early 1967. Hussein closed PLO offices across Jordan and de-recognized the pro-Nasser Arab Republic of Yemen. In February, Jordan recalled its ambassador from Cairo, recognized West Germany (which it had been forced to de-recognize under pressure from Nasser in 1965) and used the dissolution of parliament to decree a new set of laws closing pro-PLO newspapers.

The 1967 War derailed this initiative. In May 1967, after a series of clashes along Israel's northern border (and after the Soviet Union falsely accused Israel of preparing an assault on Syria), Egypt declared that it would defend all Arabs attacked by Israel and began mobilizing its army in the Sinai peninsula for a war which, Nasser claimed, would destroy the Jewish State. Egypt also closed the Gulf of Eilat by placing artillery along the Tiran Straits in Sharm ash-Sheikh, the southern tip of the Sinai. The military buildup in the Sinai and the blockade of Eilat was tantamount to a declaration of war. Israel at the time was largely reliant on Iranian oil, which came from the Persian Gulf and had to be unloaded at Eilat. Israel's only other port, Ashdod, was in the Mediterranean and cut off from eastern trade as a result of Egypt's continued blockade of Israeli traffic through the Suez Canal since 1956. As a result, blockading Eilat was tantamount to a suppression of oil flow to Israel. Moreover, squeezing Eilat introduced another strategic problem. Israel feared strategic encirclement; it had only enough troops to fight in sequence along a number of fronts. If Jordan physically touched Egypt, which only Eilat's continued existence prohibited, and if Jordan joined the effort against Israel, then Egyptian troops could move freely between fronts, leaving Israel in a very difficult strategic posture.

By late May, the Tiran Straits were cut and Egypt focused much of its mobilization near Eilat. As Israel watched anxiously, Jordan came under heavy pressure from Nasser to join the effort. Israel, both directly and through the United States, implored Jordan not to intervene, but Jordan, fearing that it could not withstand any continued pressure, had by May 30 already turned over command of its armed forces to its radical, pan-Arab nationalist nemesis, Egypt. Jordan allowed Egyptian infantry to be placed on the West Bank near Latrun, the closest point in the West Bank to Egyptian forces also massing in the northern areas of the Gaza Strip. This set the stage for one of Jordan's biggest mistakes. When war erupted on June 5, and despite continued Israeli requests not to intervene, Jordan began shelling Jerusalem and the southern Galilee region in Israel, as well as allowing Iraqi troops, also commanded by a radical pan-Arab nationalist government, to move through it to the West Bank. They also allowed the PLA – the military wing of the PLO – to mobilize and take positions in the West Bank. Late on June 5, Jordanian troops began a thrust against Jerusalem and Jordan became a full partner in the disastrous war. They lost Jerusalem and the entire West Bank in the next days.

At the root of Jordan's defeat was a subtle, but very important strategic shift. On the eve of the war, King Hussein had succumbed to the temptation to co-opt

and preempt the wave of radical, pan-Arab nationalist sentiment on the issue of Palestine in order to survive, rather than turn to external allies for help. That strategic shift, however, did nothing to calm the pan-Arab nationalist pressures on him. In fact, it had only served to derail the efforts launched prior to the war to bring the PLO's fedayeen under control.

Toward Black September

After the 1967 War, Nasser sought a more indirect approach. He launched the War of Attrition, an intense but stationary war that lasted for three years. This war was waged along both the Syrian and Egyptian borders, but in order to wage it along the Jordanian border, the Egyptians needed the services of the PLO, since Jordan had no taste for following up its 1967 defeat with provocations that could bring Israeli forces into nearby Amman. Thus, the pattern which emerged in 1954 reappeared: radical, pan-Arab nationalist forces, this time in the shape of the PLO, continued to build up in Jordan through King Hussein's tolerance – in part because he hoped it would help him avert animosity from his nemeses – and continued to wage a War of Attrition on Israel, which frequently entangled Jordan in intense battles against its better judgment. Similarly, Jordan accepted the emplacement of some Iraqi troops, now under a new Baathist regime, in northern Jordan, from which they harassed Israel. Moreover, under the Iraqi umbrella, the PLO consolidated its control in a defined geographic area, and began to challenge the authority of the Hashemite government there. This pattern was to repeat in the PLO's later behavior in Lebanon, in large part because the Sunni Lebanese encouraged pan-Arab nationalist domination of their country in the hopes that it would tilt the internal balance of power toward them. They were assisted in this task by direct Syrian interference and eventually the Sunni PLO's massive intrusion. In essence, Jordan was becoming the battleground of the War of Attrition waged by outsiders – a fate which eventually befell Lebanon a decade later.

By 1970, the PLO had built its position in Jordan into a formidable conventional army which could credibly challenge the independence of Jordan. In summer 1970, it felt it was ready to challenge King Hussein and demanded, as Nasser had done in 1954-1956, that Hussein dismiss a number of key commanders known for their suspicions of the PLO from the Jordanian army, upon which the King's reign depended. After Israel crushed the Egyptian army in a series of massive air raids in August 1970, the War of Attrition ended, leaving Egypt licking its wounds and relieving some of the pressure on other Arabs to wage war on Israel. By September, the stage was set for a Jordanian-PLO confrontation.

Black September, which is what the Jordanian-PLO war came to be known, was arguably the King's finest moment and act of greatest statesmanship, setting the tone for the kingdom for 20 years. In September 1970, the PLO – which had been allowed to operate freely from Jordan as a guest of the king – turned on its host and tried to destroy the Hashemite monarchy. Fighting erupted on 17 September,

and by the next day Syria joined in the fray and sent two battalions across Jordan's northern border to help Arafat crush King Hussein. Jordan responded with a key decision: it again turned to the United States and Britain for help. Neither, however, had the assets in place to help, so Israel was asked to intervene on Jordan's behalf. Hussein quickly accepted Israeli power as a strategic asset. Israel's air force threatened Syria into retreat and its army mobilized along the Jordan valley, freeing up Jordan's army to crush the PLO, which it did ruthlessly.

This strategic decision, more than any other act ever done by Hussein, not only protected his kingdom from certain destruction, but allowed it to become a two-decade oasis of stability. After 1970, Jordan continued to realize the advantages of tapping Israel's power, understanding how much his most feared nemeses, the PLO and Syria, stood weakened by it. King Hussein understood Israel's utility in maintaining internal security by co-managing the Palestinian community on both banks of the Jordan River and in extending a strategic umbrella vis-a-vis other regional powers, such as Syria.

After 1970 – Jordan's Drift Backward

In retrospect, from the change in government to Wasfi al-Tal in 1965 onwards, it is clear that on the eve of the 1967 war, Hussein had embarked on a counterattack on Arab nationalism – a counterattack which was derailed by the war, but resumed soon thereafter – culminating in Black September. It was that counterattack, and the serious drubbing Arab nationalism received at Israel's hands, that brought Jordan and Israel the 20 years of stability that both enjoyed vis-a-vis each other and the Palestinians. It signaled a formula for regional stability: cooperation by Jordan with the West against radical pan-Arab nationalism. But as Black September drifted further into memory, King Hussein again shifted his strategy – slowly, incrementally and subtly, but very significantly. He again tried to co-opt and preempt the pressures on him, even at the expense of the Israeli (and American) strategic umbrella from which he enjoyed protection. By 1990, things were again spinning out of control for Jordan, in large part because of the key strategic mistakes it had made in the late 1980s with respect to the PLO and securing internal financial independence.

After 1988, King Hussein seemed no longer willing to admit publicly, or even understand privately, the extent to which his continued survival and insulation from dangerous enemies was no longer a function of his adept maneuvering, but of Israel's growing power. Hussein's severing of ties to the West Bank in 1988 was the first of two crucial mistakes. Until 1988, most of the West Bank's infrastructure – from schools and services to Mosques – were under Jordanian administration, as they had been before 1967. Disbursing so many services and money ensured Jordan's constant involvement in, and influence over, West Bank affairs, as well as allowing Israel to administer the territory with minimal day-to-day interference. In July 1988, King Hussein suddenly renounced all ties to the territories, though later he continued to provide some administrative functions, such as the Waqf,

or religious trust council.

This move amounted to a reconsideration of his Black September decision to seek Israel's protection against the relentless challenge of radical-pan Arab nationalism. King Hussein concluded that satisfying Palestinian nationalist ambitions would deflate the pressures on him from that camp – a dubious proposition, since their antipathy emanated from the nature of his regime, not his stand on Israel. Whatever the motivation, this act disrupted the solid construct of Israeli-Jordanian cooperation upon which the stability of both Jordan and Israel rested. Most importantly, it left Israel with little choice but eventually to deal directly with the PLO – a move which led to the current Oslo process that has become as much a threat to King Hussein's realm as it is to Israel.

The King's 1988 shift was highlighted by a change in his treatment of pro-Jordanian Palestinians in the West Bank. The Palestinian papers, *an-Nahar* and *Akhbar al-Balad*, had been set up in the 1980s under Jordan's encouragement in large part to help bring a pro-Jordanian perspective to the news and information Palestinians were receiving. Their very existence under Israeli rule, in contrast to the barred pro-PLO papers, was understood by many Palestinians as an indication of Israel's preferences as well. Eventually, however, Jordan lost interest in these projects, leaving the papers vulnerable. When Arafat entered the West Bank territories in 1994-1995, one of his first acts was to shut down *an-Nahar* and *Akhbar al-Balad*.[2] Jordan failed to respond, just as it failed to respond when Arafat suddenly restricted the free movement of a number of pro-Jordanian Palestinians in the West Bank and barred them altogether from traveling to Jordan.[3] This passivity, as well as Israel's acquiescence, was read by Palestinians as an indication of Jordanian and Israeli policy, which encouraged them to support Arafat. This was a subtle but far-reaching decision that limited Jordan's long-term options.

Similarly, King Hussein failed to support other figures in the late 1980s who were attempting to establish an independent financial and trade base for the Hashemites. Much of Jordan's financial foundation rested on two banks owned by pro-PLO Palestinian interests: the Cairo-Amman Bank and the Arab Bank. Hussein brought outsiders to Jordan to help establish a new bank to crack the Palestinian monopoly, but when members of the banking structure, with support from Saddam Hussein, coalesced to bring the effort down, King Hussein failed to protect those he had brought to Amman to help him. This too was a subtle but far-reaching decision that limited Jordan's future options.

The Gulf War

These decisions positioned Jordan for its second blunder: the 1990-1991 war with Iraq. The 1991 crisis with Saddam Hussein represented a serious blow to the radical pan-Arab movement which had plagued the region for decades. But the 1991 Desert Storm war represented its death throes, as the foundation of the radical pan-Arab challenge crumbled just as the United States challenged

its flag-bearer.

This could have been Jordan's finest moment. Radical pan-Arab nationalism was dying, and Arabs knew it. Jordan's weak position, which made it susceptible to the dangerous currents of Arab politics and lay behind Hussein's cautiousness, had suddenly yielded to a circumstance loaded with great potential. The tide in Arab politics had turned. Its society, devastated by ideologies, specifically pan-Arab nationalism, direly needed a conservative restoration to avoid endemic anarchy. Jordan, which retained rather than assaulted its ties to the past, could have asserted itself as an alternative model of governance for Arab nations ruined by their revolutionary delusions.

King Hussein missed the significance of this moment. Instead of turning his 35-year defensive struggle into an offensive (with superpower support and regional acquiescence) against radical pan-Arab nationalism as a dominant political ideology, he bowed to the force Saddam Hussein represented. In 1991, King Hussein repeated the same mistake he had made in 1967, siding with the very forces which would eventually try to consume him.

His failure to support the coalition against Saddam, as well as his decision to sever his ties to the Palestinians in the West Bank in 1988, haunted him later. Jordan was isolated. He watched helplessly as Syria and others asserted their increasing interests in Iraq, which all viewed as a limping, terminal regime after the Gulf War. And Israel, consumed by the Intifada and seeking to extricate itself from the morass, began to turn toward the PLO for help. Israel's policies in the peace process, by empowering the PLO in the West Bank and by offering territorial concessions to Syria, upset the Jordanian-Israeli relationship and compromised Jordan's position in its rivalries with the PLO and Syria. Jordan was alone, tied to the sinking ship of Iraq and dangerous developments among the Palestinians, who still formed a large majority in Jordan. Moreover, the demise of Iraq's economy and trade left Jordan economically damaged and at odds with surrounding nations that could have served as Iraq's replacement in the Jordanian economy. King Hussein was pulled along by events, and had lost most of its ability to work with Israel to help shape developments in a more favorable direction.

The Watershed Now Facing Jordan

The threat to Jordan posed by the PLO has continued, and even escalated, since the end of the Gulf War. Arafat, Iraq's Saddam, and Syria's Assad have grasped Jordan's increased isolation and weakness and together moved to undermine the Jordanian regime and foment civil war.

There is currently a broad, quadrilateral rapprochement under way between Syria, Iran, the PLO and Iraq. The PLO stands most visibly, or at least candidly, as the vanguard of this diplomatic effort. The PLO remains closely aligned with Saddam Hussein, with whom Jordan has entered a dangerous competition after trying to topple the Baghdad regime from August 1995. In late 1997, the PLO's leader, Yasser Arafat, called for the formation of new "eastern front" that would

include Iran, Iraq, the PLO and Syria. Its purpose, he stated, was to challenge not only Israel, but Turkey as well.[4] More worrisome, since it illustrates a regional trend, is the harsh, Cold War, anti-American stance embraced by the Palestinian Authority as it moves in line with Saddam's rhetoric. For example, Arafat evoked provocative Cold War imagery by resuming his praise for the long-dead Sandinista revolution in Nicaragua as the model for the Palestinian revolution.[5] In fact, some of the most vitriolic public incitement in the region against the United States comes from the PLO-appointed and funded Mufti of Jerusalem, Ikrama Sabri, and is broadcast over the Palestinian Authority's television.[6] Much of the rhetoric is in support for Saddam's regime in its confrontation with the United States. The PLO also provides material support to Saddam by hunting down Iraqi opposition figures and using its facilities (including its embassy) in Iraq to hide Iraqi weapons of mass destruction plans and materials safely out of reach of UNSCOM inspectors.[7] In turn, Saddam rewarded Arafat by attempting to send him $100 million in October 1997.[8] In July 1997, Saddam candidly outlined how he conceives of the Palestinian Authority as a strategic asset in his conflict with Israel.[9]

Ultimately, King Hussein's attempts since 1988 to emphasize Jordan's "distinctness" from Palestinian identity have not worked, and it is evident that the assumption that the PLO has abandoned its long-term vision of controlling Jordan is wrong.[10] On February 12, Arafat announced in Hebron that he would favor a "union of Palestine and Jordan," which are twin brothers.[11]

This problem is compounded by the fact that the bulk of Jordan's financial world is still dominated by pro-PLO banks, the powerful Cairo-Amman Bank and the Arab Bank respectively. In fact, the West Bank's economy has been largely subordinated by its family-dominated monopolies, especially PADICO, the Palestinian Development and Investment Company - frequently at the expense of Jordanian economic interests.

Unless Jordan soon checks these corrupt but potent trends – a task which demands a strong and energetic king – the Oslo process may yet position the PLO to swallow the Hashemite Kingdom. So far, it is unclear whether Abdullah will follow his father's policy. Abdullah – who still upholds the kingdom's restrictive press laws – has allowed the PLO to publish and sell its papers in Jordan for the first time since 1967.[12] He has also allowed Palestinian TV to broadcast a show once a month on Jordanian TV channels.[13] In fact, Jordan has increasingly moved from a policy of confrontation to one of appeasement in relation to the new regional strategic grouping. On February 10, *The Times of London* reported that, according to Arab papers, King Abdullah told Iraq's vice president, Taha Mohiddin Maruf, that "Jordan wanted to pursue bilateral relations and examine ways of developing them in the interest of two brotherly peoples."[14] The new king also recently chose Damascus as the destination of his highly-symbolic first state visit abroad.

As the PLO creeps back into Jordan through the West Bank, Jordan is drifting back into the internal unrest it suppressed at great cost in Black September 1970.

King Hussein's actions over the last decade, especially those of the last two to three years, have returned Jordan to being a reflection, rather than the master, of the political currents which surround it. Jordan is currently, and will be in the future, as exposed to the dangerous drifts of Arab politics as it was before 1970. Whether Jordan will succeed in resolutely confronting Palestinian expansionism and the threat posed by the PLO to the Hashemite Kingdom depends solely on forces outside the kingdom. If Israel, Turkey and the United States emerge predominant – which they only will if they reexamine their support for the Oslo process and move energetically and resiliently to quell the forming anti-American alliance – then King Abdullah may be able to return Jordan to the safe umbrella under which it existed quietly from 1970 until 1988. If, however, Iraq, Syria, and particularly the PLO, emerge dominant over the next few years – a result of which current U.S. and Israeli policy seem tolerant – then it is possible that the resulting shape of Jordan would be markedly different from the current stable traditionalist government.

Endnotes

1. Asher Susser, *Between Jordan and Palestine* (Tel Aviv: Siloah Institute, 1983), pp. 109-112.

2. "Arafat Reportedly to Replace Pro-Jordanian Waqf," *Haaretz*, August 8, 1994, p. A4.

3. Ibid.

4. Jay Bushinsky, "Arafat Said Trying to Forge New Eastern Front," *The Jerusalem Post*, July 8, 1997, p. 1.

5. Yasser Arafat, Israel on Line, *Mivzak*, June 8, 1997 said: "The Palestinian Revolution arose to resurrection starting in 1974, and it draws its strength as the greatest revolution of the 20th Century from the Nicaraguan Revolution."

6. Sabri said: "Oh Allah, destroy America for she is ruled by Zionist Jews... Allah shall take revenge on behalf of his prophet against the colonialist settlers who are the sons of monkeys and pigs," as broadcast by Palestinian Broadcasting Corporation, July 7, 1997.

7. Regarding the hunting down of Iraqi opposition figures, see: Jay Bushinsky, "Iraqi Dissidents: US Must Kill Saddam - An Interview with Nabil Mussawi," *Jerusalem Post*, November 17, 1997. Regarding the PLO's complicity in evading UNSCOM inspections, see: Jay Bushinsky, "PA Hiding Saddam's Arms Secrets," *Jeruslaem Post*, November 6, 1997.

8. Jay Bushinsky, "PA Hiding Saddam's Arms Secrets," *Jerusalem Post*, November 6, 1997.

9. Saddam's National Day Speech, July 14, 1997 as translated and distributed by Laurie Mylroie, *Iraq Watch*.

10. "Jordanian Policies on the Palestinian Problem," *MEMRI Inquiry & Analysis #15*, Middle East Media Research Institute, March 20, 1999.

11. Karen Laub, "Arafat Revives Jordan-Link Concept," *Associate Press Newswire*, February 12, 1999. See also: Dana Budeiri, "Arafat Talks of Jordan Confederation," *Associated Press Newswire*, February 12, 1999.

12. "Jordan OKs Palestinian TV, Papers," *Associated Press Newswire*, February 16, 1999.

13. Ibid.

14. Christopher Walker, "New King Courts Iraq," *The Times of London*, February 10, 1999.

A Palestinian State: Effects on the Regional Balance of Power

Gerald M. Steinberg

For the past 50 years, the Middle East has been one of the most unstable regions in the world. While the degree of instability has declined in the past decade (as evidenced, in part, by the absence of major Arab-Israeli wars), the potential for full-scale warfare remains. Radical revisionist states and regimes, including Iraq, Iran, and Syria, still use terrorism and military threats in order to advance their objectives. The major conflict zones (Arab-Israeli, Persian Gulf, Syria-Turkey, etc.) have not disappeared, and the possibility of instability and war in one zone spilling over into the others continues.

In this framework, a radical Palestinian State, or a failed state, such as Lebanon, Somalia, Haiti, and to an increasing degree Iraq, would add another major source of instability. Without a stable sovereign government that possesses an effective monopoly on the legitimate use of force, such a state could become another Middle Eastern haven and training ground for militias and small non-state armies. These forces, or those of a radical Palestinian State allied with Iraq, Syria, or Iran, would have a serious destabilizing impact on the balance of power in the region.

By itself, a Palestinian State would be a minuscule military power, easily held in check by the vastly more powerful Israeli army. However, in coalition with other states in the region, such as Iraq and/or Syria, the abilities of even few and lightly armed Palestinians as a force multiplier would be very significant. Thus, the assessment of the military impact of a Palestinian State cannot be limited to the narrow question of how Palestinians forces would fare in a one-on-one confrontation with Israel, but rather must be examined as part of a coalition in a wider conflict.

The particular impact of Palestinian participation in a radical coalition will be the result of several factors: the combined military capability of such a coalition;

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the degree to which Israel maintains control over airspace, the central mountain range, the roads that connect the heights to Jordan and Iraq in the east and central Israel to the west; and the ability of the Palestinians to provide military intelligence on target location, monitoring of activities at military bases, and post-attack assessment.

In addition to the threat such capabilities would pose to Israel, a radical Palestinian State, or a failed Palestinian State without a strong central government, would also contribute to the threat to Jordan and Turkey. While Israel, Jordan and Turkey cooperate to form the nucleus of a stable and Western-oriented regional security framework (which could eventually include Egypt and perhaps other countries), a Palestinian State could strengthen a radical alliance working to destabilize the region. Such an alliance, incorporating Syria and Iran (and perhaps receiving support from a post-Saddam Iraqi government with stronger Shi'ite influence) would be a major source of conflict and terror, and the addition of the Palestinians to this group would be significant.

The Palestinian Connection

There is a long history of Palestinian participation in military coalitions directed against Israel, Jordan, and other Western-oriented states in the region. After the 1967 war, the PLO set up what amounted to an autonomous zone in Jordan, from which they mounted terrorist attacks and raids. During this period, tensions mounted between the Hashemite government under King Hussein and the Palestinians. In September 1970 (Black September), the Palestinian militia mounted a military coup designed to replace the Hashemite Kingdom with a Palestinian-controlled regime. In this coup attempt, the Palestinians received military support from Syria, whose tanks were forced to return to the Syrian border after the Israeli Air Force mobilized to attack them.

In the 1970s, the Palestinians moved their base of operations to Lebanon, where they undermined the Lebanese government and contributed significantly to the civil war. Short-term alliances were formed with various Lebanese groups, as well as, at various points in the conflict, with Syria. The destabilizing impact of the Palestinian use of Lebanon for terrorist operations led directly to the 1982 Israeli-Syrian confrontation.

In 1990, after Iraq invaded Kuwait, Yasser Arafat went to Baghdad to embrace Saddam Hussein. Despite the presence of hundreds of thousands of Palestinians in Kuwait, the PLO pursued a strongly pro-Iraqi policy, which led to the expulsion of these Palestinians. The PLO support for Iraq (both official and popular) continued through the 1991 War, and contrasted strongly with the broad Arab participation in the American-led coalition. While Egypt, Syria, the North African states, and Saudi Arabia all took part, at various levels, in the effort to defeat Saddam Hussein, the Palestinians continued their enthusiastic support for the Iraqi regime. The enthusiasm was fuelled in part by the Iraqi missile attacks against Israel.

Although Arafat and the PLO hierarchy formally abandoned support for Saddam Hussein after the war, shared enemies, feelings of sympathy, and a perception of mutual interests have been sustained. During periodic crises between the U.S. (and Britain) and Saddam Hussein, Palestinians display their support by burning American flags and organizing mass demonstrations. For example, in December 1998, immediately following President Clinton's unprecedented visit to Gaza and endorsement of Palestinian goals, the brief U.S.-led attack on Iraq led to another wave of demonstrations and flag burning in Palestinian cities. While the demonstrations were not officially endorsed by the leadership of the Palestinian Authority, the PA's tight control over political activities shows its tacit support of Iraq. It is clear that if Arafat and the PA leadership decided that the price, in terms of alienating the U.S., is small enough, the Palestinians would revert to their previous behavior and provide widespread support for the radical regime in Iraq.

Military Implications Of An Alliance Involving A Palestinian State

Against this background, the creation of a Palestinian State could have serious implications in threat scenarios involving Iraq and Syria, separately as well as in a combined attack against Israel. Such scenarios continue to be major factors in Israeli threat perceptions and military planning. Together, Syria and Iraq could deploy over 8,000 main battle tanks, thousands of artillery and mortar launchers, and hundreds of combat aircraft, outnumbering Israeli standing forces by as much as 4 to 1 (3 to 1 after mobilization of reserves). While Israeli technological superiority can offset this quantitative disadvantage, a full-scale Iraqi or Syrian conventional attack could still overwhelm Israeli forces, causing very high casualties and threatening the survival of the state.

The magnitude of this threat would increase following the creation of a Palestinian State. If Palestinian forces control the area between the Jordan River and the "green line" (the borders prior to 1967), Israel would lose all strategic depth. At the narrow points outside Tel Aviv, pre-1967 Israel is only 15 kilometers wide, and defense of these borders against major conventional attacks is impossible. In the absence of any strategic depth, a full-scale attack across any border could easily reach major cities in a few hours.

In this context, any assistance provided by Palestinian forces (either formally or informally) to Iraq or Syria would be critical. In order to meet and interdict an attack from the East, Israeli forces will have to engage these forces in the Jordan Valley before they reach the mountains. However, even a small Palestinian force (regular or irregular) operating in this region can harass the IDF, block the main East-West corridors, and generally interfere with the mobilization and deployment of Israeli forces. If the Palestinians have control over these areas, they will be able to mine the roads in coordination with an Iraqi or Syrian attack, slowing

or blocking the ability of Israel to meet the oncoming ground forces from the East. The roads are narrow and pass through steep ridges, making blockage and sabotage relatively easy.

The security deficit resulting from the transfer of control of territory to a Palestinian State would be balanced to some degree by improvements in the Israeli Air Force. Indeed, the addition of F-15I combat aircraft will enhance Israel's ability to attack offensive air and ground formations before they cross the Jordan River. Emphasis on ground attack helicopters such as the Apache, for use against tank and artillery columns, has also grown. However, unless the IAF maintains full freedom of action over the West Bank, particularly during wartime, Israel's ability to strike attacking ground troops will also be impeded; Palestinians armed with shoulder launched anti-aircraft missiles will be able to interfere with the activities of the IAF.

The envelope covered by the Palestinian missile capability will extend well beyond the areas controlled by a Palestinian State, and will include central Israel. Anti-aircraft systems in this territory, within a few kilometers of air bases, could significantly hamper Israeli Air Force operations taking place within Israel itself. In 1973, the IDF depended on a large scale American resupply effort, operating out of the central Ben Gurion airport near Tel Aviv. This airport is also within the envelope of shoulder-launched ground-to-air missiles positioned in the hills above, which are likely to be incorporated into a Palestinian State.

Although many proponents of a Palestinian State argue that demilitarization would solve these problems, such simplistic statements ignore the significant barriers to enforcement and verification. As the Palestinians gain control of the borders and ports in Gaza (including the airport that is now operating), they will be able to obtain large numbers of small hand-held SAMs, as well as anti-tank weapons, land mines and small arms. Indeed, the IAF already has to assume that in such conditions, it will face Palestinians armed with anti-aircraft missiles.

Military Intelligence

The alignment of a Palestinian State with another state or coalition in conflict with Israel will also have important consequences in terms of providing military intelligence. In the age of satellites, computers, and instant worldwide communication, the Palestinians could make a major contribution in the context of an alliance with Syria and Iraq. In planning ballistic attacks, these states will be able to receive information on the exact location of potential targets. Palestinians located on the hills and ridges overlooking Israeli military bases will be able to report on the activities within these installations, and on the arrival and departure of combat aircraft.

This intelligence information would also be important in terms of post-attack assessment. During the 1991 Gulf War, Israeli military authorities went to great lengths to prevent release of information regarding the exact location of missile impact points and damage. Such information would have helped the Iraqi forces

to redirect their missiles and increase their accuracy. Capabilities for post-attack damage assessment after a missile attack, particularly if chemical weapons are used, would allow the attackers to determine the degree to which the targets (particularly if they are military bases) have been put out of action.

With significant territorial control, Palestinians could also work with Iraq or Syria in blocking Israeli intelligence capabilities. From the high-points in the Judean desert and nearby hills, the IDF maintains critical early warning and long-range intelligence capabilities. Early detection of large-scale troop movements in Iraq and Syria provides Israel with the time to mobilize its ground forces and launch preemptive air attacks. When combined with Iraqi or Syrian military movements, this form of Palestinian assistance would have a very important and negative impact on the balance of power. Similarly, with extensive networks in Jordan, the intelligence assets of a Palestinian State could also work with Iraq and Syria in undermining Jordanian security.

A Palestinian State And Iran

Iran is too far away to pose a conventional military threat to Israel or Jordan, and thus a potential Iranian-Palestinian conventional alliance is not realistic. However, Iran continues to be the center of radical Islamic and anti-Israeli activity, even after the election of Khatami as President and the growth in the power of the "liberals". (Foreign policy appears to be either insulated from Khatami's influence, or he and his followers have a strictly domestic agenda and have no interest in, or ability to, change Iranian foreign and security policy. Khatami's rhetorical attacks on Israel are not very different from the language of the other Ayatollahs.) Iran continues to support the Hezballah in Lebanon and other terrorists groups in the Middle East. In addition, the Iranian ballistic missile program, as well as efforts to obtain weapons of mass destruction, has accelerated in the past few years. In July 1998, Iran tested the Shahab 3 missile, with a planned range of 1300 kilometers (enough to reach Israel, Jordan, and Turkey). These capabilities, combined with an ideology which rejects the legitimacy of Israel and the rhetorical threats that accompany this ideology, constitute a tangible threat to the region.

Iranian influence among Palestinians is based on support and training for radical Islamic groups, such as Hamas and the Islamic Jihad. Hamas has significant influence among the Palestinians, and will play a major role in the context of a Palestinian State. In the post-Arafat era, Hamas could become the dominant force, turning the Palestinian State into a center for radical Islamic activity and terrorism throughout the region. In this context, other radical Islamic forces, including Iran, could play a heightened role in the process.

There may be some comparisons between the Palestinian environment and the situation in Lebanon, where Iran is closely related to the Hezballah terrorist group (providing training and weapons). However, there are also some important differences in these two cases. Most importantly, Hezballah is composed of Shia Muslims from Lebanon, whose close religious links to Iran have existed for many

years, and who provided the fertile ground for the radical Islamic policies of the government in Teheran. In contrast, Palestinians are part of the Sunni branch of Islam, and the religious and cultural links to Iran are relatively limited. Still, Iranians have been active in working with Islamic Jihad and Hamas terrorists against Israel, and it would be a mistake to ignore potential Iranian influence in the context of a Palestinian State.

Furthermore, while Iran is located at the periphery of the Arab-Israeli conflict zone, and Iranian intelligence capabilities vis-a-vis Israel are limited, the Palestinian population could provide Iran with vital intelligence information in the event of a confrontation. In addition to continued cooperation in terrorist activities, Palestinian information on the location of military installations and the activities around bases would be useful for Iranian forces planning a missile attack on Israel, and for post-attack damage assessment.

Radical Coalitions

Many analysts and policy makers dismiss these concerns, noting that a Palestinian State would be very small and weak compared to Israel, and would not endanger its own vital interests or even survival by threatening its neighbors. However, the same arguments could have made about Lebanon in the 1970s, which, in many ways, was weaker than the prospective Palestinian State. When the government in Lebanon self-destructed (with Palestinian and Syrian assistance), Lebanese territory provided a base for terrorist training and operations. The ability to operate freely in Lebanon served as an important force multiplier for the Palestinians, Syrians and Iranians. Similarly, when used by other radical states, or allied with those states, a radical Palestinian State would have a major and negative impact on regional stability and the balance of power.

The creation of a radical Palestinian State could also accelerate the development of an anti-Western regional alliance (including Syria, Iran, and perhaps Iraq) following a regime change. Although Iraq is dominated by Sunni Muslims, and has been engaged in a protracted conflict with Iran, the majority of the population is Shia. Thus, the development of a Shia-based government in Iraq, with ties to Iran, cannot be ruled out. Although the Syrian population is not primarily Shia, Syria has been closely allied with Iran for over 20 years, and was the only Arab state that provided weapons and support to Iran during its war with Iraq during the 1980s. Iran and Syria also share missile technology, and cooperate extensively in the development of ballistic missiles.

Such a radical alliance is likely to be arrayed against a Western-oriented cooperative regional security system (either formal or informal) including Israel, Jordan, and Turkey, with the possible later addition of Egypt. In this context, the assets brought by a Palestinian State to an anti-Western alliance would include terrorist operations, the provision of additional military manpower, and, perhaps most importantly, intelligence assets.

Conclusions

Fifty years of Palestinian terrorism and violence, often in coordination with radical Arab groups and states, have not left much room for optimism regarding the regional impact of a Palestinian State. A realist view suggests that such a state would quickly become allied with the same radical forces that have supported (and often directed) various Palestinians groups over the years.

The history of cooperation and mutual interests between Palestinians and leaders of radical states in the region is too strong and deep to be ignored. In 1970, despite the differences between Syrian and Palestinian leaders, the Syrian military attempted to support the Palestinian effort to overthrow King Hussein and capture control of Jordan. After decades of anti-American ideology, and support for a range of radical governments, including Saddam Hussein, the recent warmth displayed by Arafat towards the U.S. is tactical. The hostility towards the U.S. and the West, which is found in many parts of the Arab and Islamic world, remains a central component of Palestinian political orientation.

On this basis, the creation of a Palestinian State is likely to exacerbate the tensions and conflicts in the region. Such a state would become a center for radical terrorism, and – with control over the territory bordering both Israel and Jordan, and allied with Syria or Iraq – add to the military challenges faced by both states in the context of a wider regional conflict.

International Regulation of a Palestinian State

Ilan Berman

T he growing probability of a Palestinian declaration of independence heightens the importance of prospects for the international regulation of a Palestinian State. In theory, Palestinian statehood would create legal benefits for the State of Israel and the international community at large, increasing Palestinian accountability for terrorism and applying the legal protections of the law of armed conflict to future Israeli-Palestinian hostilities. More likely, however, the Palestinian entity will continue to behave without regard for international law. In addition, the creation of a Palestinian State would assuredly affect the current Israeli-Palestinian security relationship, forcing Israel to revisit its deployment and combat tactics and creating a further reduction of its strategic depth and internal security. As a result, the risks of conflict between Israel and a Palestinian State would become more likely than at present.

Palestinian State Formation in Law and Policy

Currently, the Palestinian National Authority, headed by PLO chairman Yasser Arafat and his Cabinet, constitutes the central administrative power for the Palestinian people. Despite its governmental capabilities, however, the Palestinian Authority is not a fully independent executive body. Under the peace process agreements, the West Bank and Gaza Strip are classified as occupied territories over which the Israeli government wields controlling executive, legislative and judicial powers.[1]

Notwithstanding this, the Palestinian Authority has developed governing powers far in excess of those envisioned by successive Israeli governments. At present the Israeli government, while possessing the ability to regulate and monitor the activity of the Palestinian government and police force, does not have powers with relation to the Palestinian population at large, the defining aspect of the law

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of occupation.[2] In addition, the Palestinian Authority has already exhibited many earmarks of traditional statehood, including a police force, flag, and passport. Recent arms acquisitions and expansions of the Palestinian police force (over Israeli objections) further illustrate the Palestinian Authority's capacity for independent activity. These autonomous actions stand in stark contrast with the language of the peace process agreements, which places the Palestinian Authority under the purview and administration of the Israeli government.

However the Authority, despite possessing broader powers and independence of action than detailed under the agreements of the peace process, still falls short of meeting the requisite criteria for statehood as defined by international law; a) a permanent population, b) defined territory, c) government and d) the capacity to enter into relations with other states.[3] The Israeli-Palestinian agreements, in part designed to curtail the status of Palestinian government, specifically limit the Authority's foreign relations powers.[4]

Statements by Palestinian leaders urging independence have consequently generated anxiety in Israel. In November 1998, the Israeli Cabinet declared that "…a unilateral declaration by the Palestinian Authority on the establishment of a Palestinian state, prior to the achievement of a Final State Agreement, would constitute a substantive and fundamental violation of the Interim Agreement."[5] The Legal Advisor to the Israeli Ministry of Foreign Affairs has similarly stated that a declaration of statehood would run counter to the Declaration of Principles and serve as grounds for a nullification of the peace process agreements.[6] However, a Palestinian declaration of independence will likely not violate customary international law, as the agreements signed between Israel and the PLO fail to meet the legal standard of 'international agreement'.[7] As a result, a unilateral declaration of statehood by the Palestinian Authority, while representing a breach of contractual duties, is unlikely to be considered an illegal action under international law.

Legal and Security Implications of Palestinian Statehood

Proponents of Palestinian statehood have contended that the creation of a Palestinian state is the best method for ensuring and reinforcing Israel's national security.[8] In part this argument is based on the assumption that, following independence, international law would constrain the Palestinian State. Under the regulation of international law, according to this view, a Palestinian State will have legal responsibility for the hostile acts of individuals within its borders, and be compelled to actively combat cross-border terrorist activity. As well, some have extended this reasoning, maintaining that the law of armed conflict will provide significant humanitarian guarantees to civilian populations and military forces in future Israeli-Palestinian hostilities.[9]

Practically, however, international law will not ameliorate the security concerns

created by a Palestinian State. Nor will it curtail terrorist activities or violence directed at civilians during armed conflict. In fact, the imposition of international law would likely prove to be a double-edged sword – strictly applied to Israel, as has long been the case; and loosely applied to the Palestinian entity. Furthermore, international law does not directly apply to other problems of contemporary Israeli-Palestinian relations, such as Palestinian incitement and noncompliance with peace process norms, which are likely to create future tensions. While historically making apologies for cross-border terror attacks on Israel, the international community has routinely condemned Israeli military responses. This pattern will assuredly continue, as Israel will be faced with domestic and cross-border security issues, such as hot pursuit of terrorists and preemptive strikes against known terrorist locations.

The creation of a Palestinian State in the territories of the West Bank and Gaza Strip will also have immediate and critical effects on Israeli security. The period since the signing of the Declaration of Principles in 1993 has shown continued disregard by the Palestinian Authority for the codified regulatory norms of the peace process agreements. These violations have included agitation by Palestinian officials and a continued expansion of Palestinian police activities beyond the limit permitted by the agreements. Despite formal peace process measures to moderate Israeli-Palestinian hostility, PA officials continue to consistently identify with the motivations and tactics of anti-Israeli extremist groups.[10] Some Palestinian officials have adopted a more active position, espousing the intent to wage war upon the State of Israel following a Palestinian declaration of independence.[11]

The Palestinian Authority has also failed to abide by a number of substantive security provisions under the peace process agreements. Specifically, the Palestinian Authority has been cited for the continued acquisition and smuggling of illegal weaponry in the West Bank and Gaza Strip territories. Israeli intelligence sources have noted "a concentrated, continuous and deliberate effort by officials in the Palestinian Authority to smuggle arms in their possession…".[12] Activities sanctioned by the Palestinian Authority, including illegal arms purchases and black market weapons smuggling, constitute serious violations of the negotiated agreements, and pose a continuing threat to Israeli security.

The peace process agreements have already drastically altered Israel's contemporary security arrangements. Israel's topography, historically characterized by a narrow waistline and territorial shallowness, has been further compromised through the relinquishment of the West Bank and Gaza Strip territories.[13] As a result of territorial redistribution, Israel's eastern border has reverted to its pre-1967 form, placing the Palestinian Authority only 9 miles (15 kilometers) from Netanya. The Tel-Aviv metropolitan area also rests close to proposed Palestinian boundaries, spanning only 12 miles from the urban center to the Palestinian Authority border. Consequently, the peace process agreements have heightening the danger associated with an eruption of hostilities by reducing the distance between the Israeli-Palestinian border and Israeli population and industrial centers.

The narrow passage created by Israeli withdrawal from the West Bank territory has also increased the danger of the country being severed by a relatively small hostile force, and virtually eliminated warning times in the event of hostilities. Consequently, the reduction of Israeli territory is likely to increase the damage suffered by military installations, urban centers and industrial facilities in the event of hostilities.

The peace process agreements have also undermined Israel's contemporary security arrangements, which focus upon the retention of territorial integrity through the development of a "forward" military doctrine (whereby the defense of territory is accomplished through a rapid shift of hostilities onto enemy territory).[14] The creation of the Palestinian Authority on the non-contiguous land masses of the West Bank and Gaza Strip has invalidated a transfer of hostilities, positioning the Palestinian entity to deliver a two-pronged attack into Israel's interior. Such an offensive, most likely limited to actions designed to impede an IDF mobilization, will neutralize Israel's "forward" posture and force the state to engage in warfare within its immediate boundaries, weakening the defense of the nation's external borders. These territorial reductions have therefore forced the IDF to secure the entire length of Israel's borders to prevent a breach by a hostile party.[15] The establishment of a Palestinian State will further exacerbate current military concerns regarding Israel's security structure, compelling Israel to adopt a "trip wire defensive posture," whereby the perception of an aggressive Palestinian military stance is more likely to initiate an eruption of hostilities.[16]

Legal and Practical Regulation of Palestinian Terrorism

At present, terrorism remains the single most devastating threat to Israeli security. Despite domestic, regional and international initiatives by the State of Israel[17], terrorist activities and casualties are on the rise. According to official statistics of the Israeli Prime Minister's Office, the death toll attributed to terrorism in the five years since the commencement of the Oslo negotiations is equal to that recorded in the fifteen years prior to the initiation of the peace process.[18] A large part of the threat posed by terrorism emanates from the Gaza Strip and West Bank territories, where radical Islamic organizations such as Hamas and Palestinian Islamic Jihad actively engage in incitement of violence and terrorist activity directed at the State of Israel. The Palestinian Authority government, despite repeated assurances to the State of Israel and public affirmations to the international community, has failed to implement a resolute counterterrorism plan or to promote nonviolence.

In theory, the implementation of the law of armed conflict will render state-sponsored or state-sanctioned terrorist activity illegal. However, powerful entities within the Palestinian Authority, as well as independent groups within Palestinian society, view terrorism as a legitimate and proven weapon against Israel. Branches of the Palestinian Authority, most notably the al-Fatah wing of the PLO, have

continued to support terrorism against Israel's civilian population. Further complicating the situation are the varied police forces operating under the PA. These groups carry concealed weapons, fail to wear uniforms or distinctive symbols, and engage in politically motivated violence. The legal status of these groups in wartime is unclear.[19]

A declaration of statehood will also theoretically impose legal responsibility for curbing terrorism on the Palestinian State.[20] At present, Palestinian terrorist activity is regulated and addressed solely by Israeli criminal laws and statutes. The status of the West Bank and Gaza Strip as occupied territories under the legal and administrative purview of the Israeli government classify terror attacks emanating from these territories as domestic criminal acts. Despite responsibilities articulated under the peace process agreements the Palestinian Authority, not yet a state, has no legal obligation under international law to control terrorism emanating from its territories. As a result, Israel has been forced to rely upon domestic law enforcement approaches designed to limit the threat posed by terrorist activity to the civilian population, such as the policy of administrative detention. The legal effect of a Palestinian State, however, will be to impose responsibility for the hostile acts of its citizens directed at the State of Israel. As a result, the suppression and elimination of terrorist activity will become a *de jure* obligation under international law.[21]

The practical implementation of these rights, however, is likely to be much more problematic. Should the Palestinian State be unwilling to, or incapable of, upholding its responsibilities, Israel will possess international political and economic rights of redress from the United Nations and the international community. Israel will not, however, gain added recourses under international law for a Palestinian failure to discharge its responsibilities with regard to terrorism.[22] Similarly, international law does not sanction Israeli retaliation for terrorism emanating from the Palestinian State.[23]

Israel's future problems in seeking international recourse are likely to be comparable to the current shortcomings of international law in regulating the unrest in Lebanon. Since the mid-1960s, Lebanon has been plagued by continued political turmoil, highlighted by the establishment of Palestinian terrorist bases and the outbreak of civil war. Despite the legal principles of civilian immunity and state responsibility, Israel continues to be threatened by military actions and hostile activity over which the Lebanese government possesses little, if any, control. Given the marked inability of international law to normalize Israeli-Lebanese relations, international regulation of Palestinian hostility or noncompliance is likely to be similarly ineffectual.

Neither are halfway measures adopted by the Israeli government likely to be effective in ameliorating the strategic threat posed by Palestinian statehood. In recent years, Israeli policymakers have increasingly considered the option of a Palestinian entity possessing the trappings of statehood but devoid of military capabilities and regulated by Israeli security concerns. Israeli Senior Advisor David

Bar-Ilan has expressed the possibility of Palestinian statehood, if circumscribed by "limited sovereignty."[24] Prime Minister Benjamin Netanyahu has similarly advocated "restrained self-determination," and likened the Israeli model for a Palestinian State to quasi-nationhood similar to Andorra or Puerto Rico.[25]

However, the creation of a demilitarized Palestinian state is highly unlikely. At present, the Palestinian Authority possesses greater military powers than those delineated by the peace process agreements. According to recent reports, the Palestinian police force numbers far in excess of the figures permitted under the peace process negotiations.[26] Similarly, the Palestinian Authority has been active in arms acquisitions and military training. These developments highlight continued attempts by the Palestinian Authority to bolster its military capability. In light of these inclinations, it seems unlikely that the Palestinian government (or the Palestinian community itself) will accept demilitarization.

A Palestinian State Under the International Legal Order?

A Palestinian State will act as a continuing danger and source of instability for the State of Israel. In theory, the creation of a Palestinian State will herald the application of international law, which will act to regulate current issues complicating Israeli-Palestinian relations. The critical destabilizing effects a Palestinian State will have on Israeli security, however, will dramatically outweigh the potential benefits of international law. A Palestinian declaration of independence, by invalidating the security frameworks created by the peace process agreements, will alter Palestinian responsibility with regard to Israel's domestic security and border stability. This change, coupled with territorial reductions which reduce Israeli strategic depth and invalidate contemporary military doctrine, actually raises the danger of an eruption of hostilities by forcing Israel to adopt a heightened defensive posture. From an elevated defensive stance, Israel is likely to react aggressively in response to a perceived Arab threat. Furthermore, current Palestinian violations of the terms of the peace process agreements, including calls to incitement and illegal arms acquisitions, are likely to magnify the possibility of Israeli-Palestinian hostilities following the creation of a Palestinian State.

Endnotes:

1. Article 17(4)(b) of the Gaza-Jericho Interim Agreement states that "Israel shall exercise its authority through its military government, which for that end, shall continue to have the necessary legislative, judicial and executive powers and responsibilities, in accordance with international law."

2. The power of the law of occupation hinges on the extent of the governing powers' effectiveness with regard to civilian life within the occupied territory. Eyal Benvenisti, "The Status of the Palestinian Authority," in Eugene Cotran and Chibli Mallat, eds., *The Arab-Israeli Accords: Legal Perspectives*, (1996), p. 57.

3. The governing standard for statehood is articulated by the Montevideo Convention on the Rights and Duties of States of 1933.

4. Article 6(2)(a) of the Gaza-Jericho Agreement states that "in accordance with the Declaration of Principles, the Palestinian Authority will not have powers and responsibilities in the sphere of foreign relations, which sphere includes the establishment abroad of embassies, consulates or other types of foreign missions and posts or permitting their establishment in the Gaza Strip or the Jericho Area, the appointment of or admission of diplomatic and consular staff, and the exercise of diplomatic functions."

5. "Israeli Cabinet Decision," *Reuters Limited*, Nov. 11, 1998.

6. Joel Singer, "The Declaration of Principles on Interim Self-Government Arrangements," *Justice* (1994), p. 13.

7. Article 2(1)(a) of the Vienna Convention on the Law of Treaties defines a treaty as an agreement "…concluded between States in written form and governed by international law…" As a result, the Convention limits membership to treaties by mandating that only states, as legitimate actors under international law, can be parties to 'international agreements'.

8. Mark A. Heller, "Towards a Palestinian State," *Survival* (Summer 1997).

9. The creation of a Palestinian State will elevate hostilities between Israel and the Palestinian government to the standard of international armed conflicts and apply the legal framework of the law of armed conflict to future hostilities. This application will, in theory, define the scope of future permissible military activities by imposing the principles of military necessity, proportionality, and protection of civilian objects.

10. In a recent interview with the daily newspaper *Al-Khalij*, Farouq Qadoumi, head of the PLO diplomatic branch, legitimized the extremist Hamas organization and likened it to the PLO in intent and tactics, stating that "we differ from Hamas in everyday practicalities and tactics, but we all concur on a strategy aimed at fighting Israeli occupation and ending its existence in Palestinian lands." Transcript of interview with Farouq Quadoumi, *Al-Hayat Al-Jadida* (Oct. 14, 1998).

11. Faysal Huseini, leader of the al-Fatah branch of the Palestine Liberation Organization, in his interview with the French journal *Le Nouvel Observateur*, highlighted a plan following statehood to forcibly open Palestinian borders and wage war upon the state of Israel. According to Huseini, following the creation of a Palestinian state, "…We will forcefully open up our borders with Jordan and Egypt, which are currently controlled by the Israeli army. There will be violent confrontation and death…" *Le Nouvel Observateur*, (Aug. 27 – Sept. 2, 1998).

12. *Ha'aretz* (June 1, 1998).

13. The West Bank, captured by Israel during the Six-Day War, represents 28 percent of Israel's post-1967 dimensions. Its size and placement along the Israeli-Jordanian border provided a buffer zone for Israel's coastal plain (which houses most of Israel's urban centers and industrial facilities) by protecting the low-lying, poorly protected area from invasion from the east. In addition, Israeli possession of the Gaza Strip, a smaller span of land located on the Israeli-Egyptian border, eliminated a platform for hostilities against Israel's southern urban centers and transportation axes.

14. Steven J. Rosen, *Military Geography and the Military Balance in the Arab-Israel Conflict*, Jerusalem Papers on Peace Problems No. 21 (1977), pp. 12-13.

15. Id. at 12.

16. Widlanski, *Can Israel Survive a Palestinian State?*, Institute for Advanced Strategic and Political Studies (1990), p. 94.

17. Israel's current domestic counterterrorism initiatives consist of operative measures, defensive operations and punitive activities, ranging from deterrence and prevention to retaliations for terrorist actions. Regional Israeli counterterrorism efforts are focused on the suppression of terrorist activity aimed at the state of Israel, and include collaboration with the

neighboring kingdom of Jordan. On the international level, the State of Israel has recently been incorporated, along with the United Kingdom and Canada, into the U.S. Department of State Counterterrorism Technical Support Working Group (TSWG).

18. According to an official report of the Israeli Prime Minister's Office, there have been 254 casualties in the five years since the signing of the Oslo Accords in September 1993 (as of September 11, 1998), as contrasted with 254 deaths attributed to Palestinian terrorism from 1978 to September of 1993, including the 6 1/2 years of the intifada uprising. *The Prime Minister's Report*, Vol. 2, Number 25, Israeli Prime Minister's Office (Sept. 11, 1998).

19. The carrying of concealed weapons, the failure to wear uniforms or distinctive symbols, and the selection of targets failing to meet the standards of legitimate military objectives, fall outside of the definition of "privileged combatants" under the law of war. Privileged combatants, as defined by the Fourth Hague Convention, must fulfill the following criteria; be commanded by a person responsible for his subordinates; have a fixed distinctive emblem recognizable at a distance; carry arms openly; and conduct operations in accordance with the laws and customs of war. Radical Palestinian groups have, during the course of activities, at times possessed most, some or none of these characteristics.

20. State responsibility under customary international law holds territorial sovereignty to entail a duty "…to protect within the territory the rights of other States, in particular their right to integrity and inviolability in peace and in war…" (Island of Palmas, <u>United Kingdom v. The Netherlands</u>), *Reports on International Arbitral Awards, vol. 2*, United Nations (1949), p. 839; The United Nations has similarly codified the principle of state responsibility as a duty to abstain from the organization, instigation, assistance or participation in terrorist activities in another state, or assenting to organized actions by groups that have as their intent the commission of terrorist acts in a different state. "Declaration of Principles of International Law Concerning Friendly Relations and Cooperation among States," United Nations Resolution 2625, October 1970, at 121; Three levels of state obligations have been defined for the private hostile acts of individuals. The first level of obligation is the duty to enact municipal law which provides punishment for illegal acts against foreign nations. This element establishes the necessary domestic frameworks to extend criminal liability to hostile acts directed against foreign countries. The second duty focuses upon state prevention of external hostile activities by an individual or group, by force if necessary. This requirement creates state responsibility

to engage in counter-terrorist activities and military suppression to defuse initiatives intended to harm another nation. If unable to fulfill this second obligation, the third responsibility lies with the state to defer to an international authority (whether another nation or an international organization) to aid or assume responsibility in preventing hostile activities by individuals. A failure to enforce its responsibilities, or to allow another entity to enforce them should the state prove unable to do so, is considered a delict (international wrong) and entitles the injured state to restitution in the form of economic or, in limited cases, military force.

21. The execution of this legal obligation should take several concrete forms. The Palestinian State will be compelled to enact municipal legislation rendering illegal and criminal the commission of terrorist acts directed at a foreign state. As well, the Palestinian State will be obliged to establish federal, police, and military task forces to implement counterterrorism legislation, and compel compliance by any means necessary. Finally, should the Palestinian State prove unable to defuse terrorist threats within its territory, it will be bound by international law to defer to a competent authority (whether an international organization or another state) to assume responsibility in the discharging of state duties.

22. Despite imposing state responsibility for the hostile acts of its citizens, the creation of a Palestinian State will not validate self-help options under international law. Self-help, characterized by the exercise of force for the purpose of enforcing legal rights, has been rejected as a legal recourse by the International Court of Justice (United Kingdom v. Albania, 1949); Legal scholars have similarly dismissed self-help as an illegitimate legal remedy, claiming that, contrary to self-defense, self-help "…has a 'remedial or repressive character in order to enforce legal rights'." (Rosalyn Higgins, "The Legal Limits to the Use of Force by Sovereign States: United Nations Practice" in *British Yearbook of International Law, 1962*, p. 310.) International opinion has reflected this view, condemning instances of self-help, such as Israel's 1968 raid of Beirut, as falling outside of accepted norms of international action and international law. (Richard J. Erickson, *Legitimate Use of Military Force against State-Sponsored International Terrorism*, Air University Press (1989), pp. 196-7.)

23. The generally articulated view is that Articles 2(3) and 2(4) of the United Nations Charter have outlawed peacetime reprisals. Peacetime reprisals are classified as "such injurious or otherwise internationally illegal acts as are exceptionally permitted for the purpose of compelling the latter to consent to a satisfactory settlement of a difference created by its own international delinquency." (Hersch Lauterpacht, ed., *Oppenheim's International Law (7th ed.)*, Longmans, Green (1952), p. 136-7.)

24. Editorial, *Jerusalem Post*, Nov. 11, 1996 at 6.

25. Editorial, *Jerusalem Post*, Dec. 20, 1996 at 7.

26. The Israeli Government Press Office has reported that the Palestinian Authority, in violation of the Oslo Agreements, has deployed 40,000 policemen, exceeding the articulated limit by 16,000 men, or 66%. *Israeli Government Press Office Fact Sheet*, Israeli Prime Minister's Office, April 21, 1998.