

The Triple Palestinian Dilemma

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The Israeli-Palestinian conflict has been a complex one. Its origins, the nature of the Zionist settlement effort and, later, the particularities of the State of Israel, the duration of the conflict, the international community's incapacity to force a resolution in accordance with international law and the massive regional and international impact it has caused are elements that set it apart from other conflicts.

Today, however, Palestinian leaders are facing a particularly difficult and delicate situation that appears to be the precursor of a reformulation of the Palestinian question, just as were the catastrophe (*nakba*) in 1948, the occupation in 1967 or the launch of the peace process in 1993. The Palestinians are faced with three interrelated quandaries: continue with or abandon the Oslo parameters, opt for statehood or resistance, and reformulate their relationship with the international community.

Doubts over the Current Validity of the Oslo Parameters

In 1993, a *sui generis* process was set in motion aimed at resolving the longstanding conflict between the State of Israel and the Palestinians. The Declaration of Principles and the Rabin and Arafat handshake in Washington raised many hopes. Its singularity - being gradual and based on the generation of mutual trust, untethered from the United Nations, with a bilateral approach, without mediators and without clear end objectives - was accepted as being the price to pay to resolve the extraordinary complexity of a fro-

zen conflict. The subsequent years saw the slow Israeli withdrawal from major Palestinian towns and cities, the formation of an interim Palestinian Authority and the signing of successive partial agreements, all of which had to contend with crises, tensions and sabotage. The international community accompanied this process with political and financial support.

However, when the interim period came to an end, in 1999, the result painted a grim picture. Israel had skillfully exploited the situation. On the international panorama it had succeeded in undoing the direct and indirect boycott and further normalized its foreign relations. It had also signed a peace agreement with Jordan and withdrawn from South Lebanon. As regards its condition as occupier of Palestine, it obtained crucial advantages using the bilateral nature of the negotiations and its asymmetry in relation to its opponent: it shirked its economic responsibilities as an occupying force, limited the withdrawal to the most populated urban centres, withholding more than 60% of the West Bank, continued with its settlement efforts to strengthen its position in the future negotiation on the final statute, furthered its economic dominion over the West Bank and Gaza, intensified the judaization of Jerusalem, maintained control of the external borders and laid the foundations for a regime of separation, reinforcing segregation and restricting mobility. The Camp David Summit (July 2000), in which Israel hoped the Palestinians would accept the situation as definitive, exposed the failure of the whole experiment.

Since then (and that was 19 years ago) the peace process has slowly fizzled out and dissolved, but there has not been a regression to the previous situation. There are no longer negotiations; cooperation is limited to the area of security and one-off financial issues. There is a Palestinian Authority in the occupied territories that nobody wants to disappear, sus-

tained largely by the international community. Today, the reality is radically different to what it was in 1993; fruit of the intense settlement construction of the last 25 years, the West Bank has become an Israelized territory with Palestinian enclaves. For its part, Gaza is a distant and radically different reality; under siege and blockade since 2007, it has become an enormous prison in which a dignified life is no longer possible. Today, neither Palestinians nor Israelis believe in the Oslo parameters anymore. The only parties apparently still pushing for them are European diplomats. The experience of the nineties made it very clear to the Palestinians that Israel will never agree to surrender what it gained by force in 1967, nor to complete its withdrawal from the West Bank or accept a fair solution for the refugees. Its sole ambition was to shirk its obligations as an occupier and seek acknowledgement and legalization of events that had already taken place. Israel continues with its settlement efforts by other means, in the hope that the Palestinians will eventually be too exhausted to resist and will leave the area of their own accord. In turn, the Israelis have found the Palestinians unready to be docile and passive victims. They cling tightly to their land, bent on attaining their own viable and sovereign state and finding a fair solution for the 5.5 million refugees.

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On different occasions the Palestinians have stated they feel no obligation to comply with commitments made in 1993 and successive agreements. They consider Israel to have failed to fulfil its obligations and that their unilateral measures (like the construction of the wall), unrelenting settlement construction and use of violence have nullified the agreements in letter and spirit. In fact, Oslo's institutional architecture has disappeared; reduced to coordination on security (an obligation imposed by certain donors, in particular Washington). The Quartet itself, which tried to reactivate the talks, no longer makes any sense.

The lack of a negotiating framework has produced an anomalous situation and is a source of continuous tension and clashes. Three dynamics coexist - Israel, the authorities in Ramallah and the government of Gaza - and there are almost no coordination mechanisms and no joint roadmap to resolve the situation. Various international incentives (European among others) have tried to reactivate talks within the Oslo parameters. Whether because of Israel's refusal to participate or Palestinians' deeply-held scepticism, they have all been unsuccessful. Today, the parties involved, particularly the Palestinian leadership, the international community and the United Nations, are faced with the challenge of formulating an alternative to Oslo. New parameters are needed that have learnt from the failed experiences of the past; based on international law and including guarantees.

Statehood or Resistance

In 1964, the Palestinian Liberation Organization was created, a national liberation movement that brought together most of the existing political organizations and which quickly gained legitimacy among the population, as well as international recognition, like other similar movements of the era. General Assembly Resolution 3070 (1973), which recognized the right of colonial peoples to use all means at their disposal, including armed struggle, made explicit mention of Palestine. In 1974, the organization was granted observer status in the United Nations. The PLO acted as a classical national liberation movement, and, with the support of other states, combined resistance with its political and diplomatic struggle, and even developed pre-state institutions in exile. The PLO adapted its strategy based on developments internally and internationally. In the mid-seventies, it accepted the irreversibility of the State of Israel and that its Palestinian state project would have to be restricted to the West Bank and Gaza. In 1988, Palestinian independence was declared, essentially as a symbolic act as it could not exercise control over the territory.

The 1993 agreements marked a transcendental historic commitment for the Palestinians, although there was not total consensus. The PLO agreed to temporarily renounce its own practice as a national liberation movement to start acting as a state, despite the Palestinian Authority being formally just an interim admin-

istrative entity. The “peace for land” formula meant replacing armed struggle with political dialogue, in exchange for the Israeli withdrawal and the gradual creation of institutions that would become state institutions after five years. This logic even led the Palestinian Authority to become a guarantee of Israeli security as it took on security competences and agreed to persecute groups that did not give up resistance.

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Formally, the PLO continues to exist and represents all Palestinians, but it has opted to prioritize political negotiation and the preparation of an independent state. Against all logic, however, this state-building effort is being made before reaching a definitive peace deal. Rhetorically, the PLO has not given up its legitimate resistance, but has put it on hold. Acting as a state means not resorting to violence, negotiating and respecting commitments. At the same time, other Palestinian political forces consider that the resistance is legitimate and must be upheld, especially when the structural violence of the occupation is a daily reality, with recurrent Israeli military offensives, continued repression and more than 6,000 Palestinian political prisoners. The Islamic Resistance Movement (Hamas) is not the only political group, although it is the most visible; a large part of Palestinian public opinion is based on the idea that resistance cannot be renounced and is one of the few levers they have available to them.

Since 2010, the government in Ramallah has opted for a strategy of strengthening statehood and internationalization. It calls itself the State of Palestine and behaves like a state. It has deployed a successful diplomatic offensive to achieve international recognition from more than 136 countries, has undersigned treaties and has joined various international bodies. However, it continues to be a quasi-state, with only some of the necessary characteristics: it does not have ef-

fective sovereignty over its territory, does not have competences over a large part of the population, its institutions are partially effective and depend on international aid, and a significant number of countries with international clout, including those in Europe, will only recognize a Palestinian state if there is an agreement with Israel. In sum, statehood is not even supported by many of Palestine’s supposed allies. To this we should add the lack of democratic legitimacy and its authoritarian practices (HRW, 2018). That is why many Palestinian voices bring into question the relevance of maintaining the illusion of a quasi-state of this nature, if this also means repressing and disabling the resistance, a legitimate right of any occupied people.

Conciliating statehood and resistance seems an impossible exercise. The PLO eclipsed and replaced by the Palestinian government in Ramallah has not assumed the task of defining the formula that can make both strategies compatible with one another. The beleaguered government in Gaza, turning to pragmatism and moderation in order to survive, is also incapable of doing this. And this is where one of the most significant phenomena of recent years comes into the equation. Since the middle of the last decade, different initiatives of peaceful popular resistance, usually at the local level, have taken shape, faced with the expropriations, the wall or to rebuild links between Palestinians that live in different areas (outside of the territory, in the occupied areas or in Israel). Between 30 March and 15 May 2018, the Gaza Strip was the stage for the Great March of Return against the siege. This was a large-scale demonstration staged by the people of Gaza which was brutally repressed with military means (more than 280 deaths and 6,000 bullet wounds) and which was closely covered by all international media. This protest was the expression of a dynamic that today characterizes the Palestinian political camp: a new generation of Palestinians have taken the political initiative and are demanding the urgent reunification of the two Palestinian authorities, fighting for the rights of refugees, condemning the apartheid in Israel and demanding a new direction in government strategy. In 1987, the first Intifada brought the Palestinian rejection of the occupation and the need to end it to the public eye. Today, new protests from areas outside of the stagnant PLO and the traditional political formations reveal a widely-held desire for a new Palestinian political strategy which combines statehood and resistance.

Trump's Disruptive Policy and the Paralysis of the International Community

The Palestinians know they are weak and are calling for Israel to come under international pressure, but their confidence in the outside world is waning considerably. The lack of a firm and coherent commitment from the international community has been compensated with massive financial aid that has allowed the Palestinian Authority to survive, and has also supported a counter-insurgency statehood strategy. Since 2011, international attention has turned towards the processes of political change in other countries in the region, their descent into war and the humanitarian consequences. Palestine slipped into the background and Israel made the most of the situation to continue settlement construction and wage various wars against Gaza.

Trump's policy as of 2017 has brought a new element to the scene. Washington has always been a key actor in this conflict, a strategic ally to Israel and also an important partner of the Palestinians since Oslo. In these past two years, the Trump Administration has deployed its interventionist and punitive diplomacy, aligning with Israel and announcing a radically novel proposal, pompously named, the deal of the century. To win over the Israelis and defeat the Palestinians, Washington has taken measures which have exasperated the problems and generated a cascade of collateral effects: the transfer of its embassy to Jerusalem, the reduction of bilateral aid to the Palestinian authorities, the suspension of its contributions to UNRWA, its withdrawal from the Human Rights Council and UNESCO and similar threats to other organizations who open their doors to Palestine, the closure of the PLO office in Washington... Under the protection of this US position, Israel has announced a new annexation phase of the West Bank. To this is added the notable rapprochement between Israel and a number of conservative Arab countries (Saudi Arabia, United Arab Emirates, Egypt), uniting in their shared opposition to Iran. The announced US proposal promises not to deliver. Some of the elements it will supposedly comprise (the legalization of annexations, redefinition of borders, infrastructure

and areas of economic development paid for by the international community) are unacceptable for the Palestinians and for neighbouring Arab countries. In all likelihood, when it is presented it will generate a unanimous counter-response, paving the way to an uncertain scenario. A group of former European foreign ministers have already come forward (*The Guardian*, 14 April 2019) and sounded the alarm, in a letter concerning the risks of a proposal that will end in an apartheid regime and make a viable Palestinian state impossible. In other words, it will effectively represent a death blow to the spirit of Oslo. They also state that "in situations in which our vital interests and fundamental values are at stake, Europe must pursue its own course of action." So, the Palestinians' third dilemma is connected with this area of external support, which is essential but contradictory: set conditions or give in to the pressure and remain dependent on an economic aid that serves as a pretext for donors to shirk their obligations and responsibilities. Palestine's traditional allies either have their hands tied or lack the political will to offer the necessary support. Europe is absent, paralyzed by internal strife and incapable of building enough consensus to take an initiative in this conflict. And, for the time being, other increasingly relevant actors in the Middle East, like China and Russia, do not seem willing to get involved.

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