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## UNILATERAL SEPARATION AS ROADMAP INSURANCE

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- The record of formal efforts to negotiate peace in protracted ethno-national conflicts (Balkans, N. Ireland, Sri Lanka, etc.) is not encouraging.
- Israel needs a serious insurance policy, in the form of unilateral separation, to minimize vulnerability to another and potentially more deadly terror campaign, should the "roadmap" fail.
- The construction of a separation barrier is supported by over 70 percent of the Israeli public, representing a broad consensus from across the political spectrum that favors a physical barrier blocking access to Israeli cities in order to prevent a resumption of the Palestinian terror campaign of the past three years.
- Political separation will also promote a two-state solution, allowing Israel to remain a culturally Jewish and democratic society while fostering Palestinian sovereignty.
- Key policy issues concern the pace of construction and the route to be taken for the remaining sections. While options range from a minimalist 300 km line to a 600 km alternative that would include most Israeli settlements, a pragmatic middle route including settlement blocs like Ariel and Gush Etzion may provide the optimum mix under present circumstances.
- If the Palestinian security framework proves its capabilities in preventing terror, and political negotiations on borders progress, the barrier can be relocated.

### **Israeli Public Opinion Strongly Favors a Barrier**

According to public opinion polls, over 70% of Israelis strongly favor continued construction of a separation barrier, in parallel with the "roadmap" and renewed efforts to end Palestinian violence through negotiation.<sup>1</sup> Although a majority also supports trying the roadmap, Israelis have learned to be realistic, and expectations that this process will reach a successful conclusion, or even make serious progress, are very low. Three years of Palestinian terrorism, in which over 800 Israelis were killed, have left a great deal of skepticism regarding the likely outcome of another Middle East peace process. Many also question whether Israel should proceed with what is widely viewed as a poorly drafted and highly ambiguous document, with room for interpretations that do not serve the national interest. The roadmap does not even attempt to provide a basis for resolving core identity conflicts, such as Israel's legitimacy as a Jewish state, Palestinian refugee claims, and ensuring access to Jerusalem's

sacred sites. Without fundamental and widespread changes in attitudes on these issues, these negotiations will not provide stability or security for Israelis. This realistic/pessimistic evaluation of the roadmap, and the determination to block another wave of Palestinian terror attacks, are central to understanding the broad support for the rapid construction of a barrier and unilateral disengagement.

Instead of maintaining the status quo, with all of its dangers, while waiting for the political environment to change, unilateral separation provides a short-term alternative that will at least allow for conflict management. Words, in the form of declarations, promises, or another round of agreements - as in the case of the Oslo process - are ephemeral, but the construction of a physical separation barrier has a very visible and immediate impact. As Israelis see the barrier going up across the "seam line" between the two populations, the sense of increased security is immediate, and statistics demonstrate a precipitous decline in infiltration and terror attacks where the barrier has been completed. After the waves of attacks that accompanied the Oslo process and the creation of the Palestinian Authority from the start, culminating in the terror campaign that began in September 2000, the construction of a barrier is widely viewed as a vital defense against another and more deadly round of violence.

Support for separation, whether based on a negotiated agreement or unilateral Israeli action, is also propelled by recognition of the "demographic threat" to the Jewish and democratic nature of Israeli society. As Prime Minister Sharon has recently acknowledged, the majority population in a single political entity between the Mediterranean and the Jordan River will soon be Palestinian, and the Jewish population would be forced to accept minority status in an Arab and largely Islamic state, thus reversing the accomplishments of the Zionist movement and the reestablishment of Jewish self-determination.

These arguments in favor of unilateral separation have been reinforced by the hidden agendas that are reflected in the intense Palestinian opposition to such separation. While usually couched in terms of confiscated land (exploiting overstated maximalist proposals that draw support from a small group of Israelis, as will be discussed below), a full-scale separation barrier and de-facto boundary would also undermine the Palestinian rejectionist position by demonstrating that the long-held goal of reversing the 1947 UN Partition Resolution and the creation of a Jewish state is more unattainable than ever. If the efforts to negotiate a two-state solution continue to be blocked by the Palestinians, the alternative is separation through unilateral action.

As a result of these considerations, Israeli support for accelerated construction of a barrier between the Israeli and Palestinian populations is viewed as a vitally necessary "insurance policy," should the roadmap fail.

### **The Logic of Unilateral Separation**

Over the past six decades, a number of often intense negotiation and mediation efforts have been undertaken to end the conflict and bring peace to Israelis and Palestinians. All have failed. Furthermore, the experience in efforts to negotiate solutions to similar conflicts in former Yugoslavia, Sri Lanka, and Chechnya suggests that the Israeli-Palestinian case is far from unique.

In contrast to this standard and generally unsuccessful formal approach, in which the parties to the conflict negotiate very complex legal agreements, unilateral actions based on reduction in friction are often more realistic and useful. Instead of unrealistic and often counter-productive efforts to reach and then implement peace agreements, measures to **manage the conflict** are based on pragmatism rather than ideology. Without "ripeness" and readiness for far-reaching compromise on issues that have fuelled the conflict for generations, the detailed agreements, often containing hundreds of pages, clauses, and appendices drafted by an army of legal experts, become sources of even greater conflict and anger. During the Oslo

process, accusations and recriminations regarding the failure to implement the details of the agreements were key reasons for failure.

Cyprus provides an appropriate example of the potential of an informal and unilateral approach to conflict management. The Greek and Turkish populations of Cyprus have been involved in a very bitter and often violent ethno-national conflict with many of the characteristics that are found in the Israeli-Palestinian relationship. The Cypriot environment also includes ancient hatreds and religious incitement, wars and terrorism, "occupied territory," refugee claims, as well as settlements and settlers. However, for over 25 years, the level of violence in Cyprus has been steadily decreasing, following the construction of a separation barrier. While this fence (or wall) was not loved by anyone, the daily friction between the populations largely disappeared, and the division has brought a significant degree of stability and even relative prosperity. In April 2003, the leadership on the Turkish side opened the barrier to allow for free movement across the divide, and tens of thousands of Cypriots from both sections visited the other side.

Although analogies in the political realm are often problematic and there are many significant differences, the lessons from the Cypriot experience are important for the Israeli-Palestinian situation. For Israelis and Palestinians, this type of physical separation could also provide a cooling-off period, without Palestinian terror attacks and the necessary Israeli security measures, and with minimal points of daily friction.

### **Options for Unilateral Disengagement**

The separation concept has been considered in Israel for many years, even before the failed Camp David summit and permanent status negotiations of July 2000.<sup>2</sup> As the terror campaign escalated, extra-parliamentary groups on both the Left and Right campaigned for immediate construction of what became known as "the separation fence." Prominent individuals including Maj. Gen. (Res.) Uzi Dayan, David Kimche (former Mossad deputy director general), and Prof. Shlomo Avineri joined the campaign, and analysts and officials noted that the barrier around the Gaza Strip had been totally successful in preventing any infiltration of terrorists into Israel. The fence along the Lebanese border, restored following the Israeli withdrawal in May 2000, is also seen as highly effective in preventing infiltration.

Following the Passover eve terror attacks in March 2002, which triggered the Israeli military counteroffensive against entrenched terror strongholds in Jenin and other Palestinian cities, Prime Minister Sharon formally endorsed the need for a full separation barrier. He emphasized that this barrier would be a "security fence" only, and would not be the basis for political separation, but this distinction may not be feasible in reality (as will be discussed in more detail below).

Public interest in the progress of construction grew, and the issue became a central theme in the political and media debate. One year later, the first 11 kilometer section of the barrier was completed, and by July 2003, the 128 km section from Salem (north of Jenin) to Elkana (south of Kalkilya, adjacent to Kfar Saba) was in the final stages of construction. This section has been built on a route that generally follows the "green line," with small deviations determined by geographic factors and inclusion of some settlements built along the line. However, many small settlements to the east, such as Kadim and Ganim (near Jenin), are clearly beyond the "fence," with important political and security implications (as will be discussed in detail below). Major parts of the barrier north and south of Jerusalem have also been completed, and a section at the northern edge of the Samarian region of the West Bank from Salem to Beit She'an should be finished by the end of 2003. Additional sections in the west from Elkana to Jerusalem and Jerusalem to the Dead Sea are still being planned.

The parameters of the Elkana-Jerusalem section are currently the subject of intense discussions between the U.S. and Israel. A number of different plans have been proposed,

and Palestinian maps purporting to show this part of the "separation map" are entirely speculative, based on political objectives. While there are many possible routes, for purposes of analysis it is useful to envision three alternatives:

1. A "maximalist" route that incorporates a large number of Israeli settlements west of the barrier;
2. A "minimalist" route, generally following the "green line" - the 1949 armistice demarcation line that was in place until the outbreak of the 1967 war.
3. A middle "pragmatic" route, incorporating the settlement blocs presented at the Camp David summit in July 2000, that includes the major Israeli (consensus) settlements and security positions adjacent to the "green line," as well as the city of Ariel in Samaria and the Etzion Bloc (Gush Etzion) south of Jerusalem.

In weighing the various costs and benefits of the different routes for the remaining two sections, questions regarding security, demography, economics, political dimensions, and impact on the Israeli Arab population are most acute.

### **Security**

The foundation of the intense demand from the Israeli public for a separation fence and unilateral disengagement is based primarily on security factors. Supporters argue that a complete system of barriers - that included an eastern section as well from Beit She'an to the Dead Sea - would provide a very important source of protection against infiltration by Palestinian terrorists. Its security impact depends on a number of factors, including topography, technology, and the actions on the other side. From this perspective, the barrier is being built and policy made based on worst-case scenarios, meaning no cooperation from the Palestinian Authority, and maximal efforts to escalate attacks against Israelis. Critics note that no barrier is impermeable, some terrorists could still get through, over and under, while missiles like the Kassam can be launched over the barrier. In response, proponents note that these potential breaches could be closed with additional security measures. As long as the threat of terror continued, Israeli military forces would operate as necessary on both sides of the barrier.

In comparing the security impacts of the different routes under consideration, the shorter and more direct alternatives will be easier to patrol and monitor, and the maximalist 600 km route, winding around dozens of settlements and past Palestinian cities, would impose significant burdens in terms of patrols and maintenance. However, there are also distinct advantages to maintaining a military and intelligence presence in some of these areas to provide early warning of terrorist movement, arms and explosives smuggling, and similar activities.

At the same time, a separation barrier that is initially built further to the east can, when security conditions allow, be moved to reflect improvements and decreased threats, while moves in the opposite direction will be more difficult.

### **Demography**

As noted, Israeli support for unilateral disengagement is also based on the need to respond to the demographic threat posed by the developing Palestinian majority in an undivided political unit from the Mediterranean to the Jordan River. Such a development would directly counter the core goal of the Zionist movement: the establishment of a Jewish state to revive and insure the survival of the Jewish people and culture in the modern world of sovereign nation-states. (Indeed, some Palestinians publicly advocate a "demographic strategy" designed to trap Israel in the political status quo, thereby undermining the viability of a Jewish state.)

Unlike the situation in Cyprus, in which the 1974 separation left a relatively clear distinction between the Turkish population in the north and the Greek population in the south, Israeli

settlements are dotted across the West Bank regions of Judea and Samaria, as well as in Gaza. While the maximalist route would incorporate most of these settlements, it would also incorporate 110,000 Palestinians. In contrast, the minimalist separation route and options similar to the permanent status proposal presented by Barak at Camp David would include only a few thousand Palestinians, primarily in the area around Jerusalem.

### ***Economic Dimensions***

There are two sets of economic issues related to the construction of the separation barrier: the costs to the Israeli economy, and the implications for the Palestinians. The Israeli end of the equation is easier to assess - at approximately NIS 10 million per kilometer (\$2.5 million), cost estimates run from NIS 3 billion (\$750 million) for the 300 km version, to over NIS 6 billion (approximately \$1.5 billion) for the full version. While by no means inexpensive, the budgetary resources are available, particularly as the construction of a barrier should lead to reductions in defense outlays associated with a resulting decrease in vulnerability to terror.

For the Palestinians, estimates of the economic impact of separation are more ambiguous. The claims regarding inaccessibility of agricultural land are not substantive, as the effected areas are minimal, and arrangements are in place to allow individual farmers to go through the gates in the fence in order to work their plots.

The more serious factor concerns access to employment in Israel. Before the campaign of violence was launched in September 2000, salaries from workers in Israel were the largest source of income for Palestinians. Tens of thousands of Palestinians crossed into Israel daily, earning a significant portion of the per capita income of this society. However, when terror attacks led to closures, this income was disrupted, and since September 2000, the closures have been consistent and the Palestinian areas largely isolated economically.

The completion of the full separation barrier - regardless of the route - will not change this situation significantly. However, in the long term, the Palestinian economy will need links with the outside world, including Israel. Disengagement does not preclude economic relationships, but, in contrast to the situation that had existed since the 1967 war, transactions between the two societies would be regulated and require formal access through one of the many official border crossings. If security conditions improve to the point that Israelis are prepared to allow large numbers of Palestinian workers to cross regularly into Israel, the creation of a barrier will not prevent this. (The fence around Gaza that has existed for a number of years works in such a manner.) Similarly, goods can easily be shipped through the same points of entry, as is the case at numerous border points around the world. A recent World Bank study concluded that the separation of the Palestinian economy from dependence on Israel would be the best strategy for development and long-term growth.

### ***Political Dimensions***

During the Barak government, serious consideration of the unilateral separation option took place immediately after the failed Camp David summit and the violence that began shortly afterwards. Advocates of this option recognized that such separation would accomplish many of the goals that were sought through the failed Oslo process, by establishing borders and ending any remaining Israeli responsibility over the Palestinian population. Israel would be able to establish a clear political and security boundary within which the Israeli government would have full sovereign control. In addition, unilateral disengagement would encourage the creation of a Palestinian state, leading to functionalist cooperative arrangements with Israel and the eventual return to negotiations for an official and formal resolution to the conflict.

Many of these factors continue to dominate Israeli policy considerations, despite Prime Minister Sharon's declaration that the separation "fence" is a security border only. Indeed, for many Israelis who support this policy, the political separation is at least as important as the

security dimensions. For the better part of the past decade, public opinion polls and other evidence from the political discourse clearly show that the Israeli consensus (including the prime minister) now supports a two-state solution, with the creation of a contiguous and demilitarized Palestinian state. The "maximalist" separation route is seen as inconsistent with this policy (and this explains the support for this option among Israeli opponents of a Palestinian state).

However, to the degree that alternative separation routes are linked to the isolation and eventual closure of settlements, this policy is problematic. Unilateral removal of settlements cannot be implemented easily. Indeed, from the beginning of the negotiation process, no Israeli prime minister, including the late Yitzhak Rabin, has been willing to dismantle any settlement in the absence of a negotiated agreement. Settlements are seen as a permanent-status issue, and closure without agreement would remove one of Israel's primary bargaining chips for these negotiations. In addition, since some point to Israel's unilateral withdrawal from Lebanon in 2000 as a key factor in the Palestinian decision to use terror to force Israel to withdraw from the West Bank, unilateral withdrawal from settlements could be interpreted as a "reward" for terrorism that would encourage additional Palestinian violence. In any case, permanent status negotiations are viewed by many as a long way off, which is precisely the basis for building the separation barrier.

Palestinian political opposition has become stronger as the barrier has become a reality. This is reflected in the use of highly exaggerated and inflammatory terms such as "apartheid" and the "racist wall" in the media and diplomatic appearances. Prime Minister Mahmoud Abbas used these terms in his meeting with U.S. National Security Advisor Condoleezza Rice, who immediately conveyed this position to the Israeli cabinet. (This pressure had the reverse but predictable effect of increasing the expressions of support among many Israeli ministers regarding the construction and completion of the separation barrier.)

While Palestinian opposition is largely based on rejection of the entire concept of separation, by highlighting the proposed maximalist route, they are able to gain political support, not only from the U.S. but also from Europe and the UN. Indeed, a decision to follow the maximalist (600 km) route in the uncompleted sections of the separation barrier, and to incorporate most of the settlements, would generate the highest political cost for Israel.

At the same time, the political case for the minimalist separation route along the 1949 armistice line (or "green line") is based on questionable claims regarding the status of this demarcation. The "green line" is not an international border, and the final borders ("secure and recognized" under UN Security Council Resolution 242) are subject to negotiation.<sup>3</sup> Thus, the U.S. government would be acting inconsistently and against Israel's security interests if it were to press for the separation barrier along the armistice lines. Indeed, as a result of security and other considerations, such pressure would be unlikely to succeed.

Furthermore, since the Palestinian leadership chose extreme violence over negotiations three years ago, their opposition to any particular route beyond the "green line" is disingenuous. It would be highly illogical for Israel to build a security or political boundary along lines that are even more favorable to the Palestinian position than offered and rejected in the negotiations.

While the maximalist separation route may be justified following the Palestinians' violent rejection of the Oslo process, it is politically unrealistic. Similarly, the political argument for a minimalist route following the "green line" is not compelling. On this, as in other dimensions, the most sensible choice may be a pragmatic route, advocated by many of the Israeli groups lobbying for rapid completion of the separation barrier, which would run east of the "green line," incorporating and protecting the consensus settlements built after the 1967 war in order to defend Israel from attack and to provide secure boundaries.

### ***Impact on the Israeli Arab Population***

Socially and politically, disengagement will be particularly difficult for Palestinians with family and other connections on both sides of the old-new border. As was the case between 1948 and 1967, during the Jordanian occupation of the West Bank, the populations will be divided and movement will be subject to government regulation. While reducing friction between Israelis and Palestinians in the West Bank and Gaza, this could also heighten friction between Israel's Jewish majority and the increasingly militant Arab minority. In addition, the increased Israeli military and police presence along the separation barrier, passing through or in close proximity to Israeli Arab towns and villages, could also be a source of friction. Since most of this population is located in the area in which the separation barrier has already been completed, in this dimension, there is no difference between the various routes under consideration.

## Conclusions

Both supporters and opponents of separation acknowledge that unilateral measures will not end or resolve this or any other conflict. However, in the absence of a realistic option for conflict resolution, at least for the time being, the next best objective is conflict management. As shown in this analysis, unilateral separation can allow for management of the conflict, thereby eventually creating a modicum of stability, and a foundation for resumption of formal negotiations towards an end to the conflict.

The case of Cyprus demonstrates that a physical barrier, however ugly and intrusive, can also reduce daily frictions and allow a generation on both sides of the divide to grow up without the intense hatreds and misperceptions that help to maintain ethno-national conflicts. In the Israeli-Palestinian case, following the bitter failure of the effort to negotiate a peaceful end to the conflict based on mutual compromise and acceptance, a unilateral approach based on separation into two separate political and territorial units is a logical form of insurance to the highly uncertain roadmap process. In the existing Israeli-Palestinian political and security environment, the unilateral process of reducing friction, managing the conflict, and creating stability can succeed, while more formal negotiations, however well intentioned, are likely to add to the tension.

Finally, the political and conceptual objections to construction of a separation barrier are moot, as major portions have been completed and public support is overwhelming, particularly in the absence of a realistic alternative. As for the debate on the route for the sections from Elkana to Jerusalem and from Jerusalem to the Dead Sea that are still in the planning stages, the case for the mid-range, pragmatic path - neither maximalist nor minimalist - is the strongest. In terms of security, demographics, economic impact, and political pressures, the costs of this route are acceptable and the benefits are optimal.

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## Notes

1. Poll of a representative national sample of 503 adult Israelis (including Israeli Arabs) by Israel Radio, 2 July 2003, translated by IMRA:

"As part of the implementation of the 'roadmap,' the U.S. called on Israel to stop building the separation wall. Should the government of Israel continue building the separation fence?"

Yes 70.7% No 18.7% No opinion 10.6%

2. Dan Schueftan, *Disengagement: Israel and the Palestinian Entity* (Haifa: Zmora-Bitan, 1999); Gerald M. Steinberg, "A Post-Oslo Map for the Next Israeli Government," *Jerusalem Post*, 4 August 2000; Amos Harel, "Five New Checkpoints to be Set Up Near Green Line," *Ha'aretz*, 10 January 2001. (According to this report, Israel considered a unilateral separation

plan as part of possible reactions to a possible Palestinian unilateral declaration of independence in 1998/99.)

3. Dore Gold, "Defensible Borders for Israel," *Jerusalem Viewpoints* No. 500, 15 June 2003, Jerusalem Center for Public Affairs.

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