

European Foreign Policy: Problems of Promoting Bilateral Negotiations in the Israeli–Palestinian Conflict

Martin Beck

News

On December 23, 2016, the Security Council of the United Nations adopted Resolution 2334, thereby reiterating its vision of achieving peace between Israel and Palestine through negotiations of the involved parties.

Summary

The present analysis focuses on the European contribution of Western policy toward the Israeli–Palestinian conflict. The European approach is shaped to a high degree by the perception of the Israeli–Palestinian negotiation process initiated in Oslo as a “peace process.” However, the perspective on Israeli–Palestinian bilateral negotiations as an endeavor of peace is highly problematic and misleading. The Oslo process of the 1990s and all attempts to revitalize bilateral negotiations aimed at reorganizing rather than terminating Israel’s occupation of Palestine.

Key Words

Israeli–Palestinian Conflict, European Foreign Policy, Bilateral Negotiations

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Note

The present contribution heavily draws on a section of the following article: Martin Beck, “How to (Not) Walk the Talk: The Demand for Palestinian Self-Determination as a Challenge for the European Neighbourhood Policy,” *European Foreign Affairs Review* 22(1).

Analysis:

The Israeli–Palestinian negotiation process facilitated in Norway in 1993 provided fertile ground for the European civilian-power image of dealing with the Israeli–Palestinian conflict. The recognition of the Palestinians as a people, which Israel awarded the PLO in the frame of the “Declaration of Principles”¹ in exchange for being recognized as a state, opened the gates for European engagement based on its internalization of the Palestinian right to self-determination on the level of political communication. Quickly after the signing of the Oslo Accords, the Palestinians under Israeli occupation became one of the major recipients of international development aid. Between 1994 and 2004, roughly eight billion US dollars were distributed, which was the equivalent of 250 to 400 US dollars per capita and 10 to 30 percent of the Palestinian gross domestic product (GDP). In comparison to the US, even after the outbreak of the Second Intifada, the EU was heavily engaged in direct budget support for the Palestinian Authority (PA), which was created by the Oslo Accords as a proto-state institution for Palestinian self-administration in the realm of domestic affairs.²

Rather than longing for “peace,” the readiness of the West to finance Palestinian institutions was the most important incentive for the PLO to sign the Oslo accords. As a result of the conflict over Kuwait in 1990 and the Gulf War in 1991, the major branch of the PLO—Fatah, under the leadership of PLO chairman Yasir Arafat—was going through an existential crisis. Arafat, under whose leadership the PLO had developed state-like institutions in the 1960s and 1970s to be financed by foreign aid, had alienated its financiers—the Gulf States—by not joining the alliance against Saddam Hussain and Iraq’s annexation of Kuwait in 1990. As the PLO was in that way exposed to an extremely vulnerable position, it signed a set of treaties with Israel that did not restrict the fundamentals of the occupational regime. Receiving legitimacy from the PLO to maintain its rule over Jerusalem and major parts of the West Bank was, in turn, the major incentive for Israel to sign the Oslo Accords.³

¹ The DOP is reprinted in C. D. Smith, *Palestine and the Arab–Israeli Conflict: A History with Documents* (Bedford/St. Martin’s, 8th Edition, 2013), 476-484.

² R. Brynen, *Public Finance, Conflict, and Statebuilding: The Case of Palestine* (Final version prepared for the project on “Public Finance in Post-Conflict Statebuilding, Center on International Cooperation, NYU) (2005), <https://www.mcgill.ca/icames/files/icames/PalestinePublicFinance2.pdf> (accessed February 10, 2017).

³ M. Beck, *The External Dimension of Authoritarian Rule in Palestine*, 3 *J. International Relations and Development*, 47-66 (2000).

Thus, the commonly used term “peace process” is misleading in terms of the actors’ motivation to get engaged in Washington by signing the DOP under the patronage of US President Bill Clinton. Yet, “peace process” is also a distorted term insofar as there has never been a war between the PLO and Israel as two equal parties. The battle of Karameh, which Fatah fought in the Jordan Valley in March 1968 against the Israeli Defense Forces (IDF), was of high political significance, as its hyperbolic representation in the Palestinian narrative laid the fundamentals for Fatah’s domination of the PLO on the realm of domestic Palestinian politics; from a military perspective it was, however, disastrous.⁴ Moreover, the PLO, which continuously failed to gain ground for guerilla warfare in the 1970s, was militarily ill-prepared when Israel decided to invade Lebanon in 1982.⁵ The construction of the Oslo process as a peace process—rather than an adaptation of the occupation to the needs of Israel (and the PLO)—had, however, far-reaching policy implications for the EU. The Europeans invested in the Oslo process as if it were a project whose major aim was the realization of Palestinian self-determination, even though the primary goals of the two main actors involved in the Arab–Israeli conflict were rather different: The PLO was aiming at securing its institutional survival, and Israel was attempting to gain legitimacy for its occupational regime.

It should be emphasized that both Israel and the PLO had a vested interest in promoting the peace perspective. A major implication of the peace terminology was to construct the PLO as a partner on equal footing with Israel, which enabled the PLO to show off as a strong actor, thereby camouflaging its extreme power inferiority vis-à-vis Israel. Israel, in turn, had an interest in promoting this perception, as it made the PLO appear to have been a threat to Israel in the past—and potentially in the future—thereby enabling Israel to present any “concession” to the Palestinians as “painful” and potentially endangering the security of the state of Israel. Therefore, it would be inappropriate to put the blame for the misperception of the Oslo process as a peace project solely on Western actors, particularly the EU. Rather, both the PLO and Israel “seduced” the Europeans into taking on this construction out of interests beyond Palestinian self-determination.

⁴H. Baumgarten, *The Three Faces/Phases of Palestinian Nationalism, 1948–2005*, 34 *J. Palestine Studies*, 25 (2005), 35.

⁵R. Khalidi, *Under Siege: PLO Decisionmaking during the 1982 War* (Columbia University Press 1986), Chap. 2 & 4–6.

The Oslo process encouraged the EU to elaborate on its approach toward the Israeli–Palestinian conflict, culminating in the Berlin Declaration 1999, in which the EU declared its support for a sovereign Palestinian state. However, the heyday of the Oslo process was short-lived. The Israeli occupation policy continued, with the Oslo Accords even triggering unprecedented dynamics of occupation in crucial fields such as Israeli settlement of East Jerusalem and major parts of the West Bank, as well as restrictions on the mobility of Palestinian people and goods. This, coupled with the election of Benjamin Netanyahu as Israeli prime minister in May 1996 and organized acts of force in the second half of the 1990s, plunged the PLO into a profound crisis. With the Second Intifada starting in 2000, Palestinian oppositional groups succeeded in terminating the Oslo process. All attempts initiated by the US to resume bilateral negotiations have not yielded any significant results.

The European approach to the Israeli–Palestinian conflict is inspired by the idea that both Israel and the PLO are suffering from the current state of affairs and would, if they acted in a “reasonable” way, accept “painful compromises” in order to achieve “peace.” However, it is highly questionable whether such a perspective is accurate when applied to the Israeli–Palestinian conflict. The State of Israel has strong incentives to maintain the occupational regime, as it enables it to control territories that it considers strategic (such as the Jordan valley)⁶ or even integral parts of its territory (particularly East Jerusalem, which was annexed and declared an indispensable part of the Israeli capital by the Knesset in 1980).⁷ At the same time, it is unattractive from a Palestinian point of view to officially acknowledge Israeli occupation of East Jerusalem as legal and accept a Palestinian “state” that does not even have the means to control its designated territory. In any case, the huge positional gap between Israel and the PLO has even widened in the 21st century, as governments under the leaderships of Ariel Sharon and Benjamin Netanyahu were more hawkish than those in the early 1990s.

⁶ Israeli Prime Minister Benjamin Netanyahu declared toward the Israeli Foreign Affairs and Defense Committee that Israel will never withdraw from the Jordan Valley (Jonathan Lis, *Netanyahu: Israel Will Never Cede Jordan Valley*, Haaretz, March 2, 2010, <http://www.haaretz.com/news/netanyahu-israel-will-never-cede-jordan-valley-1.266329> (accessed February 2, 2017)). Yet, it should be pointed out that the idea of annexing the Jordan Valley goes back to the so-called Allon Plan drafted shortly after the June War 1967 by Yigal Allon from the Labor Party who then served as Israeli Defense Minister.

⁷ The full text of the “Basic Law” on Jerusalem is available at Israeli Ministry of Foreign Affairs, *113 Basic Law – Jerusalem – Knesset Resolution – 30 July 1980*,

What makes the fixation of a “final status” of the Israeli–Palestinian conflict even more complicated is interference on the societal level. The settlers’ movement has grown stronger since the 1990s, both in terms of sheer size and connectedness to Israel’s political class.⁸ All Israeli prime ministers since the signing of the Oslo Accords have potentially been made more vulnerable by the settlers’ movement than by the PLO. At the same time, disappointed hopes of the Palestinian society that the Oslo peace process would be beneficial to them strengthened Palestinian opposition vis-à-vis the Fatah-dominated PLO. Thus, signing an agreement with Israel is problematic for the PLO, since the opposition after the experience of the Oslo process would have better cards to convince the Palestinians that the PLO was “selling out” Palestinian interests than in 1993. Last but not least, Israel has strong incentives not to accept “painful compromises” vis-à-vis the PLO due to its superiority in all realms of power. As the PLO is incapable of challenging Israel, Israel has a rather good alternative to making major concessions to the PLO: maintaining the status quo of occupation.

Since the failure of the Oslo process, the huge positional gap between Israel and the PLO in the 21st century, the vulnerability of both political classes vis-à-vis oppositional actors contradicting an Israeli–Palestinian agreement and the extreme power asymmetry between Israel and the PLO have constituted big challenges for a fruitful engagement of the EU regarding the Israeli–Palestinian conflict. In other words, the EU’s engagement in the Israeli–Palestinian conflict is constrained by the fact that Israel and the PLO act rationally under current conditions when they refrain from signing a final agreement: Particularly Israel, but to a certain degree also the PLO, has incentives to maintain the *status quo* instead. Therefore, to meet the challenge of promoting Palestinian self-determination in an effective way, the EU would not just have to promote a negotiation process that is suitable to bring conflict adversaries to terms. Rather, the EU would have to contribute to a basic change in the system of incentives for the actors and balance the power asymmetry between Israel and the PLO. These are very demanding tasks.

<http://www.mfa.gov.il/mfa/foreignpolicy/mfadocuments/yearbook4/pages/113%20basic%20law-%20jerusalem-%20knesset%20resolution-%2030%20j.aspx> (accessed February 15, 2017).

⁸ D. Newman, *Gush Emunim and the Settler Movement*, in *Routledge Handbook on the Israeli-Palestinian Conflict*, 256–266 (J. Peters & D. Newman ed., Routledge 2013).