

The Gaza-War – Latest Chapter in a Never-Ending Conflict. Extract from a Presentation at the “Launch of the Peace Report 2009. Key Challenges for European Policy: The Case of Palestine”, Hosted by ISIS Europe, 23 July 2009, Brussels

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Like many of today's asymmetrical wars, the violent conflict between Israel and the Palestinians will not be resolved by military means. In this case, victory for one side and defeat for the other are inconceivable because the international community will not tolerate a military solution where the law of the strongest prevails. Experience has shown that despite its clear supremacy Israel is not in a position to force the Palestinians to accept its conditions for an end to the conflict.

The restraint that Israel, as part of the West, has had to observe after 1967 has in turn enabled the Palestinians to persevere and resist the occupation. Under the prevailing conditions and with the conflict under constant scrutiny, the Palestinians could not be defeated. On the contrary, the international community not only provided legitimacy to their cause, but saw to it that they somehow survived the many catastrophes that befell them. On the other hand, Israel for its part has not had to defeat the Palestinians and win this war in order to expand its control of territory. From the outset of the conflict, the seizure of territory by administrative means has been the civilian equivalent of territorial expansion by the means of war. Between wars, the bulldozer took the place of the tank.

In light of these observations, this conflict could just simmer on, with sporadic violent eruptions and mass media coverage, and its powerful symbolism continuing to supply energy to other conflicts in the Middle East and beyond. The alternative to such intractability is a Palestinian state, where Palestinians can actively exercise self-determination as a people. Statehood alone, through a declaration of independence and international recognition, will not suffice. It is widely agreed that for a Palestinian state to be viable it needs a functioning economy, geographic contiguity and control of its own borders. The absence of any of these features will make it vulnerable and dependant and will threaten its long-term survival. As a failing state it will fall short of establishing peaceful relationships with its neighbours. What is maybe not so evident is that the Palestinian state also needs legitimacy in the eyes of its citizens. Palestinian Self-determination in a comprehensive sense that includes popular legitimacy must be considered the core of a strategy to end the conflict.

Unfortunately, the split between Fatah in the West Bank and Hamas in the Gaza Strip and two authoritarian regimes in the making in both territories, there not only prevents a stable ceasefire between Israel and Hamas, but also spells disaster for a solution to the Palestine conflict that is deserving of the name. A negotiated ceasefire would require a commitment by Hamas to enforce a halt to the rocket fire from the Gaza Strip and to the smuggling of weapons, in return for an end to Israel's military activity in the Gaza Strip and a lifting of the siege. However, the prospects even for such a modest agreement to be stable are dim as long as the Palestinian schism continues and both sides, Israel and Hamas, have different and contradictory goals and expectations concerning a ceasefire.

The ceasefire of 2008 is a case in point. It was doomed short-lived because it was designed by the two parties not as part of a strategic dialogue aiming at establishing trust and advancing a political settlement, but to promote totally conflicting strategic interests. Israel sought to prevent the security tension in the Gaza sphere from obstructing the political process that, as part of the effort to

promote a comprehensive settlement, aimed at delaying the advance of Hamas towards the Palestinian political helm. Hamas for its part hoped the lull would ease the consolidation of its hold on Gaza, essentially at the expense of Israel's political partner – the Fatah-led PA.

So even if the parties can agree to renew the ceasefire of 2008 a future agreement will not prevent yet another escalation as long as the split between Hamas and Fatah continues. Because the split causes both factions to use the Israeli-Palestinian arena as a battleground for their power struggle. The detention of civilians in the West Bank by the Preventive Security Services and the Palestinian General Intelligence may convince Israel that those services, whose training and mission are defined by the war on terror, can prevent Palestinian violence against Israel. But as these practices target the Palestinian opposition only, they are also part of the Palestinian power struggle. And the same is true in Gaza. Rockets from the Strip may land on Israeli soil, but politically they target President Abbas. They aim to withhold from him any achievement in the negotiations with Israel and thereby weaken the PA.

However, power sharing is not only required for a Palestinian leadership to be strong enough to “deliver” what Israel values most, i.e. security. To accept Palestinian statehood only under the condition that bothersome actors remain outside of the state's structures is a formula for failure. The reasonable recommendation to the international community would therefore be to encourage Palestinian unity and then engage Hamas as an integral part of a legitimate Palestinian government – not unconditionally, but endorsement of the two-state solution in line with the Arab League's Peace Plan of 2002/2007 would not be asking too much from Hamas – or too little for Israel. Such acceptance would include financial support, even if Hamas remains on the EU's list of terror organizations. A Palestinian unity government and a negotiated ceasefire with Israel, taken together, could facilitate a process leading to the removal of Hamas' political wing from this list.