

**Esra BULUT AYMAT**  
**Senior Research Fellow**

## **EUISS REPORT**

### **ROUNDTABLE DISCUSSION ON ISRAEL'S INTERNAL TENSIONS IN A CHANGING REGION**

Paris, 8 March 2012

The EU Institute for Security Studies organised a roundtable discussion on the topic of 'Israel's Internal Tensions in a Changing Region' on 8 March 2012.<sup>1</sup> The meeting was introduced by EUISS Director Álvaro de Vasconcelos and moderated by Esra Bulut Aymat. Three speakers, Dov Waxman, Tova Norlen and Agnès Bertrand-Sanz, gave brief presentations drawing on their recent research respectively on Israel's Palestinian minority; Israeli territorial identity; and Israel, the EU and international law. The meeting provided an opportunity to discuss a variety of questions with external experts, EUISS staff and a Paris-based audience; the audience discussion was held under the Chatham House Rule.

#### **Israel and its Palestinian minority: the internal Arab-Jewish conflict**

Dov Waxman, Associate Professor of the City University of New York (CUNY), kicked off the discussion with a presentation on 'Israel and its Palestinian Minority: The Internal Arab-Jewish Conflict', drawing on his recent co-authored book on the subject.<sup>2</sup> He cautioned that the question of the Palestinian minority in Israel is one that has been ignored for too long, amidst a widespread lack of awareness internationally that Israel's population does not only consist of Israeli Jewish citizens.

He stressed that the question of Israel's Palestinian minority is something that threatens Israel's democratic regime and has implications for the wider Israeli-Palestinian conflict. Designation of this population as Israeli Arabs is anachronistic as the term does not recognise their Palestinian identity nor that they constitute a national, rather than simply ethnolinguistic, minority. While not all Arabs in Israel subscribe to a Palestinian identity, (for example the Druze population, estimated at 9 percent of the total Arab population) and Arabs are not a monolithic group, it is important to note the primary Palestinian identity of around 20 percent of the total Israeli population (excluding the population of East Jerusalem).

---

1 The meeting was organised by EUISS Assistant to the Fellows Kathrine Benchemam, Senior Research Fellow Esra Bulut Aymat and Visiting TAPIR fellow Tova Norlen. Interns Eleni Ekmektsioglou and Oscar Jonsson provided technical and note-taking assistance.

2 Ilan Peleg and Dov Waxman, *Israel's Palestinians: The Conflict Within* (New York: Cambridge University Press, 2011).

Viewed from this angle, a two-state solution to the Israeli-Palestinian conflict is necessary but insufficient, and thus what is required is a 'two-state solution plus' which would also include provisions for a significant improvement in the status and rights of Israel's Palestinian population. The current trend is one of deterioration which undermines peace prospects. Overall, the Israeli state has followed a consistently exclusionary policy towards the Palestinian minority. The latter have prospered as citizens of Israel, especially when their socioeconomic status is compared to the socioeconomic situation in the Occupied Palestinian Territory (OPT) and neighbouring countries. Yet their point of reference is their fellow citizens, Israeli Jews, and when various indicators are compared, it is evident that Palestinians remain, economically and politically, second-class citizens in Israel. A range of official discriminatory practices, including house demolitions, discrepancies in municipal funding and zoning, and a rise in discriminatory draft legislation, have fed Palestinian frustrations.

This frustration has culminated in Palestinians coming to believe that they can only achieve equality if Israel ceases to be a Jewish state, and crystallised in their demand that Israel become a state for all its citizens. The Israeli Jewish majority has reacted to these calls with dismay, and today we see a process of mutually enforcing radicalisation at play. Increasing Palestinian demands for equality and a dismantling of Israel's Jewishness have coincided with increasing Jewish far right efforts to scale back the rights of Palestinian citizens. Israeli Jewish demographic and 'fifth column' fears and Israeli Palestinian fears of disenfranchisement and expulsion interact in this rising conflict. The connection of all this with prospects of a two-state solution is critical. As long as Israel's Palestinians reject a Jewish state, the PLO cannot accept Israeli demands to be recognised as such a state. We are already witnessing some Israeli Jewish calls for some Israeli Palestinians to be transferred to a Palestinian state. The internal and external conflicts are intricately connected.

Waxman concluded his presentation with a selection of policy recommendations that might help alleviate the deteriorating situation and allow for a mutually acceptable solution on the question. First, Israel should recognise its Palestinian minority as a national minority. Second, steps should be taken to enhance the collective rights of this minority, in particular non-territorial autonomy in the areas of culture, religion and education. Third, the state should adopt and enforce a strict anti-discrimination policy for protecting Palestinians against public and private discrimination. Fourth, the economic status of the Palestinian minority should be improved through long-term development plans and equal financial allocations to Arab municipalities. Finally, the political representation of Palestinians in Israel should be enhanced by formally recognising their representative institutions, and including Arab parties in Israeli government coalitions.

### **Israel and territorial identity: the politics of a sacred doctrine**

Tova Norlen, Visiting TAPIR Fellow at the EUISS, gave a presentation on 'Israel and Territorial Identity: The Politics of a Sacred Doctrine'. She began her presentation by emphasising the significance of Jewish territoriality as the issue that could tear Israel apart. Tracing the impact of territoriality on conflict intractability, the concept of a 'territorial absolute', whereby territory becomes so crucial, integral or sacred that it becomes non-negotiable, is useful, and is applicable to other cases such as Kosovo and Northern Ireland. In the case of Israel, the significance of territory is often evaluated in terms of security and strategic depth, or a bargaining chip, but its ideological aspects are arguably most significant. Only by understanding historical and religious connections can Europeans and Americans be effective in pushing Israel to make the correct concessions. The reason we are witnessing the demise of the two-state solution is because it fails to take mutually exclusive territorial claims into account.

The territorial absolute results in the Israeli government not being able to make choices on the matter. Israel has always been a parallel project between secular and religious Zionists, and many religious concepts have become part of the secular discourse. The 'national religious' group in Israel is convinced that Israel is in fact a fulfilment of biblical prophecies concerning a messiah based on the Hebrew covenant binding God, a chosen people and a promised land. Members of this group believe that they can help promote the coming of the messiah by settling the land. To remove settlers now presents Israel with political and practical problems, given this group's single-minded focus on settlements. 11 percent of Knesset Members are themselves settlers, while 43 percent are part of a group lobbying for settlers, amidst calls by some members for Israel to annex Area C of the West Bank. There are now 311,000 settlers. It takes extraordinary individuals to implement withdrawals, especially in light of the risk of being deposed or even assassinated. This suggests that it is time to rethink and renegotiate the territorial formula.

Norlen concluded her presentation with a number of recommendations. First, religion has to be taken seriously, and so it is necessary to speak to everybody, including religious leaders, not just moderates. Second, territorial borders are not set in stone, and there may be room for alternative religious interpretations. Third, claims of territorial belonging will need to be separated from practical solutions concerning sovereignty. Palestinians and Jews will continue to lay mutually exclusive, eternal, claims to the same territory; it is therefore not helpful to ask Palestinians to pledge to declare an end to the historical conflict. Fourth, Israel's decision-making has to happen from within. The Israeli *status quo* since 1967 has not entailed doing nothing, but is in fact the result of a compromise between those groups in Israel who argue for the annexation of the Occupied Territory and expulsion of Palestinians on the one hand, and those groups who would like to see a full withdrawal on the other. The government is caught between conflicting pressures. Meanwhile Palestinians are also recognising the difficulties, and exploring options of a one-state solution.

### **Israel, the EU and international law**

Agnès Bertrand-Sanz, Middle East Policy Officer at APRODEV, Brussels, completed the presentations with her discussion of 'Israel, the EU and International Law'. She began with a brief overview of EU-Israel relations, where she stated that while the EU is quite detailed in its demands for reforms from Palestinians, there are gaps when it comes to parallel demands being made of Israel. There has however been a change in attitudes in Brussels, especially since the 2007-2008 debate over an upgrade of EU-Israel relations. Greater linkage by the EU of bilateral relations to the Middle East Peace Process/Conflict was operationalised after Israeli Operation *Cast Lead* and the formation of the Netanyahu government in 2009. While the upgrade has since not come to the table, the EU still has a policy toolbox at its disposal, with further room for leverage in its relations with Israel.

Bertrand-Sanz outlined the key findings of a report she has recently co-authored, published by the Euro-Mediterranean Human Rights Network and APRODEV.<sup>3</sup> The revision of the European Neighbourhood Policy (ENP) provided inspiration for that report, prompting investigation of how the new elements of ENP might constructively apply to EU-Israel relations. First, the call for specific benchmarks is relevant, as while Israel internally ticks all the boxes regarding democracy, it does not do so as an occupying power. Second, the mainstreaming of international law and international humanitarian law into EU ENP instruments with Israel and the OPT is worth pursuing in more detail.

---

3 Euro-Mediterranean Human Rights Network and APRODEV Report, *EU-Israel Relations: Promoting and Ensuring Respect for International Law*, Brussels/Copenhagen, February 2012.

A comprehensive reporting mechanism on violations of international human rights law and international humanitarian law, the establishment of a real partnership with civil society regarding EU-Israel consultations, and the introduction of more robust safeguards to stop goods originating from settlements from entering the EU under preferential conditions intended for products from Israel are some suggested areas for improvement. Concerning the latter, more can be done, such as reverting the burden of proof from EU custom authorities to Israeli custom authorities. Existing EU ‘filters’ to ensure settlement-based entities do not benefit from EU programmes that include Israel-based entities are insufficient, as evidenced by inclusion of companies operating in settlements in the EU’s Seventh Framework Programme for Research and Technological Development.

### **Questions, comments and responses**

A diverse set of questions and comments were raised by the audience. This discussion was held under the Chatham House Rule. This section highlights some of the main points raised by the audience and panelists.

*How do internal divisions within Israel’s Palestinian and Jewish populations, including any cross-national alliance, affect the situation?*

Israel has often exacerbated divisions within Israel’s Palestinian population, for example through military service, mandatory for the Druze, and optional for the Bedouin population. There are also religious divisions within the Arab population, roughly 80 percent Sunni Muslim and 10 percent Druze and 10 percent Christian, which have resulted in tense relations, for example in the city of Nazareth. These divisions may be a reason why Palestinians have historically not mobilised effectively, but this is now changing, with more mobilisation as Palestinians. In terms of cross-national alliances, while developments in parliament do not give cause for much hope, within civil society, Jewish-Arab NGOs focusing on coexistence are a source of hope, although there is a trend among Israel’s Palestinian NGOs to be increasingly wary of working with Jewish organisations.

*How can we talk about influencing identities that are so historically rooted?*

One panelist suggested that identities, especially concerning territoriality, cannot change, so Israeli and Palestinian territorial identities will have to coexist, through agreeing to share the territory or their claims to it. External parties will also have to get used to this too. For example, Franco-German *rapprochement* was about changing the way the past was thought about. This prompted other panelists to suggest that other factors were more important than religious identity or ideology: one suggested that natural resources and security are instead the key issues in the struggle over territory; another suggested that the Israeli occupation was primarily about security.

*If we see more religiously motivated discourse in the region, how will this influence dynamics in Israel and the Israeli-Palestinian conflict?*

Three dynamics are worth noting: the possibility that regional changes may result in Israel being radicalised in its relations with other states; demographic changes within Israel and in the Israeli-Palestinian relationship which may alter the situation, possibly in the direction of a South Africa-type scenario; and the possibility that the ongoing crisis concerning Iran may reshape the region. Religion is not dangerous in itself, but rather is destructive when it acts as a vehicle for nationalist claims and a receptacle for frustrations. Egypt constitutes a test case, given the strong rhetoric during the elections which included references to the peace treaties with Israel. The Islamist parties are likely to be more pragmatic in power. Religion can also be a factor of coexistence.

*What about supporters of a one-state solution in Israel? In between a one-state and two-state solution, how does a confederation approach fare, and how might the idea be linked with the idea of regional autonomy?*

The two-state solution is the only game in town, and it is currently hanging by a thread and needs resuscitating. It is not constructive to start discussing a one-state or confederal solution. There are supporters of a one-state solution in Israel, hailing from the far right, bolstered by the current *status quo* which serves an unholy alliance of extremists on both sides. The clock is indeed ticking; the Palestinian Authority may dissolve itself, and as Palestinian frustration mounts, they may be increasingly drawn to one-state solution proposals. But a one-state solution would be the worse-case scenario as it would involve acute conflict and even possibly ethnic cleansing. Jordan's King Abdullah has rejected outright Israeli settlers' suggestion of a loose confederation between the 'leftovers' of the West Bank and Jordan.

*Given the disastrous way in which Israeli unilateral withdrawal from Gaza was managed, what role is there for international peacekeepers?*

While international peacekeepers are essential, Israel's historical reluctance on the matter is related to experience of peacekeepers in the Sinai and Lebanon. UNIFIL is seen to have failed the test, especially since 2006, by failing to halt the rearming of Hezbollah. The EU's experience on the Gaza-Egypt border, with its EUBAM Rafah border assistance mission, is also instructive. The mission has been considered a failure, not least because of the disastrous terms under which it was set up which handed over effective control of the mission's access to the Rafah crossing point to the Israeli authorities.

*All Israeli governments have followed the same policies. How can the fait accompli of 500 000 settlers, including those in East Jerusalem, be reversed?*

There are differences between governments, for example the Rabin government increased Palestinian rights within Israel. The settlements of East Jerusalem represent a huge practical problem, and they are not going to go away.

*What impact has the Arab Spring had on the ground?*

Given the history of the conflict, the Palestinian populations in OPT and Israel are averse to the risks of mobilisation. Nevertheless, mass non-violent resistance and 'people power' are definitely the topics of the day among Palestinians. The violence in Syria is highlighting the limits to non-violent resistance, but the Arab Spring model could become increasingly attractive.<sup>4</sup>

*Has there been Israeli Palestinian participation in the indignado movement?*

There has been Palestinian participation, in particular of younger Palestinians, in the movement.

*Where does East Jerusalem fit into the interplay of internal and external conflict discussed?*

We appear to be witnessing a coalescing of the internal and external issues, and two separate struggles – Israel's Palestinians' struggle for equality and OPT Palestinians' struggle for freedom – into one. If this happens, it will pose a major problem for Israel. Palestinian residents of East Jerusalem are situated in a *de facto* hierarchy of Palestinians that has emerged as a result of Israeli

---

<sup>4</sup> This question was discussed at length during the panel on 'The Middle East Peace Process and the New Regional Dynamics' at the 2011 EUISS Annual Conference on 'The Arab Democratic Wave: What Role for the Global Players'. Please see forthcoming Conference Report.

policies, below Palestinian citizens of Israel, but better off than West Bank Palestinians, who are in turn followed by Gaza Palestinians and Palestinian refugees elsewhere. Each group has sought to safeguard their own interests, and past Israeli-Palestinian negotiations have left out refugees and Israel's Palestinians. Yet increasingly Palestinians are arguing that the national movement is not served by these divisions and that they need to refocus on uniting issues. This would have a big impact on East Jerusalem. And while Jerusalem is effectively a divided city, the issues there are not insurmountable. In terms of the conflict over territory, some form of shared sovereignty, even if only for the Temple Mount, is necessary.

*How does external pressure interact with highly sensitive or sacred beliefs and claims?*

The role of the US is important, and experience from previous US administrations suggests that US pressure on the Israeli government has made a difference when applied through concrete measures. Yet while the US is the only external actor with the potential to prompt de-occupation, it is unlikely that this would happen.

While the EU cannot solve the conflict, targeted pressure on certain issues could be effective in ensuring that Israel distinguishes between Israel and OPT in its dealings with the EU, and that the EU fulfils its duties of not recognising as legal violations of international human rights and humanitarian law. For example, in the context of ongoing negotiations for a cooperation agreement between Europol and Israel and resulting data sharing, insisting that Israel flag data obtained from the OPT and OPT residents when sharing data with European counterparts would be a small step towards ensuring that such distinctions between Israel and the OPT are made across areas of cooperation. There are historical precedents, including the international non-recognition of the Japanese occupation of Manchuria.

In the face of external pressure, there has been a tendency for Israel to dig in its heels among fears and claims of delegitimation. So external pressure can be counter-productive and, as has happened, can strengthen the right. However it does appear that the Palestinian minority in Israel is one area where heightened EU attention, although not necessarily pressure, could be productive. Because it is not viewed as a national security matter by Israelis, and because it is not something the US has focused on, there would appear to be particular scope for the EU to incentivise reform and good practice in this area.