

Strategic ASSESSMENT

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Strategic ASSESSMENT

The purpose of *Strategic Assessment* is to stimulate and enrich the public debate on issues that are, or should be, on Israel's national security agenda.

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Abstracts

Intelligence in the Prime Minister's Bureau: A Proposed Change Zvi Zamir

This essay discusses the lessons learned from the major failures in intelligence work in Israel vis-à-vis the prime minister and the security cabinet since before the Yom Kippur War, the relative progress made since then in integrating all the elements of the intelligence community in the decision making process, and the lapses that still remain. The essay proposes establishing a small staff body, a "Pluralistic Desk," that will be directly subordinate to the prime minister and part of the Prime Minister's Bureau. The head of this entity will be appointed by the prime minister; the staff will comprise a small number of high ranking figures with experience in intelligence work, particularly research and assessment, who represent all the entities in the intelligence community, as well as high ranking people with experience in operational command positions. This new entity will enable the formulation of an independent, comprehensive view of political-security affairs based upon the information and assessments provided by the intelligence community as a whole, with emphasis on advance warning and on the close relationship between intelligence, decisions, and implementation of preparation and response processes.

Keywords: intelligence assessment, decision making, Yom Kippur War, Hamas tunnels, national intelligence assessment, political-security cabinet, Egyptian missile deployment

The Current Challenges in the Middle East Demand a Joint United States-Israel Strategy Carmit Valensi and Udi Dekel

The United States and Israel have conflicting interests on how to handle the region's current challenges, and these differences are eroding the special relationship that has historically prevailed between the two countries. This essay proposes a joint regional strategy for the two countries resting on several anchors, including: mutual consideration by Israel and the United

States of each other's regional interests; fortification of the existing peace agreements between Israel and its neighbors – which are also a basis for promoting regional security initiatives with the Sunni Arab states; a commitment by Israel to an effort to renew negotiations with the Palestinians; and reinforcement of the defense agreements between the two countries. This strategy will help Israel and the United States deal with the challenges in the Middle East with coordinated use of regional levers, and will also reflect improved bilateral relations, grounded in more than 50 years of cooperation and shared achievements.

Keywords: Israel-United States relations, Iran, nuclear agreement, Palestinians, Middle East

Russia's War in Syria

Eyal Zisser

The Russian-Iranian intervention in Syria that began in September 2015 caused an unexpected change of direction in the war that is likely to affect its results. The Russians were able to halt the rebels' momentum and reconquer territory that had fallen into rebel hands, thereby stabilizing the status of the Syrian regime in the "Little Syria" remaining under its control – a strip of territory stretching north from Damascus to Aleppo and the Alawite coast, the regime's stronghold, and south to the southern border city of Daraa. While this intervention did not lead to the rebels' defeat or eliminate the rebellion, it did make Russia an active and significant player in the Syrian theater. Specifically, it enabled Russia to bring about a halt, however temporary, in the fighting, and in cooperation with the United States, spark a political process aimed at bringing about a settlement for ending the war in Syria.

Keywords: Russia, Syria, Iran, Bashar al-Assad, Putin

China Has Laid Anchor in Israel's Ports

Oded Eran

In the past few years, Israel granted two Chinese firms major concessions in its two principal ports on the Mediterranean coast – Haifa and Ashdod. These add to a growing Chinese maritime presence in the East Mediterranean, Egypt, Greece, and Turkey, in what seems to be a move to facilitate China's growing trade with Europe. The question arises whether the Chinese enterprise is motivated purely by economic reasoning. Or, might there

be long term strategic thinking behind these efforts? This article surveys China's maritime expansion in the region and questions whether Israel has given sufficient thought to strategic considerations beyond the economic benefits.

Keywords: Israel, China, national infrastructure, ports

Peace with Israel in Egyptian Textbooks: What Changed between the Mubarak and el-Sisi Eras?

Ofir Winter

One chapter of a new textbook published by the Egyptian Education Ministry for the 2015-2016 school year is devoted to the peace treaty with Israel. A comparison of the new book with previous textbooks reveals several encouraging findings. First, the book is more firmly supportive of peace with Israel, particularly based on the approach that it is a necessary condition for improving Egypt's economic situation. Second, the book mentions Israel as a partner in "friendly" peace relations, and a picture of Prime Minister Menahem Begin appears alongside that of President Anwar Sadat. Third, the book makes less mention of the wars with Israel and with the Palestinian problem than in the past. These are moderate but significant changes that can have a positive effect on the idea of peace with Israel among Egypt's young generation.

Keywords: Egypt, Israel, textbooks, education, peace, normalization

NGOs and the Political-Legal Theater in Operation Protective Edge

Gerald M. Steinberg, Anne Herzberg, and Joshua Bacon

During Operation Protective Edge, numerous NGOs claiming human rights agendas issued hundreds of statements, with the vast majority condemning Israel. These statements played a central role in the activities of the United Nations Human Rights Council's Schabas/Davis Commission, which published a report condemning Israeli actions. NGO allegations of war crimes also served as the basis for lawfare campaigns, including efforts to prosecute Israeli officials in the International Criminal Court and other venues, and for BDS campaigns against Israeli and Jewish targets. NGO reports in the context of asymmetric warfare are generally accepted at face value, despite their lack of credible fact-finding methodologies. Similarly,

legal analyses, based on problematic and “aspirational” interpretations, are accepted and echoed widely. In contrast, the policies of the IDF and Ministry of Defense to counter political warfare during Operation Protective Edge had limited impact. This article argues that a wider, carefully crafted, and proactive approach is necessary.

Keywords: Gaza, NGOs, human rights, delegitimization

The Palestinian Authority: A State Failure?

Kobi Michael and Yoel Guzansky

While failing and weak states are not new to the Middle East, the problem assumed a new dimension with the outbreak of the Arab Spring. During the years of the Oslo process, extensive efforts and resources were invested in promoting the political process so as to encourage the establishment of an independent Palestinian state. However, too little effort was put into ensuring the foundation for the establishment of a functional Palestinian state in the post-peace agreement period. Now, at this point, the Palestinian case requires an unflinching, honest look at 22 years of a political process in which the Palestinians failed to build a functioning state entity. The two semi-state Palestinian entities in the Gaza Strip and the West Bank are experiencing a dangerous process of state failure, and the international community is helpless in stopping it. It seems that without an organized, persistent, painstaking, and responsible state building process in which Israel plays an important part, there is no real hope for the development of these entities into functioning states, whether each on its own or together as one Palestinian state.

Keywords: Palestinian Authority, failing state, regional security, Arab upheaval, state building

Intelligence in the Prime Minister's Bureau: A Proposed Change

Zvi Zamir

Introduction

There has been marked progress in the intelligence community's work and its connection to the political echelon, and particularly the prime minister, since the Yom Kippur War. In strong contrast to the events of 1973, all elements of the intelligence community and their respective opinions, including the disagreements among them, receive a hearing in the decision making process.

The security cabinet, led by the prime minister, is the forum that in routine times and during emergencies connects the intelligence picture with the political decisions and the military-security responses that derive from the intelligence assessment. For this reason, it is important that this forum be given complete, up-to-date, and precise intelligence, as well as an integrative intelligence assessment that is based upon information and insights from all segments of the intelligence community (the community's "collective wisdom").

At present, the prime minister and the ministers of the security cabinet receive ongoing and periodic intelligence assessments from the heads of the intelligence community: the Mossad, the Military Intelligence Directorate, and the General Security Services (GSS). This is a substantive and significant advance from the period preceding the Yom Kippur War, with the element of pluralism, which then was so badly lacking, now ostensibly part of the intelligence assessment. However, in practice, this amounts to little more than an exchange of situation assessments – "pluralism on paper and in assessment surveys." The element of shared pluralistic debate is still lacking, in terms of reports and what they mean on the one hand, and in

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terms of the assessments and the necessary operations that derive from them on the other. Thus although the current situation is an improvement over former dynamics, what transpired during the military conflicts that occurred after 1973 (mainly in Lebanon and Gaza) shows that there is still much room for improvement in the potential of the prime minister and the security cabinet to use the high quality intelligence provided by the intelligence community as a whole to the fullest possible extent.

During the Yom Kippur War, four main obstacles hampered the intelligence community's ability to serve the prime minister and the decision makers in the political and military echelons. These obstacles, some of which resurfaced after the Yom Kippur War and could recur in the future, were as follows:

- a. *The Prime Minister lacked the necessary tools* (such as a directly subordinate intelligence staff, as well as binding work procedures with the intelligence community) to draw independent conclusions regarding the significance of the intelligence that reached her desk. Instead, there was nearly complete dependence upon the Defense Minister and the tools at his disposal (his staff forum, the IDF General Staff).
- b. *The Military Intelligence Directorate had complete exclusivity in making Israel's national intelligence assessment.* It was, for all practical purposes, the sole basis, in terms of intelligence, for decision making at the leadership level. Any element with a different assessment, such as the Mossad, was shut out from the discussions in the group known as the Defense Minister's Forum/the Minister's Staff (the main forum for discussing security and intelligence problems at the time). These differing opinions were not heard and they had no opportunity to influence the intelligence assessment.
- c. *No basic, binding work procedures existed* between the Prime Minister, the Defense Minister, the chief of staff, and the head of Military Intelligence. Consequently, no critical reports were provided in their raw state for the leadership's review and consideration (without interpretation from the Military Intelligence research division, which in many cases robbed them of their meaning), thereby denying the leadership the opportunity to form insights of their own regarding the reports. Military Intelligence commentary, together with the interpretation of its researchers, was what dictated, exclusively, the decisions and preparations that preceded the war.

- d. *There was a severe gap between the intelligence picture (reports and assessments) and the decisions regarding preparation for war and management of the war in the first stages (in addition to the failure of advance warning of the war, a failure that could have been avoided) – for example, between the intelligence received about Egypt's plans for war and the Southern Command's operational plans, which were supposed to provide an effective operational counter response to them.*

In Light of Lessons from the Past

I believe that the lessons learned from the Yom Kippur War until today demand changes that will ensure three main principles.

The first principle is the need to increase the prime minister's ability to plow independently through the abundance of intelligence reports and assessments (regarding incidents about which there is an overabundance of data). He must have the ability to examine the situation comprehensively, as well as to direct preparations and actions to counter trends that could develop into a threat to Israel's security. In other words, he must be capable of supervising and ensuring that the operational agencies provide a suitable and effective response to threats and dangers that stem from the intelligence information, and prepare for them politically and in terms of military strategy.

The second principle is the institution of an intra-community procedure and working method that demands joint discussion (ongoing professional dialogue) among all the relevant entities to ensure that the prime minister receives a pluralistic intelligence picture containing the views of all relevant elements in the intelligence community, including their agreements and disagreements.

Third is a work method that ensures that the prime minister and the security cabinet bear actual weight in making decisions regarding the development of security threats (or, alternatively, political prospects) that are critical to the security of the State of Israel.

To ensure this, a proposal of principles is detailed below that will likely require adaptations to the existing organizational reality. The foremost

change will be the establishment of a small staff body, to be called the Pluralistic Desk, which is directly subordinate to the prime minister and part of the Prime Minister's Bureau (unlike previous recommendations,

The Pluralistic Desk would provide the leadership with an intelligence picture – ongoing and independent on the one hand, and integrative and comprehensive on the other – of the security risks and threats as a basis for making decisions.

which suggested the appointment of an adviser for intelligence affairs – a position for one person to synchronize the work of the various intelligence agencies). This entity would be responsible for the ongoing assessment of the intelligence information that has implications for national security and its relay to the prime minister and the security cabinet. It would include representatives from all the elements in the intelligence community (as detailed below), and provide an ongoing and permanent intelligence presence in the Prime Minister's Bureau, for the prime minister and for the security cabinet, alongside the continued regular functioning of the existing bodies in the intelligence community in carrying out their routine tasks and responsibilities.

The Pluralistic Desk would deal with the analysis and assessment of accumulated information in all the bodies within the intelligence community, and would participate in their discussions and threat assessments. This would provide the leadership with an intelligence picture – ongoing and independent on the one hand, and integrative and comprehensive on the other – of the security risks and threats as a basis for making decisions. Its purpose would be to assist the prime minister and the security cabinet in two areas:

- a. Putting together a comprehensive and independent political-security perspective based on the information and the assessments provided by the intelligence community as a whole, with emphasis on issues of early warning – in other words, anything that could develop into a threat that has ramifications for Israel's security in the medium and long term.
- b. Providing the prime minister with the ability to ensure advance planning and preparation for dangers and threats that arise from analysis of the intelligence – in other words, ensuring a close relationship between intelligence, decisions, and implementation of preparation and response processes. The staff would also participate and assist the prime minister in discussions of recommendations from the operational echelons (such as the IDF, the GSS, the Mossad, and the Foreign Ministry) about dealing with and responding to the threats that arise from the intelligence assessments.

The synthesis presented to the political-security echelon will highlight the reports about the matter in question, the assessments of the various entities, potential future scenarios, and military-political weak points that allow for the exploitation of political and military opportunities – alongside emphasis on the agreed-upon assessment, the reservations regarding it,

and the alternatives that emerged in the discussions. Emphasis should be placed upon the importance of having the conclusions of the discussions clear and focused and avoiding vague and ambiguous language, although there can be more than one agreed-upon recommendation for action. The Pluralistic Desk will help the prime minister and the security cabinet make decisions regarding political or operational measures and directions that in principle should be taken as a result of the information and the intelligence assessment (without going into operational detail, which will remain the responsibility of the operational agencies). In order to enable the members of the staff to analyze and assess the advance warning information independently in its broad sense, as detailed above, it is very important to allow them access to the relevant reports.¹

The director of the Pluralistic Desk would be appointed by the prime minister. The staff would include a small number of high ranking people with experience in intelligence work, mainly from a research-assessment standpoint, and who represent the entities in the intelligence community as a whole – Military Intelligence; the Mossad; the GSS; the intelligence agencies of the IDF's various branches (ground, air, sea, and cyber); the Foreign Ministry; and the National Security Council, as well as high ranking and experienced people with experience in operational command. Such a group would ensure that the team connect the intelligence picture with the response – in other words, in principle help the prime minister and the security cabinet make decisions, as derived from the information and the intelligence assessment. Each member of the team would have a strong background, a conceptual approach, and a connection to the organization that he came from, but would not be subordinate to it. The result would be a forum of shared integrative thinking, reflecting all the relative advantages of the agencies of the intelligence community, the branches of the IDF, the Foreign Ministry, and the National Security Council, alongside independent thought and reduced influence of extraneous interpersonal and other considerations.

Since in the intelligence sphere and in the political sphere the facts regarding the advance of the Egyptian missiles into the Suez Canal zone were known before the war, it appears that the proper conclusions were not drawn. An integrative staff group of the intelligence community, such as a Pluralistic Desk operating close to the prime minister, could have reached those conclusions in real time.

This proposal does not detract from or change anything regarding the current roles, organizational patterns, and work of the existing agencies. The Pluralistic Desk will not have supervisory or intermediate rank, nor will it obstruct access by the prime minister to the various agencies.

Construction of this system and introduction of the change requires time and leadership from both the prime minister and the person appointed as the first director of the forum. It is vital that the person chosen for the post be respected professionally and personally by the entire intelligence community and have the ability to create a system with clear powers and significant added professional value, which generates a low level of opposition and friction. One issue that the director of the Pluralist Desk would have to deal with is the “fight over the prime minister’s ear” – in other words, the natural tendency of intelligence community agencies to create a channel that circumvents pluralistic discussion and gain a position of exclusive or principal influence.

Thus, this would be a compact group comprising seven or eight members (each one high ranking, of excellent quality, and possessing knowledge and experience) representing the various agencies in the intelligence community and with command-operational experience. Their role as a staff agency close to the prime minister would focus on ongoing handling of all short and long term threats and warnings as a whole. The group’s main contribution would be integrative assessment, combining its members’ disciplines, perspectives, and areas of expertise as a basis for decision making by the prime minister and the security cabinet.

The Pluralistic Desk would not have allowed the issue of the Hamas tunnels to fall through the cracks among the leadership or other cabinet members, Military Intelligence, or the GSS.

Two Illustrative Incidents

To illustrate the value of this proposed entity, two of the many instances from the sphere of political-military decision making – in which the presence of an intelligence agency close to the prime minister might have led to different decisions from the ones that were ultimately taken – are examined below. The first deals with the advance of Egyptian surface-to-air missile batteries into the Suez Canal zone at the end of the War of Attrition (on the night of August

7, 1970). This act by Egypt – a blatant violation of the ceasefire agreement reached between Egypt and Israel with United States mediation – took place before the ink on the agreement was dry. The second and more recent

example deals with the way the Israel handled the issue of Hamas's attack tunnels before and during the start of Operation Protective Edge.

Egypt Moves Surface-to-Air Missile Batteries into the Suez Canal Zone²

The move of Egyptian-Soviet missile batteries eastward into the Suez Canal zone immediately upon the signing of the ceasefire agreement at the end of the War of Attrition (August 1970) had system-wide military implications. The purpose of the missile battery was to protect Egyptian troops at the Suez Canal, and in hindsight, it was an essential preliminary measure for Egypt's attack and crossing of the Suez Canal at the start of the Yom Kippur War. In her speech to the Knesset on June 29, 1970, Prime Minister Golda Meir mentioned Egyptian President Gamal Abdel Nasser's speech in Benghazi four days prior, in which he said that his country would be able to establish a complete aerial defense system in the canal zone, and that this aerial superiority would determine if and when the war would resume in full force. If the Egyptian army were able to gain comparable power in the air, he said, no element on earth could prevent it from crossing the canal. President Anwar Sadat, Nasser's successor, was also told by the senior military command that no plan for crossing the canal could be talked of, nor could a line of defense on its eastern bank be established, without effective protection against the Israeli Air Force.

In addition, during the period preceding the war, the Egyptian command gained increased confidence in the missile battery's ability to neutralize the Israeli Air Force. This confidence arose from Israel's loss of five Phantom aircraft during a preemptive strike on the missile battery toward the end of the War of Attrition. From the Egyptians' perspective, this opened the way to preparations for putting Sadat's war plan into practice.

From a retrospective analysis of the intelligence picture that the Israeli leadership possessed (after the threat of stationing missile batteries in the canal zone appeared on the agenda), and regarding the staff work and the interaction among the various bodies toward decision making, it is clear that in the intelligence sphere and in the political sphere, the facts were known even before the war. Thus it appears – and this is not merely postwar wisdom in hindsight – that the proper conclusions were not drawn in this incident. An integrative staff group of the intelligence community, such as a Pluralistic Desk operating close to the prime minister, could have reached those conclusions in real time.

The main lessons that may be learned from the introduction of Egyptian-Soviet missile batteries into the canal zone can be summed up in the following points:

- a. There was a pan-Egyptian agreement during the time of President Nasser and his successor Sadat that defense using the missile batteries was essential for neutralizing Israel's aerial superiority and a means of protecting Egyptian troops, in the sense that this was a necessary condition for going to war.
- b. This explains the weight that the Egyptians and the Soviets gave to moving the missile batteries close to the Suez Canal, as well as their absolute refusal to withdraw them. The senior Egyptian command was firmly opposed to going to war without defense by missiles or some other "umbrella of protection" against the Israeli Air Force.
- c. Despite the reports that the senior Israeli political and military echelon possessed, Israel dealt with the issue of the missile batteries on several different fronts. The ability to make full use of the understandings and the assessments on the basis of the reports and to make decisions on the matter was weakened among the decentralized senior political echelon, the top echelon of the IDF, the Israeli embassy in Washington, and the intelligence community. The Foreign Ministry and the Mossad were conspicuous in their absence in the decision making process. The Foreign Ministry was a source of knowledge and expertise, and its voice on the issue, which had many significant political aspects, went almost unheard. The Mossad was not consulted on the issue except for an inquiry as to sources, and it did not develop accessible sources of its own. As stated, the extent of cooperation among these agencies was unclear, and in any case, was not institutionalized and did not produce joint results, even if their representatives happened to sit together in meetings or there were joint discussions in various forums.
- d. The Egyptian-Soviet act of moving the missile batteries into the canal zone, its long term implications in the context of a comprehensive Israeli-Egyptian war, and the option that this move presented to the Egyptians for carrying out attacks that involved crossing the canal seem to have been treated as minor issues in intelligence assessments,³ which focused on portraying the significance of the new surface-to-air missile threat in a limited scenario of a war of attrition. Senior members of Israel's political echelon, backed by the intelligence picture that was given to them, viewed the significance of moving the missile batteries

- toward the canal zone in the limited perspective of the model and scope of the War of Attrition.
- e. Israel, which suspended its participation in the talks under the sponsorship of UN envoy Gunnar Jarring in September 1970, saw Egypt's violation of the demand to freeze the placement of the missile batteries as a sign of Egypt's lack of credibility in honoring political agreements. In any case, the long term military-strategic implications of moving the missile batteries eastward were a low priority for Israel, even though Israel insisted (until December 29, 1970) that it would not return to the talks until the situation in the canal zone was restored to its previous format. On the issue of the Egyptian violations, the political and military topics were intertwined with one another extremely clearly. Nonetheless, the main point of handling the issue "drifted" from the military to the political sphere according to the ongoing matters of interest that occupied the leadership, and not necessarily according to the topics' order of importance in a comprehensive view.
 - f. In the absence of a complete intelligence picture, the pressure that Israel put on the United States at various levels did not delineate in clear fashion the fact that the deployment of the Egyptian-Soviet missile batteries was the key to the question of whether there would or would not be a war. This affected the extent of the US willingness to work toward changing the situation, and much of its efforts took the form of political pressure upon Israel and an attempt to calm it by providing advanced military weaponry.
 - g. The feeling amid the ranks of the Israeli Air Force at the time was that they lacked an effective response to the missile threat precisely at the concluding and decisive stage of the War of Attrition.⁴
 - h. Indeed, while the Egyptians felt that the Israeli Air Force carried decisive weight in making decisions regarding war, it was not in fact an influential factor in making decisions, and its voice was hardly heard.
 - i. The Israeli side did not believe that the issue of moving the missile batteries eastward was a response to the demand of the Egyptian army or a necessary condition for starting a comprehensive war (if limited in scope) from the Egyptian side. The issue was pushed from the center of the political agenda, and the Israeli side examined only one proposal by the Defense Minister for a preemptive Israeli strike against the missile batteries in order to prevent war. The government rejected the proposal, and no other options, such as a change in the general deployment in

Sinai or a more complete development of the method of bombardment by the Air Force, which Air Force Commander Maj. Gen. Mordechai Hod suggested at the time, were brought before it for a decision.

*The Handling of Hamas's Tunnels (2014)*⁵

Military Intelligence and the GSS had a great deal of detailed information about Hamas's attack tunnels in the Gaza Strip in the years preceding Operation Protective Edge. Indeed, the reality that came to light raises many questions whether the significance of the available intelligence was gleaned fully, and in turn, whether Israel's military deployment was adequate. Hamas used an attack tunnel leading into Israeli territory to kidnap Gilad Shalit in 2006, and from 2009 to 2012, Hamas's military wing, under the leadership of Mohammed Deif, worked on the attack tunnels project, which Deif saw as a strategic project, alongside the development and expansion of Hamas's rocket supply. Several days before Operation Pillar of Defense in November 2012, a tunnel rigged with explosives was detonated near IDF troops involved in searches west of the border fence. Miraculously, no Israeli troops were hurt. Over the eighteen months preceding Operation Protective Edge, the IDF discovered three tunnel openings on the eastern side of the fence, inside Israeli territory. When IDF troops crossed the fence to demolish one of them, an explosive device planted in the tunnel was detonated, and six combat soldiers were wounded.

With the discovery of those tunnels (which were spacious and deep, with concrete-lined walls, lighting, and communications infrastructure, and some of which reached up to 300 meters beyond the fence), IDF officials realized the power and scope of the threat. Hamas had the ability to bring large numbers of troops, secretly and using the element of surprise, to the rear of the IDF deployment (the Gaza Division) and to the communities along the Gaza periphery, changing the rules of the game with a large scale, coordinated terror strike (attacks, ambushes, kidnappings) against several targets, military and civilian, simultaneously. On the eve of Operation Protective Edge (on July 6, 2014), the Air Force attacked a tunnel that had been discovered in the area of Kerem Shalom (as far back as April 2014, but the exit shaft in Israeli territory had not been found; the GSS believed that Hamas planned to use the tunnel to attack Israel in order to break through the siege around Gaza). Seven Hamas operatives were killed in the attack. Hamas responded by firing a barrage of rockets, and that was the start of Operation Protective Edge.

Hamas could not hide the large scale tunnel excavation project or the construction and infrastructure work. Since early 2013, Israel's leadership and the heads of its security branches received detailed periodic intelligence reports containing a survey of the known tunnels, with the routes of each one marked. The Israeli leadership, then, was aware of the existence of more than 30 tunnels inside the Gaza Strip, of which between one third and one half (according to the assessment) extended as far as the border fence, crossed the border, and were intended for use in an attack inside Israeli territory. As reported several times, the issue was brought up for discussion to the Prime Minister, who gave a team headed by his National Security Adviser the task of dealing with the issue. How the matter was handled is not known. It is clear that the series of technological methods for finding tunnels that was tested by the Defense Ministry's Administration for the Development of Weapons and Technological Infrastructure did not yield an effective solution by the time the conflict broke out. Resources were allocated to the Southern Command – intelligence gathering methods and troops for dealing with the tunnels – but practically speaking, not much was done in time. In any case, Israel's policy ruled out a preemptive or preventive military strike, by ground or by air, on the western side of the border, evidently out of a desire to avoid escalation and an additional round of fighting. Thus when the fighting broke out, Hamas had a fully functioning tunnel complex at its disposal, ready and fit to carry out terror attacks in Israeli territory. Indeed, 11 IDF troops were killed in three encounters with Hamas units that infiltrated into Israeli territory through the tunnels during the fighting, and miraculously, no civilians were killed as a result of the tunnels threat.

Based on the events and the information that was released, we can point to several major lessons in the context of the tunnel complex challenge.

The first lesson: The strategic significance of the tunnels – beyond their being a means of penetration for an attack in Israel – was not emphasized. The use of the tunnels as means for force movement within the Gaza Strip to and from fortified areas, while neutralizing IDF superiority and capability in observation and elimination of forces moving on the ground, was not made clear. Intelligence does not complete its job in describing the tunnels without furnishing information on their purpose and intended use.

The second lesson: The intelligence about the tunnels that was available for a long period of time and gave the IDF and the security branches time and space for preparations was neither processed nor used to put together

a suitable operational solution. No appropriate combat theory (ground engineering or aerial) was drawn up for this sort of fighting; no weapons, equipment, or suitable methods for finding and demolishing tunnels were developed in advance; no dedicated units (engineering or special forces, for example) were earmarked for dealing with the tunnels; IDF troops (and especially reserve units) trained insufficiently and in structures that were unsuitable for scenarios of tunnel combat (commanders and combat soldiers were quoted after the fact as saying: “We learned to cope with the tunnels while moving”), and their fitness, to put it mildly, left much to be desired; no plans of operation that were suitable for combat in the tunnel infrastructure were drawn up either in the Southern Command or in the divisional echelon, and when they were needed, the plans proved to be partial and had to be completed during the fighting – to name just a few of the lapses..

The third lesson: When the troops ultimately went into Gaza, the IDF improvised and adopted a combat doctrine and solutions that were ad hoc (while receiving assistance from companies and civilian entities) that took roughly two and a half weeks to implement until the tunnels were destroyed completely – a period of time that extended the operation far beyond what was planned. In hindsight, it is clear that Military Intelligence and other groups within the intelligence community could not stop at merely circulating the intelligence information to the consumers. It seems that they should have clarified the meanings and the insights for the commanders and the combat echelon. This would have sparked true involvement in order to arrive at operational responses to the problem and help the IDF implement them, since it became obvious that producing and circulating information to the consumers was not enough.

The fourth lesson: Most of the cabinet ministers, except for the Prime Minister and the Defense Minister, were not at all aware of the threat of the tunnels, and learned of it only on the eve of the operation. The media hardly mentioned the issue, and the debate in the media before the operation and after it began focused upon the rocket fire from the Gaza Strip. The security cabinet held very little discussion about the tunnel threat and its significance until a few days before the operation began, as most of this forum’s discussions then were devoted to the Iranian nuclear threat and the Syrian-Lebanese border. According to media reports, after the war, IDF officials admitted that “information about the tunnel threat very likely did not cross the security cabinet ministers’ threshold of awareness.” The Prime

Minister's National Security Adviser compared the issue of the tunnels to the Sagger missiles that took Israel by surprise in the Yom Kippur War (there was information about them, but the units did not act upon it). In other words, even though the data was provided, most members of the security cabinet, with very few exceptions, were unaware when the war broke out of the significance and implications of the fact that there were more than 30 tunnels close to the border fence. That was one of the reasons why the security cabinet hesitated to approve the operation against the tunnels. In the public debate that took place about the issue, the ministers usually did not distinguish between "occupying the Gaza Strip and overthrowing the Hamas regime" and the more limited and specific goal of "demolishing the complex of attack tunnels." Alongside the security cabinet's hesitation, it appears that both the Prime Minister and the Defense Minister were unaware of the full significance of the threat, and underestimated it. Otherwise, how can we explain the fact that on July 15, 2014, Israel was willing to accept the ceasefire agreement that Egypt proposed (it was Hamas that turned down the Egyptians' proposal), even though it knew of the tunnels' existence, and even though the agreement left the threat of attack via the tunnels in place? Also, how else can we explain the Defense Minister's assessment that it would take only two to three days to demolish the tunnels (at a time when it actually took two and a half weeks to deal with the issue)?

The fifth lesson: Against this background, it is understandable how the topic of the tunnels was hardly included in the goals of the operation as they were defined for the IDF: hitting Hamas hard and bringing calm back to the south. The tunnels were not mentioned specifically in the orders for the operation. During the early days of the operation, Israel responded to the rocket barrages fired into its territory with heavy aerial bombardments and artillery fire at Hamas's headquarters, production facilities, rocket arsenals, and launch sites. The members of the security cabinet learned of the full severity of the tunnel threat only after some exit shafts were spotted near communities and outposts along the line of contact. The turning point in the tunnel issue took place only on July 17, nine days after the operation began, when 13 terrorists from a Hamas elite force were spotted emerging from a tunnel shaft near Kibbutz Sufa. Although the force was attacked from the air, the incident shocked the public, public opinion (mainly among inhabitants of the communities along Gaza's periphery), and decision makers. A demand was made to demolish the tunnels immediately, and that same evening the army received an order from the political echelon

to enter the Gaza Strip and destroy the attack tunnels at a range of up to three kilometers from the border. The media quoted the chief of staff as saying in a private conversation: "The incident in Sufa was what made the penny drop for us."

The sixth lesson: Alongside the issue of the tunnels, there were differences of opinion between the GSS and Military Intelligence during and after the operation as to Hamas's early intentions. In hindsight, the GSS argued that it had been Hamas's intention to start the July war due to its strategic distress, citing the warning that they circulated in April 2014 about Hamas's intention to perpetrate a large scale terror attack via the tunnel in the Kerem Shalom area. Military Intelligence officials say that the term "July war" was used to describe the operation after the fact, since the conflict with Hamas was a consequence of the deterioration and escalation on both sides rather than the result of a deliberate effort by Hamas (which had no interest in a strategic conflict with Israel at that time). The officials said further that the tunnel excavation project was the result of an ongoing process, and was not evidence of any actual plans to start a war at the time that it broke out.

Had a Pluralistic Desk team been available to the Prime Minister and the security cabinet during Operation Protective Edge, the vast majority of the intelligence failures in both the IDF and the security branches, as well as along the seamline between the intelligence community and the political echelon (the leadership and the security cabinet) might well have been avoided. This entity would have conducted an ongoing and independent examination of the issue of the attack tunnels and the movement of forces from the time it emerged and gathered momentum. It would have shown the Prime Minister and the security cabinet the significance and severity of the threat (in contrast to the "relaxed" assessment that the political leadership formulated on the eve of the operation and in its early stages) in time (instead of at the last moment, which was what actually happened), and would have urged them to decide upon a policy of dealing with the matter and devising effective operational, organizational, and logistical solutions.

The Pluralistic Desk would not have allowed the issue to fall through the cracks among the leadership or other cabinet members (who are the main consumers of its products); Military Intelligence; or the GSS (representatives of those groups are members of the Desk, which has the task of resolving differences of opinion within the intelligence community or bringing them to the prime minister's attention); as well as the operational echelons, intelligence, and the operations department (the Desk being a supervisory

agency whose role it is to ensure an operational response to problems that surface in intelligence information, and perhaps also to present the political echelon with, and receive its approval for, a combat doctrine and operational, organizational, and technological solutions for eliminating the threat).

In hindsight, it is clear that the National Security Council is not equipped to analyze and assess intelligence information. Although a senior intelligence figure was its director during the period preceding the operation, it was not the right agency to direct the handling of the issue, which was intelligence-related and operational in essence. The experience, background, and professional authority of the Desk's members, their direct subordination and unmediated proximity to the prime minister, and their being up to date on the intelligence situation (whether from reading raw reports or by virtue of their connection with groups in the intelligence community) and dealing with the issue continuously over time – all these would ensure thorough and comprehensive handling at the political-strategic level and in the military-operational layer.

The Desk would presumably have brought the difference of opinion between Military Intelligence and the GSS as to Hamas's strategic objectives and intentions to the political echelon's attention. It is also possible that it would have called for a discussion in the political echelon in real time in order to devise a suitable response to the various scenarios that were expected (a reasonable possible course of action and a dangerous possible course of action).

In conclusion, had the Pluralistic Desk, in the form proposed in this essay, functioned close to the prime minister in the instances described above, it could have provided a response to the flaws and weaknesses in the political echelon's actions. We might even posit that this agency would have prevented or put off the respective wars, or at least would have changed its development or its results.

As a staff agency close to the prime minister that combined all the intelligence branches and the Foreign Ministry, the Desk would have made the long term military-strategic threat of the Egyptian-Soviet missile batteries unmistakably clear in the context of a scenario of an all-out war between Israel and Egypt, and could have shown the options that this move gave the Egyptians as far as carrying out offensive moves that involved crossing the Suez Canal. It could have done the same vis-à-vis the significance of the threat posed by Hamas's attack tunnels while Operation Protective Edge

was underway. In the first instance, the assessments of the intelligence community as a whole would have prevented a partial intelligence picture in which the meaning of the threat of the new missile batteries was linked exclusively to a limited scenario of a war of attrition. In the second, they could have prevented the gaps in information and assessments between Military Intelligence and the GSS.

A system integrating all the sources of knowledge and assessment would have dealt with this strategic issue of the first order, preventing its being handled in a decentralized and divided manner that did not provide the decision making echelon with a satisfactory intelligence picture. In addition, the Pluralistic Desk, by virtue of its role, would have kept the political and military leadership from postponing dealing with the threat (as in the first instance) or minimizing its importance and severity (as in the second instance).

The intelligence community would have been entrusted with gathering, over time, the reports about the movement of the missile batteries (in the first instance) and the construction of the complex of tunnels (in the second instance). It would have carried out continuous and ongoing surveillance of the development of the respective threats and their meaning. The accumulation of reports and assessments over time would have shown the Egyptian refusal to withdraw the missile batteries from the canal zone, despite the clear violation of the agreement with Israel, as an indication of its intent to start a war, and perhaps even to a sort of limited offensive under cover of the missile umbrella, just as the construction processes of Hamas's tunnel complex would have indicated its true intentions. The voice of the Air Force, as a permanent member of the Desk forum, would have received a great deal more weight in the analysis of the situation's characteristics and the demand for preventive action in the Egyptian example. The Air Force would have arrived at the war that broke out on Yom Kippur in a state of preparedness appropriate for the Sinai sector, whereby at least some of the heavy price of neutralizing the missile batteries in the first stages of the war could have been avoided.

In other words, in both cases the Pluralistic Desk would have made the signs of the enemy's real intentions to start a comprehensive war absolutely clear by using the comprehensive capabilities that it had built and developed over the years to accomplish the goals that it set for itself. By virtue of this forum's responsibility to make the vital reports matters

of the highest priority, the issues on the agenda in each instance would have been handled properly among all the intelligence gathering groups.

Notes

- 1 It is impossible for the Pluralistic Desk to go over all the reports coming into the system and deal with sorting and analyzing them. At the same time, since the circulation of important and vital reports to the Desk team should not be limited, there would need to be a creative solution for the issue of circulation. For example: representatives of the Desk could be integrated in the centers where the reports produced by the intelligence agencies are sorted and distributed, and thus would channel the important reports, according to priority, directly to the Desk.
- 2 The analysis of the incident was written with the help of a friend, a historian by profession and a member of the intelligence community. It is based upon a broad examination of research and documents in the professional literature, as well as on documents from the National Archives.
- 3 Military Intelligence's comprehensive assessment gave no prominent expression to the assessment made by its director, Aharon Yariv, which stated that the eastward movement of the missile batteries was an act expressing far-reaching aggressive tendencies, and that if the balance of power in the air were to change, then it was possible that Egypt would stage a massive crossing of the Suez Canal.
- 4 Israel, which followed a policy of preventing the placing of surface-to-air missile batteries in the canal zone, responded with aerial attacks against them beginning in the middle of May 1970 in order to prevent, or at least delay, the "creeping" of the batteries eastward toward the canal. The aerial attacks continued until just before the ceasefire agreement went into effect. While some of the missile batteries were destroyed or damaged and the entry of the missiles into the canal zone itself was prevented, most of the batteries survived and remained fit for operation on the ground. In addition, five of the Israeli Air Force's Phantom aircraft were shot down during these attacks. It turned out that the Air Force lacked the precise and effective weaponry necessary for attacking the missiles (particularly SA-3 batteries, a system that was unknown in the West), jamming equipment, and ways to detect and track missiles.
- 5 This analysis is based upon openly available material from the press and on lectures given in professional conferences. Yet even if the picture is incomplete, we believe it is sufficient to identify problems that need to be dealt with.

The Current Challenges in the Middle East Demand a Joint United States-Israel Strategy

Carmit Valensi and Udi Dekel

Key Points in Dispute

An analysis of the relations between the United States and Israel reveals a set of basic common interests lying at the core of the special relationship. These interests rest on shared concepts and values with respect to democracy and liberalism, human rights and minority rights, the desire for peace and regional stability, and a general Western world view. These values underlie the United States commitment to Israel's security, translated into cooperation in diverse spheres and political and strategic coordination at the governmental, military, and intelligence levels in a broad range of matters.

Together with the basic common interests, however, differences and disputes concerning situational interests¹ have emerged in recent years, stemming from differing perspectives concerning the response to challenges and developments in the region. For example, while the United States and Israel have a common interest in denying Iran a nuclear capability, they disagree about the way to achieve this objective. Israel and the United States both want to eliminate the terrorist threat plaguing the Middle East and beyond and achieve regional stability, but they do not see eye to eye on the means to attain those goals. The (official) policy of both the United States and Israel supports a two-state solution on the Palestinian question, but the countries disagree about the Israeli government's policy on construction in the settlements and the urgency of solving the conflict. They also disagree about the negative Iranian involvement in the region, as well as the consequences of a settlement in Syria that leaves Assad in

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power, the growing influence of the Iranian-led Shiite axis, and the need to support Abdel Fattah el-Sisi's regime in Egypt. In addition to the sense of widening gaps between Israel and the United States, poor personal relations between the leaders of the two countries have worsened over the past year and included caustic exchanges.²

The United States in the Middle East

There are likewise differences between Israel and the United States on the role of the US in the Middle East; the American views were reflected in President Obama's speech at Cairo University in June 2009 ("a new beginning"), based on a call for mutual understanding and improvement of relations between the Muslim and Western worlds. The prevailing view in the Middle East is that the Cairo speech was the signal for the outbreak of the Arab Spring.

Some in Israel³ assert that Obama has a patronizing attitude toward the region, and judges respective actors with unequal criteria (on issues of

From the American vantage, Iran can become an agent of stability in the region, while from an Israeli perspective, Iranian fundamentalism will likely remain unchanged. Overall, it is necessary to devise a means of turning Iran, to the greatest possible extent, from a destabilizing factor into a positive element.

human rights and warfare in an urban environment, for example – harsh regarding Israel, and conciliatory regarding Saudi Arabia). Another criticism concerns the American strategy of appeasing the Islamic Republic of Iran and aiming not merely at détente with Iran, but even future cooperation with it; in other words, seeing Iran not as a generator of problems in the Middle East, but as the solution, at the expense of traditional United States interests in the Middle East, including support for Israel, Saudi Arabia, and the Gulf states; weakened Islamic extremism; and an ensured free flow of oil. Critics are alarmed that Obama does not keep his word, abandons his allies in the region at key moments (former Egyptian President Husni Mubarak; Israel and Saudi Arabia on the Iranian question; and the less extreme Sunni rebels in Syria), and makes threats that he does not

carry out, such as the threat to attack Syria if it used chemical weapons against the rebels.

According to Jonathan Rynhold, one can point to three types of American strategy in the region:⁴

- a. *The nonintervention school.* This view, typical of the Obama team and a few Republicans, holds that forces should be sent to the region on few occasions only. Intervention worldwide should decline, and military intervention should be used only in cases of a direct threat to the United States. Overall, the use of soft power is much preferred. The way to solve conflicts is through negotiations and deterrence. Israel is regarded as a burden because the conflict with the Palestinians provides an incentive for extremism in the Arab world, which generates hostility between the United States and the Arab world.
- b. *The assertive school.* According to this view, held primarily by Republicans, not all disputes can be settled through negotiations; it is sometimes necessary to demonstrate willingness to use American power and to use force. From this perspective, Israel is considered an essential partner that shares American values.
- c. *The centrist school.* The most prominent advocates of this position are Henry Kissinger and Dennis Ross. This school supports international intervention and the formation of alliances, with a balance between diplomacy and military force. This school also attaches importance to political processes for their stabilizing effect. In a speech at the US West Point military academy in 2014, President Obama endorsed the centrist view when he stated that the United States would no longer fight alone against international terrorism; it would seek broad and effective cooperation with countries afflicted by terrorism. The current campaign against the Islamic State, in the form of a local coalition supported by the United States, is an expression of the American doctrine.⁵

In an interview with Thomas Friedman in April 2015, President Obama specified what he regarded as the real threat to the Sunni monarchies – the internal theaters containing angry people, unemployed youth, extreme ideologies, and the lack of freedom of expression. He said that fighting terrorism was not enough; real movement toward change in these countries was needed. Obama added that the significant threat facing the countries in the region was not a possible Iranian invasion of their territory, but dissatisfaction among the local population given their current standards of living.⁶

Policy on Iran

A key issue that has damaged mutual trust between Israel and the United States involves the emerging relations between the United States and Iran

during and following the discussions about the nuclear agreement. Indeed, one recent assertion among American commentators (including David Rothkopf)⁷ is that under Obama, American relations have worsened with all Middle East countries except for Iran. It appears that Washington seeks to extend the cooperation with Tehran, thereby helping the reformists in Iran overcome the revolutionary extremists. The war against the Islamic State has led to coordinated spheres of operation between the US and Iran in Iraq and Syria, and even a United States blind eye to Iran's negative activity, such as Iran's assistance to Bashar al-Assad and ongoing support for Hezbollah, influence on the Iraqi government, and support for the Houthis in Yemen.

In the perspective of the US administration, the nuclear agreement will prompt some restraint in Iran's policy, thereby facilitating cooperation between Iran and the Sunni states against the Islamic State challenge.⁸ In order to mollify the United States' Middle East allies, President Obama emphasized that he regarded Iran's regional policy and its attitudes toward Israel and the Sunni states as extremely negative. He asserted that the agreement "certainly doesn't resolve all our problems with Iran," and the US will continue to act with its allies in the Middle East against Iran's destabilizing activities and support for terrorist organizations. Removing the nuclear issue from the equation, he argued, will put the United States in a better position to make demands of Tehran.⁹ Thus from the American vantage, Iran can become an agent of stability in the region, while from

an Israeli perspective, Iranian fundamentalism will remain unchanged. Until Iran recognizes Israel's right to exist and refrains from intervening in regional disputes, the use of proxies, and support for terrorist groups, it is necessary to continue to isolate it.

Israel should closely follow the international efforts to achieve a political settlement in Syria, and confirm that any settlement will not conflict with Israel's interests.

The Nuclear Issue

Once the nuclear agreement (Joint Comprehensive Plan of Action, or JCPOA) was announced, the US administration launched a campaign to persuade three main target audiences that it was the right move: Congress, the American public, and the Israeli public. In an interview with Thomas Friedman, the President sought to clarify his strategy to prevent Iran from obtaining nuclear weapons, based on seeking dialogue and diplomatic solutions from a position of strength

that also rests on military capabilities. According to this logic, only a diplomatic solution will prevent Iran from becoming a nuclear power, while all alternatives are less effective. The military option will damage the program, but will strengthen those elements in Iran calling for nuclear arms for self defense. On the other hand, keeping the sanctions policy in place will lead to covert progress in the nuclear program.

The American answer to Israel's objections to the JCPOA, as indicated by Obama's remarks to Friedman, is that the United States understands the Israeli arguments, and has offered an official guarantee to stand by Israel's side in any scenario of attack against it. As far as Obama is concerned, this commitment should provide enough security for Israel in order to take advantage of "this once-in-a-lifetime opportunity." From Israel's perspective, the close and intensive exchanges of information between the countries have thus far prevented damage to the bilateral relations.

One of the risks pertaining to how the United States and Israel deal with this issue involves the rivalry between the two American political parties. Israel has always acted to obtain bipartisan American support on all matters of critical importance. In the campaign against the nuclear agreement, however, there was a clear tendency to rely on the Republican majority in both houses of Congress. The dispute between Israel and the United States on the Iranian nuclear question has become a highly charged partisan issue in the political competition between the Republican-controlled Congress and the Democratic president, to a great extent against Israel's traditional drive to preserve bipartisan support.

The Crisis in Syria and the Islamic State

The US involvement in Syria consists primarily of an ongoing aerial bombardment against the Islamic State, involvement – in coordination with Russia – in a process of reaching a ceasefire and a political arrangement, and military aid to some of the rebel organizations. This policy is carried out in the framework of a regional coalition, and US avoidance of direct and extensive involvement in the fighting. The goal of the aerial campaign is to curb the spread of the Islamic State, prevent it from expanding the territory under its control, and reduce its assets.

Until now, Syria has not been a bone of contention between Israel and the United States, because both countries share the view of the rival forces operating in this theater, and because of Israel's policy of non-intervention in Syria. At the same time, an arrangement that recognizes the dominance

of the Shiite axis led by Iran in Syria is likely to give rise to additional disputes between Israel and the United States. Along with the calls by the Republican presidential candidates for more resolute action in Syria, mainly against the Islamic State, some parties in the Israeli government are criticizing President Obama's lack of determination in the war against the Islamic State.¹⁰ According to this argument, the United States should be more involved in the fighting against the Islamic State, even though this means inclusion of ground forces in the fighting.

Negotiations with the Palestinians

Over the years, the United States has proposed a number of initiatives to promote the political process between Israel and the Palestinians, based on the concept of two states for two peoples.¹¹

Most US administrations have opposed the Israeli government's policy on the settlements, which they regard as establishing facts on the ground and complicating implementation of the two-state reality.

Israeli evidence that it has not abandoned its desire for a settlement with the Palestinians based on two states for two peoples is important. One possible way to ensure this is through transitional arrangements or Israeli measures coordinated with the Palestinians that in small steps will lay the foundations for consolidating the two-state reality.

For its part, the Israeli government has criticized President Obama's renegeing on the promises made by former President Bush concerning the need to take into account the situation that has developed over the years in the territories, i.e., the settlement blocs, when determining the future border between Israel and a Palestinian state. Israel also opposes the American demand for a freeze on construction in Jerusalem and any additional freeze on construction in the settlements, following the 10-month freeze implemented in 2009 at the request of President Obama, which did not fulfill its declared aim and lead to a renewal of bilateral negotiations. Nevertheless, despite the disagreements, the United States has until now blocked any attempt at a resolution against Israel in the UN Security Council.

American skepticism concerning Netanyahu's support for the two-state solution has grown over the past year. This suspicion rose before the 2015 elections in Israel, when Netanyahu said that his Bar Ilan speech, in which he declared his willingness to accept a Palestinian state, was no longer relevant, owing to the security situation in the region. He later stated

publicly that if reelected as prime minister, a Palestinian state would not be established. Following his victory in the elections, Netanyahu attempted to modify what he said and claimed that he wanted a two-state solution that would be stable and sustainable, but that current circumstances made this difficult.¹² Netanyahu's statement while the polls were open about Arabs streaming to the ballot boxes heightened the tension and attracted much criticism, reflecting the US administration's dissatisfaction with the way the Israeli government upheld human rights and fulfilled democratic principles. This joins American concern over legislation sponsored by the Netanyahu government and right wing groups, which the American administration regards as inconsistent with liberal and democratic values.

Obama undertook to continue working with the Israeli government on all matters pertaining to military, security, and intelligence cooperation, but refused to say whether the United States would continue blocking unilateral Palestinian initiatives at the UN. During the interim period between the US presidential elections and the inauguration of a new administration (between November 2016 and January 2017), the US could refrain from vetoing Security Council resolutions laying the foundations for a Palestinian state and proclaiming that Israeli construction in the settlements is a violation of international law. Obama sees a direct connection between the issue of the settlements and regional stability, and believes that new construction fuels extremism and exacerbates instability in the Middle East.

The Result: A Crisis of Trust

To a great extent, the disputed points have poisoned personal relations between the two leaders over the past year, as was revealed more than once in the media. Underlying the tension between them is the sense of interference and even subversion on the part of each one in the internal affairs of the other country in order to undermine the standing of its leader. Experts on United States-Israel relations believe that:

Personal and emotional factors have taken control of United States-Israel relations, instead of values and interests. If the two countries do nothing to halt this harmful phenomenon, relations between them are liable to deteriorate. The United States is liable to abstain in UN votes on the establishment of a Palestinian state without negotiations, and to delay new military aid requests. Such measures can cause great damage to Israel's security and international standing.¹³

As President Obama sees it, Netanyahu has violated more than a few diplomatic rules guiding relations between the two countries, principally due to his controversial speech to Congress in March 2015.¹⁴ The Prime Minister's readiness to appeal to Congress, while ignoring clear signals to reject this move, aroused the ire of the President, his National Security Adviser, and the Secretary of State, who voiced astonishment and anger. According to a report on the American Gallup Poll website, support for the Prime Minister among Americans following his widely covered speech fell from 45 to 38 percent, while opposition to Netanyahu rose by 5 percent, from 24 to 29 percent. These changes are evident mainly among those identifying as Democrats, while the opinion of those identifying as Republicans remained unchanged.¹⁵ At the same time, at least in his public statements, the President carefully attempted to minimize the effect of Netanyahu's appeal to Congress on the bilateral relations, and stressed his willingness to increase security aid to Israel in a new memorandum of understanding (MOU).

A Joint Strategy

Against this background, the Netanyahu government should act now, in advance of the election of a new president, to formulate a joint strategy with the United States in face of the existing challenges in the Middle East. The joint strategy will be relevant for the new US administration because it is based on shared fundamental interests between the two countries, while identifying contested points and devising ways of reducing their negative effect. Extending political and security ties and making cooperation more effective on core issues can be achieved through full transparency between leaders, ongoing contacts, and avoidance of unpredicted measures that will take the other by surprise and thereby undermine it.

The proposed joint strategy rests on five anchors that address the leading disputed issues. Creating a consensus about them is likely to pave the way for a solution to other disputes, and to consolidate additional long term cooperation.

The First Anchor: The Essential US Role in the Middle East

Developments in the Middle East, including the conclusion of the negotiations between the United States and Iran, Russian military intervention in Syria, and the ceasefire understanding in Syria have underscored the leading role of the United States in settling conflicts in the region. Following the nuclear

agreement with Iran, it has also become more imperative than before for the United States to be attentive to its allies in the Middle East, who have expressed anxiety and frustration about the agreement and its ramifications. The goal must be to prevent the Sunni countries from arming themselves with nuclear weapons¹⁶ and overall, to avoid a nuclear arms race.

Jordan: Israel and the United States have a common interest in the survival and stability of the Hashemite kingdom, which is jeopardized by economic weakness, the Islamic State threat to its east and north, the burden of 1.5 million Syrian and Iraqi refugees, and other groups trying to undermine the kingdom's stability. The importance of Jordan's survival lies in its special role as an anchor of regional stability and a loyal ally of the United States and Israel, and as a key element for the establishment of a political settlement between Israel and the Palestinians.

Egypt. Solid relations between the United States and the el-Sisi regime, and an American commitment to preserve the peace treaty between Egypt and Israel are very valuable. One confidence building measure could consist of US-Israeli aid to the government in Egypt so as to establish effective rule, fight the Islamic State branch in Sinai, and halt the smuggling of weapons from Libya and Sudan into Egypt, and from there into Sinai and the Gaza Strip. These goals can be promoted through a joint US- European-Israeli effort, while helping Egypt seal its borders and devise tools for dealing with the Bedouin in Sinai, including the creation of jobs and alternative sources of income as substitutes for smuggling.

Against this background, the need to extend cooperation and strategic coordination between Israel and the US in dealing with the regional challenges has become clearer. Given the current events in the Middle East, along with the many risks, there are opportunities for cooperation between Israel and the Sunni Arab countries based on common interests (including blocking negative Iranian influence, fighting terrorism and jihad, and preventing smuggling). The United States is a key player that can help promote the opportunity for regional cooperation. One possible Israeli contribution to such cooperation is the sharing of security, technological, economic, and

Deepened special security ties and cooperation that is more effective can be achieved through an ongoing dialogue conducted with full transparency between the two leaderships, with avoidance of measures that will surprise and undermine the other side.

humanitarian-related knowledge with Sunni Arab countries in exchange for stable relations.

The Second Anchor: Policy on Iran and the Nuclear Issue

Regarding the JCPOA, Israel is dependent on the United States for implementation of a comprehensive and intrusive verification mechanism, including the development of joint intelligence capabilities and guarantees for enforcing the clauses of the agreement. In the event that provisions of the agreement are not fulfilled, the United States and Israel should devise a well-defined plan of operation and clear and coordinated measures in response to Iranian violations. Beyond the nuclear issue, an American demand that Iran halt its support for terrorism and subversive organizations throughout the Middle East is likely to be a US condition for normal relations and economic cooperation. Overall, it is necessary to devise a means of turning Iran from a destabilizing factor into a positive factor to the greatest possible extent, while reducing the potential clash between Tehran and Israel. The realization that ensured security will enable Israel to take decisions, including risks incurred in dealing with the Middle East challenges, should be kept in mind by the US administration.

For its part, Israel can undertake not to attack Iran as long as there is no violation of the terms of the JCPOA. Such a step can ease the tense relations between the countries, and prove to the United States that Israel is not acting from aggressive and arbitrary motives, and does not intend to sabotage forcibly President Obama's diplomatic accomplishment. Such a promise will not detract from Israel's national interest. Furthermore, if Iran does violate its commitments, Israel will have much greater legitimacy for action than it has now.

The Third Anchor: The Crisis in Syria and the Islamic State Challenge

Stopping the expansion of the Islamic State in Syria in particular and the region in general is an interest shared by the two countries. At the same time, Israel should ensure that this mission does not overly strengthen Iran and Hezbollah, which some in the Israeli leadership regard as the main threat to Israel.¹⁷ In a broader context, Israel should closely follow the international efforts to achieve a political settlement in Syria, and confirm that any settlement will not conflict with Israel's interests; this can be verified through dialogue with the United States. Israel must ensure that the United States takes its interests in southern Syria into account,

and provides assistance for the effort to maintain, together with Jordan, a sphere of influence that will strengthen the more moderate groups and prevent Shiite axis groups and Salafi jihad organizations from deploying in the Golan Heights.

The Fourth Anchor: Negotiations with the Palestinians

Past experience shows that Israel and the Palestinians have not managed to reach agreement on the core issues in a permanent status agreement. In addition, the confrontational conditions prevailing between Israel and the Palestinians – which have escalated with the stalled political process, continued settlement construction, recent disorders around the Temple Mount, seven months of knife stabbings and car-rammings, the regional upheavals, and the Islamic State, a source of inspiration for extremism – contribute to a profound sense of distrust between the parties and obstruct any prospect of a permanent agreement.

It appears that the United States has begun to lose hope of achieving an agreement, as indicated by Deputy National Security Adviser for Strategic Communication Ben Rhodes in a November 2015 statement, to the effect that the President did not foresee a renewal of negotiations between Israel and the Palestinians, and saw no chance of reaching a peace agreement by the end of his term in office in January 2017.¹⁸

Despite the growing difficulty, an Israeli guarantee showing that Israel has not abandoned its desire for a settlement with the Palestinians based on two states for two peoples is important. One possible way of ensuring this in the near future is through transitional arrangements or Israeli measures coordinated with the Palestinians that will gradually and in small steps lay the foundations for consolidating the two-state reality.

An Israel commitment to halting construction in the settlements outside the settlement blocs and Jerusalem is likely to calm the Americans by indicating that Israel has not abandoned the two-state solution. Israel can make its construction policy in the settlement blocs consistent with shaping a two-state situation by freezing construction in 92 percent of the area of the West Bank (which in all probability will be included in a future Palestinian state). This confidence building measure is likely to cause the United States to stop challenging the Israeli government by demanding a halt to construction in Jerusalem – something that runs counter to the consensus in Israel. Later, Israel can allow the Palestinians to build an economic infrastructure in Area C, amounting to 60 percent of the West

Bank, for the sake of improving the economic situation there, and to expand the Palestinian security apparatus leeway in exchange for stronger security coordination and better conditions for the Palestinian population in the West Bank.

The Fifth Anchor: Consolidation of the Security Agreements

Deepening the special security ties and making cooperation more effective can be achieved through an ongoing dialogue conducted with full transparency between the two leaderships, with avoidance of measures that will surprise and undermine the other side.

Revising the framework of understandings between the two sides is extremely important. Recently, with the consent of Prime Minister Netanyahu and President Obama, discussions have been held for broadening the memorandum of understanding (beyond the planned date in 2017) as a declarative and confidence building act for the future.¹⁹ The revised framework of understandings should be based on two foundations: defense and economics. In the security aspect, strategic coordination in bilateral security cooperation must be created, regional challenges marked, and a joint policy outlined to deal with them. The parties will then be able to formulate a proposal for an upgraded package of guarantees stressing long term US commitment to Israel's security. This type of aid could include joint development of weapon systems, increased advance stationing of American weaponry in Israel, and extension of the defense envelope against missiles and strengthening of its three layers – the lower layer through a deployment of forces and the Iron Dome system, the medium layer through the David's Sling system, and the upper layer through continued development of the Arrow missile system and cooperation in ballistic missiles defense (BMD). The agreement must provide a defensive solution in all theaters.

In the economic aspect, in the framework of the negotiations on the new memorandum of understanding, Israel asked the United States to increase its defense aid to \$4.5 billion a year.²⁰ At this stage, it is known that the US is ready to provide assistance of \$3.7 billion per year, including support for missile defense systems. It is recommended to reach an agreement with the current administration on the amount of aid, and not wait for the next United States president.

It is important to formulate agreements on how to preserve Israel's qualitative military edge, given the sales of advanced American weapons to Saudi Arabia and the Gulf states. In the long term, Iran's expected military

buildup following the agreement is liable to erode Israel's superiority. Furthermore, the upheavals in the Middle East act as a catalyst for a regional arms race, with various parties trying to upgrade their military capabilities. The result is an environment saturated with advanced weapons that can spread quickly from one theater to another and also fall into the hands of extremists, such as jihad organizations. This situation is liable to jeopardize the special regional status Israel has consolidated over the past decades.²¹

Conclusion

One of the essential elements of Israel's regional status as a military and economic power is its strategic relationship with the United States. Precisely the current period – one of regional upheaval, potential for negative consequences from the nuclear agreement with Iran, and Tehran's growing support for radical groups – increases the importance of strengthening relations between Israel and the United States and devising a joint strategy for the Middle East.

Preservation of the current state of affairs, not to mention a further deterioration in relations between the two countries, is liable to constitute a risk under three possible scenarios. The first is a delay in US military aid to Israel.²² The second is the possibility of the United States not using its veto power against one of the UN Security Council resolutions concerning Israel – which could lead to the passage of a resolution with grave consequences for Israel and its security. The third is the creation of new alliances and the strengthening of United States relations with other players in the region whose national interests do not converge with Israel's, such as Iran and Turkey. Israel has limited capabilities for dealing successfully with a range of challenges at once. It is therefore essential to achieve closer strategic understandings with the United States.

From the United States perspective, Israel is a valuable actor, given its regional uniqueness as a stabilizing element; its position in the forefront of the fight against Salafi-jihad radical extremism; its ability to provide immediate aid to the US allies in the area such as Jordan and Egypt; and the possibility that it could also play a positive role in mediation and communications between the United States and another important power of regional importance – Russia.

Basic interests rest on common conceptions of values, together with a shared aspiration to bring about regional stability in face of the difficult

current challenges. These interests should be kept in mind by the leaders of the two countries, whoever they may be.

Notes

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Russia's War in Syria

Eyal Zisser

Since Russian and Iranian forces arrived in Syria in September 2015, the civil war has taken an unexpected change of direction that is likely to affect its results. The war of destruction waged by the Moscow-Tehran-Damascus-Beirut (Hezbollah) axis against the Syrian rebels and their supporters achieved success. The militias of Bashar al-Assad and the soldiers of the Iranian Revolutionary Guard, with Russian air support, succeeded in halting the momentum of the rebellion that only a year ago threatened to topple the Syrian regime, and in stabilizing and ensuring the regime's existence – as well as regaining control of a series of strategic strongholds throughout the country.

At the same time, the Russian-Iranian intervention was not decisive on the battlefield, even though that was apparently Russia's principal goal. Despite the setbacks experienced by the rebels, the rebellion in Syria is far from over. In view of the mixed results of this intervention – success in stabilizing the standing of the Bashar al-Assad regime and the perception in the region and the world of Russia's achievement against its rivals, but at the same time its inability to end the rebellion – Moscow has found itself facing a dilemma: whether to intensify its involvement in the war in Syria, or to find a political exit that will save Russia from sinking into the Syrian quagmire.

The Russian response to this dilemma occurred in three stages. The first was an agreement for a temporary lull in the fighting, designed to enable Moscow to recalculate its moves. The second was a trial balloon in the form of a proposal to end the fighting on the basis of the status quo by making Syria a federal state that guaranteed rebel rule over several parts of the country, even as the continuation of Assad's rule in Damascus would

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be preserved as a kernel from which the Syrian state might someday be reborn. The third was the surprising announcement by Russian President Vladimir Putin of his forces' withdrawal from Syria, and his contention that the Russian intervention had achieved most of its objectives.

Russia's moves made it possible to set in motion a political process in Syria in cooperation with the United States, even though the prospects for reaching a comprehensive political arrangement remain slim, given the gaps in the positions of the two sides and the inability of each side to impose its plan on the other. Joining this is Russia's difficulty in reaching long term understandings with Washington beyond the tactical objectives of stabilizing the ceasefire in Syria and continuing the struggle against the Islamic State.

The Advent of the Miracle

Just a year ago, it appeared that the scales had tipped in favor of the rebels in the war raging in Syria, and the rebels' battlefield achievements cast doubt on Bashar al-Assad's ability to ensure his regime's survival. This changing tide in the Syrian war was the result of the ongoing depletion of the ranks of the Syrian regime and the exhaustion of the manpower at its disposal. Marked by fatigue and low morale, Bashar's army was in growing need of his Alawite community, who remained willing to fight and even die for him, as well as the Hezbollah fighters who were sent to his aid from neighboring Lebanon. The rebels, on the other hand, proved motivated, determined, and capable of perseverance. They succeeded in unifying their ranks, and thus in contrast to the hundreds of groups that had been operating throughout the country fighting against the regime but sometimes also against each other, there were now, in a quasi-Darwinian process, only a few groups operating – all, incidentally, of a radical Islamic character – and which demonstrated unity and tended to cooperate with each other.¹

In the early months of 2015, the rebels gained control of most of northwestern Syria, above all, the Idlib district. These achievements provided them with a safe region along the Turkish border, which enabled them to increase the pressure on Aleppo. It also gave them a springboard for an offensive toward the Syrian coast, the stronghold of the Alawite community. Meantime, the Islamic State stepped up its pressure, and in May 2015 its forces conquered the city of Palmyra, which constitutes the gateway into central Syria from the desert toward Homs. The Islamic State

also succeeded in advancing in May-June 2015 to the outskirts of Damascus and the eastern foothills of Jabal al-Druze (Druze Mountain). At the same time, the rebels suffered several setbacks, led by the failure of the Southern Storm offensive (*ʿAsifat al-Janub*) launched in June 2015 in southern Syria with the aim of taking control of the city of Daraa and its environs.²

At the bottom line, it appeared that only a miracle could save Bashar al-Assad from an unavoidable fate, given the emerging trend on the battlefield in Syria. However, in the Middle East, miracles are to be taken into account in expert assessments and forecasts. Indeed, such a miracle visited Assad in September 2015, when Russia, followed by Iran, decided to send warplanes (Russia) and soldiers (of the Iran Revolutionary Guard and groups of Shiite volunteers from Afghanistan and Iraq) to fight on the side of Assad and his troops.³

The Russians and Iranians Are Coming

The Russian strategy in effect sought to copy the model from the wars in Chechnya in the 1990s, namely, a military effort to suppress the rebellion by systematic and deliberate destruction of large areas in the country, while removing or expelling the civilian population living there, which was seen as supporting the rebels. These areas were designated for capture by the regime's forces, led by Iranian or Hezbollah forces in the vanguard. It appears that the Russians made great efforts to reorganize the Syrian army and rebuild its operational capabilities and the command and control capabilities of its officers, and to improve the way the fighting was commanded from the Damascus headquarters. Reports from Syria also mentioned the Russians' involvement in the attempt to promote reconciliation agreements with the civilian population in several areas in Syria, in accordance with Russia's new status as the ruler in the country dictating not only the battlefield scene, but also what would take place in Syria after the fighting ends.⁴

It seems that the balance sheet for Russian intervention in Syria is mixed, as the Russians were unable to defeat the rebels on any of the fighting fronts.

The Russian strategy gradually achieved results. It strengthened Bashar's regime, halted the rebels' momentum, and enabled the Syrian army, reinforced with Iranian soldiers and Hezbollah fighters, to expand the territory under its control. Thus, the Syrian army conquered the rural areas around Aleppo in early 2016, and surrounded it from all sides. In the

northern district of Latakia, the Syrian army drove the rebels out of most of the strongholds they had seized and from which they had threatened to attack the Syrian coast. In central Syria, the regime in early 2016 successfully repelled the rebels from the approaches to Homs, and its soldiers reached Palmyra in March. In the Damascus area, the regime tightened the siege, causing starvation among the civilian population in the rural areas east of the city. Finally, the Syrian army consolidated its grip on the Damascus-Daraa road in February 2016, after conquering the towns of al-Shaykh Maskin and 'Uthman. The regime also took steps to achieve reconciliation agreements, which prompted groups of rebels in various areas of Syria to change sides, after concluding that they were unable to defeat and overthrow the regime. This is not a widespread trend, but it is nevertheless significant for Syria's future.⁵

One of the Russians' important achievements was the killing on December 25, 2015 of Zahran Alloush, the charismatic commander of the Army of Islam (Jaysh al-Islam), one of the best organized and strongest groups in the rebel camp. He was killed, together with several other commanders in the organization, in an airstrike on the group's headquarters in the rural area east of Damascus.⁶ Alloush was regarded as the most senior of the commanders of the moderate Salafi rebel groups that belong to neither Jabhat al-Nusra nor the Islamic State.⁷

Russia is still a significant actor in Syria, but support by Iran, which sends (even if unenthusiastically and in limited numbers) Iranian and Shiite fighters to fight Bashar al-Assad's war, remains more essential than ever.

The Balance Sheet for Russian Intervention in Syria

Despite all these achievements, however, it seems that the balance sheet for Russian intervention in

Syria is mixed, as the Russians were unable to defeat the rebels on any of the fighting fronts. Weakened and exhausted as they were, the rebels continued fighting with determination against the Syrian regime and its allies.⁸ Furthermore, Israel Minister of Defense Moshe Ya'alon disclosed in his December 2015 lecture at the Saban Forum in Washington that Russia originally thought the intervention would win the war on the battlefield within a few months and stabilize and consolidate the position of the Syrian regime in the western part of Syria, while reconquering the territories lost to the rebels in the north of the country around the cities of Aleppo and Idlib, and in the south in the Daraa area.⁹ In the following stage, the Russians

sought, as revealed by Assad himself in a series of media interviews, to reoccupy areas held by the Islamic State in the east of the country.¹⁰ These objectives, however, are far from achieved. In the end, aerial bombardment, however powerful, cannot replace fighting by ground forces, in other words the operational fitness of the Syrian army, which found its task difficult, despite Russian air support and reinforcement by several thousand Iranian soldiers, Shiite volunteers, and Hezbollah fighters.

Moreover, while limited achievements were nevertheless obtained, the inability to achieve victory, and the fact that the Russian intervention in Syria was part of the “Great Game” conducted by the Russians against the West in other parts of the world – a game in which military and political moves are intertwined with each other – aroused in the Russians an interest, and even a need for, a lull, for the purpose of leveraging their achievements in the campaign in the global theater and among Russian public opinion. Despite the rising tension between them, Washington and Moscow remained committed to end the war in Syria, because it was clear to both superpowers that despite their differences of opinion about Syria’s future, they could best serve their immediate interests – the American interest in the struggle against the Islamic State and the Russian interest in ensuring its status in Syria – through a political solution, rather than by prolonged warfare that could drag them into bloody intervention in that country.

In October-November 2015, representatives of the International Syria Support Group (ISSG), headed by the United States and Russia, formulated a roadmap for ending the fighting in Syria, and a peace conference to promote it was scheduled to open in Vienna in January 2016.¹¹ In December 2015, Saudi Arabia convened over 100 representatives of the rebels in Riyadh, who accepted the roadmap proposed by the international community, and also set up a supreme authority for negotiations with the Syrian regime.¹² The peace conference scheduled to convene in Vienna in January 2016 did not take place, due to gaps between the positions of the Syrian regime and the rebels. Nevertheless, the Americans and Russians unexpectedly succeeded in formulating a ceasefire in February 2016 and, more importantly, in imposing

It became clear to Jerusalem that the comfortable situation of a free-for-all in Syria was likely to end sooner than expected. Israel remains, however, primarily a spectator on the sidelines with limited ability to shape, or even influence, the situation in Syria.

on their Syrian clients an achievement that would have been unimaginable just a few weeks earlier.¹³

It therefore appears that in view of their dilemma in Syria, the Russians have chosen a three-stage policy, beginning with the achievement of a ceasefire, followed by willingness to consider the possibility of an arrangement in Syria, based on a partition of the country, even if only temporary, between the regime and its opponents along the current ceasefire lines. This partition leaves Assad in control of the core of Syria – the strip of territory stretching north from Damascus to Aleppo and the Alawite coast and south to the city of Daraa. In this framework, in early March 2016, Russian President Putin himself raised the possibility of turning Syria into a federal state,¹⁴ meaning its division into sub-entities: a mostly Alawite-based state ruled by Assad in the west of the country – a kind of “Alawistan”; enclaves of moderate rebels linked to the United States, perhaps in a display of pragmatism connected to Jabhat al-Nusra; and a Kurdish autonomous zone in the north of the country, the first steps towards which were announced by the Kurds themselves in mid-March 2016.¹⁵

Finally, in the concluding third stage, Putin unexpectedly announced on March 14, 2016 the withdrawal of Russian forces from Syria, after, he claimed, they had completed their mission in Syria.¹⁶ The Russian action was greeted with both surprise and suspicion; it was reportedly not coordinated with Iran, and not even with Russia’s ally in Damascus, Bashar al-Assad. The Russians began withdrawing some of their forces from the country, but emphasized that they would continue to maintain an aerial presence at the base in Humaymim and a naval presence at the base in Tartus, both on the Syrian coast. They also emphasized that this presence would enable them to continue fighting terrorism if necessary. In other words, the action was rhetorical, although at the same time had practical implications for the scope of the Russian presence in Syria and for Moscow’s readiness to make strenuous efforts in the war in that country.¹⁷

Russia is still a significant actor in Syria, but support by Iran, which sends (even if unenthusiastically and in limited numbers) Iranian and Shiite fighters to fight Bashar al-Assad’s war, remains more essential than ever. This twisted and calculated alliance of interests will last as long as the fighting continues in Syria. It certainly cannot conceal, however, the differences of opinion between Tehran and Moscow concerning the day after the war ends: whether Syria will remain a satellite under Iranian or Russian protection. These differences have the potential to develop into

a real crisis likely to pose a difficult dilemma for the Syrian regime forced to choose between Tehran and Moscow. In contrast to Iran, the Russians have signaled no personal commitment to Assad, even if it appears that they believe that his removal without finding a replacement from within the Syrian military security establishment or from the Alawite community is liable to cause the already weakened Syrian system to collapse.¹⁸

The developments in Syria sparked a lively debate in Israel regarding its policy toward the war in Syria. It became clear to Jerusalem that the comfortable situation of a free-for-all in Syria was likely to end sooner than expected, whether in a victory of the regime, which would strengthen Iran and Hezbollah, or alternatively, an arrangement along the current lines, which would mean the presence of elements hostile to Israel in the field, whether radical Islamic groups or Hezbollah personnel and Iranian soldiers, each with enhanced status under the emerging arrangement. Israel remains, however, primarily a spectator on the sidelines with limited ability to shape, or even influence, the situation in Syria.

Conclusion

The Russian-Iranian intervention in Syria that began in 2015 halted the momentum of the rebels, who only a few months earlier were knocking at the gates of Damascus. This intervention enabled the Syrian regime to strengthen its grip on the “Little Syria” remaining under its control – a strip of territory stretching north from Damascus to Aleppo and the Alawite coast, the regime’s stronghold, and south to the southern border city of Daraa. And while this intervention did not cause the rebels’ defeat or eliminate the rebellion, it did make Russia an active and significant player in the Syrian theater, and enabled Russia to bring about a halt, however temporary, in the civil war.

The Russians may once have believed in their ability to win the war, restore Assad’s control of all of western Syria, and from there turn eastward in an attempt to retake from the Islamic State the Syrian territories it captured a year ago. It appears, however, that they have concluded that the situation in Syria remains hopeless, that Assad lacks the power to reunite the pieces of the smashed Syrian jigsaw puzzle, and that the formation of “Little Syria” (a kind of “Alawistan”) in the areas controlled by Assad should be considered as a Russian base and as a kernel from which the Syrian state might someday be reborn.¹⁹ This is clearly a very optimistic scenario for Assad and his allies, and it is far from realization. But Assad, who not long

ago was widely eulogized, has proven to be the greatest survivor of them all, and Russia's intervention has given him backing and momentum that have enabled him to rise like a phoenix and spread his wings.

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China Has Laid Anchor in Israel's Ports

Oded Eran

Chinese Maritime Strategy in the Indian Ocean and the Mediterranean

Much has been written about Chinese maritime strategy, though it is not yet clear to what extent this literature can shed light on the driving forces behind China's current activities in the Mediterranean. While it is easier to interpret China's military naval philosophy off the coast of China and the adjacent seas, it is far from clear whether the same patterns can be automatically applied to the activity in the Mediterranean. The need to protect the long shore of mainland China, conflicting sovereignty claims with neighbors over islands, and a desire to gain control over natural resources explain China's behavior in East and Southeast Asia. Yet while these elements are irrelevant in the Mediterranean, this region has witnessed an accelerated Chinese maritime strategy in recent years, primarily of a civilian nature though with sporadic incidents of military activity.

China's leaders have long envisioned the establishment of state owned tools that enable it to implement a strategy of positioning along sea routes far away from the mainland. China Ocean Shipping Company (COSCO Group Ltd), for example, was founded in 1961¹ and today is among the top three in the world in container carrying capacity. Beyond that capacity, it owns and operates 46 container terminals.² China Harbour Engineering Company Ltd (CHEC) was formed in 2008, but the parent company, China Communications Construction, dates back to 1980.³ The Chinese government highlighted its interest in promoting the development of marine economy in its twelfth Five Year Plan (2011-2015), referring, inter alia, to port and coastal resources and optimizing port layout.⁴ Like the situation in other key economic sectors, Chinese state organs control the leading shipping companies.

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This is the background to the concerns raised in Israel since Chinese shipping and port construction companies entered operations along the coast of the Indian Ocean. The container terminal in Colombo, Sri Lanka is a case in point. In the eyes of many Indians, Chinese involvement in port renewal is part of a strategic plan to create a “string of Chinese pearls,”⁵ a chain of strategically located ports under Chinese control to serve long term purposes. According to this view, the chain could threaten India’s security.⁶ Under Indian pressure, therefore, the new government in Colombo suspended the deal and the work on the port, begun by the China Communications Construction Company in September 2014 when China’s President Xi Jinping visited Sri Lanka.⁷ However, in the absence of alternative investment, the government of Sri Lanka will probably renew the deal.⁸ Two other Chinese companies are involved in building the Hambantota port in another part of the island, and as of April 2014, a different Chinese company, China Merchant Holdings International, runs Colombo South port. Chinese submarines were able to use deep waters to dock there in 2014, causing concern in New Delhi.⁹

In India’s view, China’s role in the port of Gwadar, Pakistan, is more threatening because it may emerge as the most significant pearl on the string. On November 12, 2015, Pakistan granted the China Overseas Port Holdings Company Ltd a 43-year lease of 200 acres in Gwadar, where, among nine different projects, the company is expected to run a newly built port and airport. This is a major link in the ambitious 3000-kilometer China-Pakistan Economic Corridor, which will link Kashgar in western China to Gwadar on the Arabian Sea, creating a corridor of roads, railroads, communications systems, and power plants, at a cost to China of \$46 billion.¹⁰ The project has aroused concern in Washington and New Delhi, but the government of Pakistan has decided to move forward and start the implementation phase.¹¹ With strong Chinese support for Pakistan’s nuclear development, its supply of ballistic missiles, assistance in building the Shaheen 1 missile, and supply of JF-17 and J-10 jets and other weapons add to troublesome relations from New Delhi’s perspective. To be sure, there is a positive side of the Indian strategic balance and there are areas of mutual interest between the two states, such as hopes for a stable Pakistan, fewer initiated and exported terror activities, prevention of unrest among the domestic Muslim communities, and protection of the vital energy supply lines from the Arabian peninsula. Furthermore, there is bilateral trade and – a major asset to Beijing – the export of more than \$40 billion

worth of goods to India. These are of course important issues, but they do not eclipse the concerns in New Delhi.¹²

Is the Chinese *modus operandi* in the Indian Ocean, its underlying logic, and the concerns it raises relevant to the Mediterranean region? In 2014, Chinese exports to the world totaled \$2.35 trillion, of which almost 20 percent reached Europe and 80 percent were transported by sea.¹³ These staggering figures are sufficient reason for China to seek a presence along the sea routes from its ports to the major European ports and ascertain that transportation is safe, efficient, and cheap.¹⁴

The best example is Chinese involvement in the Greek port of Piraeus. On January 20, 2016, the Hellenic Republic Asset Development Fund announced approval of the offer by COSCO Group Ltd to acquire 67 percent of the shares of the Piraeus Port Authority in a deal valued by the Fund at 1.5 billion euros (the price of the shares bought, investments, and revenues in the future). The new COSCO-Piraeus Port Authority agreement, which will expire in 2052,¹⁵ culminated years of involvement in the port by COSCO Pacific, a subsidiary of COSCO Group. It began with an agreement on November 25, 2008 signed in the presence of Chinese President Hu Jintao and Greek Prime Minister Kostas Karamanlis. The major purpose was to develop Pier III of the Piraeus port for a capacity of the new container vessels generation carrying 18,000 TEU and increasing the capacity first from 1.05 to 3.7 and then to 6.2 million TUC annually.¹⁶ The new agreement gives COSCO Group full control of the three container piers and almost full control of all Greek container activity. China's Prime Minister Li Keqiang visited Greece in June 2014 and said,

The port of Piraeus can become China's gateway to Europe. It is the pearl of the Mediterranean. China and Europe are large trading partners. Now 80% of Chinese imports and exports to and from Europe are transported through sea lanes. And now this route through Piraeus via the Suez canal has reduced this journey between seven and 11 days, and it will reduce the cost of transport for business.¹⁷

While Piraeus is the most significant flagship of the Chinese maritime investments in the Mediterranean, there are at least four more in the eastern part of this basin. In the Suez Canal Container Terminal in Port Said, Egypt, the biggest trans-shipment terminal in this part of the Mediterranean, COSCO Pacific owns 20 percent of the port's shares, and another Chinese shipping giant, Hutchinson Port Holding, is involved in operating Alexandria's two

ports. In February 2016, COSCO, China Investment Corporation, and China Merchants Group brought 65 percent of the ownership of Kumport Terminal, part of the Istanbul Ambarli Port on the Marmara Sea.¹⁸ Two more new Chinese port activities, in Ashdod and Haifa – both in Israel – will be discussed below.

To complement implementation of the strategy, China proposed railway projects to East and Central European countries. Such projects add up to an infrastructure that links Serbia, Croatia, Hungary, Bulgaria, Romania, and Macedonia. Using soft loans provided by big Chinese banks, China finds these countries ready to enter mega-contracts with the hope of keeping their economies afloat.¹⁹

Greece's economic plight, and the pressure imposed by its creditors to accelerate the process of privatization, put the Greek government under pressure to sell state owned assets. Greek governments have therefore appreciated Chinese interest in ports and other infrastructure projects, with the only opposition expressed by labor unions. Very little debate ensued about geo-economic or geo-strategic aspects, and overall, Chinese investments in Europe have generated scattered and very little debate about these issues. Most of the public debate is centered on the financial aspects of the Chinese procurement spree expressed in a rapid rise of Chinese foreign direct investment (FDI) in Europe.²⁰ Greece, like most other European countries, is a member of NATO, which could find itself in an awkward situation if China-US tensions in East Asia rise.

Currently the pattern of Chinese activity can be defined entirely as economic. To be sure, Chinese naval units visited the Mediterranean a few times. In 2011, they rescued 30,000 Chinese workers stranded in Libya. In 2014, a Chinese frigate assisted in the removal of chemical weapons from Syria, and in May 2015, two Chinese frigates participated in a joint exercise with Russian boats.²¹ This is not sufficient evidence, however, to indicate a strategic determination by China to maintain a solid and permanent military presence in the East Mediterranean. At the same time, Greece, like other European countries, could face serious dilemmas if China made a strategic decision to increase its military presence in the Mediterranean as part of its global strategy and rivalry with the US.²² And yet, it seems that no serious discussion took place between NATO members, the US, and Greece (or in Greece itself) about the possible strategic implications of granting the Piraeus port concessions to a Chinese shipping giant under government control.²³

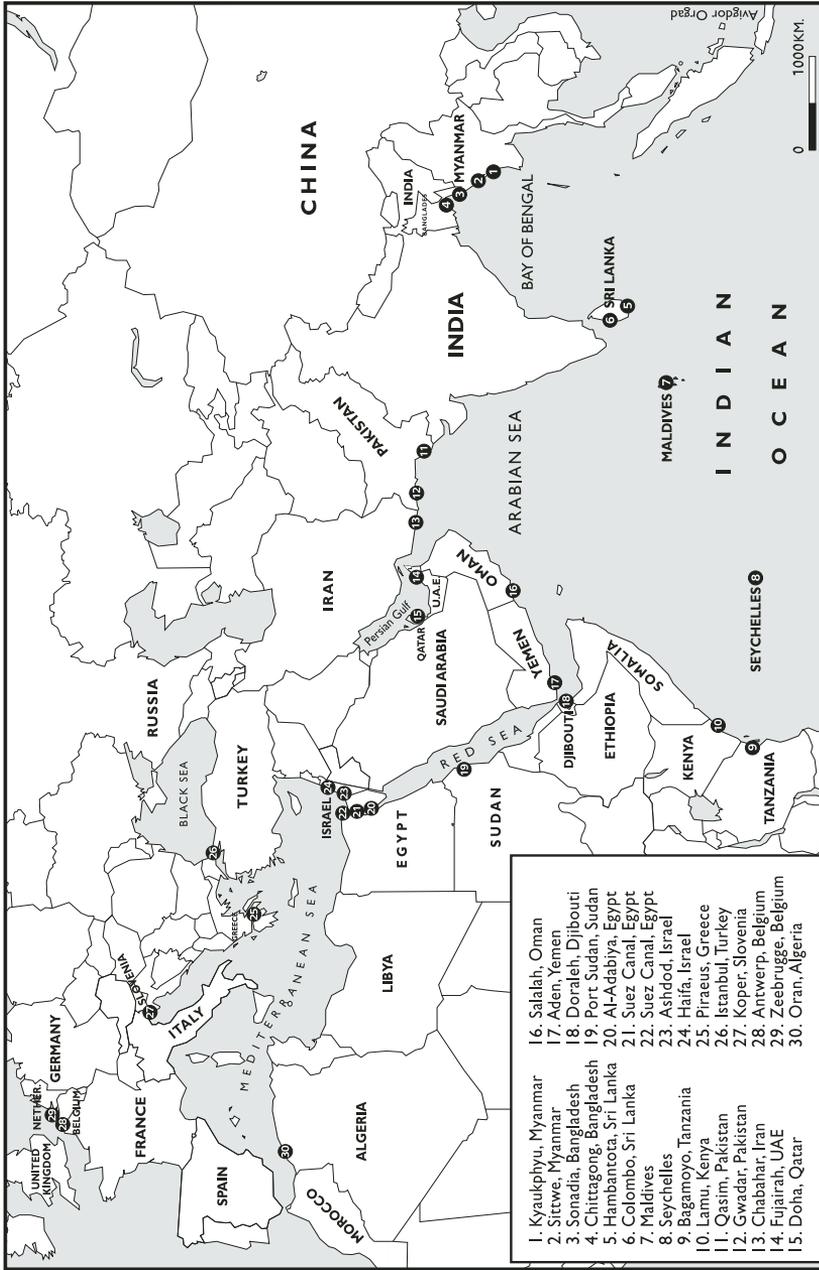


Figure 1. China's "String of Pearls," from the Indian Ocean to the Mediterranean

There could of course be two different Chinese models, one applied in the Pacific, South China Sea, and Indian Ocean, and one in the Mediterranean Sea. While the former model reflects the strategic-military aspects and plans, the model in the Mediterranean is, for the time being, purely an economic venture aimed at increasing China's competitive edge against other maritime companies in the context of Chinese trade with Europe.

The Israeli Case

The Israeli government began the process of privatizing its three commercial ports in Ashdod, Eliat, and Haifa in 2004, and replaced the Port Authority by four government companies. The companies aimed at a separation between the ports' operations, their management, and future development, and the day-to-day activities. The government chose the landlord model, whereby a public entity provides the infrastructure and is responsible for its development, while private companies provide the services of transporting cargos using their installations and equipment.²⁴

In mid-2014, China Harbour Engineering Co. Ltd, the second largest dredging company in the world, won the contract for building two new port/container terminals in Haifa and Ashdod. According to rules set up in advance, the company had to choose one, and it decided to build the new port in Ashdod.²⁵ The costs of the project will be close to \$1 billion and will take 6-8 years to complete. The agreement with the Chinese company was signed on September 23, 2014. On May 28, 2015, the Israel Ports Development and Assets Company signed two contracts for the operation of the Ashdod and Haifa ports. The Chinese Shanghai International Port Group won the concession for operating the Haifa port for 25 years. Chinese companies have thus gained a foothold in two out of the three of Israel's most important gateways to the West, where two navy bases are located.

What presents as neutral economic activity by companies is frequently painted as hostile when carried out by China. Yet it is not clear whether Israel's relevant departments and government agencies were consulted at any stage of the process, and based on public knowledge, it seems that the Israeli decision making process was not more focused on strategic considerations and implications than in countries in which large Chinese companies targeted their efforts in order to gain a foothold. There has certainly not been much public debate in Israel over this issue, unlike, for example, the discussion related to the procurement of the dairy company

Tnuva by a Chinese company or the aborted attempt to buy a large Israeli insurance company.

Those who have expressed concerns²⁶ claim that a debate is necessary because the government of China is behind the various companies and their subsidiaries. This point is important, as China is heavily invested in Arab countries and in Iran, and also because China is a major supplier of sophisticated weapons to Iran. According to those concerned, China sees Israel as part of a string of pearls and the Israeli government ought to consider whether it wishes to be one of these pearls. In other words, are the economic gains outweighed by strategic risks and matched by political gains expressed in a more balanced Chinese political view of the Israeli-Palestinian conflict – assuming the government of Israel decides to pursue such linkage. Chinese-made weapons are indeed supplied to Iran, and some find their way to Hezbollah in Lebanon. China greatly depends on oil imported from Arab producers and Iran. China's official position on Iran and the Arab-Israeli conflict resembles that of the Arab League initiative of 2003.²⁷ Yet there is no Israeli government directive to link these Chinese activities to the granting of economic concessions to Chinese firms.

More generally, the entry of foreign companies into the infrastructure field in Israel points to the need for a process that will look into Israel's security and foreign relations aspects, and not just the financial or legal ones. This is the case especially with dual use hardware and software. Israel recently started a process that will look into the potential problems in exporting know-how and products in this field similar to the process that was established regarding the exports of weapons. The involvement of any foreign – not only Chinese – entities, in construction and development, certainly of state owned strategic assets and even in privately owned ones, ought to go through a test that establishes that no damage is sustained by national security interests when granting concessions to foreign entities. This test ought also to include the question of whether there is a risk created by granting several concessions to companies established in one country, and especially if these concessions are concentrated in key sectors.

Such a test might have nonetheless cleared the two Chinese projects in Israeli ports. China is indeed an aggressive economic power. It has launched two major economic projects, One Belt One Road and Asian Investment and Infrastructure Bank, which, if implemented, will increase China's dominant role in world economics and world politics. Israel was invited by China to participate in these huge undertakings, notwithstanding the participation

of Muslim countries in Asia, which otherwise do not recognize Israel and refuse to cooperate with it. Israel is not alone in dealing with the dilemma of how to reconcile between present needs for FDIs and the Chinese search for opportunities in this field. There is also the need to avoid the possibility that China's acquisitions of ports, railways, and power plants are parts of an imperialistic grand design. Since other countries have faced similar dilemmas it will be useful to share ideas over the ways of solving them.

Even if the Chinese maritime activity in the Mediterranean, and especially in Israel, is devoid of any long term strategic purposes, it is still necessary to prevent a situation in which China accumulates assets in strategic economic assets and infrastructure, which could reduce Israel's strategic decision making space. This issue should be taken into consideration when deciding on the firm to construct the railway link between the ports of Ashdod and Eilat. A related question is whether, in the distant future, Chinese involvement in the two major ports in Israel could somehow be in conflict with a US and NATO naval presence even if this presence is of limited frequency and volume.

What all of this means is that in the future there will have to be a greater attention given to the implications of Chinese firms strongly linked to the government, and ensured preservation of the Israeli government's freedom in strategic security decision making. At the same time, rejecting Chinese bids in infrastructure projects and even those with security sensitivities simply because they are submitted by Chinese entities would be a mistake. A process in which national security issues are examined by all state relevant organs and is equally applied to all bidders is the fair and proper approach.

Notes

The author would like to thank Uri Pearl for his help with the data for the map.

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- 2 See Drewry Maritime Research forecasts 2015 at www.drewry.co.uk. In late 2015 the Chinese government decided to merge COSCO and the China Shipping Group.
- 3 "FACTBOX – The World's Biggest Dredging Companies," *Reuters*, March 29, 2010.
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- 5 "China Builds Up Strategic Sea Lanes," *Washington Times*, January 17, 2005. The term was first used by in 2004 in a paper by the Booz-Allen-Hamilton firm submitted to the US Department of Defense.
- 6 "The New Masters and Commanders," *The Economist*, August 26, 2013.

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- 12 Daniel S. Markey, "What is the Impact of Growing Pakistan-China Relations on the United States and India?" Council on Foreign Relations, October 15, 2013.
- 13 *National Bureau of Statistics of China*, 2014 Statistical Yearbook, II-6.
- 14 On how to measure these costs, see for example, www.freight-calculator.com.
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- 17 "Chinese PM Says Greek Port 'Pearl of the Mediterranean,'" *Financial Times*, June 23, 2014.
- 18 The agreement was signed in the presence of Presidents Erdogan and Xi Jinoing. See Office of the Prime Minister of the Republic of Turkey, Directorate General of Press and Information (no date).
- 19 For detailed discussion see Dragan Pavlicevic, "China's Railway Diplomacy in the Balkans," *China Brief* 14, no. 20, October 23, 2014.
- 20 "Chinese Investment into Europe Hits Record High in 2014." According to Baker & McKenzie "FDI transactions worth \$18bn in past year, \$55bn since 2009." See *Firm News, Insight*, February 11, 2015, <http://goo.gl/39YY4s>.
- 21 "Russian-Chinese Naval Exercise in Mediterranean Ends," Tass-Russian News Agency, May 21, 2015, <http://tass.ru/en/russia/796096>.
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- 24 A report by Israel's State Comprtoller 59b, pp. 1095-1122, www.mevaker.gov.il, and Israel government Resolution 4002, 24.8.2008, www.pmo.gov.il.
- 25 Formally, Pan Mediterranean Engineering Co., registered in Israel, won.
- 26 See interview with Efram Halevy, former director of the Mossad and former head of the National Security Council, in *Calcalist*, March 3, 2015.
- 27 "China's Arab Policy Paper," January 2016, www.China.org.cn.

Peace with Israel in Egyptian Textbooks: What Changed between the Mubarak and el-Sisi Eras?

Ofir Winter

A change in the content of textbooks is a sensitive move that can bring to the surface internal disagreements about competing historical narratives and divergent perspectives on the society's identity, goals, and values. Yet reports that appeared in the Israeli media in February 2016, whereby the Egyptian government made changes in a new textbook on how peace with Israel was portrayed, did not cause much of a ripple in Egypt.¹ Major Egyptian newspapers ignored the report, and administration officials avoided mentioning it. In comparison, similar reports that were published roughly a year previously about changes in Israel's status in Jordanian textbooks ignited a stormy public debate that included criticism and denials.² The reason for what seems to be lack of public interest in Egypt regarding the development is probably twofold. First, given the sensitivity of the topic, the Egyptian regime presumably preferred that the news maintain a low profile. Second, the changes in how peace with Israel is portrayed in the new textbook, as compared with textbooks from the Mubarak era, were limited mainly to fine nuances, even if some of them were of substantive importance.

The new textbook, entitled *The Geography of the Arab World and the History of Modern Egypt* and printed by the Egyptian Education Ministry, is intended for ninth grade pupils in the second semester of the 2015-2016 school year. A close look at the lessons about the wars and peace with Israel shows that overall the book remains faithful to the content that Egyptian pupils studied during Mubarak's time: the Mandate-era Land of Israel is originally Arab Palestine; the Zionist movement is a colonialist enterprise;

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Israel is an aggressive entity with expansionist aspirations that threaten the Arab states; the Arab wars against Israel were an act of self-defense and an effort to defend the Palestinians; the victory in October 1973 paved the way for peace with Israel; and the peace is a result of pragmatic-utilitarian considerations, not of historic or moral recognition of the Jews' right to the land.

Alongside these fundamental concepts, however, the book includes several adaptations and new emphases, in both its content and its form, that are tailored to the new Egyptian order under el-Sisi. It presents peace with Israel in the current era as a strategic asset whose preservation is a basic condition for Egypt's economic revival; it illustrates the lesser centrality of the Palestinian problem in Egyptian public discourse; and it shines a more positive light than in the past upon Israel's role as a legitimate peace partner, even to the point of mentioning friendly relations. These developments are of great interest, though they are still far from heralding a comprehensive educational revolution.

Historical Background: Peace with Israel in Egyptian Textbooks

Throughout the years of hostilities with Israel, Egypt's educational system served as an important agent in constructing "the culture of conflict" – in other words, the array of opinions, beliefs, and feelings that delineated the goals and meaning of the conflict to Egypt's young generation, justified the sacrifices and victims incurred by the conflict, and defined the desired solution and the ways to achieve it.³ At the same time, the textbooks played a major role in inculcating the political worldviews and historical narratives that matched the traditional perception of Israel as a hostile, racist, and colonialist entity that schemed to expand "from the Euphrates to the Nile."⁴ Following the peace agreement, Israel hoped that the transition from conflict to peace would lead to a parallel cultural-educational change in negative stereotypes regarding the Israeli side and their transformation into a positive, or at least a more balanced, orientation.⁵ A gradual process of reconciliation between the nations could have taken the form of structuring new narratives that matched the reality of peace, and through textbooks, imparting values and positions in that spirit to the young generation.⁶

In reality, although the transformations that were evident in the way that Egyptian textbooks portrayed the Arab-Israeli conflict after the signing of the peace treaty were significant, they were still far from offering a full transition from "the culture of conflict" to "the culture of peace." The

textbooks conveyed the message that peace with Israel was justified from a utilitarian standpoint, even if it was not free of flaws and difficulties. According to the textbooks, among the political and economic advantages that peace provided to Egypt and the Arab states were the return of the Sinai Peninsula to Egyptian sovereignty; savings in life and treasure; the investment of foreign capital; encouragement of tourism; the creation of a precedent for Israel's withdrawal from the remaining occupied Arab territory; and a halt to Israel's expansionist tendencies at the expense of the Arab states. Israel's agreements with the Palestinians and with Jordan and the talks on the Syrian and Lebanese tracks in the 1990s were portrayed as a "stamp of approval" for the peace between Egypt and Israel and as evidence that Egypt had acted properly. Egypt's long term efforts under Mubarak's leadership to advance Arab-Israeli peace agreements were cited as proof of Egypt's commitment to its Arab brethren and particularly to the Palestinians, who belatedly acknowledged the superiority of the political path over the military one.⁷

Beyond the direct context of peace with Israel, the changes that were made in Egyptian textbooks starting in the early 1980s began to show a decline in pan-Arab nationalism and a rise in a particular Egyptian identity. The focus on Egyptian identity matched the regime's desire to gain acceptance for its peace policy, which veered sharply from the Arab consensus, and favored promoting Egypt's own interests. A study that measured the attitude toward Egyptian national identity in the school curriculum after the peace treaty with Israel found that 54 percent of the content was devoted to Egypt's pharaonic identity, 30 percent was devoted to national Egyptian identity, and only 16 percent was devoted to its Arab identity. Fifth grade pupils were asked to memorize the sentence: "I am an Egyptian, you are an Egyptian, we are all Egyptians," while the learning of lines that were supposed to strengthen "national and warlike consciousness" was abolished in 1980-1981. A ninth grade textbook entitled *The History of the Arab Homeland in the Modern Era* was replaced with one entitled *The Modern History of Egypt*, and a textbook entitled *Arab Nationalism* was replaced by *The Arab Republic of Egypt in the Modern Era*.⁸

At the same time, education for peace and tolerance in Egypt's textbooks was often kept separate from peace with Israel, out of a preference for preaching "peace" as an abstract concept cut off from any direct and explicit association with the controversial Israeli peace partner. An official document written by the Egyptian Education Ministry in the 1980s defined the teaching

of the value of “building peace and human solidarity” among pupils as an educational goal.⁹ This message was conveyed in Egyptian textbooks such as *The Egyptian State*, a book for eleventh graders in which peace as an abstract concept was a key condition for modernization and progress: “Peace is one of the most prominent values that a modern society requires in the modern era. The goals desired by all the nations of the world cannot be accomplished without it. Development and progress, as well as social welfare and social justice, liberty, democracy, the rule of law, and the other unique qualities of modern states will not be accomplished in the shadow of wars and skirmishes; rather, they will thrive only in the light of peace.”¹⁰

Alongside these important changes, studies that examined history and religion textbooks in Egypt in the 1990s and the 2000s showed that they rejected the Zionist narrative regarding the Jewish right to the Land of Israel. Elie Podeh found that in tandem with recognition of the contribution of peace, the textbooks continued to portray Israel as an illegitimate state that had driven out the legal owners of the land, schemed to expand in the region, and served Western imperialism. In addition, geographical maps that appeared in the textbooks referred to Israel as “Occupied Palestine.” This perpetuated among the younger generation the dichotomous and one-dimensional stances of “we as just” versus “they as oppressors,” which are part and parcel of the “culture of conflict,” along with delegitimization of the State of Israel.¹¹ The negation of Israel’s right to sovereignty over East Jerusalem was made clear in Egyptian textbooks, which emphasized the city’s Arab, Islamic, and Christian heritage. Although the historical Jewish connection to Jerusalem was mentioned in a small number of the textbooks, along with the fact that it was a Jewish capital in the time of Nebuchadnezzar, the present day Jews were consistently portrayed as foreign occupiers who must be fought in order to liberate the city from their yoke. In addition, even though some textbooks acknowledged the Western Wall as a site sacred to the Jews, they emphasized that the legitimate Jewish rights there did not go beyond the right to conduct religious rituals.¹² Yohanan Manor noted that in religious textbooks, based on selected verses from the Qur’an, Jews throughout history were condemned as inherently possessing and manifesting negative characteristics such as treachery and the failure to honor contracts and agreements.¹³

The Wars between Egypt and Israel in the New Textbooks

The textbook entitled *The Geography of the Arab World and the History of Modern Egypt* (2015–2016), intended for the ninth grade, blends old and new messages. The lesson on peace with Israel teaches Egyptian pupils two preliminary lessons that provide a conceptual framework, “Egypt and the Palestinian Problem” and “October 1973.” As in the older textbooks, Mandate-era Israel is cast historically and ethically as land that was stolen from the Arab residents of Palestine. Zionism is described as a threatening colonialist movement born in sin rather than as a movement expressing legitimate national aspirations. The first lesson, which begins with a paragraph under the heading “Arab Palestine,” explains that “Palestine has special importance in the heart of every Arab” since it is the birthplace of Jesus; the Prophet Muhammad traveled there in his Night Journey; and al-Aqsa Mosque, the third holiest site in Islam, is located at its center. Only very few Jews, the book says, lived in Palestine before World War I and the Balfour Declaration. According to the historical narrative recorded later in the lesson, the purpose of the invasion of Israel in 1948 by the Arab armies was to “rescue the Palestinian Arabs from the Jews’ aggression,” and the Arab defeat in the war stemmed from the fact that the Jews violated the temporary truce during the battles. As for the wars with Israel in 1956 and 1967, these exposed Zionism’s colonialist character and Israel’s plot to expand “from the Nile to the Euphrates” and take over the Arab world.¹⁴

The lesson entitled “Egypt and the Palestinian Problem” features three maps: a map of the partition in 1947, a map of “Palestine” after the war in 1948, and a map of “Israel’s occupation of Arab land” after the 1967 war. The legend on the two latter maps defines all the territory that remained under Israel’s control after the War of Independence and the Six Day War as “occupied land.” While the three maps deal with historical rather than contemporary contexts, they still strengthen the message regarding the “original” character of the land that currently comprises the State of Israel.¹⁵

The new textbooks portray the 1973 war as a kind of bridge for understanding Egypt’s historical and ideological transition to peace with the long time Israeli enemy. The lesson about the war states that it erupted following “the Israeli refusal of the calls for peace” by Egypt, and led to a “turning point in the Arab-Israeli conflict when it proved [to Israel] that the logic of force would not grant [it] peace.” The war exploded the myth of the undefeatable Israeli army and made a mockery of the Israeli army’s combat doctrine. The lesson quotes the Israeli defense minister, whose

name is not mentioned, as admitting the lesson of the war, whereby “we Israelis must realize that we are not the only military force in the Middle East, and that there are new facts that we must live with.” According to this portrayal, Israel was forced to give up its original “expansionist aspirations” in the region following the 1973 war – a development that paved the way to Sadat’s peace initiative.¹⁶

From “Normal Relations” to “Friendly Relations”

While the content that appears in the new textbook reveals much about the changes in the attitude by the el-Sisi regime toward peace with Israel, a comparison with the content of previous textbooks shows this most of all. Indeed, a comparison between the new ninth grade textbook and a textbook entitled *History for High-School Pupils*, from 2002, shows encouraging findings. First, the new textbook provides firmer and more explicit support than in the past for peace with Israel. The economic advantages of peace are validated as a necessary precondition for Egypt’s stability, development, and material prosperity. Second, the textbook portrays Israel as a legitimate peace partner with no further apologies, and for the first time the picture of Prime Minister Menahem Begin appears alongside that of President Anwar Sadat. Third, the amount of space devoted to the Palestinian conflict and the struggle against Israel is less than in the past. While the textbook from 2002 devoted 32 pages to the wars and only three pages to the peace with Israel, the textbook from 2015 is quite different: the history of the conflict has been shortened to only 12 pages, while peace receives four.

It appears that these changes are in accord with broader reforms that the el-Sisi regime has made to school curricula in recent years in order to quash ideas that, in its view, provide fertile ground for the flourishing of Islamic ideologies. The reforms included the removal of religious texts that could encourage extremism, terrorism, and racism, and their replacement with values on tolerance. As part of these measures, the regime decided in March 2015 to drop the life history of Salah al-Din al-Ayyoubi, liberator of Jerusalem from the Crusaders, for fear that it encouraged violence.¹⁷ The move sparked a wave of internal protest. In February 2016, el-Sisi ordered the Education Ministry to establish a committee to reexamine the school curricula in various humanities subjects including Arabic, history, geography, philosophy, cultural heritage, and psychology.¹⁸ Besides these general trends, the changes in the new textbooks may reflect the strengthened status of peace with Israel as a national strategic asset for Egypt; cultivating

and deepening the peace match the regime's current security-economic agenda. From this perspective, the changes in the textbooks take their place alongside the intimate partnership between Egypt and Israel in fighting terrorism, as well as additional measures of rapprochement, such as the return of the Egyptian ambassador to Tel Aviv in January 2016 for the first time since 2012, the March 2016 Meeting in Washington between Israeli Energy and Infrastructure Minister Yuval Steinitz and Egyptian Foreign Minister Sameh Shoukry, and the promotion of the deals for importing natural gas from Israel to Egypt. Even the dismissal of Egypt MP Tawfiq Okasha after his meeting with the Israeli ambassador in Cairo was accompanied by a surprisingly open public debate about the issue of normalization in the official Egyptian press.¹⁹

The conciliatory tone of the messages that appear in the new textbook appears in the preface to the chapter containing the lesson about peace with Israel, where the main study goals are defined. At the end of the class discussion about the dilemmas involved in "Egypt's policies toward ending the Arab-Israeli conflict and making peace," the pupils are expected to analyze "the reasons for President Sadat's peace initiative," memorize the "provisions of the peace treaty between Egypt and Israel," and enumerate the "advantages of peace for Egypt and the Arab states." These goals, the textbook goes on to state, are linked with broader educational objectives such as "education for peace," "the fight against violence, extremism and terrorism," and "negotiation for solving conflicts in peaceful ways."²⁰ And indeed, this framing of the lesson reflects the messages that are conveyed throughout the chapter.

An examination of the debate over peace with Israel in the new textbook, as compared with the discussion that appears in the textbook from Mubarak's time, shows that some text was "cut and pasted" without being touched, while other portions of the text underwent slight but weighty changes. For example, the provisions of the peace treaty cited in the textbook were worded differently than in the past: "concluding the state of war" in the older textbook was expanded and interpreted in the new book as "concluding the state of war between Egypt and Israel"; "recognition of the sovereignty of each side in the conflict over its territory" was changed to "respect by each side of the other's sovereignty and independence"; and – the most important change – "establishing normal relations – political, economic, and cultural – between both countries" was changed to "establishing friendly relations – political, economic, and cultural – between the two countries."

Significantly, both terms, “normal” and “friendly,” appear in Article 1 (3) of the peace treaty. In light of the establishment of the “cold peace,” Cairo emphasized for years that its relations with Israel were “normal” or “regular,” but avoided the use of positive terms such as “friendly relations” almost entirely.²¹

Most of the difference between the new and old textbooks has to do with the emphasis on the economic value of peace with Israel. The economy is a critically important issue for el-Sisi’s regime, which is laboring to extricate Egypt from its economic distress and achieve material gains that will strengthen its standing in internal public opinion. Although the old textbooks also mentioned the economic importance of peace, the new textbook makes a special effort to laud it. The primary reason for Sadat’s original peace initiative, as written in the 2015-2016 textbook, was “the series of wars that drained the country’s energy and its human and material resources.” As the lesson states, Egypt’s choice of “peace over war” and the hope of “ending the Arab-Israeli conflict” is more relevant than ever in light of the ongoing advantages of peace: “the internal [preservation] of the Arab states’ internal stability”; “the promotion of economic and social development and the repair of the country’s infrastructure”; “the encouragement of the investment of Arab and foreign capital in Egypt and the other Arab states”; and “increasing tourist traffic, which will increase national revenue and provide foreign currency that is required for [various] needs and the establishment of national projects that will lead to development in Egypt in particular and in the Arab region in general.”²²

Another change, largely symbolic, is the inclusion of the photograph of the signing of the peace treaty at the White House, in which Sadat, Begin, and President Jimmy Carter appear side by side. The placement of this historic picture is more than a mere inclusion of a graphic image that was absent from previous textbooks. It shows the presence of the Israeli partner whose place was hidden in the past, in part by teaching peace as an abstract value. This development may reflect a decline in the antagonism that peace with Israel arouses among the Egyptian public, or it may be a deliberate attempt by the Egyptian regime to foster increased openness to the establishment of friendly relations. In a manner unprecedented in earlier textbooks, the Israeli prime minister is given equal status with the Egyptian president in the description of their receiving the Nobel Peace Prize for their “active efforts over the years to establish peace in the Middle

East.” In the same spirit, the new textbook presents the Oslo Accords as the fruit of the joint labor of Shimon Peres and Mahmoud Abbas.²³

Another difference between the new textbook and the books from the Mubarak era is the attention given to the Palestinian problem. The three paragraphs that described the fundamental principles of the Camp David accords, including “the realization of the legitimate rights of the Palestinians,” were removed from the new book. The new textbook also dropped the failed episode of the “autonomy talks” in the early 1980s, which were discussed at length in the previous textbook. On the other hand, the Madrid Conference and the Oslo Accords are portrayed in a manner that might be interpreted as a completed success story. While the textbook from 2002 stated that “the road to reaching agreements of permanent and final peace in the Middle East is still long,” the narrative that appears in the new textbook contains no such reservation. It states that the Oslo Accords are “a direct, official agreement, the first of its kind” between Israel and the PLO. It includes sections about the establishment of a national Palestinian authority, an elected legislative council in the West Bank and Gaza for a transition period, and a strong Palestinian police force to maintain security and order. As concluded in the textbook, Egypt “supported the agreement and the other agreements dealing with the Israeli withdrawal from the occupied territories, and the establishment of the Palestinian National Authority.”²⁴

Conclusions

A close look at the new Egyptian textbook reveals slight but substantive positive changes in the approach to peace with Israel, as compared to the stance in previous textbooks. Peace is framed as a necessary precondition for the revival of Egypt’s economy; Israel is portrayed as a legitimate peace partner, and even as a partner for friendly relations. The Arab-Israeli conflict in general, and the Palestinian problem in particular, are given less space and text than in the past. The relative distance that characterizes the current Egyptian attitude toward the Palestinian issue stands in opposition to the emphasis on Egypt’s commitment to the Palestinians, as described in previous textbooks, and the deep involvement of Egypt’s president at the time in promoting Israeli-Palestinian agreements. This development demonstrates the current regime’s focus on issues that are seen as urgent, such as poverty, unemployment, and the threat of terrorism. It also seems that the upheavals that Egypt and the entire region in recent years gave

the Palestinian problem new proportions that are more moderate than in the past – a trend that is reflected in the new textbook.

Yet despite the encouraging picture presented by the new textbook, it is clear that in the current electronic age, the opinions of Egypt's young people are not influenced solely by the Egyptian educational system, but also – and perhaps principally – by content that appears on the internet and on the social networks, which is not mediated by the state. In addition, described here is a change in only one textbook during a specific school year, and it is too early to infer that it constitutes a comprehensive turning point in the Egyptian educational ethos. Changes in a hegemonic educational culture that includes a deep-seated world view and entrenched historical narratives are usually made in moderation, and by their very nature require many years of perseverance. Small, measured steps in this direction could gradually converge and form a new and better situation that will have implications for the shaping of the opinions of Egypt's young generation. Like an aircraft carrier in motion that does not change direction all at once, the Egyptian educational system is moving slowly and cautiously toward new, with, ideally, more conciliatory horizons in its attitude toward Israel. These changes do not take place in a vacuum, and the internal developments in Egypt and the Israeli-Palestinian conflict are expected to have a future influence on the continued – or arrested – trends described above.

Notes

The author would like to thank the Institute for Monitoring Peace and Cultural Tolerance in School Education (IMPACT-SE) for its kind assistance.

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NGOs and the Political-Legal Theater in Operation Protective Edge

Gerald M. Steinberg, Anne Herzberg, and
Joshua Bacon

As in previous Gaza conflicts, the political theater during Operation Protective Edge (July-August 2014) – as manifested particularly in the international media, in the United Nations, and on legal battlegrounds – was of central importance. Palestinian officials and their allies repeatedly accused the IDF of war crimes, and these allegations gained significant impact, particularly in Europe and the United States.

In parallel, during the war and its aftermath, dozens of NGOs claiming human rights and humanitarian aid agendas issued hundreds of statements, the vast majority targeting Israel. NGO officials were quoted widely in international media outlets, and their publications were highlighted in numerous media reports. NGO statements to the United Nations Human Rights Council (UNHRC) played a central role in the creation of a special commission “to investigate all violations of international humanitarian law and international human rights law...in the context of the military operations conducted since 13 June 2014,” headed by William Schabas.¹ NGO claims and allegations were also repeated in European parliamentary sessions, on university campuses, and elsewhere.

The NGO-based campaign of 2014 followed a standard, familiar pattern. In the years since the Hamas takeover of Gaza from the Fatah-led Palestinian Authority in 2007, the NGO network has issued a steady flow of statements, reports, press releases, and “urgent calls” condemning Israel. The documents

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label Israeli policies as “collective punishment,” and repeat claims that Gaza remains “occupied,” despite the full Israeli withdrawal in 2005. In contrast, NGO reports and statements have given sparse attention to the tens of thousands of rockets and projectiles fired from Gaza against Israel, or the tactics employed by Hamas of embedding military objects among the civilian population. With few exceptions, the NGO reports omitted mention of rocket launchers, attack tunnels, and other military installations inside hospitals, schools, and private homes. The claims of civilian casualties in Gaza that were labeled “IDF war crimes” had little or no reference to military targets and other key contextual elements of the conflict.

Citing allegations from international groups such as Amnesty International and Human Rights Watch (HRW), and Palestinian groups including Al Mezan, al-Haq, and the Palestinian Center for Human Rights (PCHR), campaigns designed to punish and isolate Israel, particularly in Europe, have intensified over the years. These efforts include boycott, divestment, and sanctions (BDS); universal jurisdiction lawsuits against Israeli officials, corporations or state entities doing business with Israel; and lobbying and campaigning at international institutions such as the UN, the European Parliament, the International Court of Justice (ICJ), and the International Criminal Court (ICC).² The extensive use of legal terms such as “human rights,” “international humanitarian law,” and other labels for political attacks creates the appearance of credibility and expertise for NGO claims. However, evidence shows that many NGOs operating in the fields of human rights and the laws of armed conflict (LOAC) lack any standard or methodology for conducting investigations.

This process has recurred numerous times, including with Jenin in 2002, the ICJ case against Israel’s security barrier in 2004, the 2006 Lebanon War, and Operation Cast Lead. In each instance, attacks targeting civilians in major population centers in Israel triggered Israeli countermeasures, followed immediately by condemnations citing Israeli “war crimes,” “crimes against humanity,” and the “intentional targeting of civilians” (based on “eyewitness testimony”). Media reports and political figures were then prone to repeat these claims without verifying them, and the UN – particularly the UNHRC – called for international investigations and war crimes trials.

NGO allegations are generally accepted by the media and other actors due to a “halo effect,” by which groups perceived to promote moral principles are protected from investigation, and their claims are taken at face value. As academics studying this phenomenon have noted, “There is a widespread

attitude that NGOs consist of altruistic people campaigning in the general public interest.³ As a result, consumers of NGO reports tend to overlook or do not even consider the absence of credible fact finding methodologies and expertise.

In addition, a number of NGOs cited by the media and referenced in UN reports have a record of bias among researchers and other staffers. In the case of Israel, several Amnesty researchers and communications staffers have backgrounds in extreme anti-Israel activism. For instance, Deborah Hyams, an Amnesty researcher in Israel and the Palestinian territories, volunteered in 2001 to serve as a human shield in Beit Jala as part of the radical International Solidarity Movement (ISM).⁴ Moreover, many Palestinian groups, such as al-Haq, Al Mezan, and the Palestinian Center for Human Rights, whose factual and legal claims are cited in media reports and UN investigations, are far from independent or credible.

In the early NGO-led campaigns, as with the myth of the 2002 Jenin massacre during Operation Defensive Shield, the IDF, Ministry of Foreign Affairs, and other bodies attempted to coordinate a response through a joint media center. However, as Ambassador Gideon Meir has noted, due to a number of reasons, this coordination was unsuccessful in refuting the “massacre” allegations or preventing their propagation (and though eventually disproved, these allegations damaged Israel significantly at the time).⁵ In subsequent operations, Israeli concern for potential civilian casualties and the accompanying international pressure were a motivating factor for the IDF to mitigate the damage through tactical innovation, including “roof knocking,” calling or texting to warn civilians of an impending attack, and adding legal advisers to relatively low level operational headquarters.

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Nevertheless, in Operation Protective Edge, NGO campaigns continued and their impact increased, irrespective of IDF measures. During and after the operation, they repeated the accusations of Israeli “war crimes,” “disproportionate responses,” “indiscriminate” attacks, and “targeting of civilians” without military necessity or justification. As in previous campaigns in Gaza, NGO publications, videos, and other forms of publicity

sought to criminalize Israeli responses, as well as the weapons deployed and their employment in specific circumstances.

Thus in order to mitigate the impact of future campaigns of this sort, including boycotts and lawfare, the IDF, the Ministry of Defense, and the wider Israeli government will have to develop new approaches in response to the NGO dimension when preparing for the delegitimization theater of future wars. The responses to date have apparently failed to yield a significant impact.

NGO Reporting of Operation Protective Edge

Operation Protective Edge began on July 8, 2015, and continued for 51 days – significantly longer than the 2008 and 2012 Gaza operations (three weeks and one week, respectively). IDF airstrikes were followed by a ground incursion into Gaza with the declared objectives of stopping the rocket fire, destroying attack tunnels, and restoring deterrence.

From the first day of combat, dozens of NGOs, both local and global, issued statements, compiled reports, and leveled accusations against the IDF. Lacking any first hand information and – aside from the Palestinian

groups – a presence on the ground, this reporting was generally highly emotive and exaggerated. A prominent Palestinian NGO, the Al Mezan Center for Human Rights, accused Israel of “harvesting” civilians and targeting the people of Gaza in an “unprecedented manner.”⁶ Similarly, in its statements to the press and the UN, US-based Human Rights Watch accused Israel of deliberately attacking the people of Gaza, “depriving them of food, medicine, fuel and other essential supplies. Hundreds of thousands of people have no access to clean water. Hospitals are desperately over-stretched.”⁷ For its part, Amnesty focused on alleged violations of international law, and devoted significant resources in accusing Israel of “war crimes” for targeting houses used by Hamas and other terror groups. Amnesty’s

report “Families Under Rubble: Israeli Attacks On Inhabited Homes” (November 5, 2014),⁸ based on impassioned testimonies, was featured in social media for several weeks, a press release, and a broad media push to garner publicity for its claims.

While the IDF and Ministry of Defense have largely sought to limit clashes with the NGO network, and even sought to develop lines of communication in the hope of reducing the hostility and increasing the knowledge of NGO officials, this approach has failed.

While NGOs did condemn Palestinian attacks against Israeli civilians, these condemnations were both qualitatively and quantitatively weaker than condemnations of Israeli actions. For instance, Amnesty published one report detailing Hamas attacks on Israeli civilians, but remained silent regarding the complex infrastructure established by Hamas within homes, mosques, schools, parks, hospitals, and cemeteries. At the same time, it published at least four large reports as well as the highly publicized, interactive, and digitized “Gaza Platform,” all of which purported to document alleged Israeli crimes.⁹ Similarly, HRW posted 30 items on the fighting (press releases, reports); of these, only one dealt with Hamas attacks on Israeli civilians. Some additional publications condemned the rocket attacks from Gaza, but always as an addendum to reports that focused primarily on claims of Israeli violations.¹⁰

NGO Expertise in Reporting on Armed Conflict

The credibility given to NGO reports is based, in part, on the perception of military expertise, including decisions to target certain objects (“intentionality”), or assessments of which munitions caused particular damage. However, examination of the publications and biographies of the personnel employed by the NGOs does not support such claims – most of the researchers and report authors have no military backgrounds. On the few occasions in which NGOs utilized outside “experts,” the requisite qualifications were generally lacking, and in many instances, these individuals were not identified, making independent assessment of their knowledge and competence impossible. A number of current and former leaders of NGOs have recently acknowledged these shortcomings, but the practice has not changed.¹¹

This lack of expertise prevents NGOs from accurately identifying weapons employed in the fighting, thereby undermining the credibility of their legal conclusions. While PCHR and other NGOs repeatedly stated during the war that attacks originated from “warplanes,” “tanks,” or “drones,”¹² it is not clear on what basis this classification of attack method is made. Even if a weapon could be identified simply from alleged photos of rubble, this identification provides no information as to what was targeted, why it was targeted, or the information available to military commanders at the time of a strike. Moreover, there is no way of knowing if the images depicted are an accurate reflection of a site, or if the scene, usually with allegations of civilian casualties combined with the absence of military targets in the

areas, was staged. Thus, the NGOs' factual and legal claims based on this "evidence" cannot be deemed credible.

Instead, and to the extent that any systematic methodology is used, NGO reporting on armed conflict relies extensively on interviews with residents of conflict zones, and in a few instances, media reports that are generally based on the same sources. These "witnesses" almost always claim that there were no combatants or military objectives anywhere in the vicinity of IDF strikes and that there was no possible justification for the attacks. These claims are then used as "proof" that the strikes lacked "military necessity" and were therefore "indiscriminate," "disproportionate," and a violation of international humanitarian law.

NGO reports during and after Operation Protective Edge were consistent with this pattern. For instance, PCHR cites witnesses who claimed that the "al-Shuja'iya neighborhood looked as if it was hit by an earthquake or tsunami as it was extensively destroyed."¹³ These same witnesses and thus the NGO statement make no mention of the major terrorist presence in the area, reflected in an intense battle that day between the IDF and terrorist groups and the death of seven IDF soldiers.¹⁴

Claims Regarding International Law

In addition to lacking credible fact-finding methodologies, the legal analyses and conclusions in NGO reports are generally simplistic, misleading, and reflective of political agendas that ascribe malevolent intent to the actions of the Israeli government and the IDF.

Although NGOs are not judicial bodies in any form and do not serve in any official capacity (unless specifically employed to do so by states or international institutions), they publish legal claims, accusations, and conclusions of criminal guilt, based on alleged violations of international humanitarian law, international human rights law, and international criminal law. Many of these frameworks are ambiguous and demand interpretation, particularly as they relate to human rights and the laws of armed conflict. Consequently, numerous legal experts recommend that fact-finding missions refrain from legal conclusions and instead leave such issues to the duly constituted judicial bodies, to the extent that these exist.¹⁵ However, NGO officials often ignore this advice, opting for using "aspirational international law," as discussed in greater detail below, particularly in reports and allegations focusing on Israeli actions in Gaza.

In addition to adopting untenable positions of existing law and inventing international standards, NGOs often apply inconsistent definitions of legal concepts. For instance, since 2007 the term “collective punishment” has been used repeatedly by NGOs regarding Israel’s policy in Gaza. The term was used to suggest that such policies were illegal and a violation of international law, and reflect an ideologically driven agenda that is inconsistent with the accepted meaning of this term. This language has persisted in NGO publications since 2007 and has continued through the 2014 conflict and its aftermath.

Contrary to this particular NGO usage, “collective punishment” refers to criminal penalties (imprisonment, execution) imposed on a group of people for acts attributed to members of that group. It does not refer to sanctions and blockades. Restrictions on the flow of goods in a war environment, therefore, do not constitute “collective punishment” under international law.¹⁶ Similarly, Israel’s military responses to rocket attacks on a civilian population during Operation Protective Edge are consistent with the exercise of the legal right of self-defense, in contrast to allegations of “collective punishment.”

The same holds true for NGO interpretation of the term “human shielding,” a clear violation of the laws of armed conflict, and the core distinction between combatants and civilians.¹⁷ Despite the central prohibition against the use of human shields, NGOs consistently minimize and even deny the evidence of widespread use by terror groups of civilian infrastructure to carry out their war efforts. NGOs obscure the extent of this practice, instead arguing that if Israel is striking Hamas fighters, tunnels, or weaponry hidden in homes, mosques, schools, or hospitals, then these attacks must be “indiscriminate” and illegal for “targeting civilians.”

In the context of the 2014 Gaza war, officials from HRW and B’Tselem couched many of their legal claims in generalizations that erased the core principles and definition related to human shielding. For instance, a B’Tselem spokesperson explained that the “focus on specific cases can distract from bigger-picture questions about Israel’s prosecution of a war.”¹⁸ Similarly, HRW acknowledged to some degree that Hamas did indeed embed fighters in civilian areas, but continued to assert that even if Hamas positioned among civilians, this did not constitute “human shielding.” HRW selected a narrow definition in accusing the IDF of violations, while exonerating Hamas and other terror groups.¹⁹ And despite all the evidence showing rockets and tunnels in civilian homes and protected sites, Amnesty stated

that it “does not have evidence at this point that Palestinian civilians have been intentionally used by Hamas or Palestinian armed groups during the current hostilities to ‘shield’ specific locations or military personnel or equipment from Israeli attacks.”²⁰

Under the laws of war, targets must be confined to military objectives, including strategic sites and buildings.²¹ In minimizing and denying human shielding by Hamas to protect such sites, the NGO network could justify its focus on condemning Israel for “targeting of civilians.” Moreover, as noted by the ICRC, “most civilian objects can become useful objects to the armed forces. Thus, for example, a school or a hotel is a civilian object, but if they are used to accommodate troops or headquarters staff, they become military objectives.”²² This central aspect of the confrontation does not find expression in the NGO reports.

In response, the IDF developed an extensive system to evaluate whether a given target is lawful, including embedding legal advisers within each division and at times at brigade level. These advisers are also available to provide real time legal advice in the midst of combat. Few if any other armies engage in this practice.²³ However, these IDF assessments were also ignored by the NGOs in their reports.

An additional charge leveled by NGOs was that Israel “deliberately targets civilians” and engages in “indiscriminate attacks.” Almost every target struck by Israel was declared by the NGOs to be an unlawful strike. When the evidence pointed to a legitimate military objective at the target site, the NGOs instead claimed the Israeli strike was “disproportionate.”²⁴ For example, in Amnesty’s report “Families under the Rubble,” the NGO declared the strike that killed Muhammad Mustafa al-Louh (shown to be a Hamas operative and legitimate target²⁵) and a number of his family members to be “disproportionate.”²⁶ Amnesty does not provide any evidence of this claim, other than “eyewitness testimony.” Furthermore, al-Louh is listed by Amnesty as a civilian, and not as a combatant, once again illustrating either the lack of Amnesty’s capacity to investigate such incidents, or the lack of interest.

In previous reports regarding IDF operations in Gaza, including the 2009 UN Goldstone report on Operation Cast Lead, which was based primarily on NGO allegations,²⁷ the allegation (later retracted by Goldstone²⁸) that Israel had a policy of deliberately killing of civilians was central.

In a broader sense, whether an attack complies with the principles of distinction and proportionality requires an assessment of many factors. For

instance, one must know what was known to military commanders prior to an attack, including enemy locations, the presence of military objects, presence of civilians, anticipated harm to civilians, military advantage expected, and evidence of intent to cause civilian harm. These factors must be evaluated prospectively rather than based on the outcome of a strike. However, NGOs generally do not possess the expertise or access to information that would allow them to make these evaluations, and almost invariably claim strikes were unlawful solely based upon outcomes. Thus, HRW's analysis reflects the lack of understanding of military operations, repeating the "collective punishment" allegation.²⁹

By co-locating military targets among civilian objects, Hamas was able to inflate the number of civilian casualties, and minimize the number of combatants killed. Ignoring the manipulation of casualty statistics, NGOs simply repeated Hamas's statements in reference to the numbers of civilian deaths. Three NGOs (B'Tselem, Al Mezan, and PCHR) formed the UN-OCHA "Protection Cluster," taking their estimates primarily from the Ministry of Health in Gaza, which is controlled by Hamas.³⁰ These NGOs then cited the unsupported casualty claims to charge the IDF with acting "disproportionately" or "indiscriminately."³¹ Many of the Israeli attacks resulting in casualties among Gaza civilians were clearly justified under international law; thus, the number of casualties is not the determining factor in establishing whether war crimes were committed.³² Furthermore, these statistics did not differentiate between civilians killed in combat and Palestinians killed by the misfiring of Hamas rockets or premature/secondary explosions of Palestinian weaponry or Hamas killing of collaborators and other civilians in Gaza.³³ NGOs did not appear to have made efforts to obtain this data.

When taken together, repeated allegations of deliberate killing of civilians in violation of moral and legal norms have strong political repercussions, and can have a major impact on military freedom of action in response to attacks. These implications are illustrated in the two following examples.

Israel was able to conduct the war for 51 days without any binding UN resolutions coercing the IDF to stop the fighting before ostensible objectives were achieved and without having to bow to massive international pressure. However, the ongoing NGO-led campaign blaming Israel for human rights

Israeli officials, independent experts, and civil society allies should aggressively highlight the demonstrated lack of NGO expertise, citing cases where NGO claims are clearly false.

violations had other implications during the fighting. For instance, in the international arena, the US, Israel's closest ally, decided to delay a shipment of Hellfire missiles requested by Israel. Some have claimed that this was due to the White House being "angry at Netanyahu and the Israel Defense Forces over the attacks on Gaza, especially concerning the high number of civilian casualties."³⁴ If so, it is highly likely that NGO data was used to make this decision, as NGOs were the main actors disseminating both the statistics and allegations regarding civilian casualties.

In addition, the UK government decided to "review" arms export licenses to Israel in the context of the fighting. While rejecting calls by MPs and others for an outright arms embargo on Israel, the UK did open a case-by-case examination of "whether each license is appropriate in light of the conflict in Gaza." This decision followed a campaign by the British NGO Campaign against the Arms Trade.³⁵ Similar NGO campaigns delayed UK arms exports to Israel following Operation Cast Lead.³⁶

Responses to NGO Delegitimization

In recent years, the IDF and other Israeli government frameworks have recognized that the political theater of asymmetric conflicts has implications for military hard power responses to attacks and threats. NGO reports, accusations, and analyses couched in the language of international law and human rights are of central importance in this context. As noted, in Europe and elsewhere, NGO activities have led to some instances of limitations on military exports, lawfare cases targeting IDF officers and political leaders, and numerous boycott initiatives.³⁷

In efforts to reduce the impact of war crimes allegations, the IDF has introduced some changes in weapons and tactics. These include providing warnings to minimize civilian casualties through roof knocking, restricting the use of white phosphorous, changing the content of airdropped warning leaflets, and other measures.³⁸ In addition, the Ministry of Foreign Affairs, Ministry of Justice, and IDF attempted to counter NGO allegations of human rights violations and war crimes through expanded public diplomacy efforts (*hasbara*), which included the publication of factsheets and infographics.

After Operation Protective Edge, the public diplomacy response continued, and shortly before the UNHRC investigatory commission, initially led by William Schabas, published its report (here too based primarily on NGO claims), the Ministry of Foreign Affairs and Ministry of Justice published a detailed analysis of these aspects of the fighting,

including a number of instances in which violations were alleged. The extent, if any, to which these detailed investigations and reports reduced the credibility of the NGO-led allegations remains unclear.

With this in mind, greatly accelerated real time responses to allegations of human rights and legal violations during the combat can allow the IDF to “get out in front” of the reporting. The policy of general denials, without providing specific responses to the accusations through the IDF spokesperson, is insufficient. To counter the perception of NGO “expertise,” Israel must present detailed refutations.

In parallel, the legal claims made by the NGO community and its allies must also be challenged quickly, and in specific cases in detail, but in language and context that is clear to non-lawyers, among them, journalists and social media activists. While operational limitations will always prevent full publication of details, the tendency to restrict public response in all cases, as the default policy in the IDF, needs to be carefully reconsidered. When possible, the location and/or name of military targets should be revealed in order to demonstrate the justification for the military response.

In addition, if the NGO claim to expertise is rebutted by legal and military professionals and experts, the NGO network’s ability to influence media coverage and policy is also impeded. While the IDF and Ministry of Defense have largely sought to limit clashes with the NGO network, and even sought to develop lines of communication in the hope of reducing the hostility and increasing the knowledge of NGO officials, this approach has failed. Instead, Israeli officials, independent experts, and civil society allies should aggressively highlight the demonstrated lack of NGO expertise, citing cases where NGO claims are clearly false. Using specific responses of this nature should enable Israel in future wars to mitigate the damage caused by delegitimization efforts.

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The Palestinian Authority: A State Failure?

Kobi Michael and Yoel Guzansky

The Palestinian Authority (PA) was formed in 1994 by virtue of the Oslo Accords as a semi-state entity. It represents all the Palestinians living in the territories conquered by Israel in 1967 and bears full responsibility for security and civilian matters in 14 percent of the West Bank (Area A) and responsibility for civilian matters only (with security responsibility in Israel's hands) for 26 percent of the West Bank (Areas B and B+); the remaining 60 percent of the West Bank falls under Israeli security and civilian control (Area C). In the reality of 2016, some 95 percent of West Bank residents live under PA control in Areas A, B, and B+; some 100,000 Palestinians live under Israeli control in Area C. Certainly from the Palestinian perspective, the PA, once founded, represented the foundation of a future Palestinian state. Indeed, "The Palestinian Authority (PA), though lacking certain key attributes of sovereignty, has largely functioned as a de facto state since its creation in 1994."¹

Hamas seized control of the Gaza Strip in June 2007 in an event that split the PA into two. The ensuing divide between the Hamas-controlled Gaza Strip and the West Bank has constituted a severe crisis for Palestinian society and politics. The reality is not only of two separate political, geographical, and, some would say, cultural entities, but also of two rival elements. Hamas, opposed to the PA's presence or any significant role in the Gaza Strip, challenges the PA's legitimacy in the West Bank as well, and is engaged in a systematic effort to expand and entrench its bases in the West Bank in order to topple the PA. Yet already by the time of the Hamas takeover, the PA had failed in some basic state functions. Michael Eisenstadt calls the PA's

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performance since its inception a state failure, and attributes this failure to nine factors. Some of these factors are Israel's responsibility, but his main explanation relates to the "four fs": *fawda* (chaos), *fitna* (extreme, violent internal strife), *falatan* (lawlessness), and *fassad* (corruption). According to Eisenstadt, this state of instability continued to exist in the West Bank under PA control in 2007 after the Hamas takeover of the Gaza Strip, and is typical of the Gaza Strip under Hamas as well.²

During the years of the Oslo process, extensive efforts and resources were invested in promoting the political process so as to encourage the establishment of an independent Palestinian state. But too little effort was put into ensuring the foundation for the establishment of a functional Palestinian state in the post-peace agreement period. Despite the resources the international community poured into building Palestinian institutions, civil society, democratization processes, and infrastructure, the PA did not succeed in properly instituting and securing the foundations necessary for the establishment of a viable, democratic,³ and functional state. Even after Israel's disengagement from the Gaza Strip, the PA failed to build a functional government. While the disengagement was the result of a unilateral Israeli decision, the process of the disengagement and the transfer of the region that was evacuated – including the agricultural infrastructures that remained – took place in coordination with the PA. Israel's disengagement from the Gaza Strip was seen as a sign of success for Hamas's armed resistance to Israel, and helped Hamas achieve its victory in the January 2006 election, effect the takeover of the Gaza Strip, and expel the PA in June 2007.

While the PA is not a state in the full meaning of the word, it has declared itself as such, has adopted state trappings, and has been declared one by a majority of the world's nations and some international institutions. Most state institutions recognized by other states operate in the PA, and in many ways the level of the PA's performance is higher than that of states such as Somalia, Yemen, Libya, and others. Moreover, there are constraints on the PA that make it hard for the PA to realize its sovereignty in full, including Israel's ongoing presence and control in some of the West Bank territories and Israel's disruptions to full PA state performance. Nonetheless, based on the accepted theoretical foundation and practical standards for failing states, the PA remains a failing entity. Despite the difficulties stemming from the reality of an active conflict and a deadlocked political process, the PA had the means to develop a functional state and institutional infrastructure

and significantly improve its state and institutional performance. Instead, however, the conduct of the PA and its leadership for the 22 years of its existence matches the patterns of conduct of failing states, and the attempt to confront these failures resembles what has been applied to failing states. Moreover, unless real change takes place, a Palestinian state – when established – will almost certainly be a failing state.

“Does the world need a weak or failing Palestinian state?” asked Aaron David Miller, when referring to a question posed by Henry Kissinger about the rationale in establishing another failing Arab state, given the state failures and instability of the Arab sphere, the growing strength of Iran, and the rise of the Islamic State.⁴ Indeed, the unstable, fragile state of affairs in the region at this time and the threat inherent in the establishment of a failing Palestinian state pose a security and strategy challenge to Israel, Egypt, and Jordan.

The state-related challenge presented by the Palestinian Authority is the subject of this article. After a short description of the failing state phenomenon and its ramifications, the article presents and explains the process by which the PA has developed into a failing entity. It concludes with an attempt at assessing what the future may hold.

The International Challenge of a Failing State

A failing state⁵ is defined in terms of its limited or absent governance capability. Weakened governance stems from the central government’s blatant weakness and from the state’s lack of monopoly on the use of power. The concept of governance reflects the quality of performance of state institutions by virtue of stateness,⁶ which allows the state to provide security (internal and external), law and order, and health and education services, run an economy, and realize its sovereignty.⁷ Charles Call, who distinguishes between a failing state and a weak state and a state in a persistent state of civil war, defines a failing state as one whose institutions and authority, both domestically and vis-à-vis the world at large, have failed miserably, i.e., have suffered a critical collapse.⁸

Viewing the failing state as a challenge to the international system, William Zartman refers to two dimensions of the failing state phenomenon: the institutional-governmental dimension and the social dimension. According to Zartman, a failing state is a state in which the government’s authority is collapsing, and in turn will cause the collapse of the state’s law and political order. This collapse gives other elements (competitors or

enemies) an opportunity to seize total or partial power. A state undergoing collapse is notable for paralysis at decision making nodes and crumbling social unity. The state is incapable of maintaining its authority on matters of security or its sovereignty over state territory, and from the viewpoint of the public stops being relevant on socioeconomic matters. Therefore, a failing state means a collapse of the regime and a collapse of the social foundation of the population.⁹ In failing states, ungovernable frontiers expand, allowing the entrance and activity of both state and non-state external actors that further destabilize stateness, multiply chaos, and help export violence and instability to the failing state's neighbors.

Many of the world's nations are somewhere on the failing state continuum.¹⁰ The unique nature and degree of failure of every case is the product of the relationship between the force of threats and challenges at home and from the outside, on the one hand, and the functional level of state institutions, on the other, or in Fukuyama's approach, the "quality of stateness."¹¹ The lower the level of function of state institutions, the lower the state's level of legitimacy, and the higher the intensity and impact of internal and external conflicts – the higher the level of state failure. The higher the level the state failure, the higher the potential for the proliferation and takeover by non-state and other – usually violent – actors that see themselves as alternatives to the state.¹²

Ethnic and religious rifts and the lack of a unifying national ethos are another salient characteristic of failing states. Michael Hudson defines these elements as political fragmentation of identity, which he considers a variable that in combination with the functional failure of state institutions leads to state failure.¹³ Syria and Iraq, as well as Libya and Yemen, and even Lebanon, are all relevant examples. All suffer from ethnic, tribal, or religious schisms, and all lack a unifying national ethos. The PA, too, has similar characteristics, though they are also *sui generis*. This description meshes with Benjamin Miller's assertion on the lack of correspondence between the nation and the state, which he calls the state-to-nation imbalance, as a factor in regional instability and in both internal and regional conflicts.¹⁴

The failing state phenomenon is not about to disappear from the international arena, says David Reilly, and clashes between functional, well-off nations and failing states are inevitable.¹⁵ Organizations exporting violence and terrorism to well-off, functional nations to generate instability operate in and from failing states even when they lack common borders. Globalization, technology, and access to state weapons arsenals, including

WMD, allow those organizations to use international terrorism to sow chaos with relative ease and at low cost. Therefore, writes Reilly, “weak states, like Afghanistan, can pose as great a danger to our national interests as strong states.”¹⁶ This insight is equally valid for Syria and Iraq, where the Islamic State has become both a regional and international threat, as well as the Gaza Strip controlled by Hamas, from where terrorism is exported to the Sinai Peninsula, Israel, and the West Bank.

Global order and balance rely on states’ ability to preserve law and order within their borders. Therefore, every failing state incapable of enforcing its sovereignty upsets the world order to one degree or another. The results are global terrorism, mass displacement of populations that become refugees,¹⁷ genocide, violations of basic human rights, local and international corruption, and rising crime. Terrorist events such as 9/11 and others made it clear to the international community that it is no longer possible to ignore the failing state phenomenon, as it threatens global security.¹⁸

The PA’s Development as a Failing Entity

Since its inception in May 1994, the PA has not managed to fashion itself as an independent, functional, stable political entity. Its economy is undeveloped: it continues to rely on moneys donated by the international community, Israel’s economy, and taxes collected for it by Israel, and it is incapable of providing basic social and infrastructure services without external help.¹⁹ The PA has become “a world record holder in terms of salary expenses and transfer payments... Of the \$4 billion it received in recent years for investments, about \$1 billion was used to construct infrastructures and the rest was spent on salaries.” This resulted in prompting foreign donors to reduce or stop their contribution, and “at this rate, the PA will soon hit a debt ceiling that will prevent it from paying its salaries.”²⁰

Similar findings appear in the EU’s comptroller report of 2013, which dealt with the ways in which EU aid money was used. The report points to striking structural weaknesses in Palestinian state institutions and in the economy, and calls for significant structural reforms – while also appealing to Israel to ease the movement of people and goods. The report issues a warning about the unreasonable size of the state apparatus and the payment of tens of thousands of salaries to PA personnel living in the Gaza Strip who receive wages for doing no work whatsoever.²¹

The PA's tax collection apparatus is insufficiently developed and its major tax collector (by virtue of the Paris Agreement) is the State of Israel, which transfers VAT and tariffs it collects on the PA's behalf to the PA.²² Governmental corruption, characterized by blatant nepotism and monopolies controlled by office holders and their cronies, has existed in the PA since its establishment. Even if it tapered off to some extent (primarily thanks to Salaam Fayyad in his terms as finance minister and prime minister), its scope is still large, negatively affecting the PA's economic development.²³

In December 2013, Middle East Monitor published one of the harshest reports ever on corruption in the PA. It used the EU report on PA corruption and cited a sum of \$2 billion from the total amount of aid transferred to the West Bank and Gaza Strip in 2008-2012 that has basically disappeared without a trace.²⁴ The report indicated patterns of corruption that have existed in the PA since the day it was established, as senior PA and Fatah personnel have filled their own pockets with money intended as aid. The governmental corruption in the PA became a fixed feature, as the overwhelming majority of senior PA positions were occupied by Fatah members who turned the PA into a source of income for its senior staff and their cronies.²⁵

The same report harshly criticizes the security services, especially the Palestinian intelligence apparatus whose members have made themselves into financial and business entrepreneurs and used aid money to develop their private businesses. Page 11 quotes the recommendation issued by the Coalition for Accountability and Integrity, which urged a reestablishment of the PA's institutions and change in its fiscal policy. The concluding paragraph of the report warns of the severity of the corruption, saying: "The corruption filling the PA is not a simple or limited matter and has become a burden suffered by the citizens; corruption will continue to overwork and exhaust the people, as well as weaken the position of the PA in the sight of aid donors."²⁶

While the Palestinian security apparatus in the West Bank has developed and improved, it is still incapable of enforcing governing authority throughout PA territory. Although some of the Palestinian refugee camps serve as organizational bases for Hamas and other armed groups, the Palestinian security services are afraid of taking action there and thus avoid operating in them with regularity and resolve.

The Hamas takeover of the Gaza Strip enhanced the already existing political fragmentation in the PA, challenging the PA politically and

ideologically, and also militarily.²⁷ Some argue that given the deep schism between the sides there is no chance that a Palestinian state will be established.²⁸ Moreover, the PA and Chairman Mahmoud Abbas do not have a broad base of legitimacy²⁹ and continue to rule despite the fact that elections intended for 2010 never took place, and there are few indications that new elections will be called any time soon.

Operation Protective Edge in the Gaza Strip in July-August 2014 deepened the rift between the West Bank and the Gaza Strip, and between Hamas and the PA. The ceasefire talks held in Egypt, with the participation of a Palestinian delegation consisting of Hamas and PA representatives, brought all the disagreements and mutual hatred to the surface. Abbas was quick to criticize Hamas leader Khaled Mashal, and became entangled in a very heated confrontation with him at the palace of the Qatari emir.³⁰ Even the need for reconstruction in the Gaza Strip after Operation Protective Edge failed to serve as an incentive for reconciliation among the rival sides or, at the very least, to agreement on a mechanism of cooperation. Hamas has no intention of conceding its control of the Gaza Strip, which it considers its most important strategic asset and a base for the future takeover of the PA as a whole. Given that Hamas's fundamental motivation and ideology have not changed, the basis for its continued conflict with the PA and its attempts to undermine it are still in place and will have a pejorative effect on the chances for the Palestinian entity to stabilize.

In a comprehensive analysis of the process by which the PA was established, Eistenstadt asserts:

Almost from the outset...the process of Palestinian state formation was accompanied by a parallel process of economic decline and institutional, territorial, and political fragmentation. The latter process was greatly accelerated by the second intifada (2000-2004), the formation of a Hamas government following January 2006 legislative elections (leading to international sanctions on the PA) and then a short-lived national-unity government, and the June 2007 Hamas takeover of Gaza. Today, the PA—hovering between survival and collapse—displays many of the traits of a failed state.³¹

Miller draws similar conclusions, and argues that the history of the Palestinian national movement and the governing style of the PA indicate that nothing has come of them except for distorted politics, making it unreasonable to assume that the PA can transition smoothly to a functional state.³²

Patterns of Functional Failure in the PA as Signs of a Failing State

An exhaustive report published by Khalil Shikaki in February 2014 summarizing comprehensive work by experts who examined the PA's situation and the implications of its collapse or dissolution³³ presents a fairly abysmal picture. The report stresses that although most Palestinians view the PA as a national achievement, many doubt it is actually fulfilling its two main objectives: a means to gain Palestinian independence and construction of state institutions. In addition, the report indicates rising concern about the PA's ability to survive, sustain legitimacy for its existence, provide services to the Palestinian citizenry, and cope with crises, especially mending the rift between Hamas and Fatah and reuniting the West Bank and the Gaza Strip.³⁴ Therefore, some are calling on the international community to rid itself of the illusion of the possibility of an independent state being established and warn of the risk of another Syria, Libya, or Yemen emerging on the Middle East scene.³⁵

Shikaki's report warns of the immediate results of a failing Palestinian state, including a total collapse of law and order and a loss of income of some \$3 billion paid as salaries to tens of thousands of PA employees. This would be followed by the collapse of the private sector, water and electricity infrastructures, courts, and healthcare and school systems, which would of necessity lead to a dramatic increase in poverty and crime rates. Under such circumstances, armed militias would inevitably take the law into their own hands, leading to a heightened probability of a violent clash between Israel and the Palestinians.³⁶ The findings of this report also indicate that many Palestinians view the PA as an entity serving the interests of a narrow sector and a small circle of strong elites enjoying political and financial benefits at the expense of the ordinary Palestinian in the street.³⁷

A low level of institutional performance and lack of broad legitimacy for the regime (more blatant in the West Bank than in the Gaza Strip), together with a high level of political fragmentation (identity), place the Palestinian entity in the category of fragile, unstable entities as described by Hudson's model, alongside nations such as Syria, Yemen, Libya, and Iraq. This is so according to Fukuyama's model as well, which refers to the quality of governance (the level of institutional function) and the impact of internal and external conflicts, because in this model the PA falls into the category of state failure with a high potential for intervention by external players.

On the other hand, the PA is a unique case: a semi-state entity was established by virtue of an agreement between two sides to a conflict.

The Oslo Accords, essentially an interim agreement, laid the conceptual negotiated foundation for the establishment of the PA and the definition of its territory and realms of responsibility, including its political and organizational structure. From the outset, however, it was clear to both Israel and the PLO that the PA would be incapable of building itself and developing without international help. And, indeed, the international community answered the call and, since the establishment of the PA in May 1994, has injected vast sums into the PA in numerous formats. Most of the assistance was transferred as direct financial aid to the PA; some was transferred as financial support for specific projects managed almost exclusively by the PA; and some was invested in projects meant to train and mentor government workers and the security services, whether in PA territory or beyond.

Some blame the low level of performance of the Palestinian entity on the absence of a political process, the ongoing occupation and the obstacles Israel places before the Palestinians, the natural processes of social construction disrupted by elements external to the Palestinian system, and the non-establishment of a Palestinian state that could function as a state. However, these factors alone cannot explain the persistent failure of the Palestinian entity. Citing these factors only would be to ignore key aspects of the conduct of the Palestinian leadership in the two decades since the Oslo Accords, as well as the endogamous social, cultural, and political features of Palestinian society.

Throughout the years of Arafat's rule, the international community found it difficult to conduct any sort of quality control of how the aid was used. Arafat perpetuated the revolutionary political culture and made the process of institutionalization and the transition from revolution to state very difficult. In fact, since its inception, "the PA has consistently proven unwilling or unable to establish a monopoly over the legitimate use of force in [its] territories—a key defining feature of a successful state."³⁸ Arafat made sure to maintain several competing mechanisms, especially in the field of security, in order to prevent governance strength from decentralization that in any way would curtail his own influence. As he was wont to do during the days of armed struggle and revolutionary resistance, he made a point of compartmentalizing the organizations and mechanisms he established and keeping them separate. He managed to ensure his control by means of the rivalry he encouraged among them – a form of divide and conquer – and by keeping his hands firmly on the purse strings.³⁹ Arafat instituted

a rationale intrinsically opposed to the organizing rationale of a state, and in his own conduct perpetuated corruption, inefficiency, and lack of transparency, exacerbating the alienation felt by Palestinians toward the PA and its leaders.

The election of Abu Mazen as president of the PA after Arafat's death did not generate a fundamental change in PA conduct. The first signs of positive change emerged only after the appointment of Salaam Fayyad as finance minister and even more so when he was elected prime minister. But the Hamas takeover of the Gaza Strip in June 2007 completely disrupted any chance the PA government had of exerting influence over events in the Gaza Strip, forced the PA to divert enormous sums to pay former PA employees living in the Gaza Strip and receiving money for doing no work, and took a serious toll on the PA's budget and resources. Moreover, the PA lacks natural resources and its economy is totally dependent on Israel's, whether because of the employment of 150,000 workers (with or without permits) in Israel and the industrial zones in the West Bank settlements, or because the Israeli market is the most important export market for Palestinian goods. The level of unemployment among the educated younger generation is especially high; agriculture is traditional and lacks mechanization, automation, and innovation; and public and national infrastructures are undeveloped.

The international community, which at some point realized that the massive funds it was raising for the PA were sucked into a bottomless pit, decided to change its approach and take a much stricter line with regard to PA use of the aid. The international community found a kindred spirit in Prime Minister Fayyad. During his tenure, a real effort was made to build institutions, train the security services, improve law enforcement mechanisms and tax collection, and more. These were also evident in a basic document the Palestinian administration composed in August 2009 under Fayyad's leadership and guidance.⁴⁰ But these efforts distanced senior Fatah and PLO officials away from the sources of influence and money, and turned Fayyad into their sworn enemy. They managed to eliminate him politically and force his resignation.

After 20 years of generous support for the PA (the highest per capita funding ever given to a state or a population),⁴¹ the PA failed to construct the infrastructures required to establish a functional, sustainable state. One of the most blatant weaknesses of the PA is its inability to impose its monopoly on the use of force. Without a monopoly on the use of force and

without an ability to realize its sovereignty over all of state territories, there is no functional state. Abu Mazen and the Palestinian leadership by his side are weak and lack the legitimacy, determination, and capacity to undertake political reforms and disarm the militias, and they will find it difficult to defeat the extremists at the polls. In the absence of these factors, “the rest of the world can do little to spare the Palestinians from a future that looks much like their recent past and that is characterized by more chaos, strife and lawlessness, economic hardship, and conflict with Israel.”⁴²

A Look Ahead

The rise in the number of failing states caused by the regional upheavals in the Middle East is a threat to the stability of the region and the international system. Therefore, what at first glance may look like a conflict between armed groups and government forces, as in Syria, Iraq, Libya, Yemen, and the PA, is in fact a struggle between regional and global forces, between Shia and Sunna (or between Iran and Saudi Arabia, the leading nations of the respective camps), and even between moderate Sunnis and Salafī jihadist Sunnis.⁴³

While failing and weak states are not new to the Middle East, the problem assumed a new dimension with the outbreak of the Arab Spring. Pessimistic observers such as former US Secretary of State Henry Kissinger speak of “blank spaces denoting lawlessness [that] may come to dominate the map” of the Middle East and North Africa, with Yemen, Somalia, Libya, Iraq, Mali, Syria, and the Sinai Peninsula as case studies of failing or failed states.⁴⁴ An analysis of the features of the political and social structures of the PA shows that the PA is gradually becoming another regional “blank space.” Indeed, the reality in the PA’s territories reflects clear symptoms of state failure similar to certain symptoms in failing and collapsing Middle East states in the post-Arab Spring era. It is therefore unrealistic to think that in the case of the PA developments would be very different without the intervention and support of the international community in the process of building the Palestinian state in a way that would ensure a reasonable quality of stateness.

The Palestinian leadership, along with some elements in Israel and the international community, view an agreement and the establishment of a Palestinian state as preconditions for making the necessary improvements to Palestinian state functioning. However, and notwithstanding the importance of reaching a political settlement – and while an agreement would presumably

help – we do not view it as a precondition. Given the fact that the chances of arriving at such an agreement under existing conditions are very low, choosing not to fix the failures and improve the Palestinians' state and institutional infrastructure is liable to be a grievous error that will only lead to further deterioration in the areas under PA control. Such deterioration could be manifested in further worsening of the living conditions and welfare of the local population, an increase in frustration and despair, and a loss of hope and violence, all of which might be translated into escalation and further erosion of the public's faith in its leadership and its legitimacy.

The limited area (even a future area based on the 1967 borders with mutually accepted land swaps) and the high economic dependence on Israel are problematic and restrictive preexisting conditions impacting on the potential viability of the future Palestinian state, whose chances for independent existence are a function of the extent of economic cooperation with Israel and the quality of its state and institutional performance. These two components can develop in the absence of a final settlement; in turn, their development could help establish Palestinian state performance and provide better conditions for accelerating the political process and arriving at an agreement.

The international community will not be able to ignore the need to face the failing state phenomenon because of its direct and indirect influence on regional and global stability. In certain ways, the PA, whose condition is not as severe as that of Syria, Libya, and Yemen, could actually serve as a positive example and success of that kind of intervention, provided it happens soon, without illusions, and with meticulous attention to the lessons of the past 20 years of international aid that have failed to lead to the desired result.

It seems wise to study the insights of Charles Call, who takes issue with the international community's preference for Western thought in the context of the essence of a state and the focus on the effort to effect order in failing states. In his opinion, this prejudice interferes with one's ability to identify the particular characteristics of any given state and shape a solution that matches its unique nature. Call warns of Western paternalism and recommends separating peacemaking efforts from state-building efforts, and focusing on whatever is relevant to the singular characteristics of each nation.⁴⁵

Therefore, in addition to the tremendous effort the international community expends on renewing the political process, whose goal is the

establishment of a Palestinian state, it is also important to invest intellectual effort and the required resources into steps needed to actually build a Palestinian state. The process of Palestinian state building must rest in part on the assumption that the reconstruction of failing states requires great focus also on reconstructing the society in tandem with the reconstruction of the regime and its institutions.⁴⁶ An important recipe for successful state building and failing state reconstruction is reshaping the power structure from the bottom up, based on the understanding that a skewed, unrepresentative, illegitimate power structure is part of the underlying problem. Therefore, addressing this in a way that ensures widespread legitimacy requires sharing and a redistribution of state assets and political clout. Cumulative experience proves that foreign involvement even in terms of physical presence for a defined period of time, until the local population finds it possible to run the state on its own, can prove to be necessary and helpful in reconstructing the regime and building the state.⁴⁷

It is doubtful that the international trusteeship model with the physical presence of an international task force can suit the Palestinian case at this time, after 22 year of autonomous existence. This model is liable to be seen by the Palestinians as a form of neocolonialism further postponing the realization of an independent Palestine, but it would do most harm by neutralizing the Palestinians' direct influence on the process, population, territory, and resources. On the other hand, experience shows that if the process is left solely to the PA, there is little hope of developing a functional state, and the chances for the creation of a failing state that would become a center for regional instability and a security risk to Israel, as well as Jordan and probably Egypt, would only grow.

The Palestinian case requires an unflinching, honest look at 22 years of a political process in which the Palestinians failed to build a functioning state entity. The two semi-state Palestinian entities in the Gaza Strip and the West Bank are experiencing a dangerous process of state failure, and the international community is helpless in stopping it. It seems that without an organized, persistent, painstaking, and responsible state building process in which Israel plays an important part, and addressing the entire gamut of reasons for the current state of affairs in the PA in order to ensure that this process [state failure] stops if not changes direction,⁴⁸ there is no real hope for the development of these entities into functioning states, whether each on its own or together as one Palestinian state. Furthermore, it is necessary to take a sober look at the regional reality in the wake of the regional upheavals,

which suddenly and explosively exposed the complexity and risk inherent in the failing state phenomenon. The challenge now facing the PA, Israel, and the international community is to dispel the prevailing doubt that the Palestinians will one day be able to build a modern, functioning nation state even with international help.⁴⁹

Notes

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