

Vision and Reality in the Middle East

Security Challenges of the 21st Century Conference Proceedings

Meir Elran and Yoel Guzansky, Editors



Memorandum

105

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Institute for National Security Studies

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Meir Elran and Yoel Guzansky, Editors

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Memorandum No. 105

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מאיר אלרן ויואל גוז'נסקי, עורכים

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Preface

This volume compiles edited versions of presentations delivered in December 2009 at the third annual Institute for National Security Studies (INSS) international conference. The conference series, “Security Challenges of the 21st Century,” brings together political leaders, academicians, and practitioners to probe the most critical and challenging issues on Israel’s national security agenda and then together search for the policies that best advance Israel’s national security interests. Held in Tel Aviv, the focus of this year’s conference was “Vision and Reality in the Middle East.”

Three main challenges were identified as the most significant in late 2009, almost one year after the new administrations in Washington and Jerusalem entered office. The Iranian quest for a nuclear military capability looms increasingly close to fruition, yet remains slowly and only partially managed by the international community. There is the ongoing Israeli-Palestinian conflict, which at the time had ground to a new standstill with no political prospect with the PA on the horizon and with renewed Israeli military deterrence versus Hamas in Gaza, following Operation Cast Lead the previous year. The third challenge, the tension in US-Israel relations, dominated the other issues and sparked grave concerns as to the future of the special relations between the countries that were long a cornerstone of the Israeli strategic posture, particularly during the eight years of the Bush administration.

Most speakers concurred that the three challenges are in many ways interrelated and mutually influential. However, the degree of interrelationship, how this connection is manifested, and the implications of the linkage were subject to dispute, especially regarding the cause and effect factor. Whereas some suggested that the friction, lack of intimacy, and perhaps the inadequate understanding and hence poor coordination

between the Obama administration and the Netanyahu government had a negative effect on the political process, others argued that the root cause of the volatile atmosphere in the Middle East lay in the trends of radicalization in the region, inspired by Iran's uncurbed extremism and its quest for regional hegemony. All agreed that 2010 would likely be a critical year requiring major decisions to shape the future of the Middle East and the Israeli position within it. This in turn sparked disagreement – especially among leading Israeli politicians – as to what exactly Israel should do in order to improve its strategic situation.

The memorandum that follows is divided into four parts. Part I presents the Israeli national intelligence assessment, delivered by Maj. Gen. Amos Yadlin, head of IDF Military Intelligence, the organ responsible for Israel's overall strategic evaluation. In a panoramic survey, Yadlin analyzed Israel's revitalized deterrence and the prevailing security stability on the northern and southern fronts in the aftermath of the 2006 Second Lebanon War and Operation Cast Lead of 2008-9. He cautioned, however, that deterrence can be easily overturned and yield to another round of conflict, which will feature a more robust and dangerous Hamas and Hizbollah endowed with improved military capabilities. Beyond this immediate threat, Yadlin outlined seven principal challenges for Israeli security in the foreseeable future: the Iranian nuclear threat and its ramifications for proliferation; the empowerment of the radical axis; the implications of future hybrid warfare; the dangers emanating from the two Palestinian entities; the challenges to Israeli legitimacy; the precarious state of Israeli cooperation with its allies; and finally, the need to preserve the supremacy of the Israeli technological edge in general and in the sphere of cyber warfare in particular.

Part II of the volume deals with the Arab-Israeli conflict, with a focus on the Palestinian issue. The six presentations on this theme fall into two groups: one delivered by politicians who naturally assess the issues through their particular approaches and beliefs. The second group contains analyses by researchers who bring an academic perspective to the discourse.

Deputy Prime Minister Dan Meridor, who serves in the inner Cabinet, better known as “the Seven,” chose to tackle the interface between the Iranian threat, the Palestinian issue, and the question of deligitimization. On the Iranian issue Meridor emphasized the Israeli interest in the success of the US-led international move, urging Israel to ensure that Israel's

legitimate disagreements with the US do not overshadow and hamper the importance of the US-led global coalition, which is essential for Israel. On the Palestinian issue Meridor noted the advantages in the Fayyad concept of strengthening the foundations of the future Palestinian political system and in resuming the peace process, especially given his assessment that it is impossible to preserve the status quo, that change is inevitable, and that together with the US it is possible to advance the negotiations, even if it demands difficult political decisions from Israel.

Member of Knesset Tzipi Livni, leader of the opposition and formerly foreign minister, insisted that the vision of a Jewish and democratic Israel necessitates a twofold strategy: a strong stand against Hamas, which is not a partner to the political process, and a concerted attempt to reach a detailed agreement with the PA. The negotiations, which should resume from the point at which they stopped under the previous government, would earn the support of the international community. Gradual implementation of the agreement would occur with the establishment of a responsible, internationally-recognized Palestinian government, to include the Gaza Strip.

Arguing that time is not on Israel's side, Member of Knesset and former defense minister Shaul Mofaz urged that the passive stand of the Netanyahu government be replaced with a political plan, in part to preempt any imposed solution. The essence of the Israeli initiative should be based on the establishment of borders and security arrangements that provide a solution to the conflict. According to Mofaz's plan, in the first stage the Palestinians would receive 60 percent of the West Bank and Gaza territory, and in the final stage they would receive land equivalent in size to the 1967 territory. Israel will gain defensible borders that include the settlement blocs, while in the first stage it would not be required to relocate settlements or military camps, and 99 percent of the Palestinians will reside in Palestinian territory. Following the first stage negotiations would begin on the core issues.

Deputy Prime Minister Ze'ev Binyamin Begin, also a member of "the Seven," presented a different concept. He suggested that it was not possible to meet the Palestinian expectations, nor was it feasible that an agreement with the PLO could be reached in the foreseeable future, unless the organization changes its policies. There is no mediator who

can bring the parties to an agreement, and any political process will end up in a stalemate, as was the case in the past. In the meantime, until the circumstances change, Israel must preserve its strength and freedom of movement. It is crucial that Israel be wary of formulae suggested by others, even friends, since often their guidelines do not correspond with Israel's interests, which are based not only on security considerations but also on the nation's natural and historical right to its land.

Professor Itamar Rabinovich, former Israeli ambassador to the US, focused on the Syrian dimension, analyzing what led the US administration to decide not to adopt the option of "Syria first" and the reasons for the failure of the American attempt to engage Damascus. He discussed the factors behind the improved Syrian posture in the region, and concluded that Syria seems to remain part of the problem rather than part of the solution.

The presentation by Brig. Gen. (ret.) Shlomo Brom of INSS concludes this section of the volume. Brom argued that Israel lacks a comprehensive strategic program to face the challenges of Iran, the Arab-Israeli conflict, and hybrid warfare. At best, each receives an ad hoc position, based primarily on external pressures. While there is a need to relate to the Syrian track and perhaps even grant it priority, the Palestinian issue deserves a more thorough consideration. He contended that there is a Palestinian partner and that Israel must consider how to empower this partner. In light of the prevailing political reality, he suggested an agreement in stages, which deals first with issues of territory and security arrangements, then economic and civilian questions, and only at the last stage with an attempt to tackle the core issues of Jerusalem and the refugees. On the basis of the Fayyad plan, it is possible to advance to an agreement on the first issues and establish a Palestinian state in two years, with regional Arab assistance.

The third part of the volume deals with the international environment and its impact on developments in the Middle East. Of primary significance in this context is the American approach following the election of President Obama and what seems to be a shift in US attitude and consequently its policies, which has spawned a new atmosphere of concern in Israel.

According to Dr. Martin Indyk, former US ambassador to Israel and now of the Brookings Institution, President Obama entered office facing three critical interrelated issues that have direct relevance to the Middle

East: the threat of al-Qaeda, the Iranian challenge, and the Arab-Israeli conflict, with the Palestinian question at its core. Convinced that time was not on Israel's side and that failure to resolve the Palestinian issue will have negative repercussions on American national interests, President Obama devised a strategy that included a rehabilitation of relations with the Arab and Muslim world; an attempt to engage Iran, while building the international consensus against its nuclear program; and advance of a comprehensive solution to the Arab-Israeli conflict, including drawing Syria into the pro-Western camp. In late 2009, the picture was not encouraging as far as this strategy was concerned. Washington found itself disappointed by the attitude of most partners, including Saudi Arabia, the Palestinians, and Israel. Still, the president was expected to continue to press for the implementation of his strategy and seek the cooperation of regional leaders.

Ambassador James Cunningham, US ambassador to Israel, also surveyed the broad challenges facing the US. He focused on the administration's initial emphasis on change, primarily from military conflicts to diplomacy, dialogue, and engagement. Given the prevailing political reality, the administration's strategy is one of incrementalism, with major efforts to recruit allies to partner with the US in advancing the goals of stability and security.

Ambassador Sallai Meridor, the former Israeli ambassador to Washington, suggested that US-Israel relations have been affected by the administration's attitude of "anything but Bush," which put Israel in a state of growing isolation in the international arena. Thus Meridor argued that together with the US, Israel should formulate new options for negotiations, without neglecting the Syrian option. If there is no progress on the Palestinian issue, towards 2011 Israel should expect an attempt by the US to "save the parties from themselves," by pushing them to act according to their "real" interests, as perceived by Washington.

Ambassador Dan Gillerman, former Israeli ambassador to the UN, presented a more optimistic stance, based on his conviction that there is a growing understanding, including in the moderate Muslim world, of the threat of radicalism. With this comes a realization that the challenge posed by Iran, and not the Israeli-Palestinian conflict, represents the core of concern. If the more pragmatic forces could mobilize to find a realistic solution for

the Palestinian question, they will find themselves in an improved position to face the dangers of fundamentalism. Gillerman suggested that President Obama can rely on this option, which might facilitate reconciliation and normalization with the Arab and Muslim world.

Ambassador Shimon Stein, former Israeli ambassador to Germany and currently at INSS, explained that the European community seeks stability in the Middle East, convinced that this enhances stability in its own yard. This is the reason for European activism on the Middle East, even though European leaders are aware of their limitations in this regard. To a large extent the Europeans base their Middle East policies on the principle of reward and punishment. If Israel adopts a policy perceived as forthcoming by the EU, it will be rewarded accordingly in ways that will enhance its practical and strategic relations with Europe.

The fourth part of this volume deals with the Iranian challenge and how Israel should consider tackling it. Professor Maj. Gen. (ret.) Isaac Ben-Israel suggested that a nuclear weapon held by Iran does not necessarily represent an existential threat to the State of Israel; at the same time, this would constitute an intolerable threat. He contended that international sanctions may succeed in bringing Iran to a point that it does not cross the weaponization threshold, despite the technological capabilities it has acquired. Ben-Israel suggested that any delay of the Iranian program is also significant, partly due to the domestic pressure on the regime.

Maj. Gen. (ret.) Giora Eiland of INSS, formerly head of Israel's National Security Council, examined Israel's possible military options against Iran. He focused on four dimensions: the political context; the risk of living with a nuclear bomb versus the risk of a preemptive move; the question of the American approach to an Israeli strike; and the pure military context. In this last domain Eiland mentioned the need for precise and adequate intelligence; the capability to bring the critical mass of explosives to the right targets; the question of the expected damage to these targets and the implications for the nuclear program; and the operational window of opportunity. Eiland suggested that Israel may find itself having to choose between two bad choices: foregoing a military operation and living with an Iranian bomb, or taking the initiative and attacking despite the potential risks.

The last essay, by Professor Irwin Cotler of Canada, asserts that Ahmadinejad's Iran is the current most severe security challenge to the world. His thesis is that Iran has emerged as a clear and present danger to international peace and security, to regional and Middle East stability, to Israel and world Jewry, and increasingly to its own people. In Ahmadinejad's Iran there is the toxic convergence of four distinct yet interrelated threats: the nuclear threat; the danger of state-sanctioned incitement to genocide; the danger of state sponsorship of international terrorism; and the danger of persistent and pervasive massive violations of domestic human rights. Iran is not punished for these threats. What are needed, argued Cotler, are targeted, calibrated, and comprehensive sanctions to deal with all four threats and leverage threat-specific remedies, namely, solutions that are targeted to the very nature of the threats themselves.

Significantly, what was analyzed and posited in late 2009 remains highly relevant in the second half of 2010. The three interrelated main strategic issues still figure high on the Israeli agenda, with the same threats and the same degree of uncertainty as to Israel's capability to maneuver and realize its basic interests. It is more apparent now that the key to answering these questions is the nature of relations between Jerusalem and Washington. As long as they continue to be mired by suspicion and lack of intimacy, the relationship will hinder the calibrating and coordinating of a united front, which will make it more difficult for Israel to translate its strategic assets into sustainable achievements, and vice versa. Building confidence and consequently coordination between Washington and Jerusalem will serve the two sides better in their quest to enhance their interests.

Meir Elran, Yoel Guzansky
Tel Aviv, July 2010

Part I

The National Assessment

Amos Yadlin

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Israel's Strategic Challenges

Amos Yadlin

At this time, on the eve of a new calendar year and the start of a new decade, I would like to review the strategic challenges facing the State of Israel. We are celebrating this Hanukkah as a powerful free nation, enjoying – despite the gloomy prophecies and lamentations over the loss of our deterrence – a very peaceful year from a security perspective. In the summer, fall, and winter of 2009, not a single soldier or civilian was killed in an act of hostility or terrorism, an unprecedented phenomenon in recent decades.

At the beginning of the year some people were preoccupied with the question whether Operation Cast Lead, then at its peak, would bring about the hoped-for calm in the southern part of Israel or would escalate also to the north. Now, as the year draws to a close, there is only the small voice of silence. Hamas is not firing anything at us; on the contrary, it is even preventing the launch of rockets by defiant organizations. Likewise, Hizbollah did not intervene in the fighting in the south, and it has continued to hold its fire since the Second Lebanon War.

The source of the calm on the borders does not lie in the fact that our enemies, near and far, have suddenly embraced Zionism, rather in the conjunction of several restraining factors, some the result of our doing and some the result of circumstances beyond our control. The most important element in the calm we have experienced is Israel's deterrence. The deterrence, which started as the toll taken of Hizbollah in the Second Lebanon War, continued via very concrete understandings about the capabilities of the IDF, culminating in Operation Cast Lead.

Deterrence is slippery and problematic, and it is difficult to predict its future course. Nonetheless, in hindsight, it is possible to see clearly that

the enemy avoided pulling the trigger and harming the State of Israel. At its base, deterrence rests on the simple arithmetic of profit and loss as calculated by the enemy: the profit of harming us versus the loss resulting from the cost and the ramifications of defiance. The cost derives from the enemy's understanding of our ability to inflict harm and its readiness to take that risk. Today, the enemy estimates the cost of aggressive activity as high and doubts its ability to predict our moves, as it failed to do in Lebanon in 2006 and in the Gaza Strip in 2008-9.

In the past, claims were made that because terrorist organizations have nothing to lose it is impossible to establish any sort of deterrence in their regard. In practice, the State of Israel has succeeded in establishing deterrence vis-à-vis both Hizbollah and Hamas. The change in the character of the two organizations lies at the core of this success. They have become part of the establishment and joined the political apparatus, and therefore must be accountable and responsive to public demands. In fact, the military actions in Lebanon and the Gaza Strip persuaded Hizbollah and Hamas – which are beset by an ongoing identity crisis marked by tension between sovereignty and resistance, and the need to position between government and conflict – to choose to maintain the calm, at least for now.

Nonetheless, the calm we have experienced cannot be attributed solely to deterrence and accountability. Other elements have also contributed to the quiet period; these must be understood correctly so that we do not mistakenly assume that the fronts will remain calm indefinitely. The fronts are calm now because our enemies are busy reconstructing their forces in preparation for the next round of fighting. In addition, on the Lebanese, Palestinian, and Iranian arenas they are engaged in internal power struggles, which require energy and resources. Clashes with Israel do not always help strengthen their internal status. Finally, terrorist organizations have become aware of the importance of legitimacy. The sympathy of the world and the international media, the need to acquire legitimacy for their regimes and status, and the opportunity to damage Israel's legitimacy are additional incentives for them to hold their fire.

Let us now turn to seven strategic challenges that confront us: the challenge of Iran becoming nuclear; the challenge of cooperation and learning within the radical axis; the challenge of the hybrid battlefield before us; the challenge of the two Palestinian entities; the challenge of

preserving our legitimacy; the challenge of coordination with our allies; and the challenge of preserving our technological superiority.

The challenge of Iran becoming nuclear: In recent years we have witnessed Iran establishing itself in the region in a way that will allow it to “break out” towards nuclear weapons, should it decide to do so. Iran is promoting its nuclear program on the basis of a strategy it has formulated for itself. This strategy is not one of attaining a nuclear bomb by the fastest possible route, rather a measured, sophisticated strategy that is built on advancing on a wide front to establish a nuclear infrastructure and shorten the distance to a bomb while paying minimal costs.

Iran has constructed a varied infrastructure of plants and has advanced nuclear capabilities on many tracks, following the principles of redundancy, dispersion, and fortification. The Iranians have a plutonium-based track and a uranium enrichment track; the program is underway in a number of locations, known and secret, civilian and military. Iran is advancing its nuclear capabilities laterally to ensure itself the ability to break out at a time it deems appropriate. Until Iran chooses the timing of the breakout, the rate of the nuclear program's progress will be determined by international pressure exerted against Iran. The move towards the bomb will occur at some future time that Iran assesses to contain the necessary strategic conditions to allow it a relatively safe breakout.

There are two alternative scenarios for the breakout: one is resigning from the NPT, while the other is proceeding on a clandestine track, as Iran had intended to do at the recently uncovered secret facility in Qom. This site should serve as a warning sign for all those who accepted Iran's claim that its nuclear program is civilian in nature, designed only for energy production. The moment they understood that foreign intelligence services had discovered the site, the Iranians, as is their wont, hurried to make it public and transfer it from the clandestine part of their nuclear effort to the public, open, and supervised part of the program.

In the context of the Iranian nuclear challenge, three clocks must be watched: the technological clock, the diplomatic clock, and the regime stability clock. The hands of the technological clock have almost come full circle. In 2008, Iran took complete command of enrichment technology, and in 2009 it amassed enough material for a first bomb at the enrichment facility in Natanz. To be sure, the material is LEU of about 4.5 percent.

In order to manufacture a bomb, uranium must be enriched to military grade – at least 93 percent. At the moment, Natanz has amassed over 1,700 kg of LEU. Every day some 4,000 centrifuges, of the many thousands installed there, spin out a few more kilos of LEU. That is what the ticking of the technological clock sounds like. At the same time, Iran is hard at work improving its surface-to-surface missiles. It is developing solid fuel propelled missiles and enlarging their ranges to reach other continents. Furthermore, Iran is maintaining its capabilities in the field of developing a nuclear detonator facility and is undertaking activities that do not jibe with its “peaceful nuclear goals” alibi.

The diplomatic clock, which had stopped in recent years, has started to move a little faster in political terms. About a year ago, we indicated that successful dialogue would be a good option for dealing with the issue of a nuclear Iran, but we also estimated that the chances of success were low. Unfortunately, our estimate is close to being confirmed; the attempt at dialogue has encountered a bold, defiant response from Iran. Still, it was important, perhaps even crucial, to have the train stop at the dialogue station, in order to hitch all six major powers to the sanctions wagon.

Currently in the world there is some argument about the effectiveness of sanctions. Some feel that sanctions would have no real impact on Iran and might even cause the Iranian people to rally around the regime. In contrast, the supporters of sanctions use the South African example as proof of the power of sanctions to achieve political ends, and I agree with them. In 2006, relatively low key sanctions, certainly compared to those currently under discussion, were imposed against Iran, and they managed to cause Iran a great deal of worry. The Iranian economy is dependent on oil income and extensive subsidies. The decrease in oil prices has hurt the stability of Iran’s economy. As a result, the regime has had to cut back its support for terrorist organizations abroad and discuss cutting subsidies at home, a crucial but unpopular move in those segments of the population on which the Iranian president depends. Furthermore, the concern that sanctions would cause the Iranian people to rally around the establishment has been greatly diminished as a result of the events surrounding the recent elections. It is doubtful that the large number of opponents would tolerate the cost incurred by the leadership’s continued challenge of the world at large.

What changed in 2009 was the ticking – albeit slow – of the regime change clock; until recently this clock seemed broken and thus correct only twice a day. At present, about six months after the crisis spurred by the elections, we are noting increased oppression by the regime against a protest movement that refuses to die. The bad news is that the regime has handled the protests efficiently and stopped their momentum; this without making the streets of Tehran flow with blood, yet by operating against the protest centers in a determined, undercover, and effective way. The protest movement failed to find charismatic leadership and lacks the classic revolutionary fervor of workers, students, intellectuals, and the military that is capable of overturning regimes. The protest movement's leadership is cut from the same cloth as the regime: a former prime minister and former presidents are among those fanning the smoke of protest.

The good news is that two growing cracks are emerging in Iran: one, between the regime and the people, and the other, within the regime itself, among the “children of the revolution.” The regime's bogus claim that it is a model regime, resting on the will of the people and the principles of justice and freedom, has been exposed. After the election fraud and the repression of the demonstrations, no one in the Muslim world or Iran is still buying the narrative of “the pure revolution” that changed history.

These developments in Iran present us in the intelligence community with the tremendous challenge of forecasting the stability of regimes and trying to time their collapse. This is a highly complex intelligence challenge, demanding both caution and humility. It is difficult to measure the strength of undercurrents in the marketplaces, mosques, and factories. We lack sufficient historical experience in order to assess the impact of the internet and global communications on toppling dictatorial regimes in the twenty-first century.

However, aside from the three clocks, it is important to understand that from the moment Iran finally succeeds in establishing its status and image as a threshold state with the knowledge and capability to cross that threshold, it will enjoy the same advantages as those enjoyed by nuclear states, without having to construct a nuclear detonator facility and incur all the negative ramifications involved in a breakout. In such a situation, the allies of the radical axis would feel much more confident in taking steps that they currently do not dare to risk. By contrast, the pragmatic Arab

nations are liable to accelerate their own nuclear planning, a phenomenon already evident as Persian Gulf states, Egypt, and Jordan are all beginning to develop their own nuclear programs – at this point civilian, but bearing the potential for expansion into other directions as well.

The challenge of cooperation and learning within the radical axis: The radical axis includes Iran, Syria, Hizbollah, and the Palestinian terrorist organizations. In light of the blows inflicted on the axis in the last three years and the internal difficulties they have experienced in the last year in the Lebanese and Iranian arenas, the ties within the axis have grown closer and the level of cooperation has reached unprecedented heights. There are well known locations in Iran and Syria where during testing of various weapon systems one can identify Iranian and Syrian military officers, Hizbollah activists, and even members of Hamas and Palestinian Islamic Jihad who have been invited to participate in the event. This is how it works: the ideology, financing, technology, military doctrine, and training are all supplied by Iran. They prefer the manufacturing to take place in Syria, and the product is distributed among all members of the axis.

The Middle East is covered by a number of networks jointly operated by Iran, Syria, Hizbollah, and even Hamas. Some deal with smuggling arms and materiel by land, sea, and air: in the south, through Sudan to the Gaza Strip, and in the north, into Syria and Lebanon. The Iranians and Syrians have removed virtually every restriction on transferring weapons to Hizbollah and Hamas. Our working assumption is that any weapon system in Iranian or Syrian hands, no matter how advanced, will sooner or later show up in Lebanon and other places the radical axis seeks to fortify. Intelligence gathering and early warning systems are additional networks that supply information about Israel's activities and those of the IDF. The sensors are stationed in Syria and Lebanon, while the ultimate consumer is far to the east.

As the head of Military Intelligence, my job is to provide early warning about cannons starting to boom again. However, I would like to point to a different level, less visible though no less interesting, in which the cannons do not boom. When they are quiet, there is plenty of activity on a different clandestine level among the radical axis, which is usually referred to as "the learning contest." The elements of the radical axis studied the lessons of the Second Lebanon War with care, and are applying and assimilating

them in both the Syrian and Iranian armies. The confrontation in the Gaza Strip is analyzed in Tehran and Beirut with the same measure of diligence devoted by Hamas. Thus intelligence insights, outlooks, and understandings of weaknesses and strengths pass from one end of the Middle East to the other. The openness with which Israeli society discusses its own weaknesses and strengths, and the information available on the internet and in the media give the radical axis's learning curve a significant advantage. This readily available information, the advanced technologies at the enemy's disposal, and its impressive ability to learn from experience are facts we must balance through counter-learning and our own high quality intelligence gathering, debriefing skills, analysis, and initiative. The victory in the learning competition is a challenge growing ever more significant as time passes.

The challenge of the hybrid battlefield: The next challenge Israel must deal with is the ongoing change in the dynamics on the battlefield. In the past, we talked about the transition of the battlefield from symmetrical with two conventional armies, to asymmetrical with a regular army facing networked, low signature terrorist organizations having the capability of vanishing and leaving the battlefield empty. We must be simultaneously prepared for three different types of threats. The first remains the symmetrical threat; it is important for us to remember that we have not been relieved of the symmetrical threat. The enemy is equipping itself with the best weapon systems from the East and the West, whose performance is no worse than that of our systems. Israel's quality advantage is challenged and the international weapons market is open to anyone with the money to pay. The second threat is the asymmetrical, which continues to pose a risk. This type of threat is also trickling and expanding into the regular armies. Booby traps, suicide bombers, short range rockets, and so on in the hands of an enemy that does not wear a uniform, harms civilians, and hides behind civilians – this will continue to exist as a battlefield.

The third and most significant threat is the one called the hybrid threat. This is a concept that in recent years has also been developed by researchers here at the Institute, combining elements of weapon systems, command and control capabilities, intelligence gathering, and organization from the symmetrical arena but adopted by the asymmetrical one. The

threat interfaces between preservation of the capability to harm an army and civilians, and tools characteristic of the asymmetrical battlefield.

Alongside the many difficulties presented by the hybrid threat to operating the IDF force is one marked advantage. The organization of Hizbollah and Hamas on the model of a military structure makes them more vulnerable to intelligence leaks and physical harm. The signature of terrorist organizations is growing. The challenge for the IDF is to identify a military doctrine that takes maximum advantage of the disadvantages of the hybrid threat, and prevents the enemy from realizing the threat's various advantages.

Two prominent phenomena concern the enemy's growth of power. The first is the ongoing stockpiling of high trajectory weapons in their increasing quantities, ranges, and precision. This very auditorium we are gathered in today is threatened by high trajectory fire from three different fronts. Syria, Iran, and Hizbollah, the only terrorist organization in the world with surface-to-surface missiles, all have the capacity to threaten the greater Tel Aviv area. Hamas has also been trying to attain this capability. Our enemies do not rest for a moment and do everything in their power to improve their capabilities and amass more warheads with greater precision and variety, and with the ability to penetrate deeper into Israeli territory.

The second phenomenon characterizing the battlefield – or perhaps it is more accurate to say that it is occurring underneath it – is the transition to underground fighting. Our experience from the Second Lebanon War taught the enemy the advantages of digging in and fortifying itself in the face of Israel's precision guided arms and aerial superiority. It prepared to fight the battle from trenches, to launch rockets from tunnels, and to move from one location to another without ever setting foot outside and exposing itself to Israeli fire.

With high trajectory fire and descent into tunnels as the primary elements of the enemy's force construction, it is important to provide a framework of correct operational and tactical proportions. Tens of thousands of rockets are imprecise terrorist weapons. It is impossible to conquer territory or decide the outcome of a war with these alone. The effect on the battlefield of an enemy that hides underground is problematic and limited. The challenge the IDF faces is to develop a doctrine of war that will emphasize

the drawbacks I described and wrest a decision in battles, notwithstanding these characteristics.

The challenge of the two Palestinian entities: In recent years, a clear difficulty has emerged in trying to establish a coherent response to the Palestinian arena, thanks to the differentiation and establishment of two geographically, ideologically, and politically different and separate entities. It would seem that neither is in any particular hurry to arrive at a settlement with Israel because in its view, time is on its side. Both in the Gaza Strip and in the West Bank, there are institutions of a state-in-the-making, striving for internal and external legitimacy while bypassing Israel.

A radical entity hostile to Israel has become entrenched in Gaza. It views Islamic resistance as the primary means for eradicating the State of Israel and, as per the Hamas charter, establishment of a *sharia*-based nation in the entire territory of historic Palestine, from the river to the sea. This is an entity with political and military dimensions rife with terrorist organizations other than Hamas, such as Islamic Jihad and global jihadists of various stripes.

Currently heading the Palestinian Authority in Judea and Samaria are people led by President Abu Mazen who disavow terrorism, shrink from it, and view a political settlement as the only viable solution to their national plight. On the ground, stabilization processes are underway in a relatively calm atmosphere, but here too a more complex trend is developing. On the political level, as a kind of belated response to Israel's 2005 unilateral disengagement idea, the PA is developing a new concept of unilateral progress. The PA is signaling to Israel that it is still interested in advancing the political process and views it as the preferred channel for progress, but only on condition that Israel respond to the opening conditions it has proposed. In its view, the claim "there is no partner" has changed direction, and the PA has other tools at its disposal should Israel be unwilling to meet basic conditions. To be more precise, at stake is not the unilateral declaration of a state, rather an approach that says that if it is impossible to arrive at a satisfactory settlement with Israel, there will be an attempt to force the main results of the agreement before beginning negotiations.

To realize this idea, the PA is operating using a pincer approach. From the ground up, Salam Fayyad continues to build the future state institutions with the economic and political support of the international community. At

the same time, from the top down, Abu Mazen and other senior PA officials are leading a move in which the conditions of the settlement will be dictated by the international community. The negotiations that will take place will deal with implementation of the parameters determined by the Security Council or any other forum before they even start. The Palestinians' success in putting Jerusalem at the top of the political agenda demonstrates their capability in bringing to the fore issues that are problematic for Israel and receiving international support. This may be compared, although with some qualifications, to the Syrian model, in which Israel is asked to agree to the central features of the solution as soon as entering the negotiations track rather than at the end of the process.

In addition to this pincer move, we can identify a third effort, i.e., damaging the legitimacy of Israel and dragging it before international institutions, such as the through the Goldstone report and moves at the ICC and ICJ. To a certain extent, the declarations made by the international community in support of Palestinian demands are meant to prod the sides back to the negotiations table, but they in fact attain the opposite result by persuading the Palestinians of their ability to ensure the parameters of the solution before they are asked to exchange a word with Israel.

The challenge of legitimacy: Israel's actions and positions are awarded decreasing legitimacy by the international community. Absurdly, one of the primary reasons is the calm that I mentioned earlier, the impressive successes in curbing Palestinian and Hizbollah terrorism.

Everyone loves the underdog. The fact that in recent months Israel has not suffered from terrorism in practice or from any immediate military threat makes it easier for the international community to demand that Israel change its positions, become more flexible, and make concessions. By contrast, Israel views its security and political needs somewhat differently, and thus when the political process fails to take off Israel's political status is further eroded.

Another clear example of the political difficulty and the deteriorating legitimacy balance is the improvement in Syria's standing. Formerly an isolated pariah state, it has become a legitimate, sought-after state without having changed any of its negative activities with regard to Iraq, Lebanon, or Israel. Every week President Asad hosts respectable European foreign ministers, senators, members of the American Congress, and kings and

princes from Arab states in his palace, all of whom are waiting to thank him for not interfering in the Lebanese elections and for having assisted in assembling a government in Beirut. However, those who are familiar with the intelligence know full well that Asad intervened in the elections using money and threats, and in fact overturned the election returns and the process of installing a government with an independent agenda. While the queue of noted guests waiting outside the president's office grows longer, the likes of Hassan Nasrallah, Khaled Mashal, and Iranian security personnel, who have just completed their despicable deals to purchase military materiel and exchange information, sneak in and out of his back door.

Given this situation, it is no wonder that Asad feels safe enough to reject European demands regarding the economy and human rights, and has refused to sign the association agreement he was so eager for in the past. Thus he also continues to turn a blind eye to the stream of global jihadists making their way through Syria to Iraq. This challenge, of a Syrian ruler being accorded new legitimacy despite his negative activities, is one that will be with us for years to come.

Furthermore, as time passes, the negative Syrian role grows more entrenched and Asad's place on the radical axis becomes more fixed. Asad is not a natural member of the radical axis. Syria is a secular state and unlike Iran, does not rule out a peace agreement between Hizbollah and Hamas on the one hand and Israel on the other. A peace agreement, should one be reached, carries the potential for a positive change in Israel's strategic environment. The removal of Syria from the circle of hostile elements, snapping the link connecting – geographically and in other ways – the radical axis, and Syria's withdrawal of support of terrorism would reduce the threat potential against the State of Israel.

The challenge of coordination with our allies: We are not alone in facing the challenges I have described. In our struggle against Iran and the radical axis, we have more partners than ever before, Western and Arab, headed by what is currently the biggest power in the world, the United States. The alliance between Israel and the United States is firm, based on shared values, overlapping interests, and a tradition of decades of bilateral, inter-organizational, and interpersonal cooperation.

The challenge of preserving the alliance, understandings, and coordinated moves is a challenge of the highest order. We are dealing with an administration burdened with many difficult problems. The economy, the stability of the financial system, the health insurance issue – all these are vying for the top spot on the US national agenda. Regarding foreign policy, Pakistan, Afghanistan, Iraq, North Korea – in terms of their importance and the attention paid to them – figure well ahead of the Israeli-Palestinian conflict, and sometimes before the Iranian issue. The difference in the agendas of the two nations forces us to try to understand the view as seen from Washington and try our best to share our view with the administration. In a period when there are casualties among American soldiers in Afghanistan and Iraq on a weekly basis, alongside the tremendous challenges to US society and the domestic economy, it is only natural that Israel's concerns fail to command the same center stage of the past. At the same time, I feel that a year into its term, the administration understands better the enormity of the challenges it faces in this region. It understands that alongside the significant challenges in giving greater weight to the diplomatic instruments in its tool box to shape policy, these tools have their limitations, as President Obama so eloquently put it in his Nobel Peace Prize acceptance speech.

Among our allies there are those who feel that solving the Israeli-Palestinian conflict is the key to solving all the conflicts in the Middle East. All of us would like to see an end to the ongoing confrontation between us and the Palestinians. However, it is doubtful if the key to solving the conflicts in Pakistan, Afghanistan, Iran, Sudan, and Somalia is to be found in Ramallah or the Gaza Strip. If there is one problem we need to solve first with the hope of improving all the ills of the Middle East, the key is in Tehran. If that happens, the Iraqi problem becomes much simpler; Afghanistan is likely to become less complex; Syria's tendency to behave badly will be mitigated; Nasrallah will be forced to consider his moves with more care; and even the Palestinian problem may perhaps become solvable if the rug of support is pulled out from under Hamas' feet.

The challenge of preserving our technological superiority: The seventh and final challenge I see is preserving the technological edge Israel gained relative to its neighbors in the last quarter of the twentieth century. Gleaning an insight formulated to a large extent on the basis of the Yom

Kippur War, the IDF learned that technological superiority is a critical component in deterring the enemy and wresting a decision if necessary. This understanding is clearly reflected in the development and advancement of Israel's aerial and intelligence-gathering superiority and the meeting between these two on a battlefield where precision weaponry is fired at essential targets that must be destroyed. The ability to harness technology to construct an advantage in these three areas became a cornerstone of Israeli national security.

This technological gap is now threatened in various sectors. Our enemies are challenging – both defensively and offensively – Israel's aerial superiority, our precision weaponry, and our intelligence gathering superiority. Some of the capabilities that were once exclusive to the IDF are now available also to the enemy. Using precision-strike missiles, advanced generation anti-tank weapons, advanced computerizations, satellite observations, and so on, our enemies are attempting to threaten security assets and reduce our offensive and defensive capabilities. At the same time, though better equipped than ever before, the enemy's capabilities are still far below the IDF's. Our challenge, then, is to preserve that gap.

The challenge of preserving Israel's technological lead and developing capabilities to tackle the enemy's advanced systems is an important issue worthy of full discussion. Nonetheless, I would like to touch on one important aspect linked to the technological gap, i.e., the cybernet dimension. At times it seems that our enemies would like to award a special prize to software companies in the West that turned the computerization capabilities that were once the exclusive property of superpowers into turn-key products available at reasonable prices. At present, the enemy can develop command and control systems, store and share enormous volumes of information, encrypt information, and protect its systems with an ease that only a few years ago was unfathomable. This dramatic revolution is occurring is a new dimension – cyberspace.

Until the late nineteenth century, enemy armies fought in two dimensions only: on land and at sea. Ground forces and navies were the primary components of power until the twentieth century. When the first airplane took off on December 17, 1903, a new dimension entered the picture. Even before World War I, less than a decade after the Wright brothers' plane first got off the ground, airplanes were already used in the military, particularly

for the purpose of intelligence gathering. World War I was the first time extensive use, though still limited and primitive, was made of airplanes in warfare. In World War II, airplanes were used tactically and operationally and for strategic bombing. The strategic bombing of England, Germany, and Japan were an inseparable part of the war, though for many years historians debated its effect on the final outcome of the war. It was only towards the end of the century, in the 1980s and 1990s, that technology, intelligence, and precision weapons came together with a doctrine that allowed the formation of an aerial force capable of wresting decisions, as was proved in Lebanon in 1982, in Kosovo in 1999, and in both Iraq wars.

As a veteran fighter pilot and great believer in the air force, I take a great deal of interest in the new dimension of warfare developing in the twenty-first century and joining the ground, sea, and air forces. It is hard to tell if cyberspace has already passed the point of the aerial force of 1914 or is at the point of the aerial force in World War II. But there is no doubt in my mind that cyberspace has taken off as a military dimension.

Cyberspace encompasses three areas: intelligence gathering, attack, and defense. Take intelligence gathering: consider for a moment your own personal computer. Think about your innocent picture folder, and what it says about your areas of interest. Spend a few moments thinking about professional documents saved on your computer and what a stranger could infer from them, from your bank account, from the plane tickets you've ordered, and from the email addresses saved in your account. Today our lives center on computerized worlds, from handheld devices through mobile devices to the internet, and whoever manages to break into these worlds can, to say the least, know a lot.

Attack: These days, not only information is stored on computer networks. The systems supporting our lives are controlled in their entirety by computer networks. In April 2007, government, bank, and newspaper sites in Estonia were attacked as the result of moving a statue, a remnant of the Communist era. Estonia pointed an accusing finger at Russia, but to this day it has not been conclusively proven who was behind the attack. In the summer of 2008, during the war in Georgia, the citizens accused the Russians of attacking local government institutions. My final example on this very partial list is the attack on computer networks in the United States and South Korea. The South Korean intelligence agencies accused

their neighbors to the north, but to this day, this claim has not been verified. However, let us for a moment ignore attacks in the past and focus on the future. Imagine the scope of the damage a solitary skilled hacker can do should he or she manage to penetrate computerized control systems of infrastructure, transportation, and communications companies.

Defense: Having mentioned the potential of intelligence gathering and attack inherent in cyberspace, it seems to me unnecessary to expand on the importance of defense. It is a less glamorous field, but the importance of this effort by far exceeds that of the two preceding areas. Today, when appropriate discussions are held about how to tackle the cyber challenge, many are of the opinion that defense must go hand-in-hand with intelligence gathering and attack capabilities.

It is still difficult to assess the manner in which cyberspace will change the world of warfare. Cyberspace bestows on small nations and even individuals the kind of power that in the past was reserved only for the biggest world powers. Similar to the development that took place in the field of unmanned aircraft, here we see the potential for force operation that does not endanger the lives of soldiers but is capable of inflicting damage on military forces and on states' economic lifelines, without limitations of time or range.

Activity in cyberspace raises complex questions we must discuss not just in back rooms but also openly. These questions touch on the nature of deterrence that prevents war in cyberspace, and the nature of deterrence against potential attacks. How does one establish liability for acts committed in a virtual space, and how do you contain a confrontation that escalates between anonymous keyboards? These questions are only now beginning to be answered. Our friends in the world share deliberations about these questions. In the United States, a cyberspace command has been established. In Great Britain, there is an official body responsible for the field. The powers have recognized that there is a new world to be reckoned with and there must be a responsibly authority for it.

Cyberspace warfare fits well into Israel's security concept. We are talking about a dimension that does not require significant budgetary resources or natural treasures. We are talking about an undertaking operated with made-in-Israel capabilities independent of foreign aid or technology. We

are talking about a field familiar to young Israelis in a nation that was recently defined as a start-up country.

In conclusion, today I have enumerated seven of the central challenges we face. Naturally, as an intelligence person, I look at the world around us rather than at Israel, meaning that the picture I have presented may sound somewhat imbalanced with an overly threatening reality. It is important to remember that at each and every moment someone is working hard to counter these challenges. On the basis of my own familiarity with those working to provide a response, I am sure that the State of Israel can and will surmount these challenges and will remain a secure, thriving place in which to live.

Part II

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Iran, the Peace Process, and the Future of War: Strategic Issues for the Coming Year

Dan Meridor

This address will focus on three interconnected topics: the American struggle against Iran; Israeli-Palestinian relations; and the effect of the Goldstone report on the future of war.

Iran

The struggle currently developing between Iran and the United States is the struggle that requires the most attention in the coming months. Should this struggle end with Iran as a nuclear state – i.e., with an American defeat and an Iranian success – there will be far reaching ramifications not only for the Middle East but also for the rules of the game at the world level and the global balance of power. It may be that such a result would mark the collapse of the NPT, whose rules have governed the world for forty years. As a result of Iran becoming a nuclear power, the NPT regime would be damaged because already today a fair number of states – among them Egypt and Saudi Arabia – are saying that should Iran become a nuclear power they too would attempt to obtain nuclear capability. A world with uncontrolled nuclear proliferation, which represents a real danger, looms before us.

A second area where a detrimental change is liable to occur is in the very important relations that have developed between the United States and the West on the one hand and the Arab and Gulf states on the other. For almost seventy years, since the Treaty of Baghdad, relations have included supporting the Arab regimes in return for the unimpeded flow of oil from the Gulf. Many states in the Middle East, especially the Arab states, are

asking themselves if the United States will be able to continue to protect them against the export of the Iranian revolution and a destabilization of the region. They do not wish to see Iran succeed because of what Iran represents and does. However, some states are already saying that if Iran does in fact attain hegemony in the region they will have no choice but to play along. Clearly, such a scenario represents a significant change in both the region and the world order.

A third potential area of detrimental change, related to the previous issue, concerns the processes underway in the Muslim world from Pakistan and Afghanistan in the east to Algeria and Morocco in the west. The Muslim world encompasses over one billion people, most of whom are moderate citizens who would like to lead their lives in stable regimes. However, in almost every state in the Muslim world there are fundamentalist, revolutionary minorities and movements. Whether the movements are labeled al-Qaeda, Taliban, Hizbollah, Jihad, or Hamas, all threaten the internal order. All view Iran as the spearhead, and therefore the sense of an Iranian victory is highly dangerous to the stability of the Muslim world at large. What a revolutionized Muslim world means for the rest of the globe does not need to be spelled out. For all these reasons, it seems clearer and clearer that it is critical that the struggle between the United States and Iran end with an American success.

In talks with Americans I have had the occasion to tell them that they do not have to persuade Israel that the policy they are following is the correct one. Rather, the United States will have to convince the Saudis and the Egyptians that their policy will prevent Iran from becoming a nuclear state. Furthermore, the United States can also enlist Europe, which has a not insignificant amount of economic clout, thanks to its still extensive trade ties with Iran. The United States can and must enlist nations such as Australia, Japan, Canada, and some of the Gulf states, and possibly also Russia and China. This is a struggle of the highest order of importance because it will determine the balance of power and rules of the game for the entire world.

Although the results of the American efforts against Iran are significant for Israel, it is necessary to examine the issue beyond the limits of the Israeli perspective. An attempt is underway to change the world in which we live, and Israel has a clear interest in seeing the American efforts

succeed. The leaders of the regime in Iran are trying to instill in the world a sense that America is weakening. Presenting America's economic troubles alongside its campaigns in Pakistan, Afghanistan, and Iraq as indications that its importance is waning is a dangerous process that could allow Iran to cast itself as a rising counterforce that other states would do well to support.

Among the host of issues on President Obama's desk, most of which he inherited, there is no comparable achievement to the potential success of the Iranian question. Iraq cannot be a distinctive success, nor can Afghanistan. It is necessary to make sure that the legitimate differences of opinion between the Israeli government and the American administration – in themselves not an unusual phenomenon – do not mute the fact that Israel is part of the global camp led by the United States. A strong such camp clearly lies in Israel's best interests, and therefore a strong America and a successful American president are clear Israeli interests.

Should the process end with Iranian success, the ramifications on the conduct of players such as Hamas and Hizbollah will be profound. Beyond providing intelligence assistance, Iranian success will embolden these organizations and strengthen the belief that they are riding the wave of success that has removed politics between states from the arena and substituted it with the politics of God. Such a process would make it much more difficult to make peace in the Middle East. As such, there is a link between the outcome of the struggle between Iran and America, and the Israeli-Palestinian conflict.

Israeli-Palestinian Relations

Israeli public opinion has undergone a major transformation regarding the Palestinian question. From a society split down the middle into two camps over the question of whether the whole of the land of Israel, from the Jordan River to the Mediterranean, should be retained, or whether most of the territories should be returned in order to achieve full peace, it has come to a point where 80 percent of the public supports the two-state solution. The last three prime ministers, Ariel Sharon, Ehud Olmert, and Binyamin Netanyahu – who were all once Likud loyalists – endorsed the explicit formula of “two states for two peoples,” meaning the establishment of a Palestinian state next to the State of Israel. This represents a tremendous

shift resulting from many complex processes that lie beyond the scope of this address. Israeli society is moving towards a compromise while attempting to prevent the conflict from becoming a religious one. We have tried to fight the idea that relinquishing parts of the land of Israel constitutes a religious prohibition and therefore lies outside the authority of any government. The people of Israel opposed this notion at the ballot box, even during the disengagement from the Gaza Strip. Unfortunately, no such reciprocal process has taken place on the other side; on the contrary, the clearest manifestation of the reverse trend, a move from a nationalist paradigm to a religious paradigm, was the transition from a Fatah-led to a Hamas-led government in the Gaza Strip.

Israel has undergone an additional change. Beyond its expressed willingness to accept the two-state solution, it also experienced two massive failures to reach such a solution and thereby bring about an end to the conflict. I was present at the first such attempt in 2000 at Camp David, with President Clinton, Prime Minister Barak, and Yasir Arafat. However, when an end to the occupation was proposed, when a Palestinian state was proposed, when the division of Jerusalem was proposed, and even when President Clinton offered \$10 billion as aid for the refugees, Arafat said no. Clinton has made it clear that he held Arafat responsible for the Camp David failure.

The second attempt was recent. We tend to disregard it, as it represents writing on the wall we would rather ignore. Ehud Olmert made a serious, intensive effort to reach an agreement. He conducted very intensive negotiations with Abu Mazen alongside the discussions held between Foreign Minister Livni and Abu Ala. The proposals were more far reaching than ever before, both with regard to Jerusalem and with regard to other issues. The Palestinian leader did not accept even this proposal. I will not go into detail, but this is the truth. In addition, we are in a situation in which it is clear to us that there is no central Palestinian government that can unite the Gaza Strip and Judea and Samaria into one entity. There is a growing gap and no real desire – certainly not on the part of the PLO – to reach an agreement with Hamas. The Americans and others are likewise not interested in this happening, because this would mean the end of the peace process.

If that is the case, what positive processes are nonetheless taking place? For a year now there has been virtually no terrorism. No terrorism: this sounds normal; it is only natural to become accustomed to positive situations; but Israelis remember well the horrors of terrorism. While the IDF and Israeli security forces engaged in significant activity to curb terrorism, the Palestinian security services were also simultaneously engaged in significant, positive activities to that end. As a result of the calm on the security front, another positive development is taking place. The security calm has allowed the removal of roadblocks, which in turn has contributed to the Palestinian economy. Clearly, the positive processes described here are no substitute for the peace process, but one must not treat them as something self-evident. Therefore, it is necessary to use caution in further steps so as not to create expectations that might be dashed on the rocks of reality and ruin even the little that exists today.

How do we move forward from this point? In the past, ambitious visions were presented to the public with much fanfare, but we must remember that we live in reality. Without a link between vision and reality, we will soon be mired in a very difficult situation. The ladders that must be constructed between heaven and earth, like Jacob's ladder in his dream in Beit El, are crucial in the political realm.

Because the Palestinians are not prepared to discuss anything except for the permanent settlement, it would be right to hold discussions on two tracks, two levels, in tandem. One is the permanent settlement – Jerusalem, refugees, borders, security – i.e., all the issues that must be resolved to put an end to the conflict. My estimate is that the chances of reaching such an agreement are not high, but I may be wrong. However, in order to prevent an explosion and disintegration, we must at the same time talk about constructing something from the bottom up. That is to say, we must significantly expand what already exists on the ground. To a great extent, this goal meshes with what is called “the Fayyad plan.” Our common interests are to build more and more institutions, capabilities, and authorities in the Palestinian territories, so that even if there is not yet a full solution it will be possible to promote a move from the bottom to the same extent and at the same time that it hopefully advances at the top.

For that to happen it is necessary to renew the peace negotiations, but a change has come over the Palestinian stance and there are currently no

negotiations. Yet as long as the Palestinians continue to think that there is an alternative to a give-and-take process, i.e., there may be international coercion, there will be no negotiations. The moment it becomes clear to them that they must make decisions that involve not only taking but also giving, I think there is a framework that, given proper work, can promote relations, raise them to a higher level, and even arrive at a permanent settlement. Some of us, though I hope only a dwindling minority, suffer from the illusion that the status quo can be maintained over time. This is impossible, and is hardly in need of explanation

It may have been that this understanding led Prime Minister Sharon to the conclusion that even without a settlement it was important to change the status quo. Perhaps he erred in this, but the conclusion was profound, as change is necessary. This is not to say that maintaining the status quo is hurting only Israel's interests. The Palestinians are also losing. Once they understand this, I hope that with American efforts it will be possible to advance negotiations. This will of course require difficult decisions, including political ones.

The Goldstone Report and the Future of War

The enemy succeeded in establishing a new paradigm of war for which we do not yet have a good response. This paradigm necessitates a massive change in warfare, as it is unlike anything we have known before. We are no longer talking about a war in which divisions face divisions, armies face armies, and airplanes in the sky face surface-to-air missiles. The new paradigm comprises two or three elements. One is the relatively simple but very effective technology of missiles and rockets in massive numbers. In Lebanon, Hizbollah has already stockpiled close to 40,000 rockets, most of them short range but some capable of reaching most parts of Israel. Hamas has thousands of such missiles. This is the first element – massive numbers of missiles and rockets.

The second element is the positioning of these missiles within very densely populated areas. The third element, well known but nonetheless noteworthy, is the fact that on the other side there are no soldiers in uniform shooting, as defined by the Geneva Convention. Thus, a situation is created in which a war is begun and Israel is barraged by hundreds, even thousands, of missiles for a period of days. There's a launcher firing rockets,

surrounded by civilians. No rule of war obligates you to be a sitting duck until you're hit. The only way is to try to damage the launcher. However, damage to the launcher is liable to cost the lives of many civilians. This situation imposes an operational and moral dilemma. There is no other way but to defend our lives at the cost of the lives of others. Here we have a question concerning international law and the rules of war.

In the Goldstone report, I did not see enough of an attempt to grapple with the dilemma I just posed. It is important to grapple with it because this is not the last war that will be prosecuted in this way. Others deem this mode of warfare successful, and therefore the phenomenon will grow. There will be more missiles and more rockets, capable of striking at longer ranges, with more lethal warheads, and with better precision. And they will be fired from population centers. The next war will not be between divisions, but between civilians: war from amid civilians aimed at civilians.

I am not sure that it is necessary to change the rules of war, but it is necessary to change their interpretation to fit the new situation. What was created as the result of the Goldstone report is yet another unconventional weapon in the hands of our enemies, designed primarily to weaken our resolve in the next war, if and when it happens. It is a weapon designed to weaken the resolve of the government in order to prevent it from making decisions lest it be accused of war crimes. Therefore, it is in our own best interests to face this openly and courageously and raise the real problem in public, here and everywhere. The world too must tackle this issue, as it lies at the doorstep of all of humanity. Make no mistake: this trend – appealing to the International Court of Justice and nations around the world to pass universal judgment, and turning to the United Nations to castigate Israel as a nation operating outside the law and committing war crimes – will continue. As I have stated publicly, my opinion was and remains that it would have been proper to establish a committee to investigate these claims. I am still hoping this may happen. I am certain that there are excellent answers to most of the claims in the report. The IDF is not an army that commits war crimes, though it is possible that as in every war, improper incidents did occur. International law stipulates that a nation investigating itself is not investigated externally, and this is how we ought to have acted.

As for the question of our differences of opinion with the American administration, it behooves us to remember that there was never full agreement between Israel and the United States about resolving the conflict. In 1969, Secretary of State Rogers presented the Rogers Plan, and said that the border must adhere to the 1967 lines “with minor modifications or non-substantial alterations.” Since then, American administrations and indeed the entire world have repeated this formula. We have thought differently, and by “we” I mean both the Likud and Labor parties. So when has the world sided with us? On the issue of terrorism. We have suffered from terrorism all these years. Terrorism has helped the terrorists but has also made the situation in the world difficult for them. When there is no terrorism, the gap between the Israeli and American stances surfaces. So it should come as no surprise that we are seeing differences of opinion now, differences of opinion that have always existed between us and the Americans.

In recent years there was a certain amount of success in narrowing the gaps, although it too came at a cost. This success may have been expressed in the letter by President Bush to Prime Minister Sharon about the settlement blocs (“population centers”), which indicated that they would be included within Israel’s borders. I think it is clear to everyone that should there be a permanent settlement, the lines will be such that a significant portion of the settlements will remain within Israeli territory. The question of the cost, of course, is one that still has to be dealt with.

If we restart the process of reconciling with the Palestinians, which to a great extent is a function of the Iranian-American conflict, and if this process makes progress – and we have to assume more risk, in order to move our forces out of more of the territories – it is critical that it be possible for us to defend ourselves should we be attacked from those areas. It would be unwise of us to put ourselves in a situation where we have tied our own hands and therefore cannot take necessary risks in order to promote the peace process. These are the three issues with which we will have to live in the coming year and perhaps even beyond.

Ensuring a Jewish Democratic State of Israel

Tzipi Livni

The vision of Israel as both a Jewish and a democratic state lies at the core of Israel's existence. These are not contradictory ideals, rather complementary values that enable Israel to exist as a secure state, living in peace with its neighbors to the extent possible in the land of Israel. This is my vision, and it underlies a long line of decisions we must make here at home. What follows are some of the conclusions that emerge from this vision and relate to the relationship between us and our Palestinian neighbors.

In the most immediate sense, the existence of the State of Israel as a democratic Jewish state requires one basic parameter: we need a Jewish majority. The moment there is no Jewish majority within the borders of Israel, no matter its specific territorial contours, a conflict between its values arises. Thus the struggle for the existence of the State of Israel is not only a struggle for its physical existence, one that the IDF wages on a daily basis, but is also a struggle for our existence as the national home of the Jewish people.

The fundamental Zionist idea that obligates us to defend ourselves and struggle for the existence of Israel embodies a single principle: the existence of a secure democratic Jewish state that exists in peace in the land of Israel – but not all of the land of Israel. If we decide that the existence of the Jewish people requires the settlement of Jews in every part of the land of Israel, we will lose the existence of the State of Israel as a democratic Jewish state. This is something we cannot allow to happen. That is not my vision.

Do not underestimate the situation. I presume that some think this is obvious. But it is not obvious in some parts of Israeli society, and it is not

obvious to some of Israel's leadership. It is not enough to muse fondly about the vision or try to work towards its realization. It is also necessary to grapple with a reality that is far from simple.

Today the Middle East is divided into two camps: the pragmatic and the radical. The bad news is that the extremists forging a radical Islamic ideology are growing stronger. Some of them are represented by a state such as Iran, an entity that has absolutely nothing to do with the Israeli-Palestinian conflict. Should peace with the Palestinians be established early tomorrow morning, Iran will not change its ideology. It is using the conflict for its own ends in order to gain the support of public opinion in some Arab countries. Israel is not the only nation Iran is targeting; it acts against other regimes in the region as well. The understanding that Iran represents a threat against the whole world, certainly on this region, is one shared by the leaders of the entire world. Usually, Western leaders hear of the Iranian threat in Arabic, perhaps even more than in Hebrew.

Iran is not an isolated entity; it is allied with Hizbollah in Lebanon and supports Hamas. Indeed, if we examine the Palestinian Authority for a moment, the same regional division is reflected geographically and ideologically in the PA. On one side is the Gaza Strip controlled by Hamas, an extremist Islamic terrorist organization that does not represent the Palestinians' national interest but strives both to prevent us – and not only us – from living here, and to impose its ideology on the region. On the other side we have the Palestinian national movement, which still bases its ideology and policy on the two-state solution. The bad news is that the radical elements are gaining the upper hand. We must understand that this is a religious conflict that cannot be resolved, and to the extent that the Israeli-Palestinian conflict becomes more and more a religious one, our capacity for resolving it decreases. Time is working against us. We must understand that refraining from acting, the notion that “let's just wait until things get better and we have a more effective or a stronger partner,” will lead us to a situation where the price for our inactivity, for our reluctance to make hard decisions, for our lack of daring to tell the truth to the public in the State of Israel, will be much steeper than the price of a peace settlement. This is a difficult task for any Israeli leader, and especially after nine months of negotiations, I have a reasonable assessment of the cost of the solution to the State of Israel.

The half-full glass is that for the first time we have the capacity to be in the same camp and create coalitions with the more pragmatic Arab states that understand that Israel is not the one threatening regional stability, states that understand that Iran is the real threat against them. Therefore, in the short term, there is also an opportunity here for us.

Examination of the situation in the Palestinian territories shows that because of its inherent weaknesses, the group representing the Palestinian national interest needs the Israeli security services to fight terrorism. Anyone looking for an excuse not to make progress can find it there. Over the years Israel has claimed either that there is no partner willing to arrive at a settlement with us, or that there is a partner but that the partner is weak and lacks the means to implement agreements. Now we have both. We have Hamas in the Gaza Strip that does not want a settlement but is powerful enough to act, and we have Fatah on the West Bank that wants a settlement, so I believe, but lacks the capacity to act.

So how do we face this situation? In reality, the solution is complex, but at the conceptual level it is fairly simple, requiring that we adopt a dual strategy with regard to the two prongs of the Palestinian society and leadership. On the one hand there is Hamas, a radical Islamic terrorist organization, an organization fighting not for the establishment of a Palestinian state but for the eradication of the Jewish state. This is an organization unwilling to acknowledge, as demanded by the international community, that Israel has the right to exist, and is unwilling to abandon terrorism and recognize previous agreements signed by the Palestinian national movement.

Hamas is not a partner for dialogue – though not because it should be punished for the years of terrorism it has inflicted on the citizens of Israel. If I thought that there was even the slightest chance of arriving at a settlement with it, my position would be different. But given that Hamas represents an ideology that does not allow for compromise, there is only one way to operate against it and that is by force.

At the same time, on the other side of the equation, we must arrive at agreements to end the conflict with the Palestinian national movement. We must remember that this is a zero sum game. A weak Hamas means a strong Fatah, whereas a Hamas gaining strength means that the forthcoming among the Palestinian leadership have no ability to arrive at a settlement.

Therefore, any idea that it is possible to deal with only one side of the equation and thereby resolve our situation in the region is mistaken. It is impossible to conduct a peace process with Fatah and simply hope that the situation will improve in the Gaza Strip. On the other hand, it is impossible only to fight Hamas terrorism and not conduct a process over a settlement with Fatah and attain a resolution.

Without a doubt, Operation Cast Lead was a necessary move that achieved its goals. Its primary objective was to restore the power of deterrence to Israel. This was achieved. The fact is that Israel embarked on the operation – after many years of restraint, repeated fire on its citizens, the dismantling of settlements, and the withdrawal of every last soldier from the Gaza Strip – while having the legal right to respond to the aggression against it. The moment we left the Gaza Strip it came under the control of a terrorist organization. That is why the operation was necessary.

The operation was necessary not in order to reach a settlement with Hamas, rather to do what any civilized nation must do in order to protect its citizens – just as the free world fights terrorism globally, and rightly so. I do not and will not accept the comparison between terrorists and IDF soldiers. I have no problem with the fact that the world wants to judge Israel; we are part of the free world. The problem begins when the world starts to judge us unequally and impose blanket standards on the region, and not just compare us with the soldiers fighting against international terrorism in Afghanistan, Iraq, and elsewhere. Not a single democratic nation legally, socially, or morally draws a comparison between a premeditated murderer and someone who kills another by accident. It is true that the pain of a Palestinian mother and that of an Israeli mother is the same, but that is not a basis for comparison.

The basis for the comparison is between the terrorist, the murderer who seeks out teenagers standing in line in front of a discotheque or children on the bus on their way to school, and the IDF soldier who must fight terrorism under almost impossible circumstances, where terrorists live among the Palestinian population and during operations hide out in arms-filled mosques and hospitals. This is the situation in which we have to operate. When operating in such circumstances there are, unfortunately, civilian casualties, but this is never intentional. I know that during and after fighting, the IDF monitors its conduct with extreme care. Hence, for

example, the steps – unprecedented anywhere in the world – of phoning Palestinian civilians living in the Gaza Strip in order to inform them well ahead of time to evacuate the areas in which terrorists are hiding because they will be attacked.

A state's deterrence is not only a function of the number of tanks and airplanes at its disposal, but also a function of the decisions made by its leaders. Israel must do what is right to defend its citizens. I would make the same decisions, one by one, all over again. To the same extent it was important in 2006 to embark on the Second Lebanon War, it was right to embark on Operation Cast Lead in 2008.

The decisions I mentioned before must be made not in order to win the approval of anyone abroad, but for ourselves, because our very existence is at stake. To be an Israeli patriot means to make decisions in order to enable the existence of the State of Israel as part of the two-state solution. This is not a favor we are doing the Palestinians, the Arab world, or even the United States. This is a favor we are doing ourselves, because this is the only way to preserve the Jewish identity of a sovereign state in the land of Israel.

The greatest danger to us is the establishment of a bi-national state. A bi-national state requires internal arrangements, and that means that in the future it could become an Arab state in every respect. This is the real danger for anyone unwilling to make a decision, one who is hedging and responding only because there is external pressure and thinks there is no need to reach a decisive resolution. Imagine, if you will, that tomorrow morning the world were to announce: "Leave us alone. Work things out for yourselves. We don't want to be involved. Spill one another's blood to your hearts' content," and the Palestinians were to say: "You know what? Why two states? That reduces our territory, and we would have to cope alone; let's live together." The next thing you know, everyone has the right to vote. I admit it: I am not humane enough to want to grant the right to vote to everyone between the Mediterranean and the Jordan River, because the principle of the State of Israel as the national home of the Jewish people is important to me. But because democratic values are no less important to me, I cannot allow us to reach this clash of values.

Unfortunately, there are people who do not understand the cost of not reaching a settlement, if the cost of reaching one is so high. It is not a

simple decision to move people out of their homes. But even after the suffering caused to the people who were evacuated, I still think it was the right decision. I know that there are people who would like to conduct negotiations in order to buy time. And there are those who would like to conduct negotiations in order to prove that there is no partner on the other side. There won't be a settlement, but at least we'll have an alibi with regard to the world. But the idea is to arrive at a settlement, not to prove there is no partner. Nine months of negotiations is the easiest part. The idea is not to present conditions that will make a settlement impossible or prove that we are the good guys and they the bad guys, but to attempt to reach a settlement. So that I am not misunderstood: I do not think that a settlement is around the corner. I do not think that the decisions that Israel must make are easy. Likewise, I hope there is someone on the other side who can make decisions.

The Palestinians will not be able to make decisions without the total support of the Arab world. Any compromise they decide on will require that support, and the Arab world cannot continue to straddle the fence. This support is important from the beginning of the process till its end. The Arab states must understand that any end to the conflict, any compromise on the part of the Palestinians, represents the Arab interest. This process is crucial and must be started now.

We conducted negotiations for nine months. They did not come to fruition in the form of an agreement, but they also did not hit a dead end. Today, it is possible and necessary to continue from the same point at which they stopped. The principles underlying the negotiations were presented in Sharm el-Sheikh, and the world as a whole adopted them. They contain nothing that an Israeli leader who wants to reach a settlement cannot live with. They do not contain any concession on any basic Israeli interest that any leader who has conceptually adopted the "two states for two nations" solution cannot endorse. Whoever wishes not to arrive at a settlement may have a problem. Whoever still believes in a Jewish presence in every part of the land of Israel should not pursue this course, and certainly should not pursue this course only to prove there is no partner.

Moreover, I do not believe in partial agreements and agreements in principle. We have had enough of those. The principle is: a detailed agreement providing a response to all the issues, led by the core issues that

require clearly articulated answers. In order to reach a settlement we have to provide a response to the reality that has been created on the ground in the last forty years, including what we call the settlement blocs, which themselves still need to be clearly defined but represent no more than single-digit percentages of Judea and Samaria. In the permanent settlement, it is in the national interest of the State of Israel to maintain the Jewish population centers because they are there. That is the reality. Whoever is incapable of making the distinction between them and isolated settlements has yet to come to terms with reality. And this coming to terms is critical. What about security arrangements? Appropriate security measures are not a favor to be bestowed on Israel. The world cannot allow itself the establishment of another terrorist state or another failed state in this region. Therefore, it is a common interest to create the security measures that are critical to reach the end of the conflict.

The principle dictates that Israel is a national home for the Jewish people, and a Palestinian state is a solution for Palestinians everywhere – whether in Gaza, in Judea and Samaria, or those kept in refugee camps for many long years for no good reason. This is also the national solution for Israel's Arab citizens who are citizens with equal rights in the democratic State of Israel, but within the framework of a two-state solution have no future national obligations to Israel. This is the formula, and the world can be enlisted to advance this formula.

What about Gaza? A permanent settlement does not in and of itself provide a solution for the Gaza Strip. Therefore the idea was to arrive at such a settlement and implement it only after a change in reality. That change in reality must start happening now. Some aspects are underway, certainly in Judea and Samaria. But it is impossible to hand over the key to a future Palestinian state to Hamas, and we therefore came to an agreement with the Palestinians that the establishment of a Palestinian state would occur only after a change in reality so that there is a responsible government in charge to accept the conditions of the Quartet and to fight terrorism.

Even if the establishment of a Palestinian state is postponed, we will have a period of time to clarify the status of the settlement blocs, the borders of the State of Israel, and the conditions for establishing a Palestinian state. It is possible to embark on the process: to leave the army in place but evacuate some of the settlements. We can begin unilaterally and start

moving towards the direction defined in the agreement. The price is not low and reality will make it difficult to implement. I hope that leaders on the Palestinian side will be found who will face the Palestinian people and say: "Perhaps this is not one hundred percent of what we hoped for, but this is the only way to provide a response to our national vision." If the leaderships on both sides make the statement and mean it, we can do it.

A Proactive Approach to the Strategic Challenges

Shaul Mofaz

Time is not working in Israel's favor. Time is working against us in a number of areas, each deserving its own lengthy discussion. I will mention them briefly: a) Iran is on its way to nuclear capability; b) the radical axis – Hizbollah, Hamas, al-Qaeda – is growing stronger; c) with each passing day, the demographic balance between the Mediterranean and the Jordan River seems to worsen from Israel's perspective, if we consider our prime interest to be a democratic Jewish nation. The bi-national option is raised anew every time we discuss the possibility that we will fail to arrive at a settlement with the Palestinians; and d) Israel's actions are delegitimized on the international arena. There is international impatience with the occupation of Judea and Samaria and construction in the Jewish West Bank settlements. With regard to each of the issues, time is not on Israel's side.

I do not accept the passive stance of the Israeli government, which seems to be waiting for a plan that will be imposed that Israel will have to implement, as was the case with the vision of two states for two peoples. It was necessary to push and prod the prime minister into the auditorium at Bar-Ilan University before he uttered those words. Had the program I propose been implemented, we would not have been there. We would not be immersed in a process of freezing Israel's strongest strategic assets in forging the eastern border; this was never part of any negotiations. It is simply that the Israeli government managed to push the Americans into a corner, leaving them no choice.

Errors of this kind will lead to a situation in which the current conflict with the Americans will only worsen and create a reality where we will be dictated to rather than act on Israeli leadership and initiative. Without an Israeli plan we are liable to have one imposed on us, one that may

not necessarily go hand-in-hand with Israel's best security and national interests. Therefore, it is of great importance that Israel present a plan of its own that is consistent with its best interests.

Negotiations with the Palestinians are critical for the region and for the possibility of reaching a peace agreement with the Syrians and the Lebanese. I think that the key lies in solving the Israeli-Palestinian conflict sooner rather than later. By arriving at a settlement with the Palestinians, a door is opened, the atmosphere is changed, and the possibility of reaching an agreement both with the Syrians and the Lebanese is enhanced.

The gaps between the sides on the Palestinian question are substantial. Anyone who thinks that the gaps can be straddled within a year or two should leaf through the annals of Israeli-Palestinian negotiations. Whoever does so soon discovers that every time we tried to summarize it all and then implement the conclusion, we hit a dead end. The only thing we managed to obtain as a result of the Oslo breakthrough is the groundwork for the steps taken in the West Bank in Areas A and B. For this our thanks go to the late Yitzhak Rabin and to Shimon Peres.

However, in practice, anyone who wanted to arrive at a settlement used an approach of "all or nothing." Today we are in the "nothing" situation. Therefore I propose using a different approach. Having examined all the other alternatives, including the possibility of another move of reorganization and transferring territory, the processes of the Roadmap to which I was a partner, the 2000 Clinton plan, the Saudi initiative, and Annapolis, I have come to the conclusion that the process must be based on first creating a reality of borders and security arrangements that provide a solution to the Israeli-Palestinian conflict. I shall present one such option, which in my opinion is the right outline for Israel's future.

The central notion is to preserve Israel as a democratic Jewish state that is separate from the Palestinians, i.e., the establishment of an independent Palestinian state in the West Bank and the Gaza Strip with security arrangements first. The borders of the Palestinian state would be determined gradually. The Palestinians would at first receive some 60 percent of the West Bank and Gaza Strip, and afterwards the scope of the territory similar in size, though not identical with the 1967 borders.

The State of Israel would receive defensible borders based on the settlement blocs, which can be listed here: Maale Adumim, Gush Etzion,

Efrat, Ariel, and the settlements in western Samaria. It think it has been a great mistake to equate the status of the settlement blocs, a national security interest of the State of Israel, with the status of the most remote hilltop outpost in Judea and Samaria. We should have stepped forward and said: we will freeze construction in there areas, while in others we won't, on the basis of a plan.

I propose that in the first stage the Palestinian state include some 60 percent of the West Bank territory, in addition to the Gaza Strip. The Palestinians would receive territorial contiguity and three times the territory now under their security and civilian responsibility. Today the Palestinians have 18.7 percent in Area A where they have security and civilian responsibility. Sixty percent of the territory would be Palestinian – P – while the rest, 40 percent, would be Israeli – I. In such a reality, it would not be necessary to evacuate any Israeli settlement or move a single military base. The settlement and security formation of Israel would not change.

In this way, 99 percent of the Palestinian population would live in Palestinian territory with territorial contiguity and freedom of movement. The legitimate, elected Palestinian government must be capable in theory and in practice of ruling in its territory as one authority in all fields: government, judiciary, and a united security force. There would have to be one law, one weapon. The condition is that the Gaza Strip would be part of the Palestinian state with the same elected leadership capable of ruling the Gaza Strip as well as the West Bank.

At this stage, the sovereignty of the State of Israel would be recognized over the settlement blocs, if necessary by Knesset legislation. Israel's eastern border would be determined as a defensible one. Then the negotiations over the core issues would begin: Jerusalem, permanent borders, and other arrangements. At this stage an evacuation-compensation law would already have been passed that would demonstrate that we intend to prepare for the relocation of some of the settlement residents, both in the settlement blocs and in the Galilee and Negev. This would be a special evacuation-compensation law, which would not only compensate for lost property but also afford the people the chance to resettle and begin their lives anew in other locations.

Before the transition to the second stage I would recommend holding a referendum on the core issues – Jerusalem and the permanent borders – that also guarantees an end to the conflict and Palestinian demands. I believe that a plebiscite of this sort, after the establishment of a Palestinian state and the designation of Israel's eastern border, would win a very large majority among the people in Israel and also open the door for political settlements and regional peace. At this stage we would include the moderate Arab world in the process. I believe there would be international recognition of the process and the Israeli position would be accorded the necessary legitimacy. In light of the Palestinians' concerns, liable to be "we will get stuck in a position of temporary borders that will one day turn out to be permanent," I am willing to give a commitment that the territory of the Palestinian state at the end of the process would be similar in scope to the size of the territory in 1967.

International involvement is required for all the issues, especially for solving the Palestinian refugee problem, which should be done through an international apparatus as proposed by the Canadian plan. At the first stage the Canadian plan invests \$25 billion for refugees in their current locations – Lebanon, the Gaza Strip, and the West Bank – as a way to raise their status to that of citizens rather than refugees. Over time a plan like this can create a different reality for the refugees, perhaps even the desire to stay where they are and to continue their lives there, albeit at an entirely different level and with an infinitely better quality of life.

What are the risks of the plan? Every plan carries some risk. The first risk is the Palestinian position opposing a state that does not realize all their demands: Jerusalem as the capital of the Palestinian state, the 1967 borders, the refugees' right of return, and so on. I think that today the Palestinians understand that the demand to realize all the claims is not realistic in the foreseeable term, because processes have taken place, both on the Israeli and the Palestinian sides, which prevent the realization of such a reality. We will arrive at a different reality when we are in its midst; the temporary will become permanent.

There is a question about the lack of governmental stability on the Palestinian side and it will be raised in response to any plan or outline Israel may propose. Indeed, the reality created in the Gaza Strip and the West Bank, i.e., two separate entities, is a reality that will impact on every

plan and future situation. Israel has no interest in seeing the establishment of a Palestinian state that does not include the Gaza Strip. However, I do not pose this as a preliminary condition for beginning negotiations. I believe that starting negotiations, creating defensible borders for Israel, and establishing a Palestinian state in temporary borders will create a new atmosphere and level of trust that will lead to a different reality with international support.

A legitimate question is: do we have a partner? I contend that the State of Israel must present its program and say: this is what we believe in; this is what we want to advance. The question of a partner is an internal Palestinian question, including who will be elected – the PLO or Hamas. There is also a scenario where Hamas is liable to take control of the West Bank by force as it did in the Gaza Strip.

I think that by outlining these principles we have the ability to come to Israeli citizens and say: we have a practical course. It isn't easy, and it is filled with question marks. What singles this plan out is the Israeli agreement to a Palestinian state at the first stage. This was not part of any plan that we attempted to implement. Yet at the same time, it entails defensible borders for Israel and an organized, rational process to respond to any possible development on the Palestinian side and in the regional arena.

The supreme obligation of any leadership in this generation is to bring about an end to the conflict and not leave Israel still mired in a very long conflict with the Palestinians and without a peace agreement with Syria and Lebanon. When we examine the challenges the State of Israel is facing and when we take into account the basic assumption that time is not on our side, I am convinced that we must make the utmost effort to outline a way, to lead and to initiate, rather than be dragged regularly in a different direction or sit and wait.

The Middle East Coefficient: Back to Reality

Ze'ev Binyamin Begin

On the basis of the “Begin Rule,” invented just a few days ago, if international expectation with regard to any specific issue can be given the value of 60, the result in the Middle East will be 30. In other words, the value is half, often even zero. Below are some examples testing this rule of the Middle East coefficient.

At first we thought that the victory of the March 14 camp in Lebanon in June 2009 was an exception to this rule – a grand victory for the good guys – thanks to great efforts, European support, American support, and a massive infusion of Saudi money. Yet a few days ago, when the parliament in Beirut gave the new Hariri government its vote of confidence, it approved the government’s basic principles, including the weapon of resistance. Thus the June victory has evaporated, and despite various fluctuations and trends over the past six months, the internal logic of the Begin Rule is intact. Nothing is new in Lebanon; Syria has continued to control events there with a great deal of patience. In fact, the collapse of the June electoral victory began at the meeting between King Abdullah of Saudi Arabia and Bashar Asad. That is when Lebanon was sold out to Syria, and we are left with 40,000 rockets tightly controlled by Iran and with smuggling across the Syrian border that strengthens Hizbollah. In recent weeks we have heard statements, for example from Europe, trying to make an artificial, unrealistic distinction between two branches of Hizbollah: the military and the political. I would propose not to grant legitimacy to this threatening anomaly by such an artificial distinction. These circumstances place the full burden of accountability on the Lebanese government as it is.

On the international arena, there were expectations of the Annapolis process in late 2007 and 2008, at least on the declarative level. One

expectation that for some reason arises repeatedly is that the members of the Arab League would supply a political envelope and enable the PLO to retract political ambitions it has adopted and continues to adopt. These expectations, however, are never fulfilled and stand no chance of ever being fulfilled. After all, the Arab peace initiative, emphasizing the right of refugees to return to Israel itself, is a change that was made to the original text of the Saudi initiative as a result of Syrian pressure. Here too we see that the value of the Middle East coefficient is zero, because the result was zero.

If we want to avoid a situation in which the Middle East coefficient is again zero, we have to learn the lessons of the last failure in the negotiations between Prime Minister Ehud Olmert and the PLO leadership. Because things were not made public, it took me quite some time to understand fully the proposal Prime Minister Olmert presented to Abu Mazen at some point in 2008. If one puts the data together primarily on the basis of two sources, one being Abu Mazen and the other being Ehud Olmert, here is the picture that emerges. In Abu Mazen's understanding, Ehud Olmert agreed to accept the principle of the right of return. He agreed to a withdrawal from 98 percent of the area including Judea, Samaria, and the Gaza Strip. In an interview Abu Mazen granted to Jackson Diehl of the *Washington Post* he talks about 97 percent, but that is from Judea and Samaria, because the Gaza Strip withdrawal – or perhaps one should more accurately say abandonment – including the Philadelphi axis already took place in 2005. So that creates close to 98 percent. As for the remaining 2 percent, there was an agreement about land swaps, to use the diplomatic jargon, so that in practice it came to 100 percent.

To this, Ehud Olmert added, once to *Newsweek* and once to *The Australian*, a widely distributed paper in Australia, that he proposed the establishment of a Palestinian state in Judea, Samaria, and the Gaza Strip, as well as safe passage between Gaza and Judea by means of a tunnel under Israeli sovereignty. In addition, he proposed that a part of East Jerusalem would be the capital of the Palestinian state, while Israel would concede its sovereignty over the Holy Basin – the Temple Mount, the Mount of Olives, and the City of David. Instead of Israeli sovereignty over these parts of the city, they would be managed by an international consortium that would include Saudi Arabia, Jordan, the PLO, and the United States.

Abu Mazen rejected the formula Ehud Olmert proposed. The least one can say is that he did not accept it. When I tell people that he rejected it they say to me that he didn't exactly reject it. And then they go on to explain that in fact, at the time Prime Minister Olmert was just a lame duck and there was no point in talking to him, and all sorts of various and sundry excuses. However, it is time to learn the lesson from this. The reason for the failure of the negotiations, despite the far reaching concessions offered by Prime Minister Olmert, is not some triviality having to do with summer heat or winter rains, but rather with the PLO's perpetual, stubborn clinging to the fundamentals of its policy.

In an essay I published recently, I stressed my sense of the significance of the agreement outlined by the PLO in the decisions of the Sixth PLO Convention that met in Bethlehem. Then, too, the expectations were high. The conference decisions state that the objective of the PLO is the liberation of Palestine by means of eradicating the Zionist entity. I asked a number of European diplomats with whom I'm in contact, "Let's assume that in your country the ruling party convenes and before the upcoming elections proposes to add to its platform, 'All Muslims must be deported from the country without delay.' After a compromise is reached, the formulation reads, 'All Muslims must be deported at a time to be determined.' Would this be acceptable to you? Would you say that these were just words, that this is something acceptable?"

Let me share what I learned years ago from my father and teacher. He told me about a custom from the nineteenth century: when young men from the Ottoman Empire were sent to institutions of higher learning at the universities of Europe, their diplomas – this is an historical fact – would be stamped with a special notation, i.e., this is good for the Middle East. Perhaps for that level this is sufficient. Yet this is a patronizing approach still embraced by some of our friends. They say, "Look, it's not serious, that's what they're like, understand them." This flies in the face of the standards they apply to any other nation. It is not acceptable for a ruling party, glorying in its stability on the basis of elections to reach such a decision. We're seeing a return to the most extreme decisions; this is their way.

If this is the trend and it is demanded that we grant refugees both the right of return and compensation, and if we receive a flat refusal to accept

Israel as the state of the Jewish people: these positions are not surprising, and do not represent any kind of dissonance with or among the leadership. This is the leadership; this is its way; this is its opinion. If we are talking about expectations, here are the PLO's expectations of the future as Saeb Erakat, the PLO's negotiator, expressed them about six months ago: "How far did negotiations with the Israelis go? At first they told us that we would run hospitals and schools. Then they were prepared to give 66 percent. At Camp David they got to 90 percent and today we're talking about 100 percent. In that case, why should we be in a hurry after all the injustices we have suffered?"

Indeed, why hurry? I think that each of us must humbly acknowledge that there is something to what he says. The PLO demands that the negotiations resume at exactly the point at which they were stopped. In other words, in addition to the terms offered to them they will make more demands. So the expectation is not to get 100 percent, but 106, 112, and 131.5 percent of all the demands. Therefore, obviously, we need to go back to the Middle East coefficient and conclude that here too it will equal zero.

It is impossible to meet Palestinian expectations such as these. There is no Zionist party, small or large, even the most liberal and forthcoming party in the world, that can arrive at an agreement with the PLO in the foreseeable future as long as it does not change its platform. Abu Mazen claims that Ehud Olmert gave him too little, and Tzipi Livni claims that Ehud Olmert gave him too much. I do not see how a mediator would come between these two poles and manage to bring the parties to an agreement. Therefore, the clearest job for peaceniks around the world at this point is much easier than they think. Whoever wants to reach an agreement that any Zionist in Israel could agree to is obligated to demand consistently that the PLO change its political program from the ground up. Otherwise there is no hope. Otherwise we will continue to go around and around. Perhaps we could start negotiations but they would end the same way as all preceding negotiations.

Generally speaking, the world rejects the Begin Rule. Even when people are informed – and this is one of the fascinating things about human behavior – they refuse to adjust their expectations to reality. Hence expectations, misunderstandings, disappointments, letdowns, and we start all over again. Everyone agrees that there is no solution. And after everyone

agrees that there is no solution, people start suggesting solutions. But the solutions are totally cut off from the basic assumptions that led to the true conclusion that there is no solution. Yet that's the reality. I suggest that in order to disprove the Begin Rule and start reaching somewhat higher values for the Middle East coefficient, it is necessary to lower expectations to a level of reasonable plus, at least for this part of the world.

I think that a possible conclusion from the above is that it is necessary to maintain our might and our operational freedom of action. We cannot agree to a determination of the end of the negotiations before they have started. We cannot accept preconditions for negotiations. It is impossible to differentiate artificially, as some of our friends do, between preconditions for negotiations and what they call setting the parameters for negotiations, which really means dictating the negotiation results ahead of time. This is both unreasonable and unacceptable. It is necessary to be very precise on this, and this of course is part of the government's responsibility.

I would suggest another conclusion, and it too is unpleasant. We must be very careful with the advice we get from our friends, as some of the advice – such as the participation of Hamas in the 2006 elections – results in outcomes that our friends don't have to live with. Here too we must simply insist on our own version, because we cannot concede Israel's national interests. Not all of Israel's national interests are purely security related. Indeed, some refer, in theory and in practice, to what the Israeli Declaration of Independence calls the natural and historic right to our land. Some of Israel's national interests rest on our connection to the hills on which our ancestors trod and from which our prophets prophesied. After all, there will be no dispute that the importance of the Temple Mount does not lie in its strategic location overlooking the Kidron Valley. And the importance of the City of David does not stem from the possibility of using Hezekiah's Tunnel as a public bomb shelter. The same applies to Shiloh, Hebron, and Beit El.

Diplomatic Responses to Strategic Challenges: The Syrian Case

Itamar Rabinovich

I will address the topic of Syria and discuss its potential role as part of the solution to the Arab-Israeli conflict.

During the American electoral campaign and in the period of the transition when the Obama administration was taking shape, there was a lot of speculation about an overture to Syria. Obama the candidate borrowed a page from the Baker-Hamilton report and said that he would “engage” with Iran and with Syria, which was indeed one of the recommendations of the report.

During the transition period, as position papers were put on desks in Washington, there were those who argued that given the choice between a “Syria first” or a “Palestine first” policy – and assuming that no Israeli government is capable or willing to do heavy lifting on both tracks at the same time – the familiar advantages to a “Syria first” policy were sounded. First, it is a much simpler conflict, essentially a territorial conflict between two states, unlike the national conflict between Israel and the Palestinians.

Moreover, in the case of Syria, there is a coherent government. By now most of the question marks regarding Bashar al-Asad’s efficacy as a ruler have been removed, and he is perceived as firmly in control and capable of delivering once he signs a peace agreement. In addition, Syria is Iran’s close ally, and therefore if the United States manages to implement a package deal that includes both a Syrian and an Israeli agreement, the Americans believe that this rapprochement would draw Syria away from Iran. This would be a spectacular diplomatic coup, comparable to

Kissinger's success in the seventies of pulling Egypt away from the Soviet orbit and into the American one.

However, this is not the decision that was made, and the administration did not begin with a "Syria first" policy. Nonetheless, the United States decided to engage with Syria, and this engagement began by sending mid-level officials, including a seasoned assistant secretary of state, Jeff Feldman, and eventually George Mitchell. Then the Syrians went to Washington and sent the senior deputy foreign secretary. Yet in the end, although quite a few Congressional delegations traveled to Syria and there was a certain easing of sanctions, these first initiatives were not followed by more substantial ones. Why?

First, the administration decided that it wanted to implement a "Palestine first" policy. Officials realized that if one of the Obama administration's highest priorities is to come to terms with the Islamic and Arab worlds, then what concerns most Muslims and Arabs is not the Syrian or the Golan issue, rather the Palestinian issue. Accordingly, it is quite important to remove that obstacle to the course of America's reconciliation with Muslims and Arabs.

Second, the Obama administration discovered what previous administrations had found out when they dealt with the Syrians, namely, that it is very difficult to deal with them. The Syrians oscillate between moments of anxiety or a sense of persecution and moments of elation. Once it began to "engage" with Syria, the Obama administration discovered that it had to court the Syrian regime, and that Syria had begun to play hard to get.

Third, the geostrategic dynamics in the Middle East shifted from a simple Iranian-Syrian alliance leading what is known as the "resistance" axis in the Middle East, to a more complex alignment that now includes a third important actor, Turkey. As a result, we now face a much more serious grouping of states in the Middle East that represents a more substantial challenge to US policy or to the policy of any state trying to resolve current regional problems.

At the same time, this new alignment also grants Syria a much more comfortable regional position. If one looks at Syria's diplomatic record in recent weeks, one notices that it is pretty successful. It has managed to reverse the election results in Lebanon by forcing the creation of a

government that is more to its liking than what was indicated by the outcome of the elections. Syria also received a visit from the Saudis and is building a strong relationship with Turkey. Syria feels fairly comfortable, and thus pulling Syria away not just from Iran but from its current fairly convenient regional position, as it sees it, is going to be much more difficult. Therefore it is my sense that in the near future Syria is not going to become part of the solution, but rather it is going to remain part of the problem.

Very briefly, what can change? Two things could modify the current situation. First, if the Palestinian track proves to be intractable, then there could be a shifting of attention both by the United States and by Israel to the Syrian track. In addition, if Israel and the Palestinians agree on a solution that does not amount to a final status agreement, then the Israeli government would be able to deal simultaneously with both tracks. But these changes will not occur rapidly, and it will take at least a few months before such a scenario can materialize. So at this point, as I said, Syria remains part of the problem.

Addressing Israel's Strategic Threats

Shlomo Brom

Were it possible to encapsulate the current strategic threats Israel faces in three categories, they would be: a) Iran and its nuclear program; b) the Arab-Israeli conflict, with the Israeli-Palestinian conflict at its center; and c) asymmetrical confrontations with non-state or hybrid players, as discussed by Maj. Gen. Amos Yadlin. The question is: does the Israeli government have a comprehensive plan or strategy for tackling these threats? My sense is that the answer is no.

My impression is that the current government has defined only a partial set of goals, because there is no agreement on many of the goals, and certainly not with regard to those associated with the Israeli-Palestinian track. Furthermore, it made a conscious decision to deal with the Iranian nuclear program as the first priority. All the rest have been ad hoc responses to pressures from outside, especially the United States. Yet for there to be a strategy, it is first necessary to prioritize the handling of the various risks. This prioritization is linked to a number of points: the severity of the threat, its intensity, its urgency, and Israel's capability of handling it, because if there is a threat that we can do absolutely nothing about, it is pointless to place it at the top of the agenda.

My own view is that the Israeli-Palestinian conflict should be at the top of Israel's priorities, for three reasons: a) because it threatens the existence of the State of Israel as a democratic Jewish state; b) because this is the best way to deal with the advancing process of delegitimizing Israel on the international area; and c) because it will also have an effect on relations with Iran. Even the Iranian regime, assuming it retains its authoritarian nature, needs to justify its policy to its own people. In the absence of an Israeli-Palestinian conflict I do not see how a confrontation with Israel can

be seen as legitimate in the eyes of the Iranian nation. Similarly, it would stop being such a useful tool for wielding Iran's influence on the Arab and Islamic world.

What else should such a strategy include? First, it must refer to the two tracks – the Israeli-Syrian and the Israeli-Palestinian – with an understanding of their interrelationship. There must be a decision on how to coordinate both, and how much progress should be made on either track. Such attention must lead to the conclusion that it is necessary to consider seriously giving precedence in the first stage to the Israeli-Syrian track. The questions involved on that front are relatively simple. This agreement can be reached and implemented relatively easily. The risks are smaller, the solution in this track depends to a large extent on our own decision, and it carries within it the potential for changing the strategic balance in the Middle East. However, is it right and possible to proceed only along the Israeli-Syrian track? I do not think so. There are many risks, from a new conflagration on the Palestinian arena to the loss of everything that has been gained to date.

In all, some very positive developments have occurred on the Palestinian scene and create a situation in which one can answer “yes” to the question: do we have a Palestinian partner. It may be that the question we should ask ourselves is not, do we have a Palestinian partner, rather: how do you construct a Palestinian partner, because we are in the midst of a process of constructing a Palestinian partner. Beyond the other risks, however, is the primary risk of creating a point of no return, a situation in which the implementation of the two-state solution will no longer be possible and only two options remain: a non-democratic Jewish one-state solution or a democratic non-Jewish one-state solution.

In contrast to the Israeli-Syrian issue, we know that there are tremendous difficulties on the Israeli-Palestinian track. The internal political situation on both sides is problematic. The issues for negotiation are highly sensitive and difficult to resolve. There are large gaps between the sides on some of the issues. And even if we do get to a settlement, the difficulty in its implementation, which will obviously involve the evacuation of a large number of settlement residents, is enormous. This reality suggests that we ought to proceed on the Israeli-Palestinian track, but with a realistic view of the difficulties and constraints.

On the basis of this understanding, about a year ago we at INSS established a team to examine precisely this question: how can we proceed on the Israeli-Palestinian track without requiring either side to make decisions they cannot cope with politically in the early stages. We came to a conclusion that is to an extent congruent with the conclusion reached by MK Mofaz. We wanted to construct a flexible system of tools for the political echelon. Therefore we built an approach based on proceeding through partial agreements at different levels, with the levels constructed according to some primary parameters. The first and second are, of course, territory and security; they always go hand-in-hand. The third is the economy, the fourth is outstanding civilian issues between us and the Palestinians, and the fifth and sixth are Jerusalem and the refugees. Our plan did not deal fully with the latter two issues but we are aware that it will be impossible to implement any such plan with the Palestinians unless we communicate our willingness to discuss those issues too. So we tried to deal with these issues to a certain extent in order to communicate such a message.

By means of a process of partial agreements we can create a situation in which the Palestinian government controls a growing portion of the West Bank. Its authority also expands according to improvements in the capabilities of the Palestinian government, in part with the help of outside players. Assistance by regional and international players allows the Palestinians to maintain the state-building process – be it through the construction of security services or other institutions – whose proper performance is critical to the existence of a state.

All this can happen on the basis of Fayyad's plan, which has a very ambitious goal: to reach a situation in which within two years the Palestinians can establish a state. I do not know if it is possible to meet such a deadline, but on the whole this concept – constructing the institutions of the state and coming to a point that enables a permanent settlement and the establishment of a state – serves us too, on condition that the process takes place in coordination and agreement with us, and as part of an Israeli strategic plan rather than as a unilateral step by the Palestinians.

The participation of regional elements and the influx of outside assistance are crucial, and can be implemented on the basis of the Arab peace proposal. It is a better fulfillment of the Arab peace initiative than the

attempt to court gestures from the Arab world in the form of El Al flights through Saudi air space. El Al flights over Saudi Arabia are less important than creating a situation in which it is possible to reach an agreement with the Palestinians.

There is one other element that cannot be ignored: Hamas' rule over the Gaza Strip. How do we prevent Hamas from playing the spoiler? I think that one of the fundamental difficulties in negotiations with the Palestinians is the need for those negotiating with us to take into account the possible resistance of Hamas and its supporters, and the constant need to relate to the question of whether Hamas can use negotiations for contrary purposes. Similarly, negotiations demand awareness that Hamas is quite able to disrupt implementation of agreements using the very effective tool of violence.

The developments since the Second Lebanon War and Operation Cast Lead indicate that given an appropriate policy with regard to Lebanon and Gaza, it is indeed possible to prevent Hamas and Hizbollah from upsetting all agreements. I do not think that it is possible to rely only on deterrence. When you bring the other side to the point at which its back is against the wall and it has nothing to lose, no deterrence will be effective. Therefore, the key in neutralizing Hamas as a spoiler lies in strengthening Israel's deterrence on the one hand, while on the other, creating a situation in which there are enough positive incentives to continue the current situation of relative calm.

Part III

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The US, Israel, and the Greater Middle East

Martin Indyk

In speaking about US policy towards the strategic challenges under discussion, I speak only for myself and I do not represent anybody in the administration or the Obama administration itself.

I think it is accurate to say that President Obama, when he came into office almost a year ago, identified three strategic challenges in this area, which has come in Washington parlance to be referred to as the central region, referring to the whole area from Marrakesh in the west to Bangladesh in the east. The first of the three strategic challenges that he identified was the threat from al-Qaeda and jihadist violent extremism, which came to manifest itself first of all in al-Qaeda in Iraq and the sectarian warfare that it spawned there in the wake of the American invasion to topple Saddam Hussein's regime. Al-Qaeda in Afghanistan and Pakistan has also created an ongoing threat, not just to the United States but to the West in general.

The second challenge was the challenge from Iran, with its nuclear ambition and its efforts to dominate the region and interfere in the Arab-Israeli heartland through its proxies Hizbollah and Hamas, using its ally Syria as a conduit.

The third challenge was the ongoing Arab-Israeli conflict, and in particular the Israeli-Palestinian conflict. President Obama believes that time is not on the side of our ally Israel for resolving this conflict, but in addition, a failure to resolve the conflict will have a detrimental impact on America's national interest as well.

In order to deal with these three related challenges, the Obama administration developed an integrated strategy. The first was to draw down American forces in Iraq, where the war on al-Qaeda in Iraq was essentially won. However, the challenge was to ensure that a fragile

political process of reconciliation continued, and therefore the process of withdrawal from Iraq was to be done gradually. At the same time the president made an early decision to step up military efforts in Afghanistan, and argued to the American people that today, the real threat from al-Qaeda is in Afghanistan and Pakistan. Therefore, it was necessary to prosecute them more effectively in Afghanistan and have Pakistan cooperate in the war against the Taliban and al-Qaeda in the western parts of Pakistan. As a corollary to the first part of this strategy, the president sought to rebuild America's relations with the Arab and Muslim world. This was manifested most critically in his travels, first to Ankara and then to Cairo, and in his Cairo speech addressed to the Arab and Muslim world.

The second branch of the strategy was to try to engage Iran or, as he said in his inaugural address, to offer a hand to Iran and see whether it was willing to unclench its fist. But at the same time, while trying to engage Iran, he also sought to develop a second track of an international consensus against Iran's development of nuclear weapons, which he referred to as a game changer, particularly because of the danger it posed of sparking a nuclear arms race in the Middle East. He also argued effectively both to Russia and more recently to China that their interests as well would be adversely affected by a failure to prevent Iran from acquiring nuclear weapons. His pressing of the reset button with Russia, as he referred to it, was an important part of that second track that was designed to put in place a kind of international phalanx against Iran's nuclear ambitions, such that if engagement failed there would be greater willingness to impose sanctions, crippling sanctions as Secretary of State Clinton referred to them, so as to impress on the Iranian regime more effectively the seriousness of the international community.

The third branch in the strategy was to try to achieve a comprehensive resolution of the Arab-Israeli conflict by working with America's partners, that is to say Israel, Egypt, Saudi Arabia, and Turkey, and also to see if it was possible to bring Syria into the American and Western-led peace camp. His efforts were focused on achieving breakthroughs on two fronts, the Palestinian and the Syrian fronts, if possible, simultaneously. It was based on an assumption that the threat from Iran, which was a threat that Israel and its Arab neighbors shared, could provide a motivating factor for helping to resolve this longstanding conflict.

In pursuing this three-pronged strategy, there was also an assumption that a symbiosis, a positive symbiosis, could be developed, such that progress in one area would benefit the efforts in the others. In particular there was an assumption in Washington that by making progress in resolving the Palestinian problem, it would help with the war on al-Qaeda; that by achieving a breakthrough on the Syrian track, it would help to pressure Iran; and that by engaging Iran it might be possible to ease tensions across the region.

Israel had a critical role in this strategy, and early on the administration opened a strategic dialogue with the Israeli government to try to concert policy towards Iran. It wished to be sure that Israel was comfortable with the policy of engagement so that it would continue to cooperate with it and exercise restraint while engagement was given a chance to work. The other critical role for Israel was of course to partner with the United States in the effort to achieve breakthroughs on the Palestinian and Syrian fronts.

There is, I think, very close cooperation on the first role, in terms of a coordinated effort between the United States and Israel to deal with the common threat from Iran. But in all candor one would have to say that there is a great deal of disappointment in Washington on the second front, when it comes to the effort to try to achieve breakthroughs on the Syrian and Palestinian fronts.

Of course Israel wasn't the only one to disappoint Barack Obama. Saudi Arabia refused to play at all, notwithstanding its profession of interest in trying to lead the Arab world to peace with Israel. When President Obama traveled to Saudi Arabia to try to enlist King Abdullah in this effort in an overt way, he ran into a brick wall. At least as far as Riyadh is concerned, the virtual alliance that from Washington's perspective we thought existed turned out to be a mirage in the Saudi desert. Abu Mazen of course stepped back instead of stepping forward, and left it to the United States to "deliver" Israel, particularly on the promise of a complete settlement freeze, including natural growth. The Iranian regime, instead of unclenching its fist, used its fist against its own people, first of all by stealing the election, and then by suppressing the dramatic protest from millions of Iranians, who objected to the fraud that was put and traded in their name.

As a result of all of this, the Obama administration does not have much to show for its efforts and its strategy. Iraq is still in a fragile state, but the

efforts to withdraw and leave a functioning political entity in the wake of the American forces is more or less on track.

Afghanistan – in the words of General McChrystal, now in charge of the NATO forces and responsible for prosecuting the war there – is not going well. In fact, he reported to the president that we are losing that war. In Pakistan the Obama administration did succeed in getting the Pakistani army to act against the Pakistani Taliban. However, we have not succeeded in getting them to act against the Afghani Taliban, or for that matter in any effective way acting against al-Qaeda.

In the case of Iran, the centrifuges are still spinning, but the regime is in trouble. There is a crack both within the regime and a split between the regime and its people. One cannot claim this as an achievement of the policy of engagement. However, it benefits the overall strategy of the Obama administration, in the sense that the Iranian regime is very much on the defensive internally, because of the ongoing problems it faces with its own people and within the regime itself. In addition, some progress has been made on the Iranian front by bringing Russia around to join more seriously in the efforts to curb Iran's nuclear program and in the potential now of bringing China on board as well.

When it comes to the Arab-Israeli efforts, we have a situation where not only has it been impossible to so far resume final status negotiations, but the parties seem to be further away from the negotiating table than when the Obama administration started. Furthermore, the Arab states are for the most part essentially watching from the sidelines, instead of joining us in this effort.

I think it's important to understand that Barack Obama has inherited a barren landscape with very few opportunities and many challenges. He tried to fly high and fast and has become mugged by Middle Eastern realities. He isn't the first president to experience that; that's why I titled my book about President Clinton's efforts in the Middle East *Innocent Abroad*, but as President Obama painted in very clear terms in his Nobel Peace Prize acceptance speech, he continues to believe in his vision of a multilateral world order that is more peaceful, more stable, and more respectful of international norms and of human dignity. That hasn't changed in the first year, and even though it's been a steep learning curve, it's only been one year and I see every reason to believe that he intends to press on.

The Afghanistan decision is emblematic in that regard of his intention to double-down rather than to give up, but it's emblematic in another way as well; he is in effect going in to get out, and that reflects not only an ambivalence about the war in Afghanistan itself and the difficulties involved there, but a very real recognition that America has problems at home that it also needs to address.

We are no longer the dominant superpower, and we have no choice but to work with others to try to reach our objectives. That means that in the Middle East we can only achieve our objectives if we have partners to work with. So even though I think President Obama will redouble his efforts to try to achieve an end to Iran's nuclear program – or the curbing of it – and an end to the Arab-Israeli conflict, he cannot succeed in that unless the region's leaders are willing to cooperate.

That leaves us with a series of questions: Will pressures on Prime Minister Netanyahu lead him to accept a formula for beginning final status negotiations that will acknowledge that the Palestinian state that he has now embraced will be based on the 1967 lines? I think the formula that Shaul Mofaz laid out, if Prime Minister Netanyahu were willing to accept it, could form the basis for beginning final status negotiations. That is to say that the territory that the Palestinian state will be based on will be similar to the territory that Israel occupied in 1967. Will Abu Mazen come to see that his responsibility to the Palestinian people requires him to return to those final status negotiations? Will Saudi Arabia's need for a process – if not an outcome – lead it to step forward and try to help resume the negotiations and bring them to a successful conclusion? Will the external and internal pressures on Iran produce developments there that may in effect help either in the effort to curb the nuclear program or to so destabilize the regime that other alternatives become possible?

I know it's unsatisfying to end with a series of questions rather than a series of conclusions, but that is the state that we are in at the moment. For the Obama administration it is very much a work in progress with little to show for the time being, but the hope that if you try sometimes, in the words of the Rolling Stones, you just might get what you need.

Challenges Facing the Obama Administration

James B. Cunningham

The US currently faces a number of substantial challenges that are primarily not of President Obama's making. When President Obama took office he had to confront a set of challenges that were without precedent, certainly since the Second World War and probably even before. Not only was he confronted with two wars that were not particularly successful, but he also had to deal with the collapse of the financial system and with a raging domestic economic crisis. At the same time, the president was also faced with the rise of a whole network of Islamic extremism and terror, as well as with the specific issue of Iran and its role in the Middle East. Concomitantly, he had to deal with the question of peace in the Middle East and to deliver on a promise he had made to the American people: namely to change the United States' approach to foreign policy, focusing more on diplomacy and engagement and less on military conflict.

In the US perspective, all these challenges that we are dealing with today are global challenges. This very same understanding of the world can be found in the president's Nobel Prize acceptance speech. This speech is particularly significant, as it represents a thoughtful attempt by the president to personally address some issues that American political leaders don't often get a chance to discuss in the framework of their public addresses. In his remarks, President Obama thinks through what is the nature of diplomacy and war in the 21st century, identifying the same threats to world security that are the subject of discussion in the INSS annual conference.

For instance, in his speech President Obama addressed the topic of proliferation and discussed how it relates to other emerging threats. He emphasized how today this threat manifests itself in ways that are radically

different from the past. In fact, the current scenario is not that of a conflict between states or even of a standoff between nuclear powers. It is the worst threat to security that one can imagine: a threat stemming from the possibility that a small group of people can gain access to weapons that can do incalculable damage. The Nobel Prize acceptance speech also tackled the issue of modern warfare, stressing how modern wars happen within nations instead of between nations, and emphasizing their character as wars fought among civilians.

At the same time, the president's remarks also highly emphasized the willingness of the United States to remain committed to global security, whether it is through the use of diplomacy or, if necessary, through the use of force. In this sense it is clear that the president is not disposed to retreat and refrain from dealing with the current world challenges. The United States is committed to what it has begun, not because it favors any other country, but because it is in line with US interests, US views of the future, and the US's own security.

However, while war is sometimes necessary, it usually doesn't solve the problems. Therefore, the president has relied on a strategy of gradual evolution or incrementalism. And in the course of the first year of the Obama administration, there has been a definite evolution in the world and in the issues that we have been grappling with. This development has not always occurred in the way we would like or as rapidly as we might have liked, but there have nevertheless been significant developments.

In his Nobel Prize acceptance speech, President Obama emphasized that the United States alone cannot secure peace. He stressed that the belief that peace is desirable is rarely enough to achieve it, and that it takes responsibility, sacrifice, and risk. He was also quite clear that the US would persevere in this path, including on the issue of Iran and on the issue of peace in the Middle East in general. Yet to confront these challenges successfully and to maintain the support of the American public, which is an extremely important part of the whole equation, the US needs not only a convincing way to convey US foreign policy to the public, but also partners and supporters to assist it in accomplishing its goals. In particular, it needs people who will work with it in this region and elsewhere in the world in support of diplomacy. And it will need support both when

working through the problems by diplomatic means and when diplomacy fails, possibly leading it to rely on force

In the eyes of this administration, time in this region is not on the side of peace, and if the status quo mentality prevails I believe that the final regional outcome will be rather dissatisfying to all parties. Americans firmly believe in and will continue to work for a better future for all in this region.

We do believe it is possible, and we are trying to succeed in addressing an arc of crisis and instability that goes from the Indo-Pakistani border all the way through the Middle East, probably the most complicated diplomatic challenge of all times. If we succeed in these efforts, everyone in this region will benefit from it and Israel will be immeasurably more secure. If we don't succeed, it may be because we made mistakes or because we failed to seize rising opportunities, but our potential failure would also in part be due to the failures and lack of cooperation of others.

The US and Israel in the Face of Regional Challenges

Sallai Meridor

The status of the American economy in the twenty-first century will significantly affect the global security challenges both in the long and short terms. In the long term, the status of the United States on the international arena relative to other players as well as its comprehensive security approach to the new security challenges will be affected by its global economic status. In the short term, American policy and politics will be influenced by the rate of economic recovery and the ability to prevent terror on American soil. At the same time, priority will be given to an orderly exit from Iraq and successes in Afghanistan, two arenas where Iran has potential significant clout. The policy of engagement or crippling sanctions vis-à-vis Iran will be brought to the test.

Alongside difficult domestic initiatives, the American administration will have to address some equally complex challenges in formulating its foreign policy. Both the internal and the foreign policy issues present questions relating to President Obama. Obama has not succeeded in erasing the question marks surrounding his ideological base, and many people in the United States still do not know whether to categorize him as a liberal ideologue in the guise of a centrist or as someone with a centrist stand who has nonetheless managed to engage the support of the American left. It seems that the president's decision to add forces in Afghanistan and his address upon receiving the Nobel Peace Prize are prompting the media to cast Obama in the role of the political centrist, but the jury is still out.

While there are those who claim that the steps that might indicate the centrist line of the administration are merely the result of political

considerations and constraints, others say that Obama never left the center. According to them, all the moves we saw in 2009 reflected a shrewd strategy designed to give the administration public and international power and allow the administration to continue to lead America towards the center. In any case, in 2010 many question marks may be lifted and we may be able to determine with greater certainty the direction that President Obama is pursuing.

In recent weeks many sources quoted by the American media noted that the biggest test of Obama's foreign policy is the Iranian issue. I believe this understanding is congruent with Israel's own interests. Israel has a serious interest in seeing that Obama's test includes not only the policy he will implement in Afghanistan but also and especially the way in which the administration will tackle the Iranian challenge.

It should be possible to determine very soon if the effort to enlist Russia and China in exerting pressure on Iran has been fruitful. If the administration fails to lead an effective campaign to isolate Iran economically and internationally, it is likely to find itself facing Middle Eastern players who have lost their patience. This could on the one hand be Israel, and on the other, it could take the form of Arab states seeking in practice to attain nuclear capability. Alongside the strategic threat Iran poses to the United States, both the possibility that Israel would take military action and the possibility that Arab states would begin a nuclear arms race are causing the administration to lose sleep.

In everything concerning the peace process, neither the Israelis nor the Americans have distinguished themselves in 2009 in terms of their attitude to the political process between Israel and the Palestinians. The American desire to create a better process than the one that was in place, reflecting the desire to conduct a policy that was "anything but Bush," contributed to the fact that today there is no political process at all. Israel, wanting to retreat from the two-state principle – even if this was merely a tactical retreat – and from compromising on the notion of a sequential process, found itself committed to two states and willing today to discuss the permanent settlement at the first stage.

These processes have not earned Israel international support and to an extent have increased its isolation. Today Israel faces the risk of a renewed outbreak of violence and uncertainty with regard to what may occur in the

Palestinian Authority. Furthermore, there is a danger that at the end of the ten month construction freeze in the West Bank Jewish settlements, the Israeli government will find itself caught between contradictory and severe external and internal pressures.

The best interests of both Israel and the United States point to the need to take the following steps: first, invest every effort to prevent the outbreak of violence; second, continue the process of building Palestinian institutions and improving the quality of life of the Palestinian population. At the moment, this is the only move all sides are agreed on and it is a vital one for preserving the gap between the West Bank and the Gaza Strip. Likewise, we must not be lured into making moves that may put wind in Hamas' sails. Third, efforts must be made to renew the negotiations between the sides. Considering the circumstances that have been created, secret negotiations are the only way likely to be useful. The chance that both sides would be able to discuss the high costs and somehow bridge the gaps in a public process is small. Therefore, if at all possible, we should go the route of secret negotiations.

Alongside these steps, Israel must, together with the United States, come up with alternatives to a negotiated agreement, in case it is impossible to conduct successful secret negotiations with the Palestinians. It must also consider the possibility of conducting negotiations in tandem with Syria.

Two final comments: first, the Iranian issue will remain on the American and Israeli agenda in 2010 and perhaps even in 2011, meaning that in the two years to come the American-Israeli relationship will be affected by the Iranian problem. Second, if there is no progress between Israel and the Palestinians in 2010, then towards 2011, we may see a growing inclination to "save the parties from themselves" and push them to act upon their own perceived "true" interests.

In closing, Obama, to an extent, remains a mystery. What is the genetic code, the most inner compass, guiding this president? He may have given us at least one clue during 2009, in his refusal to change his strategic course as he declined to seize the opportunity of the Green Revolution in Iran. However, much remains unknown and may stay so, unless a major sudden crisis forces the president to reveal his inner compass to the public.

Enlisting the Muslim World in the Peace Process

Dan Gillerman

In discussing the main challenges that Israel is facing today, I would like to try to be optimistic. Naturally, many people could question the reasons behind such optimism. Specifically, one could ask: “How can someone who spent so much time at the UN be that optimistic?” – especially someone who represented Israel at the UN for nearly six years, and who lives in this very tough neighborhood and in this very dangerous world, with terror stretching from Istanbul to Islamabad, from Cairo to Calcutta, and with rogue regimes and terror organizations proliferating. All these elements make this world truly one of the most ominous and dangerous we have lived in since World War II, or maybe even more dangerous, because at least during World War II one was able to identify clearly who the enemy was, and the confrontations and hostilities took place between states. Today, rogue regimes, terror organizations, and non-state groups make our world an extremely dangerous one.

I would suggest that precisely because of these dangers – precisely because of the very dark clouds on the Israeli horizon – maybe Israel, more than most other states, could have a chance to see a settlement in 2010. It is legitimate to wonder how can this be, considering that Israel now faces, maybe for the first time since its creation, truly existential dangers and not just tactical ones.

Israel is in effect already fighting Iran on its border: it did so during the summer of 2006 by confronting Hizbollah, and in December 2008 in the course of the hostilities with Hamas. On these occasions, Israel was not just fighting terror organizations, rather the bloody fingers of the extreme and fundamentalist regime in Iran, a state led by a person who promises

to wipe Israel off the face of the map and who denies the Holocaust while preparing very diligently for its recurrence.

The reason why there is room for some optimism is that Israel is not the only country facing these dangers. Moreover, we are not the only ones who realize how dangerous this world is and who understand that the real threat to world security does not stem from Israel. Much of the world watched what happened in Gaza and Lebanon and realized that what they were witnessing was only a preview. They realized that these episodes were more than a confrontation between Israel and local terror organizations. In fact, they represented the first world war of the 21st century between a secular democracy and an autocratic, extreme, and fundamentalist regime, namely Iran.

But the realization, or awakening, that was most impressive was that of the moderate Arab and Muslim world. For a long time the most eerie reality that I found difficult to grasp was the silence of the Arab and Muslim world with respect to what was happening to the Arab and Muslim world itself. In fact, today we no longer live in what Samuel Huntington defined as the clash of civilizations. Rather, we are witnessing a true clash within the Islamic civilization, since most of the violence, most of the horror, most of the terror, and most of the bloodshed are actually happening within Islam. Every day hundreds of Muslims are slain by Muslims throughout the Muslim world. Moreover, we do not see a single Muslim leader – religious, academic, or political – get up and say: “Enough is enough. What are we doing? We are killing each other.”

I think Muslims are indeed starting to care, and we are witnessing signs of this gradual shift. For example, we have seen forty Muslim and Arab countries coming together in Annapolis, defying Iran, and forming what will hopefully turn out to be a coalition of the moderates to face Iran. We have also seen the king of Saudi Arabia convene an interfaith meeting at the United Nations, trying to bring people together.

And I believe that all these episodes were not motivated by an increased love for Israel, rather by the fear factor. They – the Saudis, the Gulf states, the Egyptians, and other Arab and Muslim countries – realized at last that Israel is not the problem, and that the Israeli-Palestinian conflict does not represent the core problem. They understood that the real threat and the

real danger to them, to their regimes, to their society, and to Islam as they conceive it, is coming from Iran.

If all these countries can be brought together to solve the Israeli-Palestinian conflict in pragmatic and realistic terms and to legitimize and support a Palestinian leader who will accept a pragmatic solution, they will then be able to align themselves against the real danger represented by the fundamentalist and imperialist designs of the Persians over the Arabs.

I believe that the president of the United States – who went to Cairo to deliver a speech to the Muslim world and gain its trust – can rely on this existing goodwill, coupled with fear, in order to bring the Arab countries on board to legitimize and support the peace process. I believe that if this happens, we will finally reach a point that to me is even more important than a two-state solution, and that is basically a twenty-three state solution. In other words, this could bring peace, recognition, and normalization between Israel and an Arab world that realizes that at the end of the day, Israel can be an ally rather than a threat. At the same time, having eased Arab-Israeli relations, all these countries can align themselves against the real danger, which is fundamentalism, terrorism, and extremism stemming from Iran. I believe that in the American administration and in Barack Obama we have someone who is capable of accomplishing this task. The entire world will be supporting his efforts to accomplish this task, and I very much hope that in 2010 we will actually see him succeed.

Europe and the Middle East

Shimon Stein

What lies behind the European position on the Middle East? It is important to remember that the European Union has no unifying foreign policy, and at most, enjoys coordination between its members. Thus nation states such as Germany, France, and Great Britain do not necessarily heed the EU's authority even when the EU seems to be speaking with one voice.

The basic rationale behind the EU's stance in the context of the Middle East is that because the region is adjacent to Europe, there are inter-dependencies between the security of the Middle East and Europe. Instability in the Middle East reflects on Europe. Therefore, the European desire has always been to achieve stability, i.e., to attain a comprehensive solution to the Arab-Israeli conflict. The conflict is seen as a primary focus of instability that reflects on the entire region, and therefore a solution is of the highest order of priority. An additional element in Europe's conduct in our context relates to the colonial past of some EU members, not to mention the dependency on energy and the economic interests.

These elements together serve as the basis for European activism in the Middle East context. This activism is expressed first and foremost on the declarative level. Lacking other significant tools, this is in fact the primary means by which the EU can exert any pressure. The Europeans are well aware of their limitations and weaknesses and do not see themselves as leading processes that would bring about a comprehensive settlement. They view their role as one of coordination and as complementary to the policy of the United States, which was not always willing to bring Europe into its inner circle vis-à-vis the regional processes. It is necessary to wait and see if during Obama's term in office we can expect closer coordination and a division of labor between Europe and the United States. Until peace

is achieved, Europe is actively attempting to help the Palestinians improve their quality of life and construct institutions for the nation-in-the-making.

I would like to stress two age-old elements characteristic of Europe's conduct. First, on a number of essential issues, Europe is ahead of its time, not to mention ahead of Israel's stance. It would seem that European processes of ripening are quicker than our own. For example, in 1975 Germany spoke in favor of the Palestinians' right to self-determination from the podium of the UN General Assembly; at the time, this became the source of a serious disagreement between Germany and Israel. The Venice Declaration in June 1980 went back and restated the European community's position in favor of the Palestinians' right to self-determination. In 1999, the EU expressed support for negotiations that would lead to Palestinian statehood. In this declaration, as well as in the most recent declaration of December 2009, willingness was also expressed to recognize, at the appropriate time, a Palestinian state, because the EU is convinced that the establishment of such a state is a better guarantee of Israel's security. In the most recent declaration the EU also expressed willingness to recognize East Jerusalem as the capital of the future Palestinian state, achieved as part of true peace and through negotiations. I think that this recognition of East Jerusalem will result in a European recognition of West Jerusalem as the capital of the State of Israel, a step that to this day has not been taken.

The second element of Europe's conduct towards Israel relates to a pattern of reward and punishment that has become ingrained ever since the EU formulated its positions on the conflict in the Middle East. Israel receives bonuses for good behavior when it does what Europe expects it to do. When Israel fails to deliver the goods, it is punished by having some of its requests rejected, whether this entails the rejection of upgrading the political dialogue or denying the ratification of association agreements between Israel and the EU. It is doubtful whether this pattern of behavior is likely to change in the near future.

Israel's position with regard to the EU is ambivalent. On the one hand, Israel aims to forge as close a relationship as possible and thus be part of the West. On the other hand, Israel views the official European position as problematic, if not downright hostile. Europe does not conduct an even-handed policy, rather one that from a variety of reasons tends to be closer to the Arab-Palestinian position. There are those who see the European

stance as being colored by anti-Semitism, though I do not think that every position critical of Israel should automatically be labeled as anti-Semitic. As for the source of the dispute, I think that the roots of the disagreement between us and Europe are manifold (historical, political, cultural). This leads to mistrust.

Part of the dispute between us and Europe relates to the traumatic historical lessons of World War II. These lessons led Europe, under the American defense umbrella during the years of the Cold War, to take a stance sanctifying the principles at the base of Europe's foreign policy: multilateralism, trust in international institutions and international law, denial of the use of force as a means for political transformation, and empathy for the victim. Since 1967, Israel no longer conforms to the victim category, and therefore sympathy tends to the weaker side, now identified with the Palestinians. Nor has Israel's conduct in these years necessarily conformed to these principles, and thus problems arise.

Although we are, at least seemingly, conducting a dialogue with the Europeans, this dialogue greatly resembles a conversation of the deaf. Israel's status in European public opinion is eroding steadily and rapidly. Given the demographic shift in the continent and the rise of the Muslim component, we should expect additional difficulties as the Muslims become a minority with political clout striving to affect the political conduct of the continent.

On the Iranian issue, the EU has come a long way in the last five years in terms of understanding the Iranian threat. At the beginning of the millennium, the common European understanding was that it was an Israeli problem. Now, however, we are seeing the development of an understanding that it is not only an Israeli problem and not only a regional problem, but a global problem, and therefore it is necessary that Europe pay attention to it. We owe the beginning of this process largely to the Bush administration's failed policies in its conduct toward Iran.

The understanding of the EU as a bloc is that crisis management must take place with the UN by means of Security Council resolutions, with preference given to diplomacy, when at least on the declarative level not all options are on the table from the European perspective. The use of sanctions is seen as a last resort in the absence of other means. The recent radicalization of the Iranian positions has caused even the EU to recognize

that it is impossible to avoid imposing severe sanctions, with the preference, of course, that they be administered in a Security Council framework. Should a Security Council resolution be stymied because of Russia and China, my assessment is that the EU will agree to join in the sanctions, led by the United States, even without a Security Council resolution. Should the United States decide on the military option, the European nations will obviously abstain from participating but will also not condemn the move.

Part IV

The Iranian Challenge

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Confronting the Non-Existential Iranian Threat

Isaac Ben-Israel

A nuclear bomb in Iran does not represent an existential threat to Israel. First, the likelihood that it would be used against us is close to nil. Anyone who has followed the Iranian regime knows that it behaves rationally, and it wouldn't dare attack Israel with a nuclear missile, given that in its mind Israel is armed to the gills with nuclear weapons.

However, for the sake of debate, let us assume that Iran is about to drop the bomb on us. Even that does not represent an existential threat to the State of Israel. A bomb of the type Iran is trying to construct, with a yield of approximately 20 kiloton, has a damage radius of some 600 m. When you calculate how many people fit into such a radius in a city as crowded as Tel Aviv, you get about 20,000 fatal casualties. While this is not a small number, it is also not a threat to Israel's existence.

Rather, the Iranian nuclear threat is an intolerable threat. It is intolerable because it would encourage proliferation in the Middle East. And when there are many nuclear actors, mutual deterrence wanes and someone is liable in the end to make a mistake and use this weapon, even though this is an irrational decision. Even rational regimes make errors and take foolish decisions.

Moreover, the Middle East is the fatherland and incubator for most of the world's terrorist organizations. In a nuclear Middle East it is only a matter of time for some terrorist organization to get its hands on the bomb. What I have said in terms of deterrence between Iran and Israel does not hold true for a terrorist organization that has no fixed address and doesn't care what Israel would do in response. And we would have absolutely no answer. Therefore this threat is intolerable and we have to do everything in our power to make sure it does not come to pass.

What can be done to make sure it doesn't happen? First, the Iranian regime is much more pressure-prone than people seem to think. We praise their ability to gain time, and we are worried that they are right in their assessment that the West is too weak (morally) and too divided to stop them. However, since the beginning of the twentieth century, tens of millions of people have died after falling into the same illusion, underestimating the will of the Western world, especially the United States. They didn't know when to stop and didn't understand that once a certain line is crossed they have to pay the price. From World War I to Iraq and Afghanistan, America has missed almost no opportunity to use its force against whoever deserved it. Many nations counted on the West wanting only peace and not having the stomach for fighting. This is true only up to a point.

The Iranians too are doing everything they can in order to gain more and more time. Given the amount of low-rate enriched uranium that they already possess, Iran can build one bomb in a relatively short period of time – about six months – if it expels the inspectors and begins to enrich to a high level of enrichment. But there is an important reservation here: they would be able to do it on condition that during those six months no one bombs its centrifuges, or nuclear storage and other nuclear facilities. This, however, is unlikely. The Iranians understand this very well and therefore they aren't choosing this path. They will not attempt to enrich HEU before they have amassed enough material for a number of bombs on the assumption that someone will try to impede their progress.

This makes our challenge even more difficult, because they don't cross a certain line that will enable us to convince the world to impose diplomatic and economic sanctions and, if there is no other choice, to use the military option too.

No one in the world wants Iran to have the bomb, not even Russia or China. But every nation has its own considerations. One wants something from the Americans in return and the other one depends on Iranian oil. However, as the clock keeps ticking and Iranian capabilities grow, the world is coming together against Iran because it is closing in on its goal. This is something we must take advantage of.

The path the Americans are treading today has a good chance of succeeding, i.e., imposing sanctions on the Iranians so that they will accept an agreement that in the end will insure they do not have the capability of

making a bomb on their own. However, is that going to erase the capability from Iran? Will that get what they know out of their heads? No. The name of the game is time. It is impossible to erase knowledge.

However even a postponement of several years is significant. It is no secret that the Iranian public isn't satisfied with its government because, among other reasons, the choices the Iranian regime has made do not exactly improve the welfare of the citizens. When you have a few years of breathing room, regime change can also occur. Were there an accountable, moderate regime in Iran we'd be sleeping better at night.

My sense is that the policy led today by the United States is positive. At its core is the attempt to work towards the best interests of the rest of the coalition members. This is the context for the cancellation of the plan to position anti-ballistic interceptors in East Europe, and to find other oil suppliers for China. This will lead to sanctions closing in on Iran. I do not think that the Iranians will be able to withstand these sanctions easily. So the chance that we have to reach the military option is not great, but should it come to that, then the questions raised by Maj. Gen. (ret.) Giora Eiland on the military option would be answered in the affirmative.

What will happen if the military option is taken? Even if we gain some years, what happens during those years? If during that time the world does not rally together to stop the Iranians using every means, we will face the same problem all over again three years hence. This cannot go on forever. We have to get to a point of global recognition that will not allow the development of a nuclear capability in Iran. If there is a chance that we can reach such a point, we have to get there now. To my mind, this is the most fundamental question, not the question of capability of a military option. Of course in terms of capabilities, the Americans have superior resources, especially when we're talking about ongoing, sustained efforts.

Time and again the Iranians have said that no one will dare attack them. Why do they think that no one will dare attack them? Because they can strike back, and they can do that mainly at Israel. Indeed, we had better believe them. No matter who attacks, we will be targeted. How precisely? What can the Iranians do to us? We're not going to see any Iranian tanks here. We will first see Shehab-3 surface-to-surface missiles. Then they will use Hizbollah; this is precisely why they have invested in Hizbollah. They aren't investing in Hizbollah in order to encourage the resistance and

destroy the State of Israel. One of the primary reasons for their investment in Hizbollah is to deter us from attacking their nuclear facilities in Iran.

If we have learned anything from the Second Lebanon War it is that we must not allow such a war to go on for too long. Israel has the capability of doing much to shorten the duration of a war against Lebanon and Hizbollah, both directly and indirectly. Therefore, the number of rockets that Hizbollah might fire on us will, in my estimation, not be very different from what we experienced in the Second Lebanon War. I won't stand here and tell you that that was easy, but it certainly wasn't as bad as a nuclear threat.

Deliberating a Military Option against Iran

Giora Eiland

For a military option to be adopted against the Iranian nuclear program, four different questions demand clear answers. The first concerns the scenario: what scenario will we be living in, especially in 2010? The second deals with the result of a strategic situation assessment, which weighs the risk of living with an Iranian bomb against the risk of trying to prevent Iran from acquiring the bomb. Third, what will the American policy towards Iran be? And the fourth is the purely military issue. I will attempt to focus primarily on the latter point.

First, what will 2010 look like? In October 2009 negotiations were launched between the United States and Iran. These negotiations could lead to one of the following four scenarios in the coming year.

Agreement: The chances of this scenario occurring seem low, but American goodwill and the support of the international community for engagement could result in an agreement. To be sure, an agreement can be either a good one or a very bad one from Israel's perspective. Either way, however, if there is an agreement between Iran and the international community that seems to resolve the Iranian nuclear issue, clearly an Israeli military operation could not be considered.

Crisis: By this I mean not just the withdrawal from negotiations by one of the sides or both of them, rather a crisis that indicates it is the end of the road. Should a crisis lead to the international community rallying around the United States during an international campaign to isolate Iran politically and economically, an Israeli military operation cannot be considered.

Non-crisis, non-settlement, that is, negotiations that go on and on with ups and downs: Obviously from the Iranian point of view, ongoing negotiations are good, because Iran in the meanwhile continues to enrich

uranium. But the American president also does not want to reach a crisis. He just received the Nobel Peace Prize and a crisis, carrying with it the potential of a conflict, is the last thing he wants. Therefore, the third scenario is the continuation of the negotiations, with all their ups and downs, which also would not provide Israel with favorable terms for a military operation.

The fourth scenario is the only one that offers any substantial possibility for an Israeli military operation: if there is a crisis in which – unlike the second scenario – the United States fails to create a stable coalition, sanctions are not implemented, and in addition, there is the sense that no one really intends to solve the Iranian problem or is capable of doing so. Such a situation, with each man for himself – perhaps also Israel only for itself – gives much greater freedom of action. That summarizes the scenarios.

The second issue touches on a strategic situation assessment that weighs the comparative risks and rewards of two problematic situations: if all else truly fails and Iran stands at the threshold of a bomb or even has a bomb already and Israel must adjust to living in such a reality, versus the need to understand the risks in trying to remove this threat by an Israeli military operation and the implications of a military operation.

The third element is perhaps the most dramatic: Israel's capability of providing an answer to the question, can it undertake a military operation even in opposition to the American stance? If we are talking about the American sphere of interest it is reasonable to think we would not be prepared to do so, precisely at a point when American aid, whether political or military aid, becomes more critical than ever before. As far as the American position is concerned, it seems that both at the American political echelon and in the military there are reservations regarding a military operation against Iran. Two CENTCOM commanders, one retired and one current, have explained to me why an Israeli military operation is risky. According to them, if anyone is to go the military route, it is preferable that it be the United States because it has better capabilities and in any case would be the one who would pay the price.

We come now to the fourth issue. Let us assume that Israel has legitimacy for a military operation and that following the risk assessment the Israeli government concludes that it would be more dangerous to live with Iranian nuclear potential than to assume the risk of a military operation. In such

a situation the military echelon would be required to give the political echelon satisfactory answers to the following five questions. Only if the answers are adequate would it be possible to decide on carrying out such an operation.

The first question is one of intelligence. Do we know what we need to know? Do we know the targets, the obstacles, the problems? Do we know enough? There may be an important target but we are uncertain if there aren't five or ten other targets of the same type. In that case it may not make much sense to attack the one target. Therefore the first question is one of intelligence. Relatively speaking, it is an easier question to answer than the others.

The second question relates to the capability of bringing a critical mass to the targets about which we have good intelligence. Assuming the attack is carried out by the air force, can we get enough sorties off the ground to those targets for the required amount of time? This is not a simple question because we are also talking about great distances. Furthermore, it would be necessary to fly through the air space of certain states that would almost certainly not be cooperative. We are talking about the capability of reaching these targets and attacking them with a critical mass of airplanes. This is a purely operational question, from aerial refueling to many other issues.

The third question relates to the amount of physical damage such bombings could inflict. Would the damage be significant? This is a central question. Yet even if the physical damage Israel can inflict is significant enough, the fourth question, which to an extent also summarizes the previous three, arises: and then what? That is to say, what would the effect be on Iran's nuclear capability? Because if a very large part of the knowledge exists, whether in the minds of their scientists or in their computers and there is redundancy in their capabilities, from a technical point of view it takes very little time to rebuild. So perhaps it does not make sense to go to all that trouble. On the other hand, if it is estimated that reconstruction would take a significantly long time, it may well be much more worthwhile. Therefore it is necessary to define whether we are talking about the destruction of the Iranian nuclear capability or preventing the Iranians from attacking us with nuclear weapons. How long a delay could we hope to cause? Would it be measured in months or in years? How many?

Having arrived at reasonable answers to the fourth question as well, we now face the fifth: the operational window of opportunity. It is true that we are constantly working to improve our capabilities: better planes, weapons, and intelligence. But the Iranians too are doing all they can in terms of placing much of their equipment in underground tunnels, hiding it, creating redundancy wherever necessary, and of course, improving their aerial defenses. It is no secret that Iran is seeking to buy advanced anti-aircraft systems from Russia. Fortunately, at least for now, they have failed to do so. But it is absolutely clear that Israel would prefer to attack before any such systems became operational.

Assuming all the answers are positive, we would also need two additional components. One is political: politically speaking, is an Israeli government capable of making a decision? We are talking about an issue that is apolitical in nature, and in this sense the political system has greater latitude for action.

The second point is early preparation. It is difficult to make decisions on such far reaching, fateful questions without preparation. I am not talking about military preparations, rather drilling the process of dialogue between the political and military echelons. This is not a pinpoint operation such as the one carried out in Iraq in 1981 or the one attributed to Israel in September 2007 in Syria, but something on a totally different scale requiring simulations and constant joint situation assessments by the military and the political levels.

Israel is liable to find itself having to choose between two bad choices: foregoing a military operation and living with an Iranian bomb, or taking the initiative and attacking despite the potential risks. This theoretical question might turn into an all too practical one in 2010.

Iran: A Case Study for the International Resolve

Irwin Cotler

“Ahmadinejad’s Iran” – and I use that term because I want to distinguish it from the people and the publics of Iran, who are the targets of massive domestic repression – is the most comprehensive, compelling, and generic security challenge that the world is currently facing.

My thesis is that Iran has emerged as a clear and present danger to international peace and security, to regional and Middle East stability, to Israel and world Jewry, and increasingly – and alarmingly so – to its own people. Simply put, in Ahmadinejad’s Iran we are witnessing the toxic convergence of four distinct yet interrelated threats: first, the nuclear threat; second, the danger of state-sanctioned incitement to genocide; third, the danger of state sponsorship of international terrorism; and fourth, the danger of persistent and pervasive massive violations of domestic human rights.

Recent developments have only served to expose and magnify this critical mass of threats. Iran has embarked upon a significant expansion in the enrichment of uranium to nuclear weapons-grade capability, including the proposed construction of ten additional uranium enrichment centers. The disclosure of a secret enrichment facility at Qom has only reaffirmed the belief of experts that Iran is already housing a nuclear archipelago.

Moreover, while defying the international community on the nuclear issue, both Supreme Leader Ayatollah Khamenei and President Ahmadinejad – in no less significant though surprisingly ignored threats – have reaffirmed their incendiary calls for Israel’s disappearance, with the Supreme Leader stating “that God willing, its obliteration is certain,” while Ahmadinejad has threatened to “finish [Israel] once and for all.” Indeed, more recently, on Iranian Press TV, Ahmadinejad chillingly elaborated on

these themes, referring to Israel as “most criminal nation in the world ... placed in our region with lies and fictional tales ... [and] with Allah’s help, this regime will be annihilated.”

The massive domestic human rights violations – unmasked since the fraudulent June 12 election – have intensified ever since, with its pattern of arrests, detentions, beatings, torture, kidnapping, disappearances, extrajudicial killings – the whole replete with Stalinist show-trials and coerced confessions. Indeed, Iran has arrested thousands of persons; continues its persecution and prosecution of members of religious minorities – especially the Bahá’í; seeks to intimidate and repress students and women’s rights activists; and has executed more prisoners in absolute terms than any other country, except China, including juvenile offenders.

Let there be no mistake about it: Iran is in standing violation – and mocking defiance of – international legal prohibitions, including UN Security Council Resolutions and the IAEA regime against the development and production of nuclear weapons. These resolutions can be described as trying to accomplish too little too late, and furthermore, they have yet to be fully implemented.

Indeed, Iran is not only a serial violator – it is a serial deceiver. In the last year alone – Obama’s year of engagement – Iran has trumpeted higher-grade enrichment capabilities and facilities, tested enhanced long range missile technology, and begun construction on more lethal centrifuges.

The second important point is that Iran has already committed the crime of incitement to genocide, prohibited under the Genocide Convention. We have been conducting hearings in Canada in our parliamentary foreign affairs subcommittee on international human rights, and have received abundant witness testimony and documentary evidence with respect to state-sanctioned incitement to genocide. The president of the International Association of Genocide Scholars, Professor Gregory Stanton, said that from an historical perspective, Iran has already passed through the first of the six stages of genocide.

As someone who has prosecuted Rwandans and others for incitement to genocide, I can affirm that there are as many if not more incitement precursors to genocide in Ahmadinejad’s Iran than there were in Rwanda or in the Balkans. The evidence of incitement led to the drafting of an international petition on “The Dangers of a Nuclear, Genocide-Inciting,

Rights-Violating Iran: The Responsibility to Prevent,” which has been endorsed by over 60 leading international law scholars, genocide experts, and human rights advocates, as well as victims and survivors.

The petition is divided into two parts. The first part is what I regard as the most comprehensive and authoritative compilation of witness testimony and documentary evidence on the previously mentioned four distinct threats. The second part is organized around a framework of redress and remedy for these threats. In other words, the petition urges implementation of not only a sanctions-based regime as a generic form of remedy, but also advocates specific remedies that address each of the previously mentioned threats.

The third Iranian threat – state sponsorship of international terrorism – is not always appreciated worldwide, but it is well understood here in Israel. This terrorist threat includes the arming, financing, training, and instigation of terrorist groups like Hamas and Hizbollah. On this point, what is not always appreciated is that these groups are more than just terrorist militias. They have a genocidal objective, an anti-Semitic ideology – not because I say so but because their own covenants and charters affirm this – and use terrorism to implement this agenda. Accordingly, in supporting, aiding, and abetting these groups, Iran is also supporting, aiding, and abetting genocidal incitement.

Iran has appointed as its minister of defense – overseeing its nuclear program and weapons development – Ahmad Vahidi, the object of an INTERPOL arrest warrant for his role in the planning and perpetration of the greatest terrorist attack in Argentina since the end of the Second World War – the bombing of the AMIA Jewish Community Center. So in response to President Obama’s outstretched hand during 2009 – his Year of Engagement – Iran reciprocated with a clenched fist, as exemplified by the country’s appointment of Ahmad Vahidi.

Finally, Iran continues its systematic and widespread assaults on its citizens, which international law experts increasingly characterize as crimes against humanity.

These four distinguishable yet interrelated threats constitute what I would call a critical mass of threats, and demonstrate that Iran has emerged as a clear and present danger to world security. Nonetheless, each of these threats has been met with what might be called a culture of impunity, where

each of the threats is sanitized rather than sanctioned, indulged in rather than held to account.

The current situation of impunity thus invites the question: how can we address the current situation in 2010? What should we do? Indeed, what must be done?

In the spirit of full disclosure, I have to acknowledge at the outset that I was a supporter of Obama's Year of Engagement. I believe in the exhaustion of remedies principle, and I was a supporter of mobilizing the international community through engagement for the purpose of ultimately being able to bring together a critical mass of sanctions in response to a critical mass of threats, if Iran would be unresponsive to the process of engagement. But I have to say that the engagement process thus far has not joined issue with the critical mass of threats, and has also failed to implement effective remedial responses against those threats. Much of the engagement has been of open-ended character, without specific timelines and benchmarks, and without a framework for resolution.

It has been more than a year since President Obama, then candidate Obama, spoke of implementing a "carrot and stick" engagement approach with respect to Iran. Again, while I supported the use of carrots and sticks, we have seen the carrots but have yet to see the sticks. It was February 2009 when Secretary of State Hillary Clinton first spoke of "crippling sanctions" against Iran; yet we are now approaching 2010 and none of these crippling sanctions have been implemented. So the first point that needs to be emphasized is that engagement itself has to be serious, sustained, effective, and resolute.

The second important point is that engagement thus far has focused only on the nuclear threat. Now while focus on the nuclear threat is necessary and understandable, it should not, however, be the exclusive focus. I want to suggest that from a strategic point of view, by choosing to focus solely on the nuclear threat, one runs the risk of ignoring, marginalizing, and sanitizing the other three threats. Similarly, from a strategic point of view, minimizing the other three Iranian threats undercuts the case with respect to combating the nuclear threat. In fact, a nuclear Iran is a critical danger because of the connections between this threat and Iran's genocidal incitement threat, its sponsorship of terrorism, and its massive domestic human rights violations. It is the combination of all these dynamics that

produces a critical mass of threats; by focusing only on the nuclear aspect there is a risk of diluting the remedies to be pursued.

There is a third important point: by emphasizing only the nuclear threat, one runs the risk of emboldening the military theocratic regime while giving the appearance of abandoning the Iranian Green Movement. This point is emphasized by Iranian human rights scholars and activists, several of whom are also the signatories to the international petition. In fact, while this is clearly not the intended effect of focusing exclusively on the nuclear threat alone, it allows the regime to translate the reality of the ongoing engagement into domestic leverage against the protesters themselves. Simply put, if the international community continues to engage with the current regime notwithstanding the intensified massive domestic human rights violations – turning a blind eye to them – and if it continues to focus exclusively on the nuclear aspect, then it is minimizing the gravity of the human rights violations and marginalizing the impact of domestic repression.

Moreover, in the matter of the nuclear threat, Iran continues to deny that it is engaged in the illegal development and production of nuclear weapons, and we know that there are countries and people who accept this Iranian claim at face value. On the other hand, when it comes to the other three threats – the genocidal incitement threat, the state sponsorship of terrorism, and the massive domestic repression – there is clear, comprehensive, compelling, and abundant witness testimony and documentary evidence to substantiate these threats. Therefore, by engaging with Iran on the basis of this critical mass of threats, one strengthens the case for sanctions much more than if one deals only with the nuclear threat.

This brings me to the issue of sanctions themselves, which is a crucial point in discussing the Iranian threat. I want to emphasize here the need for targeted, calibrated, and comprehensive sanctions to deal with all four threats posed by Iran, including the particular nuclear threat. Moreover, I also want to stress that we need what I would call threat-specific remedies, namely, remedies that are targeted to the very nature of the threats themselves. It is in fact extremely important to devise an effective sanctions regime, and I would like to now offer a summary of the sets of sanctions that must be integrated into a serious sanctions approach to be acted upon in 2010.

First, when we speak about devising comprehensive, calibrated, and targeted sanctions in response to Iran's pursuit of nuclear weapons, a good place to begin is simply with the implementation of the five UN Security Council resolutions that have been adopted since 2006. These resolutions prohibit, *inter alia*, the supply, sale, or transfer to Iran of items, goods, and technology that could contribute to Iran's enrichment-related reprocessing or to the development of its nuclear weapons delivery system. While these sanctions were originally themselves defined as "too little, too late," they have nonetheless yet to be implemented.

I refer to these measures as "too little, too late" because they only began in 2006, although the first disclosure that Iran was engaged in a covert nuclear weapons development process took place in 2002. Moreover, when the international community recently discovered covert facilities in Qom, the disclosure was not a result of Iran's own acknowledgment of its operations. This once again provided a retrospective validation of the fact that Iran is not only engaged in standing violation of UN Security Council resolutions, but is also a compulsive deceiver that engages in serial deception. Indeed, as I mentioned, we recently heard the announcement that Iran will build ten new nuclear uranium enrichment plants, so as to confirm the country is developing what the Wisconsin Project on Nuclear Arms Control called a "nuclear arms archipelago," of which Qom would be one of the components. In this sense, obtaining the implementation of related UN Security Council resolutions would be a first necessary step with regard to creating a sanctions regime.

The second important component of a sanctions regime would be to target gasoline and other refined petroleum imports. Iran imports approximately 40 percent of its domestic gasoline consumption. This dependence on imports makes Iran particularly vulnerable to this sanction, targeting what has been defined as the country's economic Achilles heel. In addition, these measures should be implemented not only directly against those who export gasoline and other refined petroleum products to Iran, but also against those who facilitate such exports, *i.e.*, the shipping, insurance, and similarly involved companies. It is in fact important to have an integrative approach to strategic sanctioning, because by failing to target all actors involved, one prevents the sanctions from having a real impact.

As a third necessary sanctioning measure, we need to curb energy investment in Iran. More generally, governments should prohibit companies from investing in Iran's energy infrastructure, or they should provide incentives for not doing so. Again, all related industries, including shipping, insurance, and even construction companies should be included. At the same time, we must end export financing for Iran. It is not that well known that billions of dollars are spent annually on export financing for Iran, and this needs to be stopped. Therefore, the problem is not only the failed implementation of UN sanctions with respect to Iran's nuclear program, but also that in the absence of a comprehensive approach to a sanctions regime, there are so many loopholes and escape routes that need to be closed before sanctions can be effective.

A fourth necessary element in devising a comprehensive sanctions regime is the need to focus on the Iranian banking industry. While this effort has begun in terms of certain Iranian banks, the Iranian Central Bank has thus far escaped sanctions and restrictions. Therefore it is important to focus on the Iranian Central Bank as well, as this would diminish the efficacy of Iran's financing of its military infrastructure, uranium processing, and the like.

As a fifth measure, we need to ensure that international financial institutions are vigilant. In other words, we need to guarantee that international financial institutions do not support, however inadvertently, money laundering operations, or indeed any illicit activity involving Iran. As the Financial Action Task Force warned earlier this year, banks should be using due diligence when dealing with Iran – which they do not always do – and governments need to ensure that such standards are met.

A sixth measure is the need to sanction companies that enable Iranian domestic repression to be effective. For example, we have learned that surveillance equipment used in domestic repression was sold to Iran by corporations like Siemens and Nokia. In this regard, one needs to alter the relevant corporations' economic calculus with respect to these sales by deterring such transactions.

A seventh measure that should be implemented is the targeting of the Islamic Iranian Revolutionary Guards. Sometimes this group is defined simply as a militia; however, they have emerged as the primary political as well as military force in Iran today. Additionally, the Revolutionary

Guards constitute a preeminent economic force that controls 80 percent of Iranian foreign commerce, as well as the Iranian construction industry, the banking industry, and the country's communications center. Any sanctions that do not specifically target the Iranian Revolutionary Guards omit an important component with respect to understanding the critical mass of threats and the critical mass of strategic remedial responses. One of the measures that should be implemented in this regard includes listing the Iranian Revolutionary Guards as a terrorist group in order to ban any form of relationship with them, including any involvement in their financing and economic activities.

The eighth core element of a sanctions regime would pay greater attention to the danger of technology and arms transfer to Iran. Existing embargos are not enforced and monitored very well, and there needs to be increased international coordination.

A ninth element in devising calibrated, targeted, and comprehensive sanctions would be to deny landing permission to the Iranian transportation industry. If states agree to refuse Iranian boats permission to dock and Iranian planes permission to land, the effect of these measures would be significant.

Tenth, countries need to enact national legislation that incorporates by reference each of these sanctioning remedies, so that these countries demonstrate that they are serious in terms of implementing a critical mass of remedial responses to the already discussed critical mass of threats. I have introduced in the Canadian Parliament an Iran Accountability Act that seeks to address the fourfold character of threats and seeks also to incorporate these remedial responses.

And finally, and this is rather shocking, I would like to emphasize that Iran has actually been using a UN agency, a United Nations office in Tehran, the Asia Clearing Union, to skirt existing US sanctions. In other words, Iran is using the Asia Clearing Union agency to pay for goods and services, and reaped over \$13 billion overseas in 2008 and over \$5.6 billion so far in 2009. The fact that a UN agency is involved in assisting Iran with money laundering is simply unconscionable. Here too the international community must hold Iran and the relevant UN agency accountable for their conduct.

Thus far I have discussed what I would call a comprehensive, calibrated, and targeted generic set of sanctions. However, this sanctions regime should

be coupled with a series of threat-specific sanctions. First, as mentioned, Iran has already committed the crime of incitement to genocide prohibited under the Genocide Convention and international law. In other words, Iran is in standing violation of the international law prohibition that deals with preventing and combating incitement to genocide. The appropriate response by the international community is not simply the matter of a policy option. There is, in fact, an international legal obligation of the first order – a *jus cogens* obligation – and a panoply of internationally mandated remedies to hold state-sanctioned incitement accountable under law. However, as we meet, not one state party to the Genocide Convention has exercised any of the remedies mandated by the Genocide Convention and international law, including the modest measure of simply referring the Iranian state-sanctioned incitement to genocide to the UN Security Council for deliberation and account.

Moreover, any state party to the Genocide Convention may immediately initiate an inter-state complaint against Iran, which is also a party to the Convention, and thereby act to hold Ahmadinejad's Iran accountable. At the same time, the UN Security Council could be asked to refer the situation of state-sanctioned incitement to genocide to the International Criminal Court. The UN Security Council did refer the criminality of Omar al-Bashir, the president of Sudan, to the International Criminal Court. The International Criminal Court did indict President al-Bashir, even though there were those who said that heads of state are immune from prosecution. However, there is no such immunity under international law; and both the International Criminal Court Treaty and the Genocide Convention clarify that heads of state that engage in state-sanctioned incitement to genocide are criminally liable. And so the question: Why have we been immunizing Iranian leaders from any criminal liability? Why have no initiatives of this kind been taken?

Indeed, even modest remedies such as travel bans of those engaged in such prohibited incitement, or placing such leaders on a watch list, or the use of shunning and shaming devices, have yet to be invoked with regard to the Iranian leadership. So while there is a comprehensive set of remedies available with respect to combating the threat of incitement to genocide, none of the remedies has yet been used. This also holds true with regard to the ongoing massive domestic human rights violations. Clearly,

these human rights violations can also be sanctioned through the 11-point set of generic set of sanctions that I described earlier, but they can also be targeted by a number of violation-specific measures as I will now set forth.

Such remedies for human rights violations include regularly displaying public condemnation of the dictatorial Iranian regime and its leadership, rather than any acquiescing, indulging, or ignoring of that leadership and its actions. Moreover, it is important to provide moral and diplomatic support for the democratic movement in Iran and severely restrict the number and nature of official visits by Iranian leaders. It is also crucial to address the topic of Iran's massive human rights violations in the course of any bilateral meeting with the country. Other relevant measures include: coordinating the imposition of travel bans and asset freezes on Iranian officials; monitoring and regulating foreign offices, bureaus, and media outlets that the Iranian regime uses as a source of threat, incitement, and intimidation; and decreasing high level interactions with Iranian officials. At the moment, there is no coordinated approach to holding Ahmadinejad's Iran to account on any of the specific threats to which I have been referring.

Finally, I would like to stress the need for strategic international advocacy. For instance: one can go to country X and raise the issue of the nuclear threat. In response, country X may question whether the available evidence is clear enough to confirm that Iran is engaged in the production and development of nuclear arms. Similarly, country X might raise the objection that Iran's nuclear program may in fact be conceived around civilian purposes, and it might affirm that there is no reason why Iran should not have the right to use nuclear energy for civilian purposes. Accordingly, when dealing with Iran only with respect to the nuclear threat, then one may find that the conversation hits a dead end and that it may be impossible to convince country X, unless one refers to all the available evidence and thereby demonstrates that besides from its nuclear activities, Iran is also engaged in all of the other three sets of threats previously described.

At that point, each country may respond differently to these different threats. For example, I found that when I spoke with German leaders the most compelling case I was able to make to them was not necessarily with respect to the nuclear threat but with the danger of state-sanctioned incitement to genocide. Specifically, I was able to quote my own Supreme Court in Canada – and International Criminal Tribunals for Former

Yugoslavia and Rwanda – that the enduring lesson of the Holocaust and the genocides that followed in Srebrenica, Rwanda, and Darfur is that these genocides occurred not simply because of the machinery of death but because of the existence of state-sanctioned incitement to genocide. As the court put it, the Holocaust did not begin in the gas chambers; it began with words.

So in speaking with German counterparts, referencing the incitement issue may result in a more responsive reaction than by simply mentioning the nuclear threat. In fact, the importance of the historical lesson, the nature of the genocidal threat, and the obligation for all state parties to the Genocide Convention to combat it, may resonate more deeply with them.

At the same time, one may find in Sweden, as I did, that they are much concerned about the massive domestic human rights violations, while worried as well about nuclear proliferation. So in Sweden it is important to focus on these two aspects of the Iranian threat. For its part, Austria this past summer commemorated the twentieth anniversary of the murder of Kurdish Iranian dissidents in 1989; accordingly, they are particularly concerned about the terrorist character of the Iranian leadership and those involved in it, such as Ahmad Vahidi.

Therefore, when engaging Iran, one has to adopt an international strategic approach. Unless one implements such an approach, which focuses on the critical mass of interrelated threats [the nuclear, the genocidal, the state sponsorship of terrorism, and the massive human rights violations], then one ends up marginalizing or excluding some of those threats from the necessary strategy for engagement. A similar point can be made with regard to responses and remedies. In this sense, it will be crucial to devise a comprehensive, calibrated, generic set of sanctions that relate to all four of these threats, as well as a set of threat-specific sanctions that deal with each of these threats on an individual basis.

In conclusion, the time has come for firm action by the international community on behalf of international peace and security, the protection of human rights, and the pursuit of international justice. As Martin Luther King Jr. put it, what concerned him were not so much the acts of his adversaries but the silence of his friends. It is time for the international community to come together and mobilize the critical mass of response to deal with the critical mass of threat.

Contributors

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