

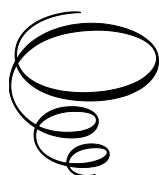
The Core Issues of the Israeli-Palestinian Conflict

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By

Moshe Elad

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FOREWORD

“Look, a compromise on the territory of Palestine is out of the question,” he said.

I was quite surprised. “That means that we can close business and go back to the guns.”

“No, you don’t have to return to arms, but you have to understand that a compromise on the land is out of the question,” he repeated, raising his voice.

“Then why have you signed the Oslo agreement?” I asked.

Suddenly, there was complete silence in the room.

* * *

At the end of September 1996, a few days after the outbreak of the Western Wall Tunnel Riots, I sat down for a working meeting with a senior Palestinian police officer. A high-ranking *Fatah* officer who arrived in the Gaza Strip (GS) as part of the Oslo Accords, he was a regular in the entourage of the *Ra'is*, the Palestinian chairman Yasser Arafat. These riots came less than a year after the beginning of the implementation of the Oslo agreement in the West Bank (WB). They caused heavy casualties on both sides: 17 Israel Defense Forces (IDF) soldiers and about 70 Palestinians were shot and killed, and many hundreds were injured in a series of one of the most vicious clashes we have known in the “territories.”¹

In its scope and severity, this series of incidents stood in complete contrast to the quiet atmosphere in which relations between Israel and the Palestinian Authority (PA) had been conducted since the beginning of the implementation of the agreement in October 1995. I held many working meetings with my Palestinian colleague, *Akid* (Colonel) Ribkhi Arafat. Due to the sensitivity of the situation, we called each other “my counterpart.” Every day, and even several times a day, we discussed security issues in order to implement the security annex of the peace agreement throughout the WB. My role in the coordination system with the Palestinians required me to spend a lot of time with the late Israeli Prime Minister (PM) Yitzhak Rabin. As someone who followed the agreement closely and with real personal concern, Rabin expressed more than once to those doing the work that only success in the implementation of the security annex would lead to

the success of the entire agreement. We did as he commanded. The difficulties were many and the tasks were sometimes unbearably tough. However, Ribkhi Arafat and I worked shoulder to shoulder to bring the joint patrols (JP), a precedent and a unique phenomenon, to reality. In the JPs, Israeli Border Guard Corps (BGC) officers and *Fatah* members of the Palestinian Liberation Organization (PLO) moved side by side. This was somewhat unbelievable, but it worked! The Israeli BGC, the biggest fear of the WB Arabs, started to work together with the *Fatah* policemen, as they were called by the Israelis until more recently when they became—terrorists.

Actually, these “policemen” had returned from Palestinian exile in Lebanon, Tunisia and Iraq. Ribkhi and I were trying to build a joint security system that was so fragile and sensitive that it threatened to collapse every time one of the policemen, Israeli or Palestinian, shouted, threatened or pointed his weapon at the other side.

Sometimes Ribkhi Arafat would bring one or another senior officer from the PLO headquarters in Gaza to our meetings, and it was clear to everyone that he came on Yasser Arafat’s behalf to sniff out what was going on in the WB. Somehow, I found myself sitting across from one *Fatah* general making small talk with him that developed into a verbal confrontation. Needless to say, the discussions were about the long-standing conflict between the Zionist movement and the Palestinian national movement.

The events of the days leading up to one interesting meeting made it particularly tense. For several days after the outbreak of the clashes, some of which can be defined as fierce battles, it was not possible to contact any official from among the Palestinian officers, who, until that time, were available at all hours of the day as a matter of routine. Later, when it was possible to resume communications, I dared to ask my counterpart, Colonel Ribkhi: “Where have you been and where did you go?” It was not a simple question at all. Knowing the officer’s sensitivity, I was careful not to offend his dignity. Even for him, the situation in which he had to disconnect for several days and not respond to my phone calls was not easy.

I will never forget his reaction. Lowering his gaze, he replied to me quietly but firmly: “It came from the *Ra’is* (Arafat).” I pretended to be surprised. After all, it was clear to me that whoever ordered harm to the Israelis was also the one who ordered the cut off the telephone connection with them. It could have been only one person—Yasser Arafat.

For the first time since we decided to act jointly within the framework of the agreement, my colleague took advantage of the evasion option that we strived so hard not to use. We tried to avoid the highly sensitive statement that was true in the end: “I carry out the orders of my superior.”

We didn't want to hide behind the backs of our bosses—he behind Yasser Arafat's back and I behind the backs of the division commander Major General (MG) Gabi Ofir and the Head of the Central Command, MG Ilan Biran.

I wasn't mad at Ribkhi. It was clear to me then that it was Arafat who, with his words, destroyed the brick wall we had built together, ants toiling under the constant fear that something would go wrong. With great effort, we worked to bridge the chasm that gaped between us. Another conversation and another meeting over a cup of coffee, another mutual visit and another tour of the field, trying to bridge a hundred years of conflict and 30 years of occupation. Together, we took hundreds of actions that were meant to break down the partitions and create a calm working framework, disconnected as much as possible from the conflict that was "outside." I remember how the headquarters for Israeli-Palestinian cooperation between Ramallah (PA) and Beth-El (IDF) soon became a "pilgrimage center" for residents from both sides. Tourists and academics, along with passers-by and the curious, came every day to witness the new wonder—the security cooperation between Israel and the Palestinians. These people gathered at the fences of our joint headquarters as if it were Trafalgar Square or the Tower of Pisa. They arrived in large numbers, and the clicking of the cameras could be heard as the flags of Israel and Palestine were raised side by side. Indeed, everyone there believed that they must not miss the "historic moment"—Israel and the Palestinians make peace, and the hand of fate summoned Ribkhi and I to act in this play.

But to us, the executioners, the "historical" aspect seemed rather trivial. We were less excited about the current status and more afraid of what was to come. I knew Ribkhi, until he arrived in the area, only from the intelligence files. *Fatah* officer Ribkhi Arafat served in the Palestinian Liberation Army as a staff officer, where he was transferred after a serious injury during his combat service. When we first met at the main liaison office in Tel Aviv, I extended my hand to him, but he was not satisfied with that and hurried to kiss me on the cheek. Surprised by the gesture, I hastened to tell him a proverb in Arabic that he would later remind me of from time to time: "What is sweeter than a dessert? Friendship after enmity."

For long minutes, the occupants of the room watched us exchange experiences from our "shared" time in Lebanon. We brought up experiences from when Ribkhi was in Arafat's high command group that escaped at the end of June 1982 on the French and Italian ships from the port of Beirut to Tunisia, and I later served as the military governor of Tire in southern Lebanon, an area Ribkhi knew well. We even knew the names of the Lebanese figures who worked in our respective services at different times.

This interesting routine and the relative stillness that accompanied it was interrupted by one unfortunate statement made by the *Ra'is* Arafat at the end of the holiest Jewish day, *Yom Kippur*, on September 24, 1996.

Surrounded by an aura of victory from the very moment he arrived in the territories and carried on euphoric waves of "liberating the occupied lands from the hands of the Zionist enemy," Arafat decided to take one step too far. In response to the opening of the exit for tourists in the wall tunnel in Jerusalem, an action taken on the orders of the PM of Israel at the time, Binyamin Netanyahu, in coordination with the mayor of Jerusalem at the time, Ehud Olmert, Arafat quoted verse 111 from the ninth sura in the Kuran, *Surat al-Tawbah* (The Repentance) and read it loudly so that could be heard by residents of the WB and GS, from young to old:

Oh God! Buy from the believers their souls and their property because they will inherit Paradise and fight for their people so they will kill and be killed.

This statement and the interpretation given to it by the residents of the territories, especially the members of the Palestinian Headquarters there, dealt a fatal blow to the peace process. The Palestinian policemen who were carrying weapons given to them by the IDF began shooting at their Israeli colleagues. The latter returned fire. From that moment on, the rolling snowball could not be stopped. Opponents of the peace agreement waved a threatening finger as if to say: "We told you so."

The BGC officers, who had begun counting their friends' dead bodies, their comrades in arms, refused to continue cooperating with the *Ra'is* people. The little trust created during the ten months of security cooperation faded. The two sides returned to the chasm that separated them, the familiar chasm, the one that had reopened, and from now on they felt that it threatened to become even deeper.

The Palestinian officer who had arrived from Gaza sat by me, smoking one cigarette after another and choosing his words carefully. We were still trying to find the words to describe what was going on for each of the parties following these difficult events when, suddenly, without intending to, we were swept into an ideological and historical debate, something that, in the routine of work, we were not allowed to engage in. And here, as an act of the devil, a loud debate developed between us that did not pass over all the classic arguments about the right of the fathers that each side claims, and the old open wounds on each side as a result of the many years of conflict. Another cup of coffee, together with another cigarette smoked by the Palestinian officer, did not ease the tense atmosphere even a bit. I remembered that shortly before the outbreak of events, the officer received the bitter news from an oncologist in an Israeli hospital, where he was

treated with the approval of the Israeli side, that he had cancer, and it is easy to assume that this also had an effect on the next burst of words.

"Look," he said to me, like a teacher to his student, "you will not hear these things explicitly but know that this is how we are educated. About 70 years ago, Britain kept its promise to the Hashemite *Sharif* Hussein and confirmed the independence of three Arab countries: Egypt, Saudi Arabia and Iraq." He raised his voice. "No one turned to the Egyptians, the Saudis or the Iraqis and demanded that they share their land with the Jews."

"Yes," I said, "and why should such a claim be made when the Jews did not claim to settle in these countries, and even fled from them?"

The officer continued. "Twenty years passed, and in the 1940s Great Britain returned, this time together with France, and confirmed the independence of three more Arab countries: Jordan, Syria and Lebanon, and this time also without any demand to share the national land with the Jews." Even before I could answer him, as if he knew what I was going to say, the officer raised his voice again. "Then tell me why must we, the Palestinians, share our land of Palestine with you?"

"What you are actually trying to say," I interjected, "is, in other words, what was claimed by the leaders of the Palestinian national movement already in the 1920s; that is, that the Jews could remain, if they wished, throughout the Palestinian state as proteges (*Ahl al-Dhimma*)."

The officer was not enthusiastic about this idea either. "No. I'm not sure that today, after everything we've been through, this is still possible." He added quickly, "But I'm afraid you'll have to put up with the fact that the Palestinians will never agree to accept an offer to share their land."

I asked to know if the officer meant that the rationale behind the Palestinians' refusal of the plan proposed at the height of the Great Arab Revolt ("The events") of 1936–1939 by the British Peel Commission and the rejection of the United Nations (UN's) partition plan of November 1947 remain the same.

He did not evade the question. "I am afraid yes," he said and added, "I do not believe that a Palestinian leader, not even *Abu Amar* (Arafat), will be able to reach a compromise with the Zionist movement in a place where *Haj Amin Al-Husseini* and his fellow leaders insisted on having full sovereignty over the entire country." The officer's words were particularly surprising and puzzling given the fact that that is why we had gathered in Oslo. They came from Tunis to make peace based on a territorial compromise. Did he mean to say that they do not seriously intend to carry out the signing of the agreement between Rabin and Arafat? Is this an act of deception? Is this a new version of Arafat's "step plan"? After all, we, Palestinians and Israelis, were in the same room for ten months solely for the purpose of realizing

one goal—territorial settlement; in other words, managing land (territories) in exchange for peace.

The Palestinian officer passed away some months after our conversation, but his words continued to echo in my ears for a long time. I had never heard such clear and sharp words from the mouth of any Palestinian, not from PLO members who came to the region from abroad and certainly not from the residents of the “territories” in the period before the arrival of Arafat and his men. It is hard to know if it was the officer’s illness that made him say his words with such uncharacteristic openness and incredible honesty. His words, as well as the repeated violations of the agreement on the part of the Palestinians, raised sad thoughts in my mind about our future in the region. We quite liked the security coordination people as they were businesslike and professional; it was a pleasure to cooperate with them at work. Not so for Arafat. All along we suspected he was not on the level. When he smuggled weapons or wanted terrorists from the WB to GS in a plane, we, the military, viewed it with great severity and sorrow.

PM Rabin would dismiss our concerns with the familiar movement of his hand and say: “Look at the overall picture. We are moving towards peace, and if they (the Arabs) do not follow the agreement, we can always turn the wheel backward. But we will not drop the agreement because of some wanted terrorists or shoulder-fired missile.” Rabin was right. But Arafat probably had completely different plans.

Several months after the crisis of September 1996, cooperation with the Palestinians returned to its routine but not with the same intensity as in the first year of its existence. Both sides, the Israeli and the Palestinian, once again clung to the old slogans, such as: “There is a tremendous hostility,” “There will never be peace with the Arabs,” and “Why did you give them guns?” And we, IDF officers, called the “Oslo officers” by some in the media, were accused, as if we remained loyal to Israeli government without asking any questions. The corresponding officials in the PA explained the coolness that began to blow from their direction with the fact that it was not possible to separate the atmosphere outside from the relations within the coordination and cooperation system. The Israeli side was even more rigid, and it took a long time before they were willing to renew coordination and security cooperation. But what had happened in the year up to September 1996 never happened again.

The renewed coordination became very technical and cautious. The relative trust of one side in the other and the joint activity that sometimes in the past had grown into a real friendship has not been repeated. The sky had darkened, and, in retrospect, it can be said that the seeds of the storm that

became the Second Intifada in the fall of 2000 were sown during the time of the Western Wall Tunnel Riots. Peace has not reigned since.

Years later, when I was working on my doctoral thesis at the University of Haifa, which dealt with the first decade of the Israeli administration in the WB and EJ, I realized that, in fact, in this decade, three core issues in the Israeli-Arab or Palestinian conflict were born. Since the end of the Six-Day War (SDW) in June 1967, Israel has created a new reality in the region, which has added another layer to this age-old conflict. The fourth issue, the refugees, which did not begin in 1967 but about two decades earlier, underwent a “revival” in the period after the SDW in the form of putting it on the agenda and searching for acceptable solutions.

As is common knowledge, the refugee issue began 1947–1948, but for 19 years, until 1967, it was almost hidden from the Israeli public. Only after the 1967 war, when the borders of the “territories” were opened, could we touch the refugees and see the misery of their life in the camp where they lived.

The Jewish settlements began early as September 1967, and of course EJ was annexed to the territory of the State of Israel in June of that year. The location of Israel’s future borders with its neighbors is also a consequence of this war and what followed. I couldn’t help but remember again the words of that Palestinian officer. His statements about the unwillingness of the Palestinians for a historical compromise on the division of the LOI ² actually cut the ground from under all the other arguments. Factually, historically the officer was right. All the proposals made to the Arabs and the Palestinians to divide the land until 1967 were rejected one after the other. Why then does the Palestinian side repeatedly mention the core issues as issues requiring a solution even before the compromise on the land? Why does the Palestinian side insist on demanding the resolution of these issues even before it commits to agreeing to such a compromise and recognizing the State of Israel as the state of the Jewish people?

The book before us presents the birth and formation of the four issues known as the core issues. It is based on a doctoral thesis I wrote within the Department of LOI Studies at the University of Haifa, under the guidance of Prof. Yoav Gelber and Prof. Oz Almog. Originally, the doctoral thesis dealt with the first decade of the Israeli administration in the WB and EJ. The book, on the other hand, describes and examines only one of the products of the period, aka the core issues. Based on archival documents and primary and secondary sources, it deals with the background and circumstances in which these core issues developed and illuminates the deliberations and the dilemmas, and sometimes the lack of thought or lack of intention in making decisions regarding the issues. These fateful

decisions, actions and omissions affect the life of the country to this very day.

As someone who served in the “territories” for about 16 years (1982–1998) in senior government positions, and despite my extensive experience in government work, I was surprised by some of the events and processes described in the book’s chapters, and especially their implications for today. The research and writing work on the first decade after the SDW, the decade that formed the basis of my practical work in later stages, required investing a great effort. This book is about the core issues is the reward for that.

Finally, I would like to thank those who contributed to the creation of this book: Bruria, my beloved wife, whose judgment will never let me give up; my daughters, Yamit and Shiran, who helped me a lot with their wisdom, understanding and important input and remarks; and Assaf, a great artist whose illustrations greatly enriched my work.

The author



Israeli and Palestinian offices ran the first elections in Palestinian history on January 20, 1996.



Separate powers and responsibilities were assigned to Israeli and Palestinian officers in the Jenin area in December 1995.

LIST OF ABBREVIATIONS

AA	Atarot (Qalandia) Airport
AFAA	Adviser for Arab Affairs
AMH	Al-Makassed Hospital
BGA	Ben-Gurion Airport
BGC	Border Guard Corps
CAAP	Commissioner for Abandoned & Absentee Property
CMO	Council of Ministers
DG	Director General
EIWP	Eretz Israel Workers Party (<i>Mapai</i>)
EJ	East Jerusalem
GL	The Green Line
GS	Gaza Strip
IDF	Israel Defense Forces
ILA	Israel Land Administration
IP	Israeli Pounds
IWP	Israel Workers Party (<i>Rafi</i>)
JA	Jewish Agency
JNF	Jewish National Fund
JP	Joint Patrols
JSC	Joint Settlement Committee
KKL	Keren Kayemet Le'Israel
LOI	Land of Israel
LUP	Labor Unity Party (<i>Achdut Ha'avoda</i>)
MAC	Military Appeal Committee
MFA	Minister/Ministry of Foreign Affairs
MG	Major General
MK	Member of Knesset
MCDA	Ministerial Committee on Defense Affairs
MCH	Ministry of Construction and Housing
MCSA	Ministerial Committee for Settlement Affairs
MCTA	Ministerial Committee for Territorial Affairs
MOA	Minister/Ministry of Agriculture
MOAB	Minister/Ministry of Absorption
MOCI	Minister/Ministry of Commerce and Industry
MOD	Minister/Ministry of Defense
MOE	Minister/Ministry of Education

MOF	Minister/Ministry of Finance
MOH	Minister/Ministry of Health
MOI	Minister/Ministry of the Interior
MOJ	Minister/Ministry of Justice
MOL	Minister/Ministry of Labor & Welfare
MOP	Minister of Police
MOR	Minister/Ministry of Religions
MOT	Minister/Ministry of Transportation
NGC	National Guidance Committee
PA	Palestinian Authority
PLO	Palestinian Liberation Organization
PM	Prime Minister
RNP	Religious-National Party (<i>Mafdal</i>)
SD	Settlement Division
SDW	Six-Day War
SCJ	Supreme Court of Justice
TMP	Temple Mount Plaza
UNRWA	UN Relief & Welfare Agency
UWP	United Workers Party (<i>Mapam</i>)
WB	West Bank
WJ	West Jerusalem
WWP	Western Wall Plaza
WZO	World Zionist Organization

INTRODUCTION

We do not see the Palestinian Arabs as friends. We didn't come to them because they invited us, but since we came—we don't want to control them, we don't want to interfere in their lives, we don't want to be commissars and not mandatory officials over them. We want them to manage their own cities, oversee their own schools, and guide their own farmers.

This is how Israeli MOD Moshe Dayan, the minister who was in charge of the “territories” (WB, GS etc.) presented his first opinion on behalf of the Israeli government regarding the treatment of their residents immediately after the SDW (June 5–11, 1967). Dayan appeared right after the war before one of the most prestigious forums at the time, “The Forum for Society and State Problems,” and described to his listeners how the Israeli government sees the future of the territories following the SDW.

The SDW significantly changed the face of the Israeli-Arab conflict due to its two main results: first, the severe defeat suffered by the Arab armies in this war, and second, the occupation and Israeli control of GS, the Sinai Peninsula, the Golan Heights and the WB. However, the ceasefire agreements of June 7–8, 1967, did not end the state of warfare. Despite the political and diplomatic effort to bring about an international decision that Israel must evacuate the territories it occupied, and the attempt to create international pressure on Israel to motivate it to withdraw, incidents began to take place in July 1967. A fire along the Suez Canal starting in March 1969 turned into a war of attrition. This period of “war after the war” lasted until the end of August 1970 and went through different stages. At the same time, from September 1967, the Hostile Sabotage Activity (HAS) gained renewed momentum, mainly along the Syrian and Jordanian borders, and terrorist activities went international, with civilian casualties, Israelis and foreigners.

On November 22, 1967, the UN Security Council adopted Resolution 242 regarding the agreement in the Middle East. In this resolution, it was stated

The Council declares that the fulfillment of the principles of the UN Charter requires the creation of a just and permanent peace in the Middle East which must include the implementation of both principles: the evacuation of all Israeli armed forces from territories occupied in the last conflict and the end

of all claims to territories or a state of belligerence and respect and recognition of the sovereignty, territorial integrity and political independence of all countries in the region and their right to live in peace and safe and recognized borders, without fear of threats and acts of violence.

It should be said that in the days, weeks and months after the war, there was an expectation in the world in general and in the Arab countries in particular that Israel would quickly withdraw from the territories, as part of an agreement, under pressure from the superpowers and the UN, or of its own free will as happened, for example, following the 1956–57 Sinai War. None of this transpired. Israel decided to keep the territories as political bargaining chips in order to achieve a future agreement in which the principle of “Land for Peace” would be respected.

The general feeling among the public and the Israeli government at the time was that the path to achieving peace would be short, just as the SDW was short. Israeli leaders believed that under the cover of the shock that gripped the leaders of the Arab countries, which had not yet digested the consequences of their defeat, a peace agreement would be reached in a very short time. But the dream of the Israeli leaders faded away. The Arab hand was not extended for peace.

As the days turned into weeks and the weeks into months, the public debate in Israel about the future of the Arab “territories” intensified. In particular, the need to discuss the nature of Israel’s relationship with the WB and the GS emerged, and as a result, the public debate, especially among residents, intensified until some sort of agreement was reached. The issue of the “territories,” which had become so sensitive, rose to the top of the national agenda and, from time to time, Moshe Dayan, as the MOD, was called on to clarify how Israel saw the stay in the “territories” and how the Israeli government would conduct it. Every citizen of the State of Israel felt they had the right to express their opinion on this issue, especially when almost every citizen was then called to active military reserve service in these “territories” and experienced up close the unpleasant control in Nablus, Hebron and Gaza.

A few months after he delivered his remarks at the first civilian forum, the MOD appeared for a second time, this time before IDF officers in one of his senior courses and instructed them thus

The policy we follow today in the WB and GS is to interfere as little as possible in the lives of the residents and let them as much as possible manage their own lives. The method should be not only how to control but also how not to control. How not to control those areas that should not be controlled.

The tone of the MOD's words was clear: the Israeli government will not be like all the familiar military governments in control of a foreign nation.

Moshe Dayan, who believed in a short administration period, hoped that it would be an enlightened, more progressive administration, sensitive to the local population and responsive to its needs and desires. He strove for the temporary and brief friction between the populations to lead to an agreement out of a mutual desire to establish good neighborliness between Israelis and Arabs.

What is implied in Dayan's two speeches and in other expressions in June 1967, the State of Israel was forced to carry out a task that it did not want, but since it was necessary for its security, it had to be carried out. The young State of Israel, which struggled in 1967 with problems of existence, security, economy, society, and an increasing population, had to face from this point on a new, unusual and difficult task—control of a foreign people and extensive Arab territories, with all that this implies from a military, economic and social point of view.

The statements by Dayan on behalf of the government were made amid heated discussions about the future of the territories. When the discussions about the security and military aspects of the control of Judea and Samaria (WB & EJ) and the other areas ended, the debates about Israel's policy in the territories began. That political and socio-economic perceptions must be realized towards the territories had just started to sink in. The first ideological fissures of disagreement regarding the question of what should be done with the territories appeared, and even the terminology in daily use was not uniform and universally accepted.

The first concept of "territories" adopted regarded the territories the IDF took over in the SDW, and these were: the WB, the Golan Heights, the GS and the Sinai Peninsula. It was an abbreviation of the term "occupied territories" as defined by the left-wing, including such parties as the UWP—United Workers Party (in Hebrew: *Mapam*), the Communist Party (*Maki*), some leftists in the EIWP—Eretz Israel Workers Party (*Mapai*), together with the left-wing activist Uri Avneri. The political worldview of those who called the territories "conquered/occupied areas" demanded the immediate return of any occupied territory to the Arab country from which it was seized.

On the other hand, there were those who called them "liberated territories," such as the right-wing parties *Herut*, RNP and the EIWP. They saw the occupation of the WB and the GS as the *Atkhalta De'geula*³ (the beginning of the Jewish redemption) and a historic opportunity to return, following a brilliant military victory, parts of the homeland that had been taken from the Jewish people. There were also those who called them

“occupied territories,” a concept that did not gain any traction with the public and quickly faded away. In order to circumvent the ideological differences between the right and the left, the then chief military attorney Colonel Meir Shamgar coined the term “administered territories,” which was later officially introduced as a mandatory term, initially in the IDF and later in the authorities of the entire Israeli government, including the State Broadcasting Authority. These semantic differences were the beginning of the debate within the Israeli public following the SDW.

The Israeli government was in a difficult situation. It was supposed to deal with control problems in a war-torn territory while overcoming enmity and hostility that had been cultivated for many years in the occupied territories and fighting attempts to organize terrorist acts and civil uprisings. Added to these were the difficulties involved in the open border policy introduced at the time in the Kingdom of Jordan and the other Arab countries, countries that made every effort to incite the population of the territories against Israel. The ministers who were confident of reaching some sort of settlement with the Arab side were few: PM Levi Eshkol and Ministers Moshe Dayan, Abba Eban and Yigal Allon had little faith in the desire of the Arab countries to reach an agreement on a “Land for Peace” with Israel.

In the last days of the SDW, the Israeli government offered the Arab leaders a withdrawal from all territories in exchange for peace agreements. This proposal and others that followed it indicated the strong desire of the leaders of the Israeli government to get rid of, yes, get rid of, the territories. Israeli government ministers saw the territories as an economic, military and political burden. The Arab side agreed to receive the seized territories but not in exchange for a peace agreement, only an agreement to continue the “non-combat” situation that had existed until June 1967. The ease with which this situation was violated by the Arab countries on the eve of the war caused the leaders of the Israeli government to rule out the possibility of a unilateral Israeli withdrawal and this time insist firmly on signing a peace agreement. Several Israeli ministers expressed their frustration at the lack of an Arab partner for peace: “Here is our phone number, call us when you want to talk.”

Any talks that did take place with the Arab side indicated its desire to first and foremost restore its lost honor from the last three wars through Israel’s withdrawal from all the occupied territories. Peace, as far as the Arab countries were concerned, was not at all on the agenda. In view of their reluctance and unwillingness to consider even a partial and temporary agreement with the State of Israel, all the attempts made in the period

immediately after the war to reach some sort of settlement with the Arab side regarding the territories were doomed to failure. And fail they did.

The hesitation of the Israeli government regarding the continued stay in the territories, especially when peace turned from an alternative to an illusion, was not only on the semantic level. First, there were real struggles resulting from the following clash of values: Israel, as a democratic state, assumed responsibility for a military government in the occupied territories. This fact is enough to shed light on the Israeli paradox because democratic and military governments are opposites and have difficulty staying side by side. Did the State of Israel have the choice not to establish a military government in the territories but find an alternative solution to the unexpected control over about a million Palestinian Arabs in their areas of residence? The answer is negative. Israel had no other option but a unilateral withdrawal, which was not at all on the agenda at the time in the Israeli government offices.

The military government was prepared ahead of time as part of the Israeli government's "doctrine of military government," which states that not only the occupied territory but also the people living in it must be taken care of. The MOD recruited the best officers and people from the prosecutor's office for this task, and his instructions were unequivocal: "The residents must be treated as tomorrow's neighbors and not as subordinate subjects."

But controlling a foreign people and territory has its own dynamics. The occupied territory became hostile and consumed resources that were not available. It was at the center of the Israeli public debate in many aspects, especially from the aspect of correct national priorities, and also slowly became a problematic international issue. As a result, disagreements arose, and the first ideological fissures opened within Israeli society. The control of the territories was not done with the consent of the majority of the people, and for the first time since the establishment of the state, an action of a security and military nature was not supported by the Israeli consensus.

Despite the ideological differences and disagreements, the Israeli administration carried out and implemented the policies of the Israeli government in the territories. The administration tried to act in the way outlined by Moshe Dayan, but reality forced other ways, which did not sit well with an enlightened and progressive military administration. The Israeli government in the territories was established for the purpose of protecting the State of Israel from within the territories but was implemented following UN charters and the international community. But day after day, it was proven that Dayan's outlined policy was difficult to implement. When Dayan wanted to know what the residents of the

territories felt and what their state of mind was, he used to rub shoulders with them, thereby violating his own instructions on this issue.

The Israeli government's treatment of the local population was more profound than necessary, and its penetration into the Palestinian society was deep and even invasive. I will emphasize again that the Israeli government did not take responsibility for the lives of the "new residents" only because of the dictates of international law, which requires the occupying power take care of the residents of these territories as if they were its own residents, but had planned in advance the nature of the treatment of the population as a derivative of its security activity. This is to say that Israel's involvement in the territories brought together various elements, the first among them being concern for Israel's security, economy and society. The population in the territories played only a secondary role. Whenever the rights of the local Arab individual in the territories conflicted with Israel's national security, Israeli security usually prevailed.

The war and its consequences changed the immediate strategic goal of the Arab countries. As the years went by, the previous Arab claims, which originated in 1949, were suppressed, i.e. the demand to solve the refugee problem and change the border lines of the ceasefire agreements. The focus of local conflicts at the various borders has also changed. The priority became the claim to settle the core issues.

What are the core issues? At the center of the Israeli—Palestinian conflict in the last 50 years are four main issues: the status of the Palestinian refugees and their claim to the right of return, known as the "refugee issue"; the control of EJ, known as the "Jerusalem issue"; the retention or dissolution of the Israeli settlements in Judea and Samaria (WB), known as the "settlements issue"; and the permanent borders between Israel and the PA, known as the "border issue." More meticulous politicians point out two other key issues that will be discussed in future advanced negotiations: the security arrangements between the two neighboring countries and how the water quotas in the area will be divided among them.

Until the end of the SDW of June 1967, the main claim of the Palestinians, which was supported by the Arab countries, was for full sovereignty over the territory where the State of Israel was established. Until the mid-1990s, when the Oslo Accords were signed, the Arab national movement did not in any way accept the idea of territorial compromise through the division of the land. The fierce Arab opposition to such a compromise was expressed both in August 1937, when the British proposed to adopt the findings of the Peel Commission and divide the land between the Jews and the Arabs, and in November 1947, when the UN presented its partition plan.

While the Zionist movement accepted both third-party proposals and agreed to share the territory with the Arab national movement, the Arabs rejected them outright and claimed that it would not be possible for the two national movements to live side by side in one country. It must be remembered that these two proposals were suggested before the refugee problem was born, before the annexation of EJ and before a single Jewish settlement was established in the territories.

In the Oslo Accords signed in May 1994 and September 1995, the PLO recognized the State of Israel and undertook to establish an independent Palestinian state alongside it, but put the four core issues on the agenda as a precondition for resolving the conflict. Apparently, the main Arab argument was removed—the division of the land, which for decades had been the stumbling block to the solution—but its place was taken by four other preconditions, each of which is more difficult and complicated than the other.

These four issues are a great chasm between the parties, and only the most ardent optimists believe that there is a possibility of bridging it. The realists claim that something very dramatic has to happen for an agreement to be possible, and the pessimists on both sides, who are the majority, continue to cast great doubt on the possibility of any rapprochement between the positions. How did these issues arise and what caused them? Were they created through the fault of only one party, or did the other party also contribute to their creation?

The first issue in this book deals with EJ. The annexation of the 71,000 dunams⁴ called EJ to the western part of the city (38,000 dunams) at the end of June 1967 was accepted by the Palestinians and, in fact, by almost the entire international community as illegal. The Palestinian side sees all of EJ as the capital of the future Palestinian state and is not prepared to accept in any way the legitimacy of the new Israeli neighborhoods established there after 1967, such as Gilo, Neve Ya'akov, the French Hill, Ramot and more. These neighborhoods, which in the Israeli consensus have been established as “western” Jerusalem neighborhoods for all intents and purposes, are referred to by the Arab side as “settlements,” just like the settlements built in the WB, such as Ma'ale Adumim, Ariel, Ofra and Kedumim. The gap between the parties on this issue is big, and a compromise seems more distant than ever. In Israel, hints have been heard here and there over the years of an intention, and only in the event that a comprehensive, final and stable peace agreement is signed, to transfer a number of individual Arab neighborhoods to Palestinian sovereignty, but there has never been any talk of a complete handover of the eastern part of the city to a non-Israeli party.

The second chapter of the book deals with the issue of the Arab refugees. There is no doubt that this is where the biggest gap between the two sides lies. The issue of refugees, it must be remembered, deals with those who have become refugees as a result of the War of Independence and the SDW. As of the time of writing this book, the population of refugees who abandoned their homes in the territory of the LOI comprised over four million men, women and children. Most of them claim they were expelled from their country by Israeli authorities and claim the right of *Awda*; that is, to return and settle “in the places from which they were expelled,” namely, Haifa, Jaffa, the coastal plain and the Jezreel Valley. On the other hand, the State of Israel puts all the weight of responsibility for the problem on the Arab countries and the refugees themselves, and is not ready to even consider the possibility of a symbolic absorption of refugees in the sovereign territory of the state. Israel refuses this mainly for demographic reasons and concern for the Jewish character of the State of Israel. From the very beginning of the state, Israel ensured its principle argument reached the ears of the Arabs and the nations of the world: “You Arabs started the war, and you have the duty to settle the problem that has arisen.” True, this issue did not arise following the SDW but during the War of Independence. However, for 19 years it lay dormant, and only following the SDW did it stir and the treatment of it accelerated.

The third issue, described in the third chapter of the book, is the Jewish/Israeli settlements issue. This issue presents Israel with the uncompromising demand of the WB Arabs to dismantle the one hundred and 35 settlements built since 1967 throughout the WB and Israel’s neighborhoods in EJ and evacuate every one of their five hundred thousand residents. While the demand for the right of return of the refugees in Palestinian society is led by the diaspora refugees, including those who returned to the territories following the Oslo Accords, the demand for the dismantling of the settlements is led by the permanent residents of the WB, the residents of the mountain. They see it as a call for the return of the lands that were taken from them in the many years of the settlement campaign and as part of their firm stand (in Arabic: *Summud*). On the other hand, only if a permanent and final peace agreement is signed that puts an end to the mutual claims between the parties will Israel be willing to consider the dissolution of the remote marginal settlements and concentrate residents in three main settlement complexes that will be connected by wide access roads to the State of Israel. The complete dismantling of all settlements, as demanded by the Palestinians, is not considered by many in Israel as a possibility.

The fourth and final chapter deals with the fourth issue, on which there appears to be relatively little disagreement, and that is boundaries and geographical arrangements. The borders that the Palestinian side seeks to establish between the State of Israel and the future Palestinian state existed between Israel and the Kingdom of Jordan; that is, the armistice lines that existed on the eve of the war of June 4, 1967. But this issue, which apparently is easier to solve, is intertwined with the EJ issue and, especially, the Jewish settlements issue. Unlike the Palestinian approach, the official state of Israel does not agree to establish geographic borders between the two entities before a peace agreement is signed that will put an end to all mutual claims and restore peace in the country. This issue was addressed through conversations, meetings, and conferences held over the years between Israeli, Arab and international parties. The fourth chapter tells the story of the meetings, the dilemmas, the decisions and the difficulties in reaching an Israeli–Palestinian agreement.

CHAPTER ONE

EAST JERUSALEM

Part A – The Formation of the EJ Issue

“I will not take Jerusalem, even if they give it to me as a gift,” said Chaim Weizmann, later the first president of Israel, during a discussion on the borders of the future Jewish state in March 1937. Theodor (Benjamin) Herzl, the visionary of Israel, and Weizmann, both adherents of political Zionism, were horrified by the idea of controlling such a vast network of churches, mosques and holy places and being involved in the potential for constant inter-religious conflict.

David Ben-Gurion, Israel’s first PM and its most revered leader, also feared the world’s reaction to a possible entry into Jerusalem during the War of Independence (1948). He too was careful not to touch the city, holy to three monotheistic religions. For this reason, Ben-Gurion, known as “the old man,” ordered the commander of the area, MG David Shaltiel, “to kill any Israeli fighter who dares to desecrate or rob a Christian or Muslim holy place.” He did not speak at all about occupying the city. Even though every Jewish individual considers Jerusalem “the head of our joy,” and despite the oath every Jew took to “not forget the holy city,” the leaders of the Jewish state did not aspire to control it.

Nearly two decades after the War of Independence, on the second day of the SDW in June 1967, two Israeli government ministers, Yigal Allon and Menachem Begin, exerted pressure on PM Levi Eshkol to enter and occupy EJ. Allon sought to avenge his forced withdrawal from the city in 1948, while Begin saw the events as a sign of the Jewish redemption. Eshkol was hesitant, but then Ben-Gurion, who was no longer in an official capacity, entered the Israeli Parliament and had a conversation with members of the RNP, Yitzhak Rafael and Haim Moshe Shapira.

During the conversation, Ben-Gurion suddenly shouted, “You must not miss the hour,” referring to the opportunity to enter the Old City and occupy it. Eshkol understood the urgency of Ben-Gurion’s advice and was unable to ignore it.