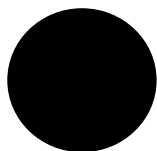


Daniel Levy is a fellow and director of the Prospects for Peace Initiative at The Century Foundation. He is also a senior fellow at the New America Foundation where he directs their Middle East Policy Initiative. Levy was a former advisor to the office of the prime minister and the lead Israeli drafter of the path-breaking Geneva Initiative involving moderate voices on both sides.

Michael Shtender-Auerbach is a program officer and associate director of the Prospects for Peace Initiative.



The Road Not Taken in the Middle East

A Memo to the Absent “Quartet”

Daniel Levy and Michael Shtender-Auerbach

The Middle East diplomatic Quartet (composed of the United States, the European Union, the Russian Federation, and the Office of the Secretary General of the United Nation) authored and put forward its Road Map to resolve the Israeli-Palestinian conflict on April 30, 2003. The Road Map outlined steps to be taken by the parties. It was an ambitious plan that dealt with internal Palestinian security, humanitarian assistance, democratic reform, freedom of movement for Palestinians, Israeli military redeployment, and settlement freeze—all culminating in a permanent status agreement by end of 2005.

Needless to say, none of the parties lived up to their sides of the bargain, the Quartet authors included. Implementation was all but nonexistent and the timetable lapsed, but the Quartet has not given up completely and international declarations still pay homage to the Road Map. This memo should be used as a guide for the Quartet on lessons learned and (if willing) the needed steps to see through the objective set forth three years ago.

The events of this summer were a stark reminder that benign neglect and international insistence on its secondary importance were not enough to prevent the Israeli-Arab conflict from creating dramatic and regionally destabilizing surprises. Iraq and Iran were, briefly, pushed to the back burner as Israel and Lebanon, and to a lesser extent the Palestinians, dominated this summer’s headlines.

One need not have a telescope to see that the Israeli-Arab conflict and, in partic-

ular that between Israel and Palestine, exists not on another planet, but is geographically, politically, and emotionally in the same neighborhood as Iraq and Iran, and is the main recruiting ground for al Qaeda. When Hezbollah’s Sheik Hassan Nasrallah rallied 800,000 Shia-Lebanese in Beirut on September 22 for a victory rally, the radical forces in Tehran and Baghdad, Sunni and Shia alike, were further emboldened. At the height of the conflict, Grand Ayatollah Ali Sistani of Iraq issued an unusually harsh dissenting fatwa challenging the United States and its impotence in halting the conflict: “The international community must take the initiative to impose an immediate ceasefire and to halt this horrific tragedy. The Muslim world and all peace-loving peoples will not excuse the parties that put obstacles in the way of this. There will be severe consequences in the entire region.”¹ Pentagon analysts were listening.

The Lebanese arena occupied the headlines and was the scene of the most death and destruction. The unprovoked Hezbollah attack across Israel’s border on July 12 was partly motivated by Lebanese political considerations and an effort on the part of Damascus and Tehran to remind the world of their influence in the region. But the immediate regional context was the steady deterioration on the Israeli-Palestinian front, ratcheted up by the capture and removal by Palestinians to Gaza of Israeli corporal Gilad Shalit and the ensuing Israel Defense Force response.

The Israeli-Palestinian conflict has been neglected by the international community for the past five years. The high point of activity was the launching of the Quartet's Road Map in 2003. However, managing Israeli unilateral disengagement from Gaza came to dominate the residual international appetite for involvement for more than two years. The Quartet's acceptance of unilateralism removed from the agenda any effort at getting Israelis and Palestinians to agree on anything.

Former World Bank chairman James D. Wolfensohn was named Special Envoy for Gaza Disengagement—but his remarkable efforts to get progress on Palestinian economic, movement, and access issues—were thwarted at every turn by the lack of willingness by the Quartet principals, foremost the United States, to exert political weight. The uncooperative stance of the parties was already a given. Even in November 2005, when Secretary of State Condoleezza Rice visited the region to secure the post-Gaza “Agreement on Movement and Access”²—there was no follow-up and no implementation. Embarrassingly, 11 months later, Secretary Rice returned to the region to deal with—well, exactly the same issues. The Hamas legislative council election victory, if anything, encouraged an even more hands-off approach and a novel doctrine on democratization—“starve ‘em into voting better next time.”

Occasionally, certain European Union and Arab states, and the envoy of the UN secretary general, warned of the consequences of inaction, but to little effect. The policy of neglect when it came to the Israeli-Arab conflict was at least applied with consistency—the Lebanese and Syrian fronts suffered a similar fate. The warning signs that a vacuum of governance in Lebanon would exist in the wake of the Syrian departure in April 2005 were ignored, and the U.S. policy of isolating Syria only strengthened its relationship with Iran and its general provocative behavior. The efforts of UN

Special Envoy Terje Roed-Larsen to fully implement United Nations Security Council Resolution (UNSCR) 1559, calling for the full withdrawal of Syrian forces and the disbanding of militias in Lebanon, so that the region could begin to dismantle the “enchaining and constraining vestiges of a captive past”³—received little attention or backing.

Tellingly, the only international engagement with Damascus was under the auspices of the UN-mandated investigation into the 2005 assassination of former Lebanese prime minister Rafik Harriri. Even in Beirut, the Lebanese National Dialogue—launched in March 2006 aiming for national unity and to enable “extension of the control of the Government of Lebanon over all Lebanese territory”—was treated with customary derision by the United States and given little encouragement to succeed.

Looking back, though, virtually all the provisions set out in UN Security Resolution 1701—which was hurriedly put together to end the summer fighting with virtually all the provisions set out, including Lebanese troop re-deployment, the disbanding of militias, and the need for an international force—should have been on the diplomatic menu much earlier. It is too easy to claim that only the crisis produced the circumstances to move these issues. The partners to the Quartet had not tried.

Following the cease-fire, in September at the UN General Assembly, the Quartet rededicated itself to the Middle East peace process. President George W. Bush trumped all those who spoke, claiming that he is “committed to two democratic states—Israel and Palestine—living side-by-side in peace and security... This is the vision set forth in the Road Map—and helping the parties reach this goal is one of the great objectives of my presidency.”⁴ Although Secretary of State Condoleezza Rice was dispatched to the region in early October, the Quartet—and in particular the United States—has put forth no policy to match such lofty words and ambitions.

The time has come for new thinking and next steps. The following points should act as a guide for the Quartet.

Connect the Dots

The challenge posed by al Qaeda–inspired terror and the situations in Iraq, Iran, and the Israeli-Arab conflict, all do, of course, have their own distinct narratives and trajectory of development. Nevertheless, denying the interconnectedness and, in particular, the impact of the unresolved Israeli-Palestinian dispute has severely hampered the pursuit of successful policy alternatives. It is time to put Israeli-Palestinian conflict resolution back at the heart of any regional efforts. The anger, sense of grievance, and rallying images generated by the Palestinian predicament are a precious gift to extremists throughout the Middle East. This is one watering hole from which both the Shia radicals and the Sunni jihadists draw sustenance. Moderate voices in the region have raised this point on occasions too numerous to count.

Solving the Israel-Palestine problem would not provide a quick fix to all that is askew in the region. It would, though, open new possibilities, strengthen moderates, undermine radicals, and enhance stability. The other option, neglect, is to continue to do regional policy with one hand tied behind the back. It is only in the United States that there is an instinctive kickback against this linkage. This has more to do with how the Israel issue plays out in domestic U.S. politics than about substance. There is a sense that the implication of such a linkage entails “selling out the Israeli ally to appease the Arabs.”

Perhaps not surprisingly, Israelis themselves are far more sanguine and willing to recognize the interconnectedness of regional issues. The vast majority of Israelis now advocate a two-state solution, and often explicitly cite the need to douse the flames of radicalism as their reason. September marked the thirteenth anniversary of the

signing of the Oslo Accord—a pertinent reminder that Prime Minister Yitzhak Rabin used this reasoning to explicitly justify his rapprochement policy with the Palestinian Liberation Organization.

Israel's Deep Depression

Israel is in a funk right now. The Lebanon crisis has given rise to a wave of navel gazing and doom-and-gloom introspection.

The country previously had been in something of an upbeat mood. The evacuation of Gaza had elicited international acclaim and had been implemented without civil war or serious strife. Israel had successfully faced the internal challenge of its radical settler minority. The world seemed to appreciate the Israeli antiterror discourse and was getting serious about the Iranian nuclear threat. The newly formed Kadima party, founded by former prime minister Ariel Sharon, had a mandate—albeit not overwhelming—but explicit in advocating a deep withdrawal on the West Bank. The Israeli economy was strong, and even Warren Buffett had stepped in with a \$4 billion investment in Iscar, an Israeli company that makes metalcutting tools.

Of course, many in the international community had suggested to Israel that unilateralism was unlikely to produce stability and could have horrible unintended consequences. Irish foreign minister Brian Cowen, whose country held the rotating European Union presidency during the countdown to disengagement, put forth “five elements” that would make disengagement “acceptable to the international community.”⁵ The mantra that unilateralism decapitated moderates, strengthened hardliners, and ultimately could not guarantee a secure and accepted Israel fell on largely deaf ears.

To be honest, the Quartet probably did not push it that hard. Only a few voices ventured to suggest that it would be best not to ignore the peace overtures coming from Syria, or that Palestine’s post-election Hamas government should be given a

chance to be tested by its deeds, rather than its words. (After all, they had in the past reached the Cairo Declaration⁶ with Fatah and been the most disciplined adherents to previous ceasefires.)

When the missiles, first from Gaza and later from southern Lebanon, did arrive, everybody put on their surprised face. The Hamas election victory, the attacks emanating from Gaza, Iranian president Mahmoud Ahmadinejad's nuclear rhetoric and activity, and then the Lebanon crisis—all understandably changed the mood in Israel. The sense of a war gone wrong, coupled with many of Israel's leadership under criminal investigation, ranging from appointment issues to financial impropriety, has made for a very serious summer hangover.

Insightful analysts in Israel suggest that to revive his own government's fortunes, Prime Minister Ehud Olmert will need to devise a bold diplomatic initiative, most likely with the Palestinians. Yet, so far, this has not happened.

The members of the Quartet admit to not really knowing what to make of the new Olmert government. For the international community in the past, it was easier to know, more or less, where it stood with the Israelis. Prime ministers Barak and Rabin, for instance, had pursued peace policies and been ready to make the necessary territorial concessions. Their tactics, especially under Barak, may have sometimes been infuriating, even self-defeating, yet the role of the international community as a supportive actor was relatively clearly defined.

There was equal clarity, albeit from the other direction, under Benjamin Netanyahu's and Yitzhak Shamir's Likud governments. They were old-school naysayers. When their policies diverged too manifestly from international consensus, there were certain consequences. The U.S. administrations of the time showed leadership in this respect: President George H. W. Bush and his secretary of state, James Baker, through conditioning loan-guarantees to settlement

expansion in 1991, and President Bill Clinton in pursuing the Wye River Agreement in 1998. Ariel Sharon was treated as something of a hybrid.

In truth, the members of the Quartet are confused. Olmert surely represents the moderate leadership that broke from the Likud, and Israeli defense minister Amir Peretz is a card-carrying dove. The hardcore right had seemed to collapse in last March's Israeli elections, but when the new moderate leadership lapsed so easily into the old behavior patterns of force over diplomacy—chanting the mantra that there is “no partner” and pursuing policies of collective punishment—the international community was a little perplexed. Wartime may be one thing, but the lack of a post-conflict peace initiative of some sort was even more confusing. It is genuinely difficult to fathom why a leadership that appeared ready to unilaterally withdraw from more than 90 percent of the occupied territories and get nothing in return would not go the extra mile to realize an internationally recognized, secure border that would lead to normal relations with the Arab world and obvious international benefits.

It would be easy to explain if the Olmert government had a biblical attachment to the land or believed a few extra kilometers made the difference on security. But that does not fit the character profile or public declarations of the new government, especially when alternative security solutions exist, including those that they themselves welcomed with the new UN International Force in Lebanon (UNIFIL) deployment following UN Security Council Resolution 1701. Perhaps, and this sounds more convincing, they see chaos among Palestinians, do not trust the other side's willingness or capacity to deliver, and feel there would be few real benefits derived from a peace deal. On this issue, the Quartet is in some ways complicit.

Looking back, the Quartet has not done enough to engage in serious public diplo-

macy, especially with its colleagues in the Arab League; to spell out the benefits that a peace treaty would bring; and to offer security guarantees. It has certainly not helped to construct a functioning, emboldened Palestinian partner. The Quartet actually invented the “punish the new Palestinian government policy,” after Hamas won the election—a policy that has failed. Now the Quartet is sending mixed signals regarding a prospective Palestinian Government of National Unity made up of Fatah and Hamas, but they have offered no clear alternative; its members ostensibly signed off on the policy of isolating rather than engaging with Syria.

Our interim conclusion is this: The Olmert government can be helped in navigating their way back to a peace process. Unlike previous Israeli governments, it does not have a clear pro-peace/anti-peace compass. It is in need of and might respond to external guidance. The Quartet needs to be more engaged and more involved in providing this. The Quartet’s preliminary talking points for the Israeli government should look like this:

- The international acceptance and recognition of your state is broader than ever. This is an achievement. The Arab world is ready to move, as was expressed to you directly, and recently, by the Saudis.⁷ We will explore and encourage options for early, supportive moves on the public diplomacy front by the Arab states. We know how important this is in marketing peace moves domestically and the assurance it provides.

- It is our shared interest to stabilize the Middle East and return the forces of radicalism to their more natural and manageable dimensions. That requires a political process and political hope of resolving the Palestinian issue.

- You have expressed that it is your priority to achieve recognized, secure, and agreed final borders for Israel. We are com-

mitted to helping you achieve this. The 1967 armistice lines will have to serve as the basis for the borders, and we will support you in securing some modifications of them, understanding that this will be on a mutual and agreed basis. All this requires a renewed political negotiating process with the Palestinians, which we are ready to mediate and facilitate.

- We also need real progress on the immediate day-to-day issues that have been paralyzed for far too long. The Palestinian economy and society must be allowed to breathe, which requires a new approach to access and movement issues and the adoption of the Quartet’s call to release tax and customs revenues that you collect on behalf of the Palestinian Authority.⁸ Non-expansion of settlements would be a big help too.

- The Syrian track is important in itself, but also in its potentially destabilizing influence with both Palestine and Lebanon. We are ready to again test the waters with the Syrians and to devise a package of external carrots in return for Syrian good behavior. We will need you to be part of that process should it make progress.

- We encourage you to begin thinking of innovative ideas on regional arms control and nuclear non-proliferation. It is certainly an issue we will be talking about in the near future.

Palestinian Despondency

For the Palestinians, there was very little hope even before this summer of discontent.

It is true that for Gazans, the evacuation did create a new reality. When the Rafah crossing to Egypt was briefly opened, for many it was their first opportunity to venture beyond the 360 square kilometers of the Gaza strip. However, arrangements that would have allowed for a real opening and economic upswing that were sealed in negotiations last November were never implemented. For West Bankers, the evacuation of four settlements in the North changed very little. The closures and checkpoints,

separation barrier, and land confiscation all continued apace—even as they heard Israelis promising further withdrawals.

The internecine Palestinian political and armed factional struggles were well in motion before the January 2006 legislative council elections and continued in their wake. In those elections, there was a swing against the largely inefficient, non-delivering *ancien régime*. The United States heralded another win for democratization, and international monitors concluded that the elections were free and fair.

Then the returns came in. Through a quirk in the new electoral system—introduced by Fatah— Hamas polled 44.45 percent of the popular vote, but won 74 of the 132 legislative council seats.⁹ The dilemmas began. Hamas participated in elections that derived their legitimacy from a process—Oslo—that Hamas only partially accepted. Many viewed the very fact that Hamas participated in the elections as a rather promising development. The main Palestinian interlocutor, president Mahmoud Abbas, had encouraged that participation, first in local elections, and then in the national ballot.

The Hamas decision to participate was preceded by lengthy debates inside the movement and several partially successful ceasefire efforts. There was not and has not been an unequivocal repudiation of its hateful charter, calling for continuation of the “armed struggle.” But its entrance into electoral politics was criticized by the Palestinian Islamic Jihad and by the revolutionary Sunnis of al Qaeda, who rejected the democratic model as a Western colonial trap and *kafir*—an abomination to Islam. Hamas had taken a huge risk and now had to deal with the reality of its election victory. There were some early attempts to reach out to an international audience. Hamas’s new prime minister, Ismail Haniyeh, did interviews for international press and wrote a tempered op-ed for the *Washington Post*.¹⁰ The development of a Hamas platform for governance, a difficult process under any

conditions, was further circumscribed by the inability of the Hamas leadership from Gaza, the West Bank, and outside the territories to meet—as well as by their having had so little exposure to international, let alone Israeli, thinking.

Moreover, Israel was in the midst of an election campaign. There was a need for tough talk and the die was cast. Neighboring Arab states, deep in their own struggles with domestic Islamists and keen to take the democratization pressure down a notch or two, encouraged this uncompromising stance toward the new Hamas government, as did several members of the Fatah leadership. For U.S. policymakers, it was a no-brainer, and as Europe hesitated, the moment of possible influence passed.

In retrospect, the three conditions imposed on the new government (recognition of Israel, acceptance of previous agreements, rejection of terror) may have removed the possible wiggle room for testing Hamas intentions once in government. It also may have encouraged the worst tendencies in Fatah, as it sensed internal reform could be postponed while its international friends would do the heavy lifting of removing Hamas from government. The issues of good governance that the Quartet had been so keen to promote were largely ignored. The result was a collective dilemma. Having recognized the urgency of progress on the Israeli-Palestinian track and the shortcomings of unilateralism, the Quartet was left with an interlocutor vacuum, a crisis in governance, and near chaos on the Palestinian side.

The Quartet failed to seize the post-Arafat moment, failed to support Abbas after his election to the presidency, lent a hand to Israeli unilateralism, and gave no opening for engagement to the new Hamas government. Perhaps recognizing these past policy shortcomings may help get it right this time.

With so little to work with on the Palestinian side, some in the international

community are suggesting some form of international administration or custodianship, à la East Timor or Bosnia, in the occupied Palestinian territories. The Quartet is currently not inclined to go this route: there are questions of where such an administration would apply (absent an Israeli withdrawal to the exact 1967 lines); the Palestinian Authority has not been dismantled and Palestinians have shown no preference for international over self-governance; and there is very little appetite among the members of the Quartet for the political and deployment risks of such an undertaking. So where does this leave us?

The policy of punishing the Hamas government has had some effect. Polls suggest a 5 percent decline in public support and some say to continue encouraging Fatah/Hamas clashes and salary strikes will ultimately produce a victory for Abbas. But the risks of a long-term systemic collapse in the Palestine Authority, of ongoing suffering for the Palestinian public, and of further radicalization in the region are too great. Indeed, the Quartet can no longer avoid addressing the really hard questions it has been avoiding. Can it count on the development of a legitimate, stable Palestinian government to deliver the security needed both for Palestinians and for progress with Israel without Hamas acceptance and participation? Will pushing Hamas out of government not engender greater violence and instability? Moreover, since the only way to test Hamas about its Israel policy or to strengthen moderates and offer hope to the Palestinian public is to demonstrate the possibility of real political progress towards a viable, acceptable two-state solution, should not the focus be on how to accomplish this?

Answering those questions should guide the Quartet in its next meetings with President Abbas (and for the more adventurous among them—with Prime Minister Haniyeh). The Quartet's preliminary talking points for such meetings should look like this:

- The Palestinian cause of achieving an independent, sovereign state in Gaza, the West Bank, and East Jerusalem is not endangered. The international community is committed to this outcome and to the creation of such a state based on the 1967 lines and will support the process of Palestinian economic, institutional, and social rehabilitation.

- It is time for all the Palestinian factions that have participated in the political process to make hard choices. Any Palestinian government should provide a platform that can be a basis for the international community to work with. Any loyal opposition should be just that, not an armed militia. A government of national unity, if formed, should be a way to take governance, security, and political negotiation issues forward, not a way to continue factional warfare from inside government. We recognize that there may be ambiguity in the government's platform regarding the three international conditions. We will establish as our yardstick the test of deliverables, especially on security, and will encourage the Israelis to take the same approach.

- Difficult steps that have not been taken in the past will need to be implemented, in particular in the realm of security and civil order. Renegade groups loosely associated with parliamentary factions, including the Fatah al-Aqsa Martyrs Brigades and other armed militias such as Palestinian Islamic Jihad, cannot be allowed to operate with impunity.

- As we move to revive a political negotiated process to achieve two states, we need to know that you will be there to accept a solution based on the Clinton Parameters and the informal ideas promoted in, for instance, the Geneva Initiative or the Ayalon-Nusseibeh plans.¹¹ Camp David, for all its shortcomings, has been a cautionary tale for us. We need to be able to move forward with mutual trust and confidence.

- We ask you to work with us in bringing the Arab states to the negotiating table

and in offering some gestures of public diplomacy to the Israelis to encourage their acceptance of this initiative.

A Final Note

One talking point for engaging with the Israelis and Palestinians has been omitted from the suggestions above. It is common to both parties, and goes to the core of the new policy we propose that the Quartet put forth. It would read as follows:

- In order to see through this commitment to a revived political process, we will be prioritizing elements that were included in the Road Map plan for urgent implementation. We also will be bringing both sides together for exploratory talks on reengaging the big-picture political issues. Both of these components will move forward in parallel. We expect your cooperation.

- On our part, we will set up a permanent Quartet presence in the region to monitor and mediate progress, which will be led by a senior official empowered with a meaningful political mandate. We will be asking Mr. Wolfensohn if he is willing to return. Again, we anticipate your full cooperation.

The Quartet remains publicly committed to the principles laid out in the Road Map, which, though flawed and increasingly discredited among many in the region, remains the only commonly accepted docu-

ment. What is needed is leadership by the partners in the Quartet, and especially by the United States, to bring the parties together and lead the way to a permanent status solution. ●

Notes

1. As translated by Juan Cole for *Informed Comment*; www.juancole.com/2006/08/sistani-fatwa-on-qana-fatwa-by-grand.html. Original Arabic fatwa can be found at www.sistani.org/messages/ghanaa.htm.

2. Agreement on Movement and Access, November 15, 2005, U.S. State Department.

3. UN Press Release SC/8372, www.un.org/News/Press/docs/2005/sc8372.doc.htm.

4. Remarks by the president in address to the United Nations General Assembly, September 19, 2006.

5. *Haaretz*, February 24, 2004, www.haaretz.com/hasen/pages/ShArt.jhtml?itemNo=397460.

6. Text of the [Cairo] Declaration by Palestinians, Associated Press, March 25, 2005.

7. "Israeli Premier and Saudi Said to Hold Secret Meeting," *New York Times*, September 26, 2006.

8. Quartet Statement, UN, September 20, 2006.

9. Central Elections Commission–Palestine.

10. Ismail Haniyeh, "Aggression under False Pretenses," *Washington Post*, July 11, 2006.

11. Text of the Clinton Parameters and the Geneva Initiative can be found at <http://genevaaccord.org>; text of the Ayalon-Nusselbeh plan can be found at *The People's Voice*, www.mifkad.org.il/en.