# U.S. Policy, the Mitchell Report, and the Palestinian Uprising:

## Assessment and Prospects

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Brief Analysis

The Bush administration confronts a certain context on the ground in Israel and the Palestinian territories: Increasing violence. The violence gets worse and worse, and seems to have a logic and momentum of its own. There has been a descent into what may only be described as "communal violence."

Leaders. Prime Minister Ariel Sharon is absolutely determined to demonstrate that violence does not work nor pay-it is not a tool to be turned on and off whenever the Palestinians are dissatisfied. Not only does he want an outcome that stabilizes the situation, but also in effect changes the terms by which this process will continue. Palestinian Authority Chairman Yasir Arafat obviously does not want to appear to give in to Sharon or his tactics. Despite the current level of fragmentation, Arafat does have the capacity over time to reimpose control, though it will be a difficult, and lengthy task requiring hard choices. He will need to produce an explanation for why he will do things he has not done up until now. It will cost him more to reimpose control, and it will produce less—he will not get in return what he could have had months ago or at the end of the Barak government. He is not looking for an explanation from Sharon, but rather Arafat will need an explanation from the outside to at least account for why he is doing what he is doing.

Involvement. Despite the view that the Bush administration has not been engaged in the current situation, in fact U.S. personnel on the scene have been engaged, but with low visibility. They have organized security meetings, and have held quiet meetings meet with both sides. This low visibility approach was intended to promote a certain new reality—the parties themselves would assume the main burden of peacemaking, and the United States would be in the background to help.

Mitchell Report. Even before the circulation of the Mitchell Report, the administration came to the conclusion that it

would have to raise the visibility of its involvement. The Mitchell Report provided an opportunity and a justification for a different kind of American involvement in the Middle East. Secretary of State Colin Powell indicated in a speech on May 21 that he still believes that the onus should be on the two parties in terms of demonstrating their commitment to taking meaningful steps to transform the situation, but that from now on U.S. envoys would be engaged more visibly. Assistant Secretary for Near East Affairs–designate Bill Burns will have the immediate task of coordinating U.S. involvement on the scene, meeting with leaders, and trying to transform the Mitchell Report into an operational plan.

Engagement Options

To this point, each side has generally embraced the Mitchell Report, but each has its own interpretation. Negotiations will focus on reconciling the two interpretations. There are two main options the United States may pursue in order to go about transforming the Mitchell Report—with its sequence and recommendations for both sides' behaviors—into something operational that might change the reality on the ground:

Intensive. If the administration chooses intensive engagement via shuttle diplomacy, the assistant secretary for Near East affairs should spend enough time with the two leaders to determine whether an operational plan with specific steps, timeline, and monitoring mechanism could be developed and agreed upon relatively soon. If it is, an intensive shuttle effort would mean remaining in the area until something concrete has been worked out and a change has taken place on the ground.

Non-Intensive. If it turns out that the assistant secretary is only in the Middle East for a few days, the alternative is to take the sequence of the report and approach the two leaders with the suggestion that both leaders publicly embrace the Mitchell Report and state they accept that it will take four to six weeks to work out all the steps, their timing, the monitoring of implementation and the resumption of a political process. In the meantime, while these operational elements are being negotiated, there would be a cessation of hostilities. In other words, the restoration of calm would be justified by the attempt to transform the Mitchell Report into an operational reality.

Conclusion

Diplomacy must always be divided into two separate tasks: what can be achieved and what must be prevented. While the prospects of any success in the near term are not good, the effort should be made to stabilize the situation—otherwise the deterioration will continue and there may be unforeseen consequences. In fact the hole may become so deep, the atmosphere so sour, the mistrust so profound, that the task of stabilization later on may be nearly impossible.

ROBERT SATLOFF

Diplomacy

As of 11:30 a.m. on Monday, May 21, the Mitchell Report became interesting but irrelevant-what matters now is the Colin Powell statement which is actual U.S. policy. While the two share the same proposed sequence of events—cessation of violence, confidence building measures (CBMs), a cooling-off period, and resumption of negotiations—the key difference is the absence of any call for a settlement freeze by Powell. Not only did Powell use the terms "unconditional cessation of violence" and "no linkage" eight times, but he also said that an object of discussion over CBMs is to "bridge differences over settlements." There are good reasons why the United States did not support a settlement freeze and it is not likely that such a call for a settlement freeze will come from the U.S. government in the foreseeable future:

•Political. No government of Israel, especially Sharon's government, would accept it. •Juridical. Support for a settlement freeze would immediately raise the issue of Jerusalem. •Diplomatic. Such support would move a final

status issue, negotiated as such in good faith by the Palestinians, into an earlier phase. •Logical. Settlements did not start the violence and there is no reason to think that a major concession on settlements will end the violence. Settlements are 2 percent of the landmass of the West Bank and Gaza and Barak was willing to withdraw from two-thirds of them in the context of a final peace accord. This is just the current cause celebre in 2001, much as "the right of the return" emerged to be the cause celebre of 2000.

None of this means that Israel and the United States will not have a serious conversation on settlements policy. But there is a difference between a freeze on settlement activity as a CBM to the Palestinians and a clarification on settlement activity within the context of the U.S.-Israel relationship. This move will not be enough for Arafat, and that is really the bind. Israel accepted the Mitchell Report minus the freeze, i.e., the sequence without one of the ten CBMs. The Palestinians rejected the report's very sequence, demanding simultaneity of ceasefire, settlement freeze, and a return to political negotiations. The reason for the Palestinian position is simple: Arafat finds it nearly impossible to tell his people to stop fighting for what Sharon has on offer after rejecting what Barak had on offer. This is the current conundrum and the source of the tragedy.

Reality

Beyond the surrealism of diplomacy is the reality of war in the region, a cross between a guerilla war and a war of attrition. It was started when it became clear that the diplomatic option did not produce the desired result-full Israeli withdrawal to the 1967 borders. Even if one disagrees as to the origins of the fighting, the analysis does not change—there is a war going on and it is difficult to see a political incentive substantial enough to get the parties to stop anytime soon.

There are only four real scenarios for the end of this war: one side wins, one side tires, one side makes such a grievous mistake that the world intervenes, or some external event changes the equation.

Winning. In theory Israel could win, but in practice, this is extremely difficult and is indeed not Israeli policy. Two red lines have emerged as to Israeli operational behavior over the last few weeks: Israel cannot go into Zone A for more than 24 hours and it cannot employ F-16s. Should Israel pursue a policy of victory, other red lines will emerge and will need to be crossed to achieve the goal. The Israeli strategy is not to win, in the traditional sense, but to compel Arafat to change his behavior, exert full effort to bring his forces under control and stop the violence. In theory, this may be achieved by threatening three things that Arafat values: his sense of self, his status, and his principal achievement, the creation of the Palestinian Authority on the doorstep of Jerusalem. The paradox is how does Israel actually threaten one or more of these things to the point at which Arafat cries uncle, without actually destroying Arafat, his status, or the PA, which Israel does not want to do. This is very difficult. If the idea is to weaken Arafat to the verge of total breakdown so as to compel him to stop the violence, then ipso facto he will be at a low point, less able to exert the political leverage to control the agents of violence now in the streets. This is the flip-side of the original paradox that has hounded Oslo all along-Oslo was a scheme to take advantage of Arafat's weakness to turn him into a partner for peace; the problem was that Oslo thereby empowered him to the point where he was no longer weak and therefore no longer needed to play the game. Essentially, this is a war in which winning will only mark the beginning of another battle.

Tiring out. Here, one needs to inject two unknowns—the factor of time and the potential for a mistake. Whose side is time on? Some say that because of Arafat's rejection of Barak's offer, Israel is more united than ever before-Sharon's popularity, even among disillusioned left, suggests that Israel has much more stomach for this fight than it did for confrontation in southern Lebanon. But will a Four Mothers campaign emerge regarding the West Bank, especially if the Palestinians target suicide bombers at settlements and not inside the Green Line? As for the Palestinians, will the violence slowly subside, as did the riots of 1936 and the first intifada, or can they live for the foreseeable future with ever-decreasing standards of living? In this regard, at least one official Israeli government forecast anticipates

another three years of this fighting, which, in practical terms, means for the foreseeable future and beyond. With regard to escalation, it is fair to say that neither party has begun to use the firepower at its disposal in this conflict. Just as the Israelis have certain operational red lines, the same is true of the Palestinians, thanks in no small part to the efforts of Ahmed Jibril, with at least three boatloads of weapons-including katyushas and strella missiles-having made their way to the waters of the Gaza coast.

Grievous Mistake. There is always the potential for mistake—an Israeli shell hits a school in Gaza or a hospital in Nablus; a Palestinian mortar hits a bus full of children in Ashkelon or a nursery in Kfar Saba. This could prompt the sort of international intervention that is not currently in the cards.

External Event. As for the external event that could end the fighting, Arafat could pass the scene; the Labor-Likud government could fall; conventional war could break out elsewhere, such as in the Israel-Syria-Lebanon triangle, or as was the case with the first intifada; or Saddam could do something wild capturing the attention of the entire world. Given the depth of hostilities now underway and the lack of near-term diplomatic options to resolve it, one should be skeptical about the prospects for success of the current U.S. initiative. Moreover, near-term failure may leave such a sour legacy that the administration may be too reluctant to act when the time does come, to engage appropriately in an active and prominent way. In effect, we may have the tactics of diplomacy right, but the strategy wrong.

There is much the United States should be doing right now, especially in terms of preventing a widening of this conflict and shoring up the shaky domestic situations of some key allies who are fearful of Palestinian blowback. Washington should focus first on getting friends and allies to support the unconditional call for an end to the violence. Regrettably, only one U.S. friend in the Arab world—Jordan's King Abdullah—has made such a call. Then, the United States should focus actively on two states—Syria and Jordan.

Syria. This administration has ignored Syria so far, even though there is mounting evidence that the Syrians have chosen to play the spoiler role in both the Arab-Israeli arena and in the new policy toward Iraq. Syrian President Asad clearly has made his choice-so should the United States.

Jordan. This is a vulnerable country economically, politically, and militarily. The U.S. goal should be to speed assistance to Amman. The Free Trade Agreement is not enough. The near-term objective should be to open access to Gulf markets for Jordanian labor and trade, and in the long-term, to secure alternative sources of oil for Jordan or tighten the noose on Saddam.

In summation, while the Mitchell Report and the Powell Declaration are highly important, they lack relevance on the ground. The real game is playing out in Ramallah, Khan Yunis and Nablus, in the alleys between Gilo and Beit Jala, in the waters off the Gaza coast, and in the Shebaa Farms. And that is where the action is going to be for quite some time.

This rapporteur's summary was prepared by Jacqueline Kaufman.

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