

THE SABAN CENTER FOR MIDDLE EAST POLICY
THE BROOKINGS INSTITUTION

LUNCHEON ADDRESS BY
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Thursday, January 19, 2006

1775 Massachusetts Avenue, N.W.
Washington, D.C.

[TRANSCRIPT PREPARED FROM A TAPE RECORDING.]

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735 8th STREET, S.E.
WASHINGTON, D.C. 20003-2802
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C O N T E N T S

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Presentation:

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Jerusalem Report

Discussion:

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P R O C E E D I N G S

MR. INDYK: Good afternoon, ladies and gentlemen. Welcome to the Saban Center at Brookings. Happy New Year for those of you who I haven't seen since the New Year, and please start your lunch.

We're very glad to have the opportunity to have Isabel Kershner and David Makovsky speak to us today about a subject that is really I think emblematic of and symbolic of the state of Israeli-Palestinian relations today. As the Palestinians ready themselves for what is bound to be an historic election and the Israelis also prepare themselves for their elections at the end of March, which will bring a new leadership to Israel, we face a situation in which the separation of these two peoples, not so much through peace negotiations and the peace process but, rather, through unilateral actions such as the disengagement from Gaza and of course the building of what is known to some as a fence and others to a wall, and for today's purposes we'll call a barrier, has become the symbol of this process, a process which seems to be increasingly replacing the peace process.

Isabel Kershner, who for 16 years has been the associate editor of the Jerusalem Report, and for those of

you who read this excellent publication you've followed Isabel's journeys through the Israeli-Palestinian conflict in the pages of that journal. She is a wonderful reporter and analyst. As a result of that experience, she has written this new book called Barrier: the Seam of Israeli-Palestinian Conflict, where she's gone behind the maps to look at the actual impact that this barrier and the process of separation is having on the lives of Israelis and Palestinians who live in or along this seam line of the Israeli-Palestinian conflict.

It's a marvelous book, it's a very human book, which tells what I think is a very sad and often tragic story, and I highly recommend it to you because I think it's really the best thing that you can read to give you a sense of what this process actually means, this process of separation actually means for Israelis and Palestinians on the ground there.

We've invited David Makovsky to comment on Isabel's presentation today. David is known I think to all of you for the work that he has done on the fence, in particular his publication of A Defensible Fence: Fighting Terror and Enabling a Two-State Solution which was published

by the Washington Institute for Near East Policy in 2004. David is a Senior Fellow and Director of the Washington Institute's Project on the Middle East Peace Process, and before that was the editor of the Jerusalem Post, as opposed to the Jerusalem Report, and before that, a long time diplomatic correspondent originally for the Jerusalem Post and then subsequently for Haaretz.

We have two people who not only have expertise on the subject, but have a real sense of the way it's impacting the people on the ground, and that's what we're here to discuss today.

Isabel, it's a pleasure for me to welcome you. Isabel and I have been long and fast friends for many years, and I want to congratulate you personally for writing a really excellent book, and we're delighted to have a chance to hear from you.

MS. KERSHNER: I'm rather short. If I sit down can everyone see me? Or would it be better if I stand?

First of all, thank you very, very much for coming. Just before I start, I'd just like to point out that although I handed out B'Tselem maps, it's not because I work for B'Tselem, it's just that we were unable to print

off all and get up on the screen the official Israeli Defense Ministry map. It seems to be a state secret, but this B'Tselem map is very accurate. It's in English. I know the place names are tiny and you can't see them, but as a visual aid it might just help a little.

Today we woke up to news of another suicide bombing in Tel Aviv at the old bus station. In this case, only the bomber seems to have been killed. I would imagine by the evening news in Israel tonight we'll have the usual calls from members of the public in Israel, from officials asking why hasn't this fence been finished, why is the barrier not up, and we must complete it.

At risk of being cliched, I would just like to start by quoting the famous lines of Robert Frost from his 1915 poem Mending Wall, "Before I built a wall I'd ask to know/What I was walling in or walling out." The reason I start with those lines is because one would imagine that building a fence, putting up a wall, constructing a barrier, nothing could be more defining than that, nothing could give you more clarity than that. But of course, nothing is so simple in the Israel-Palestine conflict, and so far what I'm seeing is another line of ambiguity and further obfuscation.

I think I found in working on this book that it raised more questions than I found answers to.

Just to give a little idea of the genesis of this project will allow us to see what it was meant to be, what it is, what it might be, because the barrier itself is imbued with different meanings and different purposes by the very country that's building it, and there isn't really one definition of what it is.

The concept of building a barrier, of physically partitioning the land with some kind of divide, actually came from the Peace Camp of Ehud Barak, the negotiating technical staff of the Camp David team. They came up with the idea as a kind of exit strategy, a plan B, what happens if we find there is no reliable partner on the other side? What do we do then? That's where they came up with this concept of unilateral disengagement or, as it was first called, initiated separation, to begin to take Israel's future into its own hands, to begin to draw its own lines, to consolidate, and not to be waiting for the other side.

Sharon, for obvious reasons, did not want it. When he won the elections in 2001, the first blueprints were already being worked on by Uzi Dayan, the Major General who

had in the meantime become head of the National Security Council in Israel, and he kept pushing this idea of building a fence and this was really before suicide bombing became a major phenomenon, but for other reasons. Sharon would have no truck with it. Sharon was a very, very reluctant fence builder. He didn't want to get involved in the politics that he knew would ensue. He didn't want to be the one putting up some kind of physical divide through the land knowing that much of his constituency was going to land up on the other side, on the wrong side of the fence.

It was only in 2002, in the spring of 2002, when the suicide bombings had reached such a peak and had become such an existential threat to the Israeli way of life, it was only then that under the absolutely crushing public demand of the Israeli people, 80 percent of whom in poll after poll were saying we want a fence as an answer to the suicide bombers, it was only as a result of that public pressure that he eventually relented and brought the plans to the Cabinet table and got approval for the barrier project to get started. At that point, he was very insistent that the barrier would be nothing more than a temporary security operational tool, an aid to the defense

establishment to help in the war against the suicide bombers.

Flash forward to early 2006 and the same Ariel Sharon and the same barrier, and we find that by now this same construct has actually become the cornerstone of a new Israeli strategy, the strategy of unilateral disengagement, the strategy for which Mitzna was trounced at the polls in 2001 and has now again through popular demand, through the attraction that offers to the Israeli public, has become the number one idea, the number one game in town in Israel.

This is what is perceived as "Sharon's way," to put up a fence and to begin to withdraw and dismantle outlying settlements from the other side, to begin to consolidate and, again, to begin to draw our own lines. Given what can best be described as the mess, the chaos, the anarchy that we see in the Palestinian Territories, this only has fed more and more into this Israeli concept now of not being able to wait for the other side and not wanting to be dragged into this mess all the time, but to start to disengage behind a barrier.

I call it a perception of "Sharon's way," and it's an assumption for that reason that Sharon himself is

notorious for not having articulated very much exactly what he did plan to do. He plays his cards very close to his chest, and when the ideas have been floated he has often been the one to deny it, but the Israeli public perceives that that is what Sharon would have done. Now after Sharon's catastrophic stroke and he suddenly exiting the scene, what we're seeing surprisingly to many who said that his new Kadima Party was a one-man party, we're seeing a huge groundswell of support in the Israeli polls for Kadima even without Sharon because Kadima is perceived as going in "Sharon's way." The current head of Kadima, Ehud Olmert, has actually been much more articulate than Sharon in the last couple of years about what he would do, and he's been very clear about saying that he believes that the way to go forward is staged unilateral withdrawals.

So we have this barrier, we have this fence that's been designed really purely to stop suicide bombers, and in some areas to stop sniper fire as well, as I say, becoming a real cornerstone of this new strategy. We have Israel's own Justice Minister and now Foreign Minister Tzipi Livni having told an audience a few weeks ago that you don't have to be a genius to understand that the route that the fence takes has

implications for the future borders of Israel. With all the ambiguity and with all the double meanings, some things are very clear. One thing is that this concept, "Sharon's way," the Kadima concept, is definitely the winning concept.

Another thing that's clear is that even today, 84 percent of Israelis are now saying they support the completion of this barrier as quickly as possible. They want it. And that is without them even knowing where it's going to go because major areas along the route, the most controversial areas, remain unresolved. We've got the Ariel bloc which I'll just point to here. This is the Ariel bloc. The Ariel bloc was never supposed to be in. As a result of pressure from Ron Nachman, the mayor of Ariel, Sharon relented and pledged that it would be in. As a result of American pressure from the administration in Washington who said it can't be in because it protrudes over 20 kilometers into West Bank territory, the result so far has been to have it neither in nor out, to leave a gap essentially and wait for - I'm not sure what - until this issue can be resolved, exactly the same story at the Maale Adumim bloc just east of Jerusalem. We can see here exactly the same story with the Maale Adumim bloc and the famous E-1

area that remains unresolved awaiting further inter-ministerial approval.

Gush Etzion, another consensus area among the Israeli public that Gush Etzion must remain inside, we're seeing negotiations going on on the ground all the time between the government and the settlers about what should be in and what should be out. The settlers of Gush Etzion have decided they don't want any fence at all.

On top of all that, we have 84 percent of the public backing this idea and we have the government saying that this is what it's doing, and at the same time in 2006, 4 years almost after this fence project was actually brought to the Cabinet and approved of, we're in a situation where only 35 percent of the barrier is actually operational today. According to the Deputy Chief of Staff a few weeks ago, 35 percent, and that's the project having been led by the proverbial "Bulldozer" who got us out of Gaza, dismantled all the settlements there. It raises questions again of an ongoing ambivalence.

Of course, the controversial aspect of this barrier is not the fact of the barrier itself, it's where it goes, it's the route. I'd like to focus for a few minutes

on how this route came about because this I think gives you an insight into the whole project. I would take as an illustration the settlement of Alfei Menashe in the Qalqiliya area which I'm going to have to scroll up again. I'll just have to point it out and you'll have to fend for yourself. This here is the Palestinian city of Qalqiliya which sits right on the Green Line. You can see in general on this map the Green Line is the Green Line, the pre-1967 border. The Red Line is the constructed area of the barrier. The dotted lines are areas that have been approved but not yet built or not yet fully approved. This is Qalqiliya, the city. You can see it's almost surrounded by the barrier, the reason being that we have settlements on either side, Jewish settlements over the Green Line. It was decided that the barrier should be routed to keep them in. That's why we see these contortions.

As an illustration, I'll give you a little insight into the story of Alfei Menashe. Alfei Manashe is what we call a quality-of-life settlement, 6,000 middle-class Israelis living the proverbial 5 minutes from Kfar Saba. That means they move just over the Green Line very close to the Israeli bourgeois heartland for a slightly larger house

or for a single-family home, a back yard, a slightly better, as I say, quality of life. They're not ideological. They didn't move there for religious or ideological reasons.

The mayor of Alfei Menashe, on the other hand, Hisdai Eliezer, is an ideological man. He is a member of the Judea and Samaria Council, he's a Likud Central Committee member, and he is a security hawk who believes that only by retaining control over 100 percent of the territory can Israel begin to offer anything like security to its citizens. He woke up one morning when the phone rang and a journalist called him, it wasn't me, and said, Hisdai, what do you think of the fact that you're going to be out of the fence? This is the first he'd heard of it. He was most surprised because Alfei Menashe was actually one of the settlements founded by Sharon in his original population of the Judea and Samaria Hills plan. He couldn't believe it, but he found that it was true, the fence was going to leave Alfei Menashe out on the Palestinian side of the fence.

He then mounted what he called, what he said to me was a-battle, a war. He started stalking ministers around the country, he was lobbying particularly Uzi Landau, the Likud Minister who is head of the Fence Committee in the

Knesset. He held sit-ins and pickets outside the Knesset, and basically caused a ruckus. Two weeks later it seemed to have worked. Sharon landed in a helicopter at Alfei Menashe along with Dani Tirzah, the Colonel in charge of the fence project and the IDF and several other high-ranking officials. They went up to the ridge, they looked down at the glorious view of the Tel Aviv skyline that you see from Alfei Menashe and said, how could we have left this out, of course you have to be in, and sat and on the spot redrew the line of the barrier and there we see another loop, another contortion which allowed Alfei Menashe to stay in.

I'd like to quote for you very briefly what Hisdai Eliezer himself had to say about that, "The victory has had a sobering effect and has given Eliezer pause, not only because dozens of Jewish settlements will remain outside the fence, but because of what it taught him about the inner workings of the Jewish State, 'I understood in those 2 weeks that we live in a country where the decision-making process is fundamentally flawed. Uzi Landau said to me at the time, Histai, what are you making a fuss about? It's not such a big deal. It's not a border. They misled him. Not a border? We don't even have such a barrier between us and

Lebanon. How does a local council head manage to move a fence with no expert committee, nothing. It was a victory for me, but it left a strange bad taste.'"

I think that just gives some illustration of how we got to this route that looks so contorted, and when we speak about defensible borders and a defensible fence we have to ask ourselves is this really the best we could do.

The story gets even more contorted because another major element in the shaping of the route of the barrier has been the Israeli Supreme Court with an eye on The Hague and the International Court of Justice ruling there. When this extra loop was made to keep Alfei Menashe in on the Israeli side, it also took in five tiny Palestinian villages that surround Alfei Menashe. These Palestinians finally found themselves on the Israeli side of the fence. A petition was brought to the Supreme Court in Israel on behalf of the villages to ask that this part of the barrier be dismantled. The Court relying on a landmark ruling from June 2004 where the principle of proportionality was established that Israel in planning the barrier route must find a balance between security requirements and the ability of the Palestinians to live a normal daily live, according to that principle and

informed by the State's argument that I mentioned along that this is actually just a temporary security operational means, this is not a permanent political border, informed by these two positions the Court then ruled that Alfei Menashe should stay in but the Palestinian villages around it should be put back out.

We haven't seen this contortion actually be implemented yet, and I'm very curious to see how it will be, but we're looking at this whole area that looks like spaghetti already just becoming even more twisted and contorted in order to abide by the Court's rulings.

In general, this whole route that we've been left with is really a sort of hodgepodge, a composite of parts planned by Dani Tirzah, the Reserve Colonel for the project, along with in very close consultation with Sharon, as I said also in part as a result of the settler lobby, in part of a result of U.S. pressure and the Supreme Court of Israel. Again, to quote Uzi Dayan, he says, this is no way to build a fence, and I would argue it's also no way to build a political permanent border for the State of Israel.

That brings us to the next question, will this barrier fulfill the concept it's now been imbued with? Will

it allow disengagement? Or being done unilaterally, will it just become the new line of conflict? It's an open question. It depends a lot on many factors which we can't know at this point in time, depending on how things do or don't get sorted out. Just to give you a small microcosm again from the ground to illustrate, I was talking to a young soldier in Jerusalem last week who's been serving in the area of Beit Laqia, northwest of Jerusalem along the fence. That section has just gone up. That area has been well known for popular resistance against the construction of the barrier. We've had demonstration there week in, week out for about 2 years. Three youths in Beit Laqia were actually killed as a result of these confrontations with the Army and security companies guarding the fence.

Now that the fence is up there, I asked him, what's happening? Is it quiet? He says, no, now the kids have got a new sport. Every afternoon after school they come up to the fence and throw stones at it, set off the sensors, alert the soldiers. If it's bad weather or a bit dusky and they can't really see what's going on, if it's an intruder or just kids throwing stones, they have to send out a jeep. I said to him, how often is this happening? He

said, sometimes four or five times a day. I said, what do you do? He answered me in the usual Israeli soldier way, he said, we go into the village and we make some trouble.

This is a small microcosm, but I think it just shows that as long as this thing is being done unilaterally in an atmosphere of hostility, it's a small microcosm that shows it's not going to allow us just to get out and to close our eyes. It's going to keep us involved and possibly even more involved in what's going on the other side.

We've seen over the Gaza fence the Kassam rockets flying over, and we're being told all the time that the Palestinian ambition is to transfer this ability and technology and manufacturing capability to the West Bank. I think that once the Kassams are in the West Bank or are being manufactured in the West Bank, we're going to find that it's a very different thing. It's going to be different having a few rockets landing in the desert near Sderot and now and again hitting a residential area, it's different having them being lobbed over the Green Line from the West Bank into the densely populated heartland of Israel. Under those circumstances, I don't believe the Israeli Army is ever going to be able to just retreat behind

a fence and lob things back. It's going to require engagement.

Similarly, what happens if the *hudna* fails or is called off and suicide bombers come back with a vengeance? Is the Israeli Army going to sit waiting at the fence for the bombers to come to the gates? I don't think so. I think the Israeli Army is going to have to continue as it is doing today, day in, day out working on the other side in the cities, in the villages, in the camps of the West Bank.

In other words, I don't believe there are any quick fixes or instant solutions, and in and of itself I don't think this barrier is going to be one either. It does have some psychological value. It has the ability to let the Israeli people feel that we can dismantle some settlements on the other side, we can maybe begin to consolidate, and for that it plays an important role. It makes disengagement more palatable and more attractive and a more real possibility.

But I would also like to mention the psychological impact this barrier is having on the Palestinian side because that is where I go for my work, and this is what I'm hearing and this is what I'm seeing. Although the Israelis

think that putting up a barrier is enabling a two-state solution, when you go and speak to the Palestinians on the ground, particularly along the seam in the villages, but not only, in the cities as well, what you hear is that for the Palestinian ordinary people, freedom is almost more important than statehood and they look at this barrier which they see as closing them in, almost like a noose in some areas if you look at Qalqiliya, and they say if this is the state, we're not sure we want it. It's actually having a diametrically opposed impact psychologically on the other side than the one underway now in Israel.

Now that Israel is into unilateralism and it's the in thing in Israel, of course, I'd just like to note, we don't hear any clamor from the Palestinian side for the unilateral declaration of an independent case. This is a classic case of the 10-year gap that I see where we're always ready for one thing at the wrong time, the Palestinians are ready for the same thing 10 years earlier or later, and this is a classic case.

I'd like to conclude, I assume I'm out of time and I've been watching the clock, if this barrier is completed and under the circumstances I'm not sure every last bit of

it ever will be, and if it does serve its purpose that it was designed for which is to stop suicide bombers or most of the suicide bombers or to make it harder for the suicide bombers, and if it saves lives, then it will achieve some purpose. If it helps Israel in conflict management, it will also have achieved some purpose. If it helps us, the Israelis, begin to extricate ourselves from the other side, it will also have served a purpose. And if after six decades of Israel not really having decided where it ends and what its final border to the East should be, if it helps us do that, I will be the first to say bravo. But beyond that as any kind of solution, I'm afraid the concept is doomed to fail. Thank you.

MR. INDYK: Thank you, Isabel. David?

MR. MAKOVSKY: Thank you. Good afternoon everyone. I want to thank Martin for his kind invitation and I'm glad to be here. I feel very much at home here and I'm very happy to be here in honor of Isabel's book. I want to congratulate her on her effort. She really brought a very distinctly human view. Isabel is what I would call a leading commentator and reporter/analyst on the Palestinians. She's been at this for 16 years is it? She

really brings a lot of expertise. It's a very real human portrait she's given us, a very balanced and honest assessment of what this means for real people, the implications for human beings on both sides.

I thought that I would try to make a couple of points on things that she's said and then take it to a policy side if I may. I felt like when she just spoke about the lobbying of the mayors to get in, it was fascinating and she really details it in her book about Ron Nachman of Ariel, and we heard about the fellow from Alfei Menashe and other places. Also I think with a lot of praise being heaped on Sharon as he is in his coma, people have seen him as the very willing architect of the fence when in fact, as Isabel points out, he was very reluctant. When I did my research it was clear to me how opposed he was to it since the early 1990s. That's what I'd like to say something about- the history of this thing because I think that people forget that the barrier was really the project of the Israeli liberals, not the Israeli conservatives, that in many ways there might be a palimony suit over who's the father of the fence. But I think we could almost trace it to Yitzhak Rabin when he ran in 1992, and Isabel mentions in

passing Helena Rapp, this teenage girl who was stabbed to death and Rabin says, I want us here and them there, and with that phrase, he won the election.

We have to think about things that sound very mundane and ancient history, the Shahal Commission, all these commissions that Rabin put in place. He didn't call it a fence or barrier then, he called it separation, on how to make this work. What Rabin was trying to find was how do you make it so partition does not equal greater vulnerability for Israeli citizens. Therefore, you really have to go back to Rabin and the liberals who viewed the idea of a barrier as Israel's ticket out of the West Bank, not as a way to control the West Bank. I think that is really key, and that is why Sharon opposed it, because as Isabel pointed out here, the settlers were dead against it because they understood better than anyone that what's on the other side of this fence is a Palestinian State. But when you have 84 percent of Israelis agreeing on something, you've heard the joke, two Israelis, three opinions and all that, 84 percent is just an unbelievable number. Just in terms of numbers, only 80 percent of Israel is Jewish. So if we have 84 percent, that means we have every single Jew

in the country and 20 percent of the Arab supportive of it. Just to give you the scope of this, any politician has to listen.

I think it's important to understand that Rabin in my view was the father of this project and Sharon was its opponent, but the numbers of the public who don't care where they'll be aligned, I think that was very powerful and that kind of forced Sharon's hand when he moved in that direction.

Just to say about Sharon and then I'll talk a little bit also about the dynamics and where I see the successes of it are. Isabel is right that Sharon has been very delphic in not saying where he thought the line would be. The reason why I think we are right to assume that he had gone through some sort of a change was because in the last few years of his life he kept saying my goal is to protect the blocs. The blocs are in that 8 percent inside the fence. Bill Clinton at the end of the Clinton Administration was trying with Camp David and the Clinton Parameters, talking about 5 percent, we can get into all of the little minutia about how you offset and all that, and I

don't want to bore people here, but the fence now is at 8, and Clinton was at 5.

What I think is key here in my view is understanding how in the beginning Sharon opposed it, but then by saying the blocs, people said you can't do Bantustan and all the old Sharon ideas and have a bloc centered strategy. And also you have the articulation of Olmert and Tzipi Livni that made people understand that Sharon is not leaving his party to start Kadima. If he just wants to do a Bantustan project, he could probably do that within the Likud. So if he is leaving his party, he's coming to do something big, to shape the borders of Israel. Not necessarily to do a grand peace deal because he doesn't believe the Palestinians will yield on refugees and he's not so certain he wants to deal on East Jerusalem. But the point is that he was coming to do something big and that's why I think people have reason to believe that he had undergone some sort of change. Although Sharon didn't always have the broadest tent possible and didn't articulate what his rationale was, he just did things, and his vagueness - as Ehud Barak said to me last week while I was in Tel Aviv - was the source of his strength.

Apart from the Rabin-Sharon factor, where has its successes been? I think it's more than psychological. I would argue, if you talk to someone like Doron Almog who ran the Southern Command in Gaza, he said there were over 300 attempts that failed as a result of the fact that there was a fence. If you look at the number of Israelis killed in 2002 before the barrier- it was 453, last year 54. You can say there were other factors at work, people's fatigue over the *intifada*, the *tahidya*, the calm, et cetera, there were a lot of factors here. But I think that it's clear people think that it has saved real lives, that there has been no burrowing under the barrier so to speak, and that has meant that it has saved lives. That counts for something because these people, let's face it, they're intimate enemies. I think it was Isaiah Berlin who said about that whole area there's just too much history and too little geography.

If you look at all the Netanya attacks, they all came from Tul Karem, including the Passover Hotel, the Park Hotel and all these others, all the Netanya attacks have come from Tul Karem. Most of the Jerusalem attacks as I understand it have come from the Bethlehem area. In other

words, they are at very close quarters, so I do think it's had an impact.

Where the second I think success has been has helped change the debate in Israel. I would argue there would be no Kadima Party and hopefully they will do well, but the Likud would not be hollowed out today as a party without the fence. People say it's all Sharon, but it wasn't just Sharon. It's the idea of people yearning for borders and a belief that it's possible that you could pull back to somewhere along the Clinton lines and be safer. Not that they carry maps in their pockets, but I think that this sense that you could actually pull out of the West Bank and not be more vulnerable, if there were no fence it would just be a theory, and I think that Kadima wouldn't do as well and I think that Likud would do much better. Having said all that, Likud could still do very well with Hamas in the elections, and that's a whole other topic which I'd be happy to discuss later.

But the center predated Sharon is I guess my point, but he helped widen its political space. It predated Sharon because centrism filled the gap, the gap of a sense of two paradigms coming crashing down, that on the right

which said the status quo was tenable, and that on the left which said you could have peace now, a negotiated deal tomorrow morning and have a grand deal. The public with the *intifada* didn't believe any of it and it came crashing down, so it predated Sharon. Sharon was catching up to it, and by building the fence I think he's helped entrench it, so I do see a connection between Kadima and this fence.

Where has it been less successful, and I think Isabel has done brilliantly in pointing out, the human hardship, the mistakes the Israelis made, the haste during the middle of the *intifada* in drawing the lines. It had to be reconnected, redone, even little things like having a czar for humanitarian affairs only a year after building it and only then coming across with having buses to help bus people in, Palestinian school children who were on the wrong side of this fence. That sort of humanitarian consideration, the Israelis I think did a bad job and it's still not ideal, but it's better than what was.

The interesting dynamics of who helped shape this fence, Isabel really pointed out about the role of the politicians. Like I said before, I thought that was fabulous that she pointed that out. But I'd like to point

to two institutions that are supposedly nonpolitical that in my view have played a critical role in helping shape the contours of this barrier. One is the IDF and the other is the Supreme Court of Israel.

The IDF is supposedly unconnected to politics. I remember talking to Shlomo Yanai who I think did a study for the Saban Center and he said he was the head of planning. I said, you're the head of planning. You must be thinking about borders and all these things. He said, we're not allowed to think about that. That's political. I said, wait a second, if the IDF isn't thinking about borders, who's thinking about borders? He said, if Sharon or Barak says to me I need 50 percent, I'll get him the best 50 percent, but we can't get into that. That's political. I said, this is a crazy country if the Army that's the leading institution cannot think about it because it's taboo, who's doing it? Then you realize nobody is doing it.

So where the IDF in my view is important, I would go beyond Dani Tirzah. There was actually a vote in June 2002 to build an Eastern fence that really would have created in my view a Bantustan situation by encircling the Palestinians by 360 degrees down here and it would have

meant about 50 percent of the territories. This was actually a Cabinet decision that came after an attack I believe in the Jordan Valley. There is only one person who voted against the decision, 22 to 1, and his name is Shimon Peres. Everyone else voted for it including all the other Labor Ministers who were then in the government. But the IDF said if you build an Eastern fence, that's it, there's no two-state solution and there's no hope. So the IDF just didn't build it and they basically fought internal guerrilla warfare within the Israeli bureaucratic system not to build that Eastern fence, and as far as I know, every White House official, State Department official, coming over, the first question in the meetings with the Israelis are, are you building an Eastern fence? We hope not. And I think the Israelis got that message.

Another key player, as Isabel points out, is the Supreme Court, also supposedly above the fray and not dealing with it but, frankly, their idea of finding a balance between Israeli security needs and Palestinian humanitarian needs meant that the fence was shrunk. It was originally at 15, then it was at 12, and they brought it down to 8. Now things are brought to the Court for

jurisdiction. It does drive Dani Tirzah crazy as Isabel points out in her book, but in effect it is a good check on the system it seems to me. So these are two players.

A third player which has gotten interestingly very little attention in the American media, surprisingly, has been the role of the White House. You've had fence diplomacy going on and you would see a rhythm to it almost, that before every Israeli Cabinet meeting, suddenly Dov Weisglass, Sharon's right-hand man or some would say left-hand according to his critics, would come in, kind of swoop into Washington when no one is paying attention, unfurl maps to Condi Rice when she was the National Security Adviser, and he would say, hey, this is what we want to do. What do you think? And frankly, the United States, the Bush administration had impact I would say in two areas. One is the area here East, right over here was supposedly to be fenced in which would have fenced in tens of thousands of Palestinians because of the Israeli airport. And also here is Route 443 which is the Modiin Road. That was originally supposed to be fenced in up here, too. Tens of thousands, I think all together I added up 90,000 Palestinians would have been fenced in. Condi Rice said to Weisglass, why don't you

just have more patrols and get rid of those fences so 90,000 people aren't fenced in? That's what Israel did. Then suddenly there was a Cabinet meeting, they voted on the fence and the Israeli public was never told that this is a result of months of consultations with the White House. I think that these actors that are kind of beyond the mayors, these were other actors that impacted on the system. If we look at the dynamics of the contours of the fence, I would point to those three actors.

I'd like to make two final policy observations about the future. This was the subject of my trip last week when I asked about Maale Adumim. I raised this with Sharon personally in New York and I said, you promised on February 20th that you would have a ring road so Palestinians could go from Ramallah, which is over here, to Bethlehem over here. The United States is not going to like to hear you go to Ramallah to Bethlehem via Jericho or something like that, and I don't think you'll get any support in Washington to do anything in the Maale Adumim area unless you could complete this ring road so Palestinians, what should be a 40-minute drive from North to South, could go there and not go on a circuitous route that

could take 3 hours. I found actually people agreeing with me in the Defense Ministry in Israel, that they know they're not going to get support. They also think that the United States wants to shrink the Maale Adumim bloc and so it's smaller and not as big as you see here. I think this issue of E-1, Maale Adumim is not going to be resolved until the Eastern Ring Road issue is actually built. The Israelis said it will take 2 to 3 years. I just said I don't believe you're going to get any support here until that Eastern Ring Road is done.

The second issue for me was Jerusalem, and I went with Dani Seidemann who Isabel quoted in her book who is a critic of the government's policy in Jerusalem, and I was with him on Friday looking at in Jerusalem it's a wall. Let's be clear about that. What I found fascinating--the lack of consensus among the critics about that wall in Jerusalem, about where it should be. First of all, Shaul Areili who was involved with the Geneva Initiative--

No, because he was involved in some of these things here. But Shaul Areili, and the other is Seidemann, both were for the wall but had very different ideas of where it should be. Shaul Areili thinks it should be right on the

Green Line and divide Jerusalem in half like a Berlin Wall, and Seidemann believes Shuafat which is in Jerusalem, and we can see it here. It's a little hard to see. I think it's right here. Shuafat, he says Israel is trying to keep the Arabs out and make Jerusalem smaller. The wall should include Shuafat because their rhythm of life is such that they work in Jerusalem and they would be disadvantaged. In other words, he wants a bigger wall, and Arieli wants a more minimalistic wall. So here are two critics of the Israeli government from the left with very different conceptions of what it was, but both of them want the wall but each one disagreed where it should be.

I only say that this is going to be complicated, it's not going to be solved tomorrow, and I'm just indebted to Isabel for her book and I think it gave us a sense of the humane considerations as well, and thank her very much.

MR. INDYK: Thank you, David. Just to pick up on that last point quickly, it reinforces the statistic that Isabel gave us that only 36 percent of this wall has been built. But both of you pointed to the fact that it provides psychological security and it provides or is supposed to provide physical security. The physical security is not

going to be provided unless the wall-fence-barrier is completed. My question is really if you could speculate, does the barrier have to be completed before the Israelis have sufficient psychological and physical security to go through with a disengagement from the West Bank or can the disengagement from the West Bank take place before the fence is actually completed?

MS. KERSHNER: People often ask me as if I'm a military expert how much can one attribute the reduction in violence in the last year to the barrier, and my usual response is, well, let's say 35 percent of the barrier is up, I'd attribute about 35 percent of the calm to that. The rest I think you have to - as David pointed out as well - take into account that there is this cease-fire that's more or less being maintained by most of the factions on the Palestinian side, and more than anything, you have to take into account that the Israeli Army and the Shin Bet are still out in force on the other side, even of the Northern section of the barrier that is built.

Does it have to be complete, therefore, in order to give the Israelis this security blanket, if you will? Most Israelis, to be honest, have no idea how much of this

thing is built, how much of it isn't built, where it's meant to go. They're really not involved in the detail. Other than the people that happen to read Haaretz and read the little reports on how much has gone up and how much remains un-built, most Israelis probably think it's almost complete anyway. It begs the question, do we really have to then go and build it since it's going to cost billions of shekels and since, as we all know, in and of itself it's not going to provide 100-percent security solutions anyway to all of the problems we'll face.

MR. MAKOVSKY: I asked Baruch Spiegel who is the czar of the fence in Tel Aviv, he claims now the number is 60 percent that's finished, and he claims it will be all done in 2006. Originally it was 2005, so I don't know if I'd hold my breath that it's 2006, I'm just telling you what he said.

I think also this gets to the point about the next phase and where does it go. If it does go unilaterally, there could be two kinds of wrinkles to look at. One wrinkle is getting back to what Isabel said about the Kassam rockets, if the Kassams are coming from Gaza and are unresolved- the Olmert gambit could be to take down the

settlements, but leave the IDF, to end a kind of civilian occupation but leave it as the military occupation until in his view the Palestinian Security Service has done the security reform that it has promised. When Nasir Yusuf who I like personally is nicknamed Abu Useless in the West Bank, that's not a good sign. This needs to be part of the picture when we look at it, and when you look at the barrier it needs to be seen as the military occupation versus the civilian occupation. That could be parsed, and I'm not saying it should be, but I'm just saying it could be.

The second element there, the other wrinkle, if you're Olmert and you're saying there's about 63,000 settlers on the wrong side of this barrier, you've got to say why go head to head with 63,000 people, especially since they're ideologically predisposed to be the most oppositionist to your views? The people who live in Alfei Menashe with the red roofs, the people you could keep are the people you could have bought, and the people you can't keep don't want to be bought, so it's a rough thing. But he's still hoping when he sees these polls that 54 percent of the people East of the barrier, the people on the wrong side, are willing to leave if they're compensated. I

wouldn't be surprised, Martin, if we have a situation where that kind of wrinkle of the Gaza disengagement we see repeated, which is first dangle out a law that says whoever wants to leave East of the barrier voluntarily can leave and you'll get compensated immediately. Then instead of dealing with 63,000, he may be dealing with 30,000. That's more manageable and it takes the wind out of the sails of the settlers.

I tend to think if this is the next phase, the unilateral pullout, we're talking about until the end of President Bush being President and my own personal view, and I could obviously be totally wrong, I obviously would hope that there is a center of Palestinians and Israelis emerging from the elections on both sides that can engage bilaterally instead of unilaterally, but if we're left with unilateralism then I assume he goes to President Bush right after he wins and puts together a coalition, Olmert, and says, Mr. President, I want to come to see you because I'm offering you a deal, East for West. I'll clear out of 80 settlements if you could give me the blocs and this will be a crowning achievement for the Middle East policy of the United States during your tenure. That's still 3 years off

or whatever. I don't know even know if it would be completed in those 3 years. It's a protracted process. I assume the barrier will be completed before then.

MR. INDYK: Thank you. Since we're short on time I think we should take questions together, and if you'd just take note of the questions.

QUESTION: Just a quick comment to David. I understand that the Israeli population believes that the wall is what kept them much safer in the last year, but we're never going to know if it was the internal cease-fire and the fact that the Palestinians have the only Arab leader that has an elected mandate of his people, the only one, so we should put that in the mix.

MR. MAKOVSKY: Right.

QUESTION: To Isabel, you raised a lot of concerns that I share. What worries me is that after Israel got out of Gaza, I didn't hear a lot of loud voices anywhere in Israel saying could somebody remind us 40 years later why are we in the West Bank? What exactly is the reason? So Israel tends to create facts on the ground that are meant to be for a little while until the Palestinians do that, until the Americans do that, until this leader comes, that one

goes, et cetera. But decades and decades and decades pass, there are facts on the ground and they become entrenched and Israel is no safer, more accepted, more at peace in the neighborhood in which it lives.

For me whose parents came out of a ghetto, for Israel to put itself behind the wall is a nightmare, it's macabre, it's horrible, but that's not the point. The point is, is the false sense of security that the wall is going to give temporarily to the Israeli people, because the Palestinians will get around it? All the king's horses and all the king's men of conventional force and intelligence has nowhere in the recent 50 years at least, and maybe throughout history, has conventional force been able to control, beat or subdue an insurgency, Iraq, Afghanistan, Chechnya, et cetera.

Over the long-term, the Israeli psychology that we live in the Arab Middle East which is primarily Muslim, how do you see this over time, when your children grow up and they're behind the wall but they never met a Palestinian?

QUESTION: First, Isabel, let me say it was a very articulate and helpful presentation. Thank you. I look forward to reading the book.

You both have understandably discussed the barrier in political and security terms which is 90 percent of the story, but I'm wondering if you could take a couple of minutes to tell us what you make of the economic impact of the barrier to date and, more important, should it be completed. It's kind of a hard thing for me to calculate, at least. There are pluses and minuses for both sides, but I'd be interested in your views on that. Thanks.

QUESTION: You mentioned, David, that there are two contrary left-liberal views of where the wall ought to be. You didn't mention the views of where the wall is. Everybody I've talked to and seen when I've been in Jerusalem are convinced the place that the wall is actually being put is the worst of all possible choices. Would one of you say something about what's happening to the Palestinian population in Jerusalem as a result of where the wall has been placed?

QUESTION: Thank you. Just as a point of clarification, the 8 percent of the West Bank that the wall will encompass, that I gather includes the Maale Adumim and Ariel blocs, is that right?

MR. MAKOVSKY: Right. When I'll answer I'll deal with it.

QUESTION: My real question is, whatever happened to all the talk as Judith I think was referring to, about how the rest of the West Bank is important for Israel's security? Does anyone still talk about the Jordan Valley and the need for a wall or a barrier or a military presence or any of that over there, or at the Heights or any of that stuff, or has that just all gone out the window? Thank you.

QUESTION: Isabel, unfortunately I didn't have the opportunity yet to read your book, so you're probably discussing it, but since you're talking also about nonpolitical issues, I was wondering about the effects on simple crime. Remember that before the fence was up there were so many thefts of cars under Sharon that you could get a brand new Subaru in Nablus for \$200. I was wondering if this really has now stopped and has the quality of life on the Israeli in that area improved.

MS. KERSHNER: First of all, the notion to me of my children growing up behind a wall and not knowing the other side, first of all, is not one I would relish and, second of all, is not one I believe is ever going to happen.

We're so inextricably intertwined by now in various ways that I don't see a situation where you can put up a wall and forget about the other side. I think eventually, as David also expressed this sentiment, eventually most Israelis and myself totally included are hoping that in the end there will be a bilateral process and that this unilateralism will be a passing phase used to deal with a sort of crisis situation. Without being naive, we don't expect that to happen right away, but as a medium and longer-term aspiration, that's certainly where I am.

In terms of the economic impact, it's a very interesting question. Many thousands of Palestinians who, first of all, used to work inside Israel on a daily basis are now finding it more difficult but not impossible because, as we know, only 35 percent of the barrier is up. We still have thousands and thousands of Palestinian laborers come in and out every day illegally, so the impact has not yet been quite as severe as it's likely to be once if and when the barrier is complete. At that point, Palestinians will only be able to get into Israel with a special permit, a security pass, a magnetic card, through one of the controlled entry and exit points which are being

constructed now also at great cost, the terminals. I visited the first terminal that opened in Jalam in the north of the West Bank and the IDF very proudly showed me around and showed me the computerized lanes that would allow 2,700 Palestinians per hour at rush hour to get into Israel. But the place was deserted and when I asked them why, they said nobody has permits, and the stated policy of Sharon and of Shaul Mofaz in the last couple of years has been to phase out Palestinian labor in Israel altogether by 2008. So again begs the question why we're building these great terminals.

Economically there will be an impact. We've seen in Gaza the effects of not being able to get goods in and out and the restrictions, and the barrier itself, it's an open question. The terminals are being built to give the option of it being a breathing border and not a hermetic wall, but we'll have to see, again, where policy plays and what government at what time decides to let freedom of movement to what extent.

When it comes to the Jerusalem route being the worst route, the route chosen was to go more or less along the line of the expanded municipal boundaries that Israel

set, again, unilaterally in 1967 just after the Six-Day War. It's the choice of maybe the lesser of other evils. You can't put a wall down the middle of Jerusalem on the '67 line. You have 250,000 Palestinian Jerusalemites who have every right to cross into West Jerusalem and travel freely in Israel. They have a blue I.D. card, the same as mine, and you have 180,000 Israeli Jews who've moved over the Green Line since '67 into what we call the new neighborhoods of Jerusalem. So I do not practically see how you could build it along the Green Line in Jerusalem.

The Clinton-type option of going neighborhood by neighborhood so that you have Palestinians out and Jewish neighborhoods in, the response to that by most people in office now is that you can't do that unilaterally. You can't, again, legally deny the right to these Palestinian residents of Jerusalem to move freely around Jerusalem. Maybe as a result of a political negotiation it would work, but you can't just put up a wall along those lines.

The effect on the population is a very long story, and we'll have to discuss it afterwards, Sam, but there have been some very ironic consequences rebuilding what is largely wall around Jerusalem. You find thousands of

Palestinian Jerusalemites who had moved out to the West Bank for cheaper housing much like the quality of life settlers, moving back in order to maintain their freedom of movement and their Jerusalem residency rights. So the Palestinian population of Jerusalem is actually swelling as a result, and some of the Palestinian neighborhoods in North Jerusalem have become so crowded now and so overpriced as a result of the demand that you even find Palestinian families renting and buying homes in the Jewish neighborhoods like Pisgat Zeev which until last week they were calling colonies and settlements, but now they seem like a better housing option and you find dozens of Palestinian families moving in. One of the unintended consequences.

Very briefly, Jordan Valley, Golan Heights, there is an assumption still that we'll maintain control in the Jordan Valley for the time being even if we're not building an Eastern fence. In terms of the Golan, as long as Barshar is in the kind of trouble he's in, nobody is talking about a Syrian track right now, so the Golan Heights is kind of on the back boiler and off the agenda in the immediate term.

Very briefly, crime. Yes, car theft went down. The problem of crime coming from the West Bank into Israel

proper, much of it has been prevented by the barrier, although the car thieves are finding ways around now, finding ways in and out of the gateways. And you have to ask anyway, if that was one of the main purposes of this barrier which sometimes people present it as, how many billions of dollars of stolen cars would make it worth spending the billions of dollars on this barrier and the sophisticated terminals? So its a bit of a moot point but, yes, there has been a drop in crime.

MR. INDYK: David, we have 5 minutes.

MR. MAKOVSKY: I tried to make the point. If I wasn't clear, I would like to be clear. I don't think that any barrier is the solution. These people are going to have to sit down together to stop-gap given the lack of trust and the need for partition. I think it's the only way to reconcile those two ideas and get Israel out of most the West Bank. But it's not a solution, and you're going to have Jerusalem and you're going to have refugees, and you've got to solve these problems.

I think interestingly, the more people realize that these 63,000 people on the wrong side are there, the more this question has got to be asked of Bibi Netanyahu is

the following, how long are you going to keep people as moral bargaining chips? In other words, you're saying Israel shouldn't move until the Palestinians get their act together, yet you're very disparaging about their ability to get their act together talking about how dysfunctional they are. If it's 20 years, are you going to keep these settlers on the wrong side of this fence for 20 years just so they can be a bargaining chip and then pull them out? How does a democracy do that to people?

I think this is going to be a bigger issue in the years ahead. Until now it has not been. The question is to demographics and other issues, but I think this issue is going to come to the fore.

On the issue of economics where I might gently disagree with Isabel and say the following. Even since the Rabin period with knifings and some bombings in the 1990s and suicide bombings at Beit Lid and Netanya and all these other places, Israel has had closures on these places and the whole outcome of Romanians, Thai, the Chinese, Filipinos, that whole thing was done before the fence was built to replace Palestinian labor because they were seen as a more reliable supply. I would disagree in saying that it

wasn't the barrier that kept them from losing their jobs, those jobs were long gone. Yes, there was a brief period in the late 1990s where things were quiet towards the end of the Clinton Administration, things were quiet, but for most of the period since 1993, they haven't had those jobs. My hope is with the barrier being completed that the idea of some sort of- there's no excuse anymore not to have a link between Gaza and the West Bank because there should be a highway so people could go back and forth because there will be a barrier, so what's the problem? Whether the IDF pulls out I think is going to be a function of the Kassam rockets.

That gets to the Jordan Valley question also which is this issue hasn't gone away. Sharon was its leading proponent. It will come up again, but I brought up this wrinkle that the IDF may have to stay but the settlers could go, and I think that would be something. When you say about the 8 percent, the Cabinet meeting of February 20th, some people have heard me use the word Mona Lisa diplomacy before, did some Mona Lisa diplomacy, any way you looked at the map she was smiling at you, which goes like this. The actual barrier that was approved on February 20, 2005, was about 4.9 percent; 3.1 percent was called staff work. Parts

of Ariel, that whole bloc you're seeing, is called staff work. Actually, the United States had said just do what they call the fingernails which is a little mini fence around Ariel and a mini fence around other things, but don't link the fence together. That was what the Bush Administration pushed for and that's what Israel agreed to. I'm assuming anything called staff work is going to be built, and maybe they'll shrink Maale Adumim, so it's less than 8 percent. When I use 8 percent I'm assuming maximalist case scenario.

Sam's point about the wall in Jerusalem, when I saw it, there is this effort to fence out the Shuafat or wall out the Shuafat. I think there's 30,000 Palestinians, and there's also Kafer Akab in the Northern part which has been walled out. You've got about 55,000 people that have been walled out. If you would ask a lot of the IDF people, they would be happy to wall out the whole Southern tier of Sor Backa which is a lot of people. What I don't understand with them is if the Northern part of the fence is not sacrosanct, the Northern municipal, remember, as Isabel pointed out, there are municipal boundaries of 1967. If you didn't go exactly along the line in the North, why are not

doing the same thing in the South? They said it's politics, this is a card for final status and all that. So right now the Southern people are in, but the Northern tip is out and the same with the Shuafat.

A lot of these things are in the courts and the courts could reverse it. They've reversed other things, so that's it. On the crime, yes, there has been a reduction. I don't think it was built for that, but it has been a byproduct.

MR. INDYK: David, thank you very much for coming today and helping with our discussion. I think that you added a lot of enlightenment to the process.

Isabel, I want to thank you very much for writing a very important book. David's invoking of Yitzhak Rabin reminded me of a speech that he made here in Washington. It was one of his last after the signing of the Oslo II agreement here. It was an impromptu speech with Yasser Arafat. I think it was the first time that he actually referred to Palestinian statehood. He was not a great advocate of Palestinian statehood, but he said what we need is separation, separation out of respect, not out of hatred. Unfortunately, what we have now is a separation process

that's taking place out of hatred rather than out of respect, and I think one of the great things about Isabel's book is that it has taught us to respect the concerns and the difficulties that both sides are facing in this process. So I want to thank you for doing that for us.

Thank you all very much.

[Applause.]

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