

Israel's Coping with the al-Aqsa Intifada: A Critical Review

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Introduction

The al-Aqsa intifada erupted as a grassroots uprising and was fought between an occupying state and a people aspiring for national liberation and self-determination.¹ According to international law, the West Bank and the Gaza Strip were held under “belligerent occupation,”² where the ruling power is the military command – especially since Israel retained authority over much of the area, as well as control over the access routes in and out of the territories. Israel and the Palestinians understood the essence of the violence, which evolved from an uprising to an armed conflict, differently: once it escalated, Israel saw it as an existential conflict³ imposed on it, and therefore used all the military means it deemed necessary to protect itself and to “exact a price” from the Palestinians. The Palestinians initially saw the violence as a legitimate popular uprising against the occupying party, with the goal of breaching the political stalemate and gaining independence. From their point of view, it was an asymmetrical conflict: Israel resorted to its definitive military superiority, which could only be offset with “significant operations” (*amliyat naweiya*), such as suicide attacks.

When the disturbances erupted, the IDF, under the directives of the political echelon, hoped to contain the violence, in order to allow for continuation of the negotiations over a permanent agreement. However, the operational tactics it chose made this goal unattainable.⁴ Thus the effort was unsuccessful, and when the political process was halted and the violence escalated, the IDF confronted the terrorism challenge as a

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“limited conflict.” The primary objective was to shape the situation on the ground via military achievements and impress on the Palestinians, public and leadership alike, that they would not achieve political success from their war. Management of the military campaign in the absence of a political alternative and without differentiation of the terrorist elements from the civilian population made it more difficult to achieve the campaign’s objectives. The fury of the Palestinians and their desire for revenge neutralized the deterrent effect of IDF operations, and the civilian population gave legitimacy to the terror operations and especially to the suicide bombers. The delayed understanding by Israel that the solution to the conflict was not military, rather political, and Israel’s willingness to discuss security and political issues with the Palestinian Authority (including returning the cities to full PA control, releasing prisoners, and removing roadblocks), aroused a sense among the civilian population that there was a chance for change, and encouraged the Palestinians to support a return to the option of a political struggle.

This article explores the underlying complexity in defining the essence of the intifada, both in factual and legal terms, and Israel’s response to the violence by means of applying the doctrine of a “limited conflict.” The article deals with the results of the policy, including the effects of the IDF’s operations on the positions of the Palestinian population towards Israel and towards the greater Israeli–Palestinian conflict.

Al-Aqsa Intifada: A Grassroots Uprising

Although the Palestinian populations on the West Bank and in the Gaza Strip are beset by severe internal rifts and tensions, they share a common agenda: freedom from the occupation and achievement of political independence. Most of the Palestinian public welcomed the PLO government in the summer of 1994 following the Oslo accords. They were willing to pay the price of its controlling the various public systems, in the hopes of achieving their national aspiration of eliminating the occupation and attaining political freedom within the 1967 borders.

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However, despite the intermediary agreements and the transfer of the cities and civic authorities to the PLO, the sense of occupation remained

strong among the Palestinian public. The restrictions on movement and the continuous IDF presence, alongside ongoing construction in the settlements, seizure of lands, and paving of bypass roads underscored the continuation of the occupation. With the failure of the Camp David summit in July 2000 it became clear to the Palestinian public that removal of the occupation could not be achieved by the PLO leadership alone. Most of the public, as well as Fatah's intermediate generation, the leadership of the first intifada, felt that the promise of the Oslo accords was a fading illusion. While Arafat himself was received as a hero who did not fold under pressure by Israel and the United States at Camp David, the political stalemate made it apparent that he was unable to end the occupation.

The Palestinian leadership, aware of the growing internal criticism stemming from both its (mis)handling of internal matters (over-centralization, corruption, and violations of human rights), and its weakness in the political sphere versus Israel, prepared the way for an inevitable crisis and even violence against Israel if the political process did not result in an agreement to establish an independent state. In the months before the al-Aqsa intifada erupted, the conditions ripened for an outburst against both Israel and the PA, while the stalled political process, Arafat's threats of a unilateral declaration of a Palestinian state, and Israel's threat of retaliation heated the atmosphere.

Sensing that the leadership was unable to secure national liberation, various Palestinian elements decided they themselves must challenge the occupation and the political standstill by means of a grassroots protest. The events of September 2000 were an expression of the frustration and anguish felt by most of the public both towards Israel for the continued occupation and towards the Palestinian Authority, whose unimpressive political achievements vis-à-vis Israel highlighted even further its impaired functionality. The public, which was willing to make do with a flawed leadership as long as there was progress towards independence, was not prepared to accept a leadership that yielded no prospects for political advancement, and it set out to realize its right to oppose the occupation and protest against its leadership's failings.⁵

The military response by the IDF to the violence exacted a high toll in casualties among the Palestinian public. It magnified feelings of fury and revenge, and cast Israel as an aggressor waging a war to force the

Palestinians to accept its political terms (the mirror image of Israel's view). However, the price exacted of the Palestinians quickly led them to abandon the grassroots conflict and retreat into their personal space, while clearing the stage for armed activists from various nationalistic and Islamic groups, who were seen as standard bearers of the nationalist struggle and were awarded both popular moral and material support.

A few weeks after the violence erupted, the escalating military dynamics transformed the uprising into an armed conflict. The armed elements of Fatah's Tanzim forces, led by the intermediate generation (including Marwan Barghouti, Rashid Abu Shabak, and others), some of whom held positions in the security forces, took the reins of the uprising and became the leaders of the new phase of the national struggle. As such, the civilian population stopped being an active partner in the violence, but continued to fill a central position in its willingness to show a resolute stand (*summuud*). On the one hand, they maintained their daily routines in the shadow of the dangers of violence, and on the other hand, they accepted the heavy casualty toll and property damage, including the worsening of their economic situation, and gave legitimacy to the leaders of the "armed opposition" who put a new face on the popular struggle.

Arafat hoped to control the violence and use it to his political advantage. His idea was to manage the limited conflict with Fatah activists while controlling their activities by means of the security apparatus, and in parallel continue the negotiations on a permanent agreement. Arafat's ability to control the flames proved weaker and weaker as the intensity of the unrest among the Palestinian public increased, given the many casualties during the first days of the uprising and as the terrorist attacks increased. The National Security apparatus, which was responsible for enforcing law and order, failed to calm the situation. The commanders, Haj Ismail on the West Bank and Abd al-Razaq Majaida in the Gaza Strip, were unable to deploy their forces effectively and separate between the insurgent public and the IDF. In many cases early in the violence, when the security personnel purported to serve as barriers to the unrest, Fatah Tanzim forces removed their uniforms and joined in the fire at the IDF. Indeed, the escalation gradually led various parties in the security apparatus to shoot at IDF forces during violent encounters and encourage avenging attacks against Israel.

With the transition from a “grassroots uprising” to “armed popular resistance,” a militant-revolutionary coalition was created, which included all the Palestinian organizations. The popular resistance combined characteristics of a grassroots uprising with the use of live fire, which was defined by the organizations as “self defense” against IDF fire. The coalition of organizations exhibited internal operational cooperation, but avoided any ideological alliance. Each of the organizations aimed to achieve different objectives, without agreeing upon a common national goal for the conflict other than overturning the occupation. The Fatah activists wanted to separate themselves from the failing Palestinian Authority and solve the crisis spawned in the Oslo years regarding their political future and the nature of their historic role – revolutionary movement or ruling party. They saw the conflict as an opportunity to repair their status by returning to the armed struggle in order to collect from Israel what the occupation exacted of them. Later, and to the dismay of the Fatah veteran leadership, they established al-Aqsa Martyrs Brigades as a Fatah secret militant wing. The Popular Front and the Democratic Front of the PLO, which opposed the Oslo process from the outset and suffered from a weakened status, now tried to regain their popular power and via armed young activists present themselves as protectors of the public against the IDF. The Hamas movement aimed to continue with the armed violence in order to torpedo any intention by the Palestinian Authority to return to the political process.

The transition to escalated violence, which included participation by the security forces, marked the transition from the institutional system to the revolutionary system, with its distinct anarchical qualities. As the belligerent conflict continued, armed activists from all the organizations became the dominant force in determining the Palestinian agenda, while Palestinian Authority institutions and security mechanisms, heralds of the Oslo accords, were pushed to the sidelines. These institutions became a target for attack and punishment by Israel, which ascribed sole responsibility to the

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PA for the violence, and gradually (with the exception of the education and health systems) lost their ability to function.

In the spring of 2001, when political negotiations were not renewed and a political vacuum was created, Arafat tried to take advantage of the conflict to demand that the international community and the United Nations send international forces to “protect the Palestinian nation and remove the siege from upon them,” and in order to force Israel’s fulfillment of UN resolutions 242, 338, and also 194, regarding the refugees. Arafat’s ability to manage a limited, controlled conflict was disrupted after he lost control of the parties on the ground, and he was harshly criticized at home and abroad for his reluctance to use his full authority to contain the violence.⁶ His working assumption that violence could well encourage international intervention and the dispatch of protective forces against the threat of local and global instability was not substantiated. The Arab world likewise did not assist in enlisting international support against Israel, and made do with limited steps of solidarity, such as financial aid.

The Legal Definition of the Situation

The military escalation of the conflict, which occurred when it was already out of Arafat’s control, was mainly a result of the anarchy that

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was prevalent on the ground, inter-organizational competition over the ability to execute “significant attacks,” or alternatively, cooperation between them to resist the IDF. The Palestinian Authority itself, which was seen by Israel as directly responsible for the violence, gradually became an empty administrative tool following the damage directed at it and its security mechanisms, especially with Operation Defensive Shield (March 29–April 25, 2002). It was replaced by a revolutionary system, whose various elements acted independently, without centralized control and independent of PLO or PA leadership. The police, security mechanisms, and the judicial

system were completely paralyzed after Defensive Shield, and control over the civilian population was assumed by local armed activists. The anarchy allowed for the intervention of external parties such as Iran and

Hizbollah, especially once the terrorist groups were willing to receive external assistance (and on occasion even appealed for assistance).

During the first months of the violence, Israel was hard pressed to define the essence of the conflict. Prime Minister Ehud Barak wanted to continue with the negotiations and restore the situation to its previous status; therefore, the IDF was mandated to contain the violence, which was legally defined as an “uprising.” The IDF’s inability to implement the directives of the political echelon to contain the violence, however, and the escalation that occurred (in the number of incidents; their severity, including the many shooting attacks at soldiers; and the responses by the IDF, including aerial attacks) created an urgent need to redefine the legal nature of the extant situation. There were important ramifications for rules on opening fire, legality, interrogation and indictment policies, the question of targeted killings, the definition of an area considered residential, wide scale demolition of homes, and compensation claims for damages.⁷

Ariel Sharon, who was elected prime minister in February 2001, hoped to establish a new strategic reality based on delegitimizing Arafat and anchoring a long term interim situation. With the backing of the outgoing prime minister, the conflict was redefined as an “armed conflict” planned and initiated by Arafat, who was intent not on achieving a two-state solution, rather the destruction of the state and Israeli society in the framework of the PLO’s “strategy of stages.” This estimate departed radically from the official, written intelligence estimations, whereby the conflict was a popular outburst. According to this view, Arafat wanted to capitalize on the conflict to advance his own interests both vis-à-vis Israel and on the domestic front, and after the negotiations ended he hoped to return to the political process and exploit it to the fullest, or alternatively, to bring about an internationalization of the conflict.⁸

Subsequent to the redefined outlook, the political echelon urged military force to thwart what was defined as “existential danger.” The military level was asked to increase military activity in order to remove the strategic threat by means of eradicating the terror organizations, including the Palestinian security apparatuses.⁹ The military and civil legal systems found it difficult to define the situation in legal terms, since the Palestinian lands were defined as under “belligerent occupation,” where the military authority is in control and is also responsible for the

security of the civilian population. Under the influence of the military and political levels, the legal system defined the conflict with the Palestinian Authority as a military conflict with war-like characteristics, i.e., like a war between two countries, in which the laws of war supplant rules and means of law enforcement. As such, from a legal perspective the incidents were defined as an “armed conflict” governed by the laws of war.¹⁰

The intervention efforts of various international parties, including the American delegations led by emissaries George Mitchell, George Tenet, and Anthony Zinni failed. The dynamics of ongoing and escalating violence reinforced the idea that the failure of the negotiations and the subsequent violence embodied Arafat’s plan of deceit, which was exposed at Camp David and dramatized by the intifada. The incidents of September 11, 2001 and subsequent international terror attacks allowed the political and military leadership in Israel to embrace a common perspective and define the essence of the violence with the Palestinians as part of the global Islamic terror that must be wiped out. Significantly, even over the past two years, when the military echelon wanted to examine the relevance of the policies implemented, following the interim report on the management of the “limited conflict” and out of a sense of responsibility and recognition that there is no military solution to the conflict, it did not question the prior definition of the factual situation. No joint examination of the essence of the conflict, its causes, and its objectives was conducted by the military and political leaderships, and the topics of discussion were primarily the military activities, their operational approvals, and especially the targeted killings, which became Israel’s main policy against the Palestinian terror organizations.¹¹

Implementation of the “Limited Conflict” Doctrine

The IDF’s conclusion from the political echelon’s new definition of the situation was that this was a prolonged armed conflict against an irregular enemy directed by the Palestinian Authority. Numbering tens of thousands of armed activists from among the Palestinian security establishment, the enemy’s purpose was “attrition” and the challenge to Israel’s endurance. Against this background, and on the basis of a preliminary study on the new form of fighting against the Palestinians, including in the event of a failed political process, the IDF formulated its operational plans for conducting an ongoing campaign, which was called

a “limited conflict” or “low intensity conflict.” The campaign resembled a conflict between two different states, and its objective was to shape a future situation that would best serve the political-strategic goal. Therefore, a comprehensive conceptual framework was formulated, linking elements from political objectives to tactical operations, and was intended to coordinate between the different ranks (nine in number) of those engaged in the campaign – from the political level down to the soldier at the checkpoint.¹²

The IDF emphasized to the political echelon and to the Israeli population that conducting a limited conflict obliged a combined, coordinated campaign, entailing maximum coordination among the many elements involved – political, military, economic, humanitarian, diplomatic, and public diplomacy¹³ – and in addition, obliged social resilience, which would facilitate unity, resistance, and endurance. The policy formulated by the IDF included intense force against the Palestinian rioting and terror attacks. In extensive staff work on the level of the General Staff (Planning Division, Operations Division, Commands, Coordination of Government Activities in the Territories), many “pressure levers” and varied military means of operation were applied against the Palestinian leadership, the security forces (including mechanisms that did not take part in the conflict), the civilian population, and the terrorists. The military operations included the targeted killing of “ticking bombs” and political officials, arrests deep in the Palestinian areas, disclosures, networking, severe movement restrictions through enclosures and curfews, and the seizure of territory during Operation Defensive Shield.

Defining the conflict from a legal perspective as an armed conflict between states governed by the laws of war¹⁴ and the application of the “limited conflict” doctrine by the IDF embedded the idea in the consciousness of both sides and shaped the security reality.¹⁵ On the Israeli side, the definition was interpreted as willingness to apply extensive force to intentionally and steadily attack the Palestinian Authority and its mechanisms as a punishment for their not fighting the terror, if not for assisting it. Among the Palestinians, it was understood that Israel was set upon using its military strength in order to force them to capitulate to its dictates, and therefore they must respond in order not to submit. Destroying the Palestinian Authority and its mechanisms ultimately led to the rise of a revolutionary system, social unity (“a solid stand”),

a blurring of differences between the organizations, and operational cooperation between them, which intensified their operational capability to organize terror attacks over an extended period of time.

Two central features characterized the management of the campaign against the Palestinians. One was seeing military power as the only means of achieving a change in the Palestinian consciousness. This element had an internal flaw, because a change in consciousness cannot be enacted by applying military force alone; rather, it requires presentation of an additional option to the other side, which will serve as the lesser of two evils. Without presenting a political alternative¹⁶ to the path of conflict, the use of power and the effort to create deterrence for the purpose of achieving a change in consciousness lose all validity. In this situation, the Palestinian population became confined to a "solitary consciousness" of sorts, whereby continuing the conflict is preferable to submission, and thus the result is the opposite of what was desired and actually leads to basking in the consciousness of the struggle. Therefore, even Operation Defensive Shield only had a temporary, limited influence on the Palestinian public; when doubts were raised regarding the continuation of the armed conflict but without a political option in sight, no substantial change of consciousness was achieved.¹⁷

A second element in the management of the campaign was the lack of distinction between the terrorists and the civilian population. Despite the awareness by the military level that the Palestinian Authority encompassed different bodies (leadership, civilian population, pragmatic organizations, extremist organizations), each of them with its own agenda, the reality was that the differences between them were not outlined clearly and they were lumped together as one entity. The IDF indeed viewed the differences between them as important for attaining psychological achievements that it believed would help in attaining political objectives. However, it implemented a reverse approach for achieving the objective set for it by the political echelon: the IDF applied heavy pressure on the civilian population so that it would in turn put pressure on the Palestinian Authority to stop the intifada. This activity caused significant damage to the Palestinian routine and included the imposition of closures and sieges, bisection of the Gaza Strip, closing the safe passage, damage to infrastructure, and entry into Area A. The directives of the political echelon to differentiate between those involved

and those not involved in terror were not implemented, since in the military operations, when deterrence was necessary the considerations of not harming civilians were often neglected.¹⁸ The continued harm to the civilian population achieved an antithetical effect to what was desired: the various Palestinian power elements remained unified in their goal of the struggle against Israel and put their different agendas aside. The ethos of the martyr was glorified as was the desire for revenge among the civilians, who joined together to support the struggle.

The “limited conflict” doctrine and the related theories did not allow Israel to achieve its objectives. The talks between the political and military echelons reflected the absence of a common goal throughout the duration of the violence.¹⁹ The political echelon did not define their conflict objectives, aside from the use of military power to thwart what was defined as an existential threat (“a war on our homeland”). As such, the military level defined its objectives in negative terms: “detering the Palestinians from using force and engraving in their consciousness their inability to dictate political processes to Israel in accordance with their interests.”²⁰ Furthermore, the political echelon recoiled at dealing with the concepts entailed by a “limited conflict” (e.g., “influence on consciousness,” “limitations of the system,” “limitations of the campaign”), and with time, an opposite, asymmetrical situation occurred, in which the military level needed the political context in order to implement its military policy effectively, while the political echelon only supported the military path.

During the third year of the violence, a maturation process occurred among the military and political echelons that reflected the mutual sobering from the hopes that a military response alone could manage the struggle with the Palestinians while the political standstill continued. When the military was unable to meet the expectations of the political level and force the Palestinians to lay down their weapons, it came to understand that there is no military solution to the struggle given the nature of the violence and the limitations in managing it according to traditional army logic.²¹ Under these circumstances, the military echelon initiated a change in the concepts of “victory” and “decision,”²² indicating they were irrelevant to the struggle. It anticipated political directives that would reflect the understanding that it was impossible to reach a clear victory (and defeat of the Palestinians) in the conflict, and that it was vital

to renew the political process and talk with the Palestinian partner.²³ The political echelon, disappointed by the lack of resolution of the conflict, continued to adhere to the perception that “there is no one to talk to and nothing to talk about,” but reached the realization that their original paradigms and basic approaches were obsolete. Thus, for example, it was understood that stopping the terror completely would be impossible, the civilian population cannot be held under occupation for an extended period of time, and Israel cannot take responsibility for 3.5 million Palestinian residents. At the same time, unilateral action, including the withdrawal from territories and uprooting of settlements under fire, was preferred over both political solutions and the ongoing stagnation, which feeds the political ambitions of various (non-governmental) parties.²⁴

The military’s desire to review the relevance of the chosen policy was to a large extent tied to the tension with the political echelon. One example of the lack of shared strategic goals was that the political echelon initiated the Gaza Strip disengagement plan without first talking with the military level, and therefore, there was no joint thinking regarding the plan. As a result, there were conflicting assessments between the two levels regarding its potential effects on Israel’s security interests and the optimal way to implement the disengagement – with or without an agreement with a Palestinian partner that would receive the authority for the area. While the political echelon hoped that the disengagement would “buy time,” limit the Palestinians’ ability to attack Israel, and bring about changes that would lead to the rise of a new, more pragmatic leadership for negotiations, the military echelon tended, from the security point of view and other contexts,²⁵ to prefer withdrawal with agreement. It feared, for example, that withdrawal might be interpreted as a reward for terror²⁶ and that it would prompt a negative effect, as in the case of the unilateral withdrawal from Lebanon.

Given Israel’s lack of a defined strategic political goal beyond the stages of the conflict, the practical result of managing the limited conflict with the Palestinians was itself limited regarding achievement of the campaign’s goals. The marked differences in perception of the essence of the conflict between the Israelis and the Palestinians, and the attempt to decide the conflict militarily without a political context, accelerated deterioration of the conflict into a cycle of violence characterized by action-reaction-action-reaction that produced an all-out prolonged conflict, with each

side trying to deliver the last blow. In practice, each side influenced the actions of the other: the terror attacks influenced the nature and intensity of IDF action, and IDF action in turn influenced the violent Palestinian activities. Thus, for example, the killing of Abu Ali Mustafa, secretary general of the Popular Front for the Liberation of Palestine, and of Ra'ïd Carmi, a leader in al-Aqsa Martyrs Brigade from Tul Karem,²⁷ escalated the Palestinian terror ante; conversely, the suicide bombing at the Park Hotel in Netanya influenced the launching of Operation Defense Shield. This situation indicated entanglement in a policy that is to a large extent a reaction to the steps taken by the other side, i.e., following the incidents and not controlling them. Even after this situation changed as a result of Operation Defensive Shield, which enabled the IDF to control the incidents and shape the security situation, a few months later the former dynamic returned, due to the absence of a political process.²⁸

Consequences and Lessons

The perception of the nature of the conflict – as opposed to the official intelligence assessments – as a military struggle, planned and initiated by the Palestinian Authority to undermine the State of Israel and deny its existence through demographic means, ignores the complex socio-political context of the conflict.²⁹ It created the impression of an entire Palestinian society committed to absolutist political goals that are embodied in the Palestinian national narrative, namely, the annihilation of Israel as a Jewish state and the establishment of Greater Palestine. However, as was clear before, during, and after the conflict, the established Palestinian position, which is accepted by the PLO, the Palestinian Authority, and the majority of the Palestinian population, calls for the establishment of an independent and viable Palestinian state alongside the State of Israel, and not in its place, and the attainment of a just solution to the refugee problem. Even if some continue to embrace the dream of eliminating Israel, expressed for example by figures from the pragmatic movement (such as Sakher Habash), it will not become the basis of a practical plan of action. While Palestinian terror was harsh and threatening, it must be understood as a local, national conflict, rather than a global religious one.³⁰

The policy that intended to distinguish between the various forces operating in the Palestinian territories failed, since all sectors of the Palestinian population were treated as one unit during military operations

and when pressure was applied. Consequently, the various forces, with their respective political ideologies, joined together in the struggle against Israel and earned broad public support. In turn, Israel's goals regarding Palestinian consciousness, which were seen as a tool toward the achievement of the political targets, were not achieved.³¹ The attempt to pressure the civilian population in hopes that it would in turn pressure the Palestinian Authority to end the conflict failed as well, serving rather to intensify the feelings of revenge and mobilize the civilian population to the struggle. In the absence of a political option, the application of more and more force magnifies the asymmetry in the balance of power, thus reinforcing the attitude in the Palestinian consciousness there is nothing to lose. This in turn fuels the desire for self-sacrifice through suicide attacks, in the belief that it is the only way to achieve a balance in face of Israel's military strength.

The IDF's ongoing military operation and the overall pressure on the Palestinians did not deter the civilian population or the leaders of the armed uprising. The basic sense that Israel was the main source of Palestinian suffering since 1967 (rather than the Palestinian Authority or terrorist operations), as well as in the present conflict, joined the Palestinian belief that they had no option other than surrender or struggle. Even if the military operations are directed at targeting terror, the way that the civilian population and the leadership perceive these operations is what shapes their concept of the conflict, and thus will influence their approach toward continuation of the struggle.

Tactical and operational military achievements do not necessarily mean "victory," as they may potentially create a reality that undermines Israel's interests. Although the IDF displayed exceptional intelligence and military capabilities and gained many achievements in preventing and thwarting attacks, the desired goals were not attained. First, the conflict did not ease up: on the contrary, it escalated and spread, as the Palestinian public legitimized suicide attacks and viewed them as vehicles for revenge. Second, the fact that there was no viable alternative throughout the duration of the conflict established the Palestinian sense of "confinement of consciousness" and strengthened its struggle mentality. In these conditions Israel's deterrent capabilities were weakened, since strong military force did not deter suicide attackers or those seeking revenge in the name of the national struggle. Third, the blow suffered by

the Palestinian central government and by the security forces weakened the middle class and the pragmatic sector, thereby strengthening Hamas and creating a vacuum, which drew in external parties such as Hizbollah and Iran. Fourth, the conflict did not create any flexibility among the Palestinian public and leadership in their political stance on the issue of a permanent agreement, and they continued to demand their rights once negotiations resumed. The majority of the public continues to view the uprising and resistance against the occupation as a legitimate alternative in the national struggle in order to attain national rights.

The failure of the national leadership's political efforts and the collapse of the PA created a political vacuum, played into Hamas' hands, and brought about Hamas' empowerment during the years of the conflict. The situation also helped establish jihad and violent uprising as the only option. The lack of alternatives to violence led to the nullification of differences and the blurring of lines between the pragmatic national camp and the various groups that oppose recognition of Israel and reject any political process. This phenomenon caused the struggle mindset to spread throughout the society, and even if the majority of the public did not take an active part in the uprising, the society as a whole accorded legitimacy to the continuation of suicide attacks. From the viewpoint of the public and the forces that did take an active part in the conflict, Israel's disengagement from the Gaza Strip and the northern West Bank was testimony to their achievement and victory in the uprising.

At the same time, it appears that the IDF's actions did indeed generate a reassessment regarding the state of the conflict. The toll taken on lives, property, the economy, daily life, and especially the danger of social and political disintegration that hung ominously over society as a result of the armed struggle brought about a reassessment of the cost and benefits of using violence to advance national interests. These sentiments remained primarily below the surface in Arafat's time, and they only assumed some legitimacy with the change of government. Mahmoud Abbas and Prime Minister Salam Fayyad, together with most of the public, are currently united in the opinion that the only chance to achieve the Palestinian national objectives is through nonviolent means, and in recent years they have advanced on-the-ground programs to build a state.

Despite the depth of the anger and hatred toward Israel during the years of conflict, the Palestinian public's image of Israel, its views on

achieving peace with Israel, and its attitude to the struggle remained constant throughout the conflict, i.e., context-dependant.³² In other words, even in the most difficult hours of conflict, the public supported the political alternative and the option of “two states for two peoples.” The Palestinian public was prepared to abandon its support of the armed struggle and bring it to an end, but it was not prepared to do this sans political prospects. It thus continued to support the armed struggle and oppose a unilateral Palestinian show of restraint. Hence the widespread public support for the violent struggle expressed an extremism that was evident in the mindset and in the support for terror attacks, but it was not a consequence of fundamental extremism, such as abandoning a recognized pragmatic position (the two-state solution), or a move towards extreme support for the “armed struggle” for the purpose of subduing Israel. The extremism that was evident in public opinion was a consequence of the political stagnation and the absence of political alternatives, and therefore the change in the conflict mentality had the potential to occur only in the event of a change in reality on the ground and in the appearance of political horizons.

The successful attempt by the IDF's Central Command in the West Bank, beginning in 2005, proved that by distinguishing between the war on terror and the civilian population through focused preventive operations with minimal effects on the environment and the public, it is possible to attain significant operational successes and at the same time bring about an economic improvement and the reduction of the number of those joining the terrorist ranks. This raises the question of whether it would have been possible to reduce the Palestinians' support for terror in a faster, more effective way, had the IDF operated in a more effective manner throughout the conflict, and whether it would have been possible to exercise a more selective use of force. This question involves specific operative issues, such as were all the roadblocks necessary, as well as moral and social-structure questions, such as whether the military echelon, which is responsible for the prevention of harm to the state's citizens, has the moral mandate to take a risk and remove roadblocks where it is reasonable to believe that the roadblock has a preventive value (which cannot be determined unequivocally). Is it the army that must take this risk in such a situation of uncertainty, or should this decision be made

by the political level? This question is relevant regarding every element of IDF activity, such as targeted killings, exposures, and house demolitions.

Either way, the conclusion is that a popular uprising and the struggle for national liberation cannot be contained through military measures alone, even if a long term strategy of limited conflict is adopted, in which the military's power is expressed via focused or broader military operations. Historical experience shows that a decisive military success cannot be attained over an insurgent people, and it is impossible to sear values into its consciousness that signify the relinquishment of national rights and principal political positions. Rather, a political solution is required. The alternative to a political agreement in the Palestinian case may potentially be anarchy and the final disintegration of the Palestinian Authority, and/or the Islamic movement's takeover of power, and/or unilateral action by Israel, as occurred with the disengagement and the separation fence.

Notes

- 1 Officials from all the intelligence organizations acknowledged in retrospect that the intifada was a grassroots uprising and not a move planned by Arafat. See the statements made by Avi Dichter, head of the General Security Service during the years of the al-Aqsa intifada, at a conference at the Jaffee Center for Strategic Studies, March 1, 2006. Dichter stated that interrogation of the many Palestinians arrested after the violence erupted in September 2000 made it irrevocably clear that Yasir Arafat was not behind the incidents, which broke out spontaneously on the ground. Similar comments were made at the same time by the deputy head of the GSS, Yuval Diskin, as well as by Dr. Matti Steinberg, special advisor to the head of the GSS. The head of Military Intelligence, General Amos Malka, author of the main paper on the Palestinian issue in the Research Department, as well as Mossad researcher Brig. Gen. (ret.) Dr. Yossi Ben-Ari, determined explicitly that the intifada broke out as a popular protest. See for example: *Haaretz*, February 13, 2006; *Haaretz*, April 4, 2006; <http://www.haaretz.co.il/hasite/pages/ShArtPE.jhtml?itemNo=682159&contrassID=2&subContrassID=3&sbSubContrassID=0>; and <http://www.haaretz.co.il/hasite/pages/ShArtPE.jhtml?itemNo=702315&contrassID=2&subContrassID=3&sbSubContrassID=0>.
- 2 "Belligerent occupation" is a term in international law that refers to territories that are occupied as a result of war.
- 3 Chief of Staff Shaul Mofaz, his deputy, Moshe Ya'alon, and others defined the violence on various occasions as "a war on the homeland" and as "a sword at the country's throat." A decade later, head of Military Intelligence Amos Yadlin challenged these definitions when he stated, "I suggest that we be careful when speaking in terms of an existential threat to Israel. Early in

the decade, there were those who saw the Palestinian terror as an existential threat to Israel. Even then, I believed that this conclusion was problematic and incorrect." "Milestones in 2009: Threats and Opportunities for Israel," lecture at Tel Aviv University, November 17, 2008.

- 4 Incisive critical evaluations of the IDF's method of operation in the clashes with the Palestinians were written by those holding governmental positions at that time. Shlomo Ben-Ami, *A Front without a Rearguard* (Tel Aviv: Yediot Ahronot, 2004), pp. 319-20: "The instructions of the political echelon approved this operation or another, but always with a minimizing tone and with the intention of containing the events and not widening them. The IDF commanders had a different agenda, and its commanders radiated explosive fury, which in the end brought about a widening of the circle of violence, instead of reducing it...Minister Amnon Lipkin-Shahak expressed his frustration at the fact that the army was conducting a completely different war on the ground than that which the political level had ordered. Brigade commanders and other commanders on the ground conducted the war as they saw fit...[using] the policy of punishment." Gilad Sher, *Just beyond Reach* (Tel Aviv: Yediot Ahronot, 2001), p. 368: "One would have expected the IDF to join the repeated attempts to achieve a state of calm, which were conducted under the previous chief of staff, Amnon Shahak. But testimonies from the field pointed to a number of cases in which they deviated from the instructions of the political echelon. At a certain point, Shahak gave up: it was impossible to continue in this manner. Some of the summaries and commitments by the prime minister, which were transmitted to the IDF by his military secretary, 'evaporated.' Tanks were not moved back; the commanders sufficed with moving the artillery. The fishing area in Gaza was not opened. Palestinian workers were permitted to enter Israel in very small numbers, against explicit orders."
- 5 As with the outbreak of the first intifada in December 1987, the eruption of violence in September 2000 was spontaneous, an unplanned event that developed from the charged atmosphere on the street, where a single event served as a trigger to ignite it. What happened in 2000 is exactly what happened in 1987: the Palestinian national leadership took advantage of the violence to control and use it for its own political, national purposes. Linda Tabar, who analyzed the processes that occurred in Palestinian society during the violence, claims that the second intifada was a reaction by the lower classes in society, and especially by the refugees, to the "betrayal by the elite," i.e., veterans of the Fatah and PA nationalist stream, which created in the Oslo process a virtual situation and a false dialogue of peace, while below the surface the occupation continued. The outbreak was thus a clear rejection of this elite's perpetuated hegemony, which remained loyal to the Oslo mindset even during the violence, and saw the violence as no more than a tactical maneuver instead of a strategic choice. In this context Tabar also criticizes the statements by Abu Mazen against the violent conflict. See

- "The Jenin Refugee Camp: A Model of National Regrouping," *Between the Lines* 21 (March 2003).
- 6 The overwhelming majority of the PA veteran leadership (including Abu Mazen, Abu Ala, most of the ministers, Tayeb Abd al-Rahim, and others), National Security commanders (Haj Ismail and Abd al-Razek Majaida), and heads of other apparatuses (Jibril Rajoub and Muhammad Dahlan) opposed the militant nature of the ensuing conflict. They pointed at the damage that the violent struggle caused to the Palestinians, feared the loss of control and the undermined stability, and called for the return to popular non-violent struggle.
 - 7 For example, the question arose as to whether there was a need to continue to allow each Palestinian resident to submit to the Israeli courts a compensation claim for damages caused during incidents resulting from military operations. According to the law, civil suits cannot be pressed for damages caused by war activities.
 - 8 See Ephraim Lavie, "Intelligence Work in the Palestinian Arena: A Critical Evaluation," *Israel Intelligence & Heritage Commemoration Center, IICC Newsletter*, No. 52 (December 2008): 30-33.
 - 9 The increasing activity of the military echelon, primarily at the operative level, in analyzing the "limits of the system" and the "limits of the campaign" in order to conduct a "prolonged low intensity conflict" and setting objectives such as "consciousness burning" was foreign and excessive in the eyes of the political echelon.
 - 10 In the response of the attorney general to the Supreme Court regarding the state's position on which legislative system applies to the conflict – the laws of war, laws of "armed conflict short of war," or a different system – it was argued, "The combat activity of the security forces aimed at terrorists and their emissaries is regulated both according to Israeli law and the directives of international law, following the rules of customary martial law as stated in international law." See the detailed notice from the attorney general of April 18, 2002 following the Supreme Court request.
 - 11 This was a clear expression of what Yehoshafat Harkabi called "tacticization of the political strategy," as well as of military thinking: the military tactic turned into the strategy.
 - 12 This description of the policy of the military echelon and its preparation for conflict is taken from the article by the deputy chief of staff. See Moshe Ya'alon, "Preparing the Forces for Limited Conflict," *Maarachot* No. 380-381 (December 2001): 24-29.
 - 13 Since late 2000, the Intelligence Research Division was actively integrated in public diplomacy efforts and the political echelon's attempts to delegitimize Arafat and the Palestinian Authority.
 - 14 In effect, there was no informed alternative to the conceptualization by the legal system and the IDF regarding the definition of the struggle as an "armed conflict" and as a "war." The written evaluations by Intelligence's

Research Department lost their value when they spoke with two voices: the one pointed consistently to Arafat's intention to use the political process with the objective of reaching a two-state solution, and explained the events of September 2000 as a popular uprising; and the second unconditionally supported the legal and military conceptualization, which matched the explanations of the political echelon regarding the reasons for the failure of the political process and the outbreak of the conflict.

- 15 The shaping of the security situation influenced the shaping of the political-diplomatic situation as well, and contributed to the perception that "there is no partner," obviating any possibility of reaching a political settlement and therefore indicating the need to turn to unilateral action.
- 16 To the Palestinians, Israel's offers at Camp David and Taba were a large advance in negotiations, but the negotiations were not completed. (The negotiations regarding a permanent settlement were halted in early 2001 by the Israeli elections. Both sides proudly made a joint official announcement of the major progress that was achieved, and promised to renew the negotiations in order to conclude them.)
- 17 The conflict continued and escalated even until Taba (January 2001), i.e., with negotiations and a political option. The reason for this was twofold: the Palestinian feeling that Israel's offers did not constitute a promise for the establishment of a viable state, and the use of intense military force by the IDF at that time, which caused many casualties on the Palestinian side.
- 18 According to the head of the Civil Authority in the West Bank, Brig. Gen. Ilan Paz, though every commander knows that one of the central elements of the fighting is the separation between terrorists and civilian population, the IDF was not successful in putting this into practice during the first three years of the conflict. In his opinion, only later did the Central Command begin to successfully make the distinction via focused preventive actions whose influence on the surroundings is minimal and does not harm the infrastructure, members of the public, or their freedom of movement. Through this focused activity even more operational successes were achieved, the economic situation improved, and the circle of terror was narrowed, since "despair and a lack of hope are the primary causes that cause youths to join the terrorist side." See the lecture by Ilan Paz in the booklet: "Army and Society in Limited Conflict," published by the IDF and the Israeli Institute for Democracy, April 18, 2005, pp. 68-69.
- 19 The Palestinian side likewise did not have a defined national objective throughout the duration of the violence, as discussed above on the transition from a grassroots uprising to popular resistance.
- 20 In fact, the military echelon accepted the unclear nature of the political directive and saw itself as responsible for clarifying the ambiguity and applying a military policy that would shape the situation to the advantage of Israeli goals. See the interview with Brig. Gen. (ret.) Eival Giladi, Ben Caspit, *Maariv*, January 2, 2004. Former Head of Central Command, General Yitzhak

- Eitan, said: "This is the nature of the relationship between the political and military echelons in Israel. We were never tasked with a clear mission, and explanations and trial attempts were required to understand the instructions," *Maariv*, March 29, 2002.
- 21 The commander of Judea and Samaria Division said: "Israeli deterrence did not prevent the outbreak of the violence, and the military power will not decide it. We are talking about a strategy of waiting, which says that the struggle will continue for a very long time, that offers no quick fix victory, and that the military effort is meant to achieve a political result." See Brig. Gen. Gadi Eisenkot, interview with *Yediot Ahronot*, April 11, 2004.
 - 22 The head of the Strategic Planning Division himself objected to the term "decision." "When I came to this task, I saw the phrase "to achieve decision vis-à-vis the Palestinians" written in the plans. I asked myself, 'What is this nonsense, what absurdity this is? Whom exactly are we defeating, what does it mean to defeat, what does this signify?'" See Eival Giladi, interview in *Maariv*, January 2, 2004.
 - 23 "Ya'alon is careful to emphasize that he prefers to have a partner on the other side, in order to reach an agreement, rather than conducting a unilateral process." See interview with the chief of staff by Alex Fishman, *Yediot Ahronot*, December 25, 2003; "In internal discussions in the defense system, the chief of staff indicates the need to give Abu Ala a chance. The ceasefire which the Palestinian leader is working to achieve is, in his words, 'a positive step toward dismantling the terror infrastructures.'" See Ben Caspit, *Maariv*, November 14, 2003.
 - 24 One of the indications of this trend was that the political echelon did not view favorably attempts outside of the government to achieve understandings with the Palestinian side on a permanent agreement (e.g., Nusseibeh–Ayalon, the Geneva initiative), which in part were intended to prove that there is a Palestinian partner with whom to talk about a two-state solution. These attempts were decried as damaging to the struggle against Palestinian terror and weakening the stamina of Israeli society.
 - 25 The chief of staff and the head of Military Intelligence stated publicly that a unilateral operation might be interpreted as a victory for terror. This position in the military echelon angered the political echelon: "The prime minister is angry at the comments that he heard in the media regarding the statements of the head of Military Intelligence...In parallel, the tension between the prime minister's office and the defense establishment increased significantly." See Ben Caspit, Amir Rapaport, and Arik Bender, *Maariv*, February 11, 2004.
 - 26 Palestinian public opinion polls show that most of the Palestinian public (75 percent) viewed Israel's disengagement from Gaza as testimony to the victory of the Palestinian armed conflict. From their point of view, this was a plan of withdrawal and capitulation, confirming yet once more that "Israel only understands the language of power." See Danny Rubinstein, "Proof of the Victory of the Armed Conflict," *Haaretz*, March 21, 2005.

- 27 The killing of Ra'id Carmi interrupted a quiet period that lasted for about three weeks. On December 13, 2001, Arafat condemned the terrorist attacks, declared a ceasefire, and gave instructions to close the Hamas and Islamic Jihad offices. The killing of Carmi on January 14, 2002 led to Fatah's ending the ceasefire; the killing of four Hamas leaders in Nablus on January 22, 2002 led to Hamas' declaration of war and "quick, painful revenge." In practice, the operational-operative context was what shaped the reality on the ground, without the ramifications and strategic results bearing much weight.
- 28 Gal Hirsh, "From 'Cast Lead' to 'A Different Way': Developments of the Campaign at Central Command, 2000-2003," *Maarachot*, No. 393 (February 2004): 26-31.
- 29 While the events of September 2000 erupted as a popular uprising and the Palestinian leadership seized the opportunity to control and use them for their internal and external needs, the political and military levels were wont to interpret the events as an initiative from above, reflecting the radical ideology of the Palestinian leader and his people, who deny Israel's very existence, despite the fact that the official intelligence assessments maintained that Arafat intended to make the most out of the political channel and not to launch an all-out confrontation. From here, it was a short path to the conflict being defined as "a defensive war on our homeland," or a "no-choice war" that must be won.
- 30 According to Aviezer Ravitzky, "The Clash of Civilizations is not our War," (*Haaretz*, April 11, 2004.), the Jewish and Israeli interest obligates presenting the current struggle with the Palestinians as a local, regional, national, and political struggle, and not as the igniting of an inclusive, all-encompassing conflict, over and above region and nation. Prof. Ravitzky decries the irresponsible declarations by political and military decision makers who put Israel and the Jewish nation at one defined pole of the "clash of civilizations," without understanding that this is a flawed policy that damages the national interests in the short term and threatens the Jewish future in the long term.; to him, when we draw Yasir Arafat in the image of Osama Bin Laden, we are creating the dangerous transition from the political to the religious emphasis, and from the local to the international focus.
- 31 Ya'alon, "Preparing the Forces for Limited Conflict," pp. 24-29.
- 32 This issue is illustrated well in public opinion polls, which chart a consistent rationale among the Palestinian population. Since 1993, the surveys by Khalil Shikaki show that the rate of Palestinian support for the continuation of armed conflict is a function of the impression that the Palestinian public receives of the advancement of the political process, which is meant to bring about their independence. Thus, for example, in November 1994, 56 percent of the public supported a continuation of the struggle, while later the support dropped to 40 percent and to 20 percent in May of 1996. The rates of support for the conflict rose again during the period of the Netanyahu and Barak governments, when the political process was quashed.