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THE DEPORTATIONS AND THE PALESTINIAN-ISRAELI NEGOTIATIONS

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When, on 17 December 1992, the Israeli government expelled over 400 Palestinians from the West Bank and Gaza Strip following the killing within less than two weeks of five Israeli soldiers and a paramilitary border guard, it had every reason to believe that the measure would blow over without consequences. Indeed, for nearly a half-century, every wave of individual or mass expulsions carried out by Israel had been met with an initial outcry from the International Committee of the Red Cross (ICRC), the United Nations General Assembly, and frequently the Security Council, only to be followed by relative silence or forgetfulness. And in this particular case, the main target of the expulsions was the Islamic Resistance Movement, or Hamas, which had claimed the killings (with the exception of one claimed by the Islamic Jihad) and which had been gaining ground in the occupied territories at the expense of the upholders of compromise within the Palestinian nationalist camp. The tide of world opinion against Islamic movements—including in the Arab states and within the PLO itself—seemed to make it all the more likely that the problems created for Israel by the measure would be manageable, especially since the expulsions were of limited duration, some two years.

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The Immediate Reaction

But for the act of deportation to be forgotten, it had to be technically successful in the sense that, as in the past, the deportees would quickly have to disperse into the Arab world, moving away from Israel's borders. This, of course, did not happen. The Israeli government's attempt to create a de facto situation (by expelling them before even announcing the decision) was stalled by a petition to the High Court, which delayed the action by several hours, during which international opposition began to build.

Meanwhile, the hundreds of deportees, mainly activists, leaders, and cadres of Hamas, with a sprinkling from Islamic Jihad, had been pushed beyond Israel's so-called "security zone" in southern Lebanon. They were fervent believers, steeped in a tradition inherent to Islamic thought of resisting forced displacement. Such ideas as *thabat* (steadfastness), *ribat* (exemplary behavior), and *mehna* (religious trial) are an integral part of the overall ideology. Furthermore, the Islamists in general, and Hamas in particular, have no incentive to go elsewhere in the Arab world. For them, there is no Tunis, where pro-PLO deportees can seek integration and sometimes rapid advancement in the organization. The group immediately understood that their movement was further legitimized by the deportation of so many of its leaders: by staying put, they would increase their standing and legitimacy in Palestinian, Arab, and world public opinion. These highly conscious and disciplined elites (a characterization proper to many of them) seized the opportunity and resolved not to move on into Lebanon, knowing full well that they were all the while scoring political points. Their spokesman, Dr. 'Abd al-'Aziz al-Rantisi, clearly stated that one of his purposes was to embarrass Rabin before the world, as he had a personal score to settle with the man who, as defense minister, had signed a new six-month administrative detention order against him every time the last one expired.

Moreover, the interests of the various Arab parties tactically coincided long enough to put the Israeli government into a difficult position. The PLO immediately requested that Lebanon not let the deportees in. As the sole legitimate representative of the Palestinian people, the PLO automatically argued on behalf of the deportees, *because* and *not in spite of* the fact that the deportees were both religious and in the opposition. Any other position would have cast doubt upon the PLO's representative nature, all the more so in that Rabin and his Meretz allies were presenting the expulsions as a way of promoting the "negotiating camp" among the Palestinians. The PLO condemned the deportations, and in so doing took advantage of them. The steadfastness of the deportees was seen as an opening through which to interrupt (not necessarily to end) the peace talks, from which Tunis had been excluded and which seemed unlikely to yield anything of interest to the organization. By Tunis's calculation, the deportations crisis could, hopefully, bring about a possible shift in their framework, with the official participation of the PLO. Arafat also had to take into consideration the depth of feeling in

the occupied territories, which meant that even if he had been willing to return to the table under the circumstances, he could not have afforded to do so politically. Thus, in addition to the PLO's natural aversion to deportations (many of its cadres are themselves expellees from one or another of the successive waves), the PLO, and in particular the "negotiating camp," had a vested interest in keeping on the heat.

Lebanon, meanwhile, also had a stake in holding firm on the deportees issue. It, too, had been finding the peace negotiations frustrating and was not loath to a break. Security Council Resolution 425 regarding Israel's occupation of the south was in no way being heeded. In addition, it now had a new government and a newly elected parliament in need of ways to anchor their international legitimacy. By taking an unflinching position and making it stick, the Lebanese state was showing its own people and the world that it existed again. The Lebanese left and right (for very different reasons) fully backed the government resolve to keep the expellees from entering Lebanese-controlled territory or crossing through it. Unusually, the Lebanese and Palestinian positions were identical. Needless to say, without Syrian support, at least of a passive nature, Lebanon would probably have had difficulty maintaining its position. But here, the Syrian position on the expellees coincided with that of the PLO and the Lebanese, particularly as the deportations made Israel's negotiating position with the Palestinians and Lebanese more difficult, with Syria standing to gain as the key to progress and the main beneficiary of the talks.

Meanwhile, on the international front, the ICRC had immediately denounced the deportations as contrary to international law, and within twenty-four hours of Israel's action, the UN Security Council had unanimously passed resolution 799 demanding "the immediate and safe return" of all the deportees. As the affair dragged on, various states and international organizations multiplied their interventions with a recalcitrant but clearly embarrassed and divided Israeli government. The world also saw the 415 deportees as human beings, representing the Palestinian plight, more than as dangerous fundamentalists. The U.S. elections had ended. It was the Christmas season, and there was a media void which the crisis helped to fill. Journalists in droves were welcomed into the area by the Lebanese, and the TV screens of the world abounded with news of the deportees.

In short, Rabin had underestimated the difficulties the decision would create. The world did not seem ready to accept the deportations, if for no other reason than the sheer magnitude of the numbers involved. Israel was also seen as violating the tacit rules of the peace process itself, and doubts were raised as to whether Israel could be using the negotiations to maneuver for position rather than to advance towards a genuine reconciliation with her enemies. Consequently, the major issue became the act of deportation itself, not the actions which were claimed to have triggered it.

Effects on the Israeli Side

Notwithstanding the greater-than-usual resistance on the part of world opinion to the deportations, their immediate effect within Israel was as a unifier. Polls taken in the immediate wake of the action showed Prime Minister Rabin's support soaring to over 90 percent. The deportations ended the crisis of confidence that had been brewing in Israel over security as a result of the increasing resort to firearms in the Palestinian intifada—notably by Hamas—and the ensuing rise in IDF casualties. The last straw had been the kidnapping of the border guard Nissim Toledano—whose disappearance without a trace for three whole days, despite the best efforts of the military and intelligence establishment, had shattered the myth of security; with the discovery of his dead body, the public was in uproar, demanding immediate and unambiguous action. The deportations, then, enabled the prime minister to reestablish confidence and regain the initiative in the occupied territories; for he calculated that the action would decapitate Hamas, both in the military and in the political field. As the Israeli coordinator of activities in the occupied territories explained, the deportations would paralyze Hamas's capacity to mount effective resistance to the negotiations, perhaps only for a few months, but hopefully long enough to reach an interim settlement with the Palestinians.

The deportations also allowed Prime Minister Rabin, at last, to cover himself on the right. The creation of a center-left coalition in July 1992 had from the beginning exposed him to criticism from hardliners, both inside and outside his own party. The Likud, in particular, interpreted his inclusion of the "progressive" Meretz faction, his exclusion of the hard-line Tsomet, and his willingness to accept "passive" support from Arab Knesset members as a sign of excessive dovishness, even willingness to surrender too much of the "Land of Israel." With the killings in the weeks before the deportations, there had been a barrage of increasingly effective criticism concerning the government's "laxness" and inability to deal with security (this last triggering a war of figures to show under which administration, Likud or Labor, the greatest number of Israeli deaths had occurred at Palestinian hands), as well as its "defeatist positions" at the negotiating table. With the mass expulsions, Rabin showed that, for the sake of security, he was willing to do something that the Likud camp had never dared to do, and the guns of the right fell silent.

But just below the surface of the apparent unity, the latent crisis within the ruling coalition broke out into the open. The deportation order had been supported by the entire cabinet except for one abstention—the justice minister, who later declared himself opposed to the measure. Moreover, Foreign Minister Peres had been absent at the time the decision was taken, and soon made it known that he would have preferred another response. The Meretz faction was rewarded for their votes by the entry of another of their ranks, Yossi Sarid, into the government as minister of the environment. But the

rank and file of the constituent groups (RATZ [Civil Rights Movement], Shinui liberals, and MAPAM, or, the Zionist left) quickly expressed their disapproval of their ministers' votes. A rift developed over an action the civil rights movement had always declared beyond the pale and which in this case was actually creating a precedent for "collective deportations."

The schizophrenia thus exposed showed no sign of receding. Minister of Education Shulamit Aloni, for example, explained that she had supported the measure because she had not known that "hundreds" of people were to be expelled, but only a few dozen. Rabin had succeeded in pulling his Meretz coalition partners further to the right, thus neutralizing pressures for the enlargement of the coalition to include the Tsomet party, which had long been suggesting that it could join the government if things did not work out with Meretz.

In a sort of compensation for the humiliation of his partners on the left, Rabin permitted the bill lifting the prohibition on meeting with the PLO to be rushed through the Knesset. The Labor left and the Meretz faction pushed for more—official government contacts with PLO members—but retrenched to the notion of official contacts with Faisal Husseini and other Palestinians previously off-limits by virtue of their Jerusalem residence. And indeed, during the first half of January, a meeting between the secretary of the Labor party and representatives of Meretz on the one hand and members of the Palestinian delegation to the peace talks and their Jerusalem-based leadership under Faisal Husseini on the other did take place in Husseini's East Jerusalem offices. To counteract this "dovish tendency," seventeen members of the Labor right demanded that the Tsomet faction be admitted into the government without delay.

These tensions were clearly exposed in the cabinet vote over resupplying the stranded deportees, which went eight to six in favor of the prime minister's position forbidding assistance not linked to actions by the Lebanese side. This was a particularly slim majority, particularly given the enormous pressure Rabin had exerted to obtain it. Considering that Israel was in no position to let the deportees starve, the vote probably served to signal the Lebanese that their strategy of no concessions on the resupplying or moving of any of the refugees was working and should be strengthened, which is precisely what happened.

Through all the moves and counter-moves, elements critical of the decision-making process in the government seem to have been strengthened by the deportation issue. Encouraged by the international pressure arising from the deportations, critics, some identified with Shimon Peres, moved from a whispering campaign to press leaks to public statements sharply criticizing Rabin himself. The clash between the prime minister and the justice minister over the deportations assumed major proportions, and a Labor MK went so far as to denounce his leader from the Knesset floor as an individualistic bully who was marginalizing elected representatives in favor of personal advisors. In the end, the prime minister was forced to confront the criticism by

agreeing to create a broad-based “kitchen cabinet” in which to test decisions out before implementing them.

The rift at the top in Israel extended to the security and military apparatuses, with continuing recriminations over the “mistakes” made in carrying out the deportations. It transpired that sixteen Palestinians had been expelled “by mistake.” Each of the parties involved in the expulsions—the prison service of the interior ministry, the Shin Bet (attached to the prime minister’s office), and the army—attempted to highlight the responsibility of the others. Tensions among these branches of government had temporarily surfaced several months earlier, at the time of the training accident in the Negev in which several soldiers had been killed; with the expulsions issue, their efficiency was further called into doubt.

Within Israeli society and more particularly within sectors of the elite, the deportations triggered a debate on such questions as the nature of civil society, civic morality and rights, and respect for the law. The politicization of the High Court became an issue: particularly after its unanimous decision in favor of the deportations, it was accused of being an appendage of the government and the army. Human rights organizations, lawyers, judges, journalists, university professors and intellectuals in general all joined the debate.

Finally, with regard to the peace process, the deportations and the response to them blew away the last vestiges of illusion concerning a positive atmosphere in the negotiating process. The entire debate over the necessity for reciprocal confidence-building measures collapsed, and it came through with greater clarity that all sections of Israeli society—left, right, and center—had reservations about entering into a process that would entail the contracting of serious obligations.

Effects on the Palestinian Side

Nothing unifies Palestinians more than deportations. Their common struggle is in fact based more on resistance to expulsion and its corollary, the right to return, than on any particular ideological doctrine. There was therefore an immediate and general wave of revulsion against the deportations among Palestinians, who have been traumatized by mass displacements of their people ever since *al-nakba*, or the catastrophe of 1948, and who saw the measure as the signal that their “transfer” from their homeland had now begun. The Israeli action was especially alarming to Palestinians living in the occupied territories, for they saw it as confirming their worst suspicions about the year’s peace talks. Israel, they reasoned, was not interested in pursuing peace, but rather in intensifying repression under the cover of the talks.

It was thus that in the weeks following the deportations, there was an uncharacteristic degree of unity among the Palestinians. But just as in the case of Israeli society, the unity masked significant divisions and discord, which the deportations in fact exposed and deepened. Far more than on the Israeli side, these divisions centered on the peace process.

For the Palestinians, both inside the occupied territories and beyond, an unsettled feeling concerning the peace talks followed the initial euphoria in the wake of Madrid. From the outset, the peace talks were choreographed for world consumption. But the surface smoothness in fact concealed multiple difficulties, especially concerning the fact that a settlement was to be reached in two, unconnected stages, and concerning the entire notion of "autonomy." As the talks went from round to round without producing concrete results apart from media recognition and in some cases worldwide respect for their delegates, the opposition was growing despite the surface appearance that everything was on track.

More specifically, the elements of discord exposed by the deportations manifested themselves in three arenas: (1) Palestinian public opinion; (2) the Palestinian political structure; and (3) the pro-negotiations camp led by the PLO.

Palestinian Public Opinion

An immediate effect of the deportations on the political climate in the occupied territories was to raise the level of anger in the Palestinian street. This anger, primarily directed against Israel, resulted in further clashes with the occupation forces, clashes that in Gaza yielded ever-mounting Palestinian casualties which in turn sparked new demonstrations which led to yet more casualties. The classical intifada style had been revived. But the rising anger and frustration also turned against the negotiations, and resulted in even greater skepticism concerning the process. The hopes of all those who had banked on a new center-left coalition in Israel were dashed. And the corollary to this rising opposition was an even greater emotional support for Hamas, heightened further by the exemplary behavior of the deportees in the camp at Marj al-Zuhur in southern Lebanon.

Heightened public criticism was also heard concerning the Palestinians' dependence on U.S. intervention, their reliance on diplomatic moves and ambiguous declarations, and, most of all, their surrender to virtually all Israel's conditions. The contrast between the peace camp's readiness to give in and the fortitude of the expellees was mentioned repeatedly. The contrast appeared even starker when PLO leader Abu Mazen went to Qatar and Saudi Arabia several weeks after the deportations and apologized for the PLO's stance during the Gulf war, a seeming illustration of weakness and vacillation. It should be noted, however, that this particular image of the mainstream nationalist camp began to decline somewhat when the negotiating team and its leaders took stronger positions linking the return of the deportees to the resumption of talks.

The Political Structure

In the Palestinian political system, the deportations reinforced a trend that had been developing throughout the intifada, and especially since the beginning of the negotiations. The structure of Palestinian politics had been grad-

ually transforming itself from a multiparty system under the hegemony of a single pole, namely Fateh, to a multiparty system dominated by two poles, Fateh and Hamas.

Because of its preoccupation with matters other than resistance to the occupation, the Muslim Brotherhood, from which Hamas emerged, had not been considered by most Palestinians prior to the intifada as being part of the legitimate political system, thought to be limited to those nationalist groups gathered under the umbrella of the PLO. When the intifada broke out in December 1987, the Muslim Brothers created Hamas (in the image of the activist Islamic Jihad) with the avowed purpose of resisting the occupation. With this began their gradual march toward political legitimization. After five years of words accompanied by deeds, notably on the part of the 'Izz al-Din al-Qassim groups (Hamas's military wing), Hamas had become a strong rival of the nationalists.

When the peace talks began, Hamas opposed them for ideological as well as tactical reasons. Alone or in conjunction with the nationalist opposition to the talks (the PFLP and Hawatima's DFLP), it distributed leaflets and called for strikes against the process. As evidence of the process's lack of progress mounted, Hamas's popularity in the street rose. This process was facilitated (especially in the West Bank) by the organization's diminished insistence on Islamicizing society as an immediate priority and by the success of the 'Izz al-Din al-Qassim groups' operations. Hamas's acts of resistance further reduced support in the Palestinian street for the largely sterile negotiating process by indicating that there was perhaps an alternative way of bringing about an end to the occupation. And as a result of its armed resistance, it was increasingly targeted by the forces of occupation, further adding to its prestige. The group's new status was reflected in its various electoral successes throughout the occupied territories (in unions, chambers of commerce, etc.). Under these conditions, the deportations had the opposite effect of that intended by Rabin, and crowned the legitimization process begun five years earlier. Henceforth, Hamas's place on the Palestinian political map was assured. Now, rather than defining itself as a rival of the PLO, Hamas began to explore the possibility of joining it, albeit under specific conditions.

The two meetings between Fateh and Hamas in Tunis and Khartoum that followed the deportations clearly illustrated the political shift that had occurred. Meeting as equals, they agreed on practical steps to be taken in the face of the deportations, but continued to disagree on conditions for Hamas joining the PLO (specifically, the percentage of seats it would control) and on the correct political direction, especially regarding the negotiations.

The dramatic rise in Hamas's popularity among Palestinians coincided with the perception of a role reversal between Hamas and Fateh. The latter had become the most popular group among Palestinians some three decades earlier, a time when its proposed program of action was based on a "historical perspective"—the recovery of the usurped homeland. Today, many Palestinians see the negotiating nationalist groups as having been forced by

their weakness to accept conditions they never would have envisaged, and which cannot lead to the realization even of the minimal conditions demanded by the Palestinian people. And at the same time that Fateh has been trying to come to terms with the present “facts on the ground,” Hamas has adopted the historical perspective for its proposed solutions, which appear to provide a promising alternative to the timid “realism” of the Palestinian negotiating camp. Hamas’s basic premises are two: refusal to surrender, and increased resistance aimed at forcing Israel to withdraw from the occupied territories under pressure, even if the process takes longer and demands far greater sacrifices.

The Pro-Negotiations Camp

The third area where divergences, long-present below the surface, were laid bare by the deportations was within the camp favoring negotiations. The basic cleavage within this camp—which had always presented itself, through its constituent factions and personalities, as unified—is between “pragmatists” and “hardliners.”

There are several reasons for the cleavage, which began to take shape from the very first of Secretary of State Baker’s post-Gulf war trips to the Middle East to lay the groundwork for the peace talks. One reason is political. The “hardliners” saw the conditions demanded by Baker, notably the exclusion of the PLO and Jerusalemites and the division of the process into two entirely separate stages, as excessive and unacceptable. The “pragmatists” saw the framework as the best obtainable under the circumstances and took the assurances given by the United States as a guarantee that the talks would achieve the desired results; this group can be said to subscribe to the Baker thesis that the very holding of the talks would produce an irresistible “snowball effect” that would bring more than was being placed on the table. The disagreement over the terms of the talks persisted after the rounds began, with the negotiating hardliners continuing to demand modification of the conditions and expressing dissatisfaction at the way the negotiations were progressing. But since they were themselves involved in the process, criticism was muted. With time, however, the influence of the hardliners was felt, leading to a hardening of the Palestinian negotiating position as of the sixth round of talks.

A second division between the negotiating pragmatists and hardliners was based on interest. Most of those who emerged to lead the negotiations were “personalities,” many from outside the organizational structures. In many cases they were identified as pro-Western, and most were pragmatists. The hardliners, on the other hand, mostly came from the core of the political organization, which found itself being marginalized through the process of negotiations. From the beginning, the interaction of these political and interest-based elements played an important role in the ups and downs of the negotiating process on the Palestinian side. The deportations gave the

hardliners the opportunity to reassert themselves vis-à-vis the pragmatists, and perhaps to regain their lost positions.

A further division, this one within the negotiating pragmatists' group itself, was exposed by the deportations. This is the geographic line between Jerusalem and Tunis, a line based on differences between the inside and the outside in evaluating the situation. The pragmatists from the outside (led, as far as the negotiations were concerned, by Nabil Shaath, political advisor to Yasir Arafat) were more oriented toward the diplomatic process at the regional and global levels and involving relations with Egypt, the United States, and so on. The pragmatists from the inside, on the other hand, consisting of the negotiating team itself and its Jerusalem-based leaders and spokespersons, were, for obvious reasons, more in tune with the movement of public opinion within the occupied territories. It was thus that, although both these groups insisted on the implementation of Security Council Resolution 799, the position of the inside pragmatists was more outspoken in favor of a clear link between the return of the deportees and the resumption of the talks. The outside pragmatists were more ambiguous, suggesting that it might be possible to return to the talks and make the deportees issue the first item on the agenda.

In this context, Haydar 'Abd al-Shafi, the delegation leader, was in the forefront of those expressing the inside pragmatists' view, while Nabil Shaath and Bassam Abu-Sharif adopted the other approach when they sent up trial balloons suggesting a possible resumption of the talks. With the passage of time, the position of the insiders was adopted by those on the outside, at least until the Rabin-Christopher "compromise" was announced.

Finally, another level of contradictions was exacerbated within the "inside pragmatists." Even before the deportations, some of the people and groups involved in the negotiations had expressed reservations concerning the process. One thinks of the Palestinian People's Party (PPP—formerly the Palestinian Communist Party) and some individuals, most notably Dr. 'Abd al-Shafi himself. Their reservations were not only based on lack of progress at the talks, but also on internal matters such as the way the talks were being handled, the existence of competing power centers, and the lack of democracy in decision-making. The deportations immediately brought these contradictions to the fore, with 'Abd al-Shafi declaring that even if the negotiations resumed, he personally would not participate if the deportees were not first returned. Others initially expressed their reservations more discreetly, but matters came to a head when the two members of the delegation from the People's Party published a communiqué in the Palestinian press to the effect that they would not participate in the negotiations without the return of the deportees. Shortly thereafter, the delegation took a unified public position linking the return of the deportees to Palestinian participation in resumed talks. Even then, tensions continued; to the surprise of some members of the Palestinian delegation, other members and advisors met with

members of the Labor party and the Israeli left, including Meretz, which had initially supported the expulsions.

At all events, all these contradictions within the negotiating camp and within Palestinian society were linked to the actions of Yasir Arafat, who maintained a skillful balance. During this period he tried, at the Arab and international levels, to strengthen the PLO's position on the deportees issue, even while being acutely aware that the Palestinian position, without permanent cover, especially by the Arabs, would be weak and ineffective.

The Preemptive Deal

And so, the issue of the deportations remained at the center of international concerns, something Rabin had neither desired nor expected. UN Secretary-General Butrus Butrus-Ghali sent two envoys on three different missions to the area and particularly to Israel to discuss implementation of resolution 799. The deportees continued to be shown nightly on television screens throughout the world. There was no question of rescheduling the bilateral talks, and the multilaterals also had to be postponed.

All this left the Israeli government in a predicament, which it attempted to solve in piecemeal fashion by announcing names of individuals deported by mistake (and suggesting that there may be more) and by Rabin's offer to reduce the deportation period to nine months if the intifada were suspended. The most significant aspect of Israel's dilemma, of course, was the prospect of a clash with the incoming Clinton administration.

But the Clinton administration was in a quandary of its own, loath to join an international drive to force Israel to implement resolution 799 or to impose sanctions by invoking Chapter 7 of the UN charter, yet equally reluctant to use blocking tactics and possibly a veto to prevent such a drive from succeeding, thus exposing itself to the accusation of double standards, particularly so soon after the January raids on Iraq. Thus, like the other concerned parties (Israel, the Palestinians, the Arab states, and the UN), the United States acted to postpone new Security Council debates in the hopes that the Israeli High Court would solve the issue, especially since Prime Minister Rabin had promised to respect whatever decision the court arrived at.

But the High Court decision did not break the deadlock: it confirmed Israel's right to deport multiple individuals even while ruling collective expulsions illegal. The court directed that the deportees had the right to appeal in person before a military review panel, thus giving the government the option to bring them back for the appeals or to hear such appeals on the Lebanese side of the border. The government chose the second approach, and the problem returned to the United Nations.

Pressures on the United States and Israel continued to mount, especially after Butrus-Ghali's stern report at the end of January suggested the revival of resolution 681 of 1990, adopted after the al-Aqsa killings, which raised the issue of placing UN observers in the occupied territories to ensure protection

for the Palestinians. Above and beyond Israeli anger at the report (Rabin called it “repulsive” and alluded to the Egyptian nationality of its author), it was clear that, for Israel, further UN action had at all costs to be avoided.

Hence the deal announced 1 February, under which Israel would permit the return of one hundred deportees and cut the length of banishment of the others to a maximum of one year. The United States immediately announced that Israel’s decision marked the beginning of the implementation of resolution 799, making unnecessary any further action by the UN. Israel—and the United States—appeared to be off the hook.

Israel’s “compromise” could be construed as a significant retreat and a precedent showing that it can be made to yield to international pressure. However, Israel could claim that the move involved no surrender but rather the implementation of the decision of its own High Court. All in all, the deal represented an undoubted success for the prime minister. First, international pressure, which until then had not abated, was defused. Second, and more important, international acceptance of the deal confirmed and thus legitimized, at least implicitly, the principle of deportations. Third, Israel had obtained a U.S. promise that Washington would strive to bring about a resumption of the peace talks and press the Arabs and Palestinians to participate; such pressure would either bring them all to the table, having in essence accepted the deportations, or would divide them and weaken their common agenda. Fourth, Israel obtained from the United States a commitment to include Hamas in the annual report on terrorist organizations to be published by the State Department in the spring of 1993. This, despite the fact that Hamas’s armed resistance to occupation is being carried out in the occupied territories themselves, and not elsewhere in the world.

The Israeli “offer” permitted the United States, too, to emerge from its quandary, but not without some cost to its credibility. For the U.S. administration, conclusion of the deal showed once again that it alone is capable of pressuring Israel into making concessions. But at the same time, in the eyes of Palestinians in particular and the Arabs in general, Washington’s role in forging the compromise not only confirmed yet again America’s partisanship with regard to Israel, but, more seriously, appeared as an attempt to bypass international legitimacy and preempt the possibility that the UN would carry out its decisions and commitments. Considering the centrality of international legitimacy issues and the United Nations to the Palestinian cause, this is no small matter.

But the dossier was not yet entirely closed. Pressure at the United Nations continued, until finally the president of the Security Council, reflecting the unanimous view of its members, brought it to an end. On 12 February, he explained that he considered the U.S.-Israeli deal a step in the right direction, demanding that Israel commit itself to returning the remaining deportees in the shortest possible time, and emphasizing the importance of the resumption of the Arab-Israeli peace talks. With the publication of this statement,

the dilemma had shifted from Israel via Washington to the Arab side, especially the Palestinians.

Indeed, the Palestinian supporters of negotiations had now entered a new and difficult phase. The international situation demanded a resumption of the talks without a clear resolution of the deportee issue, while the internal situation made Palestinian participation extremely difficult to contemplate, particularly with the still-growing numbers of killings and wounding of Palestinians by the Israeli army and the destruction of Palestinian houses in the Gaza Strip by Israeli anti-tank missiles.

To make it easier for the Palestinians to return to the table, Israel spoke of practical measures to ease tensions in the occupied territories, such as releasing some detainees, permitting a man deported in 1970 to return, cutting travel taxes for Palestinians crossing into Jordan, and allowing a new Palestinian insurance company to open.

Even as the deportees staged a mock funeral for UN credibility in their camp at Marj al-Zuhur, and despite repeated Palestinian pledges not to return to the talks before the deportees are returned, the search for a way out continued. Indeed, the Palestinians favoring negotiations now find themselves in a precarious position. The talks have not gotten anywhere since they began over a year ago. A Palestinian agreement to return to them now, against the background of Israeli noncompliance with yet another Security Council resolution, could only be seen as a precedent for what has been feared by Palestinians all along: Israel's noncompliance or at most very partial compliance with all the other resolutions, notably 242. To return under such circumstances would be seen as a sign of weakness and indecisiveness, making them in the future vulnerable not simply to the usual Israeli pressures, but to a veritable Israeli diktat. On the other hand, failure to return to negotiations in which the Arab states would participate would leave them even weaker and more exposed.

For the Palestinians to return to the negotiations without having hopelessly undermined their credibility vis-à-vis their own people, one of two things would be needed, and preferably both: some kind of solution to the deportee issue (including a detailed and short-term schedule for their return), or tangible concessions from the Americans on some of their demands concerning the negotiating process itself. Such concessions could include: public recognition of the PLO's role and a resumption of official U.S.-PLO talks; a new timetable for negotiations; a changed concept of "limited autonomy"; inclusion of Jerusalem within the purview of the talks; specifying Security Council Resolutions 242 and 338 as the basis for the talks on the Israeli-Palestinian track; and pressuring Israel to accelerate its announced "confidence-building measures."

After over a year of negotiations, one wonders, pessimistically, whether the deportations issue may have suggested a solution of sorts to the regional states and the one remaining superpower. Confronted with the stubborn refusal of the Palestinians to accept what was being offered them on the

grounds that it did not meet their legitimate aspirations, could these other powers have decided to proceed nonetheless on the road to peace as they saw it, namely in the Camp David mold? Under this scenario, the states involved, particularly Israel and Syria, would eventually conclude a "peace of the brave," while subjecting the Palestinians to a period of what these same states would consider "benign neglect."

In conclusion, one might note that even if the Palestinians feel compelled to return to the table while the deportees remain stranded in their camp in southern Lebanon, the interests of peace will not have been served. Whatever the immediate outcome of the deportees issue, it will have revived doubts about the seriousness of Rabin's commitment to actually reaching a peace settlement. It will have highlighted most starkly the international community's double standards in enforcing its own decisions with regard to Israel as compared with the Arab world (Iraq) and Muslim peoples in distress (Bosnia). And for many in the Arab world, it will have raised yet again, and in the most dramatic manner possible, the question of the U.S. government's credibility as an evenhanded peace broker. Thus, in the long term, the mass expulsion will have certainly constituted a serious blow to the prospects of rapid movement in the Middle East negotiations.