

A Critical Account of German and European Policies Towards the Middle East

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Following an invitation by Wolfgang Gehrcke, Member of the Bundestag for the Party "THE LEFT," I attended a panel on behalf of the party group "International Policy" on December 11, 2009 when a delegation of the Israeli party "Meretz" with Secretary General Yaron Shor, Avshalom Vilan, MK, and Alex G. Elsohn, European Director for International Relations of "Meretz", visited Berlin. Kerstin Müller, Member of the Bundestag and for the "Greens" chairwoman in the "Committee of Foreign Affairs", participated for a while.

On the occasion of this panel I held the following lecture which I completed afterwards by hinting at the invitation of President Shimon Peres to address the Bundestag on 27 January, 2007 and by dealing with a proposal of Professor Gerald Steinberg (Bar-Ilan University) who questioned the legitimacy of foreign non-government organizations to work in Israel, and by adding some remarks about the social circumstances Muslim and Christian believers are exposed to together.

Forword and introduction

Thank you for the invitation to present some comments about official German and European attitudes towards the Israeli-Palestinian conflict. Mr. Wolfgang Gehrcke kindly introduced me to you as the "unofficial ambassador of the Geneva Accord since the beginning of 2004." This is too much an honour for me. What I actually did was

trying to be instrumental for the Geneva ideas in the German speaking arena.

As a historian of Middle East affairs since the end of the 1960s I could not have continued my work without keeping alive a minimum of political hopefulness. But, as you may suppose, many times I wandered through valleys of deep depression. What kept me “alive” was my confidence that Jews and Arabs in Israel / Palestine are natural allies in terms of geography, history, and cultural vicinity. Of course, many people reproached me time and again with political naivety. This price doesn’t matter, since I am someone like – what is called in German – “ein Überzeugungstäter” (“a perpetrator by conviction”).

Secondly, what makes me continue is the knowledge that Palestinian and Israeli members of the peace camp struggle every day with an enormous dedication and under sometimes appalling conditions. To give up more than 3000 kilometres away would look to me like a precursor of political disloyalty or even to commit treason to the aforementioned political objectives I am convinced of.

Lastly, dealing with the Israeli-Palestinian conflict still generates the danger to be asked emphatically to take sides. Instead, my personal strength is the capability to preserve my independence – sometimes at the “penalty” of social isolation from personal friends and colleagues.

I would like to draw your attention to three major problems by reviewing government policies with regard to the Israeli-Palestinian conflict. I will deal with

1. official policies,
2. public discourses in relation to government decisions and non-decisions, and

3. some ideas for possible options.

I. Government policies and attitudes

Amidst the multiple structures of 27 member states all European governments have not come to terms with general attempts to formulate and to execute foreign policies. With regard to the Middle East their common denominator is foremost the rhetoric support for a two-state solution.

When we look further into their day-to-day policy we register a clear-cut disapproval of the Israeli settlement endeavours on the one side and a sharp condemnation of Palestinian acts of violence. Did you hear a strong condemnation after settlers set fire to a mosque near Nablus, which Ashkenazi Chief Rabbi Yona Metzger irritated so much that he drew an analogy to the “Kristallnacht?”

There is a built-in disparity of perception, since by comparison the impression is not unreasonable that the Israeli activities in the Palestinian territories are considered abroad to a large extent as a just and justified reaction to the Palestinian disinclination to agree to the “facts on the ground” which have been established during the last 40 years. Israeli military incursions and settlement interventions seem to be the logical counteracts to secure the state and its citizens.

Foreign Minister Guido Westerwelle’s press conference in Ramallah in December 2009 exposed such an perceptive imbalance once again: He repeated the right of the state of Israel to a secure existence, but refrained from mentioning the continuation of criminal offenses perpetrated by settlers in the West Bank and East-Jerusalem. At the same time Dr. Westerwelle did not convey an

answer to care-taker Prime Minister Salam Fayyad about his plans to proclaim the state of Palestine in the next two years.¹

What is surprising?

Let me remember the exposition “The Missing Reversioner: Reflections on the Status of Judea and Samaria” in the „Israel Law Review“ of Yehuda Z. Blum – in 1968 lecturer in International Law at the Hebrew University, before he became the Israeli ambassador to the United Nations. Professor Blum insisted that no state can present a legal offer to rule Judea and Samaria that is equal to that of Israel and that those territories are – at best for the Palestinians and at worst for Israel – disputed between the conflicting parties. Dr. Blum’s contentions did not fall on deaf ears: They were joined by imminent law scholars like Meir Shamgar, Shabtai Rosenne, and Yoram Dinstein. In March 2008 not less than 55 percent of the Jewish public defined the West Bank as “liberated territory.”

In a “rational” follow-up Israel cordially invited the Europeans to improve Palestinian living conditions by considerable monetary grants to pay the salaries of civil servants, to fulfil humanitarian needs and to finance infrastructural ventures. The German government of today like its predecessors are obviously convinced that by channelling generous grants the Palestinians would finally be able to achieve their state – indeed a Marxist approach: The quality of material achievements turns into political advancement.

That is why Dr. Westerwelle – addressing Dr. Salam Fayyad – announced the continuation of the German assistance in the well-known way: alleviating poverty, relief from humanitarian disasters, providing funds for salaries, promotion for state-building institutions, although a Palestinian state is not in the offing at all. Israel was and is interested that the main role of the European Union be restricted to “balanced” declarations, to demonstrations of political goodwill and

adherence, and to some extent to services between the adversaries like in the Shalit case.

The Clinton Parameters of December 2000 are obsolete as well as practicability of the provisions of the Road Map of May 2003. This is true not only with regard to the timetable, but also to the stipulations of a complete settlement freeze. The construction of new housing units goes on unabated in all parts of the West Bank and East-Jerusalem.

To legitimize reservations to criticise the settlement activities because of the German-European-Jewish history is rather peculiar. Not by chance Israeli scholars refrain from mentioning the governments of Europe as valuable political players in the Middle East. When I participated at the Geneva symposium “An agreement within a year” in January 2008 in Herzliya nobody mentioned Europe. The same happened to be in November at the Al-Quds University when the Annapolis conference was reviewed after one year.

The silence of the Israeli Left in confrontation with official policies in the Palestinian territories enhanced the argument that Europeans and Germans have to respect the Israeli national consensus. That in the last elections the Labor Party and “Meretz” captured just thirteen and three seats respectively appeared to be a confirmation that the Left is a negligible political force. Two weeks ago “Haaretz” reported from Washington: “If the political opposition in Israel cannot say yes to Obama, the United States is going to lose its central strength in Israel.”²

The attitude to look astray from abroad is not aware of the profound asymmetry between the two parties, deriving from the Israeli mechanisms of total control over countless spheres in ordinary Palestinian life. Those impediments and restrictions would rightfully not be tolerated in other parts of the world. That demands from the Palestinians to adhere fully to the rule of law and to respect the

autonomy of the judiciary depend primarily on sovereign political performance and administrative accountability.

In his book “Hollow Land” the Israeli architect Eyal Weizman described the “elastic geography” in the West Bank and in East Jerusalem extensively,³ whereas the late Ehud Sprinzak of the Hebrew University condemned the Israeli “elite illegalism” in the early 1990s.⁴ To internalize the Palestinian plight it would be more than worthwhile that German officials be introduced to the documentary film of Mohammed Alatar “Jerusalem – The East Side Story” of 2008. I am quite sure that the national self-determination of the Palestinians would set free many dormant resources for instigating economic, social, and cultural creativity in the public arena and within private fields.

II. Public discourses

Let me continue with some hints at the relations between official policies and public opinion including the media in Germany.

The disproportion between the decision-makers in Berlin and public pressures to live up to the challenges in the Israeli-Palestinian conflict are obvious. The gap has in part generated a politicized subculture exhibiting a dangerous climate and sometimes rather aggressive tempers not only within fringe groups. In private conversations even high-ranking officials do not conceal anymore their uneasiness and frustration about the Israeli policy.

A last example of this development is the reception of Ilan Pape’s book “Ethnic Cleansing” about the Palestinian tragedy in 1947/48 and after the establishment of the Israeli state. I do not argue here about Pape’s notions and about some major methodological problems which I discussed elsewhere. My point is that his book was greeted in Germany with a sensational ballyhoo, since it seems to

provide to those who are needy of it certificate that “the Germans” in World War II were not more dreadful than “the Israeli” are towards the Palestinians today. But Pape himself did not intent to deliver such a conclusion is obvious.

In other words: “Zionism” has widely become a term of revulsion and disgust after it changed its principal character in the wake of 1967. Professor Shlomo Avineri of the Hebrew University coined the phrase of a neo-Zionism that is dedicated to “liberate trees, stones, beautiful valleys and mountains in the land of the Bible,” and Yoram Hazony of the “Shalem Center” in Jerusalem invented the term “Yeshiva-Nationalism” – the powerful incursion of the religious establishment and its associates into politics, into the bureaucracy, and into army echelons.

One should realize that behind the fundamental rejection of Zionism in intellectual circles the question lingers about the legitimacy of the state of Israel as a whole since its establishment is regarded as a crime to the Palestinians. The story which Tom Segev describes in his book “The first Israelis” about the unexpected reunion of mother and son (he, in the meantime a soldier) in Haifa who survived the Shoah in Poland, or the promise a “Palmach” commander passed to young women who were liberated from extermination – “For the sake of these, my sisters, I am strong; for my sisters’ sake I am brave; for my sisters’ sake I will also be cruel” – have not left any emotional and / or rational impact on those circles.

Contrary to that negligence, Hamas is widely respected as the only legitimate and valuable source of Palestinian resistance, whereas President Mahmoud Abbas is generally viewed as an open collaborator of “the colonial power.” The success of Israeli messengers and institutions in the past to utilize anxieties to be charged with deep-rooted anti-Jewish prejudices has stopped working or is at least vanishing more and more. Former “Meretz” Chairman Yossi Sarid focussed the attention of his readers to the

reality that “not the whole world is against us, but we are against the whole world.”⁵

III. Some ideas for possible options

After the election of President Barack Obama the Europeans were eagerly waiting for initiatives especially after his speech in Cairo on June 4. Particularly Daniel C. Kurtzer and Scott B. Lasansky had summarized in full length the diplomatic shortcomings and political failures of the George W. Bush era⁶. But apparently no appropriate conclusions have been drawn in the White House until now.

After the expectations attributed to Obama have significantly faded away the central question remains how long it will take, until European governments will eventually come to initiatives of their own to strengthen their compass for Israeli-Palestinian final-status negotiations instead of focussing their efforts to repeat more or less uninteresting declarations, dealing with piece-meal and short-term approaches or being satisfied with the dispatch of foreign ministers, envoys and parliamentarians to one- or two-day visits to Jerusalem and Ramallah – and rather seldom to Gaza.

“Yes,” Christian clergy wrote rather disappointed two weeks before Christmas 2009, “the initiatives, the conferences, visits and negotiations have multiplied, but they have not been followed up by any change in our situation and suffering.” In correspondence with their Muslim brethren they admitted that “our hope remains strong, because it is from God. God alone is good...”⁷

Time is running out for further analyzing, observing, evaluating, and learning more about “the facts on the ground” and about the views of the conflicting parties. Ironically, the Netanyahu government is providing the severest challenge to look deeper into the Israeli behaviour particularly in Jerusalem by

- infringement of rights by invalidating Palestinian identity cards – meaning the loss of residence entitlements, generating a tacit transfer,
- denying the practical implementation of universal rights like marriages between grooms with different places of residence through restrictions of their personal movement,
- continued house demolitions,
- land confiscations under the pretext of necessary excavations of antiquities in Silwan (now “Ir David” = the “City of David”),
- barring Muslim and Christian believers from entering Jerusalem for worship,
- expulsions of home owners in Sheikh Jarrah, and
- expanding the Jewish neighbourhood of Gilo by new housing projects.

The international demand that Hamas has to recognize the state of Israel and to accept former agreements should find its equilibrium in the request that Israel fulfils the right of the Palestinian people to a viable and contiguous state of their own. Hopefully, after the Swedish draft presented in Brussels the European governments and the members of the Bundestag beyond faction lines are called upon consider seriously to bear the responsibility under the new umbrella of the Lisbon Treaty, leaving decennia without foreign policy coordination behind.

In this respect the European “Conclusions on the Middle East Peace Process” of December 8 underline the significance about the urgency of conflict resolution. For the Foreign Office in Berlin it is not

sufficient anymore to repeat “the special historical responsibility of Germany for the existence of Israel” – to which Dr. Westerwelle pulled back in Brussels once again – and to whip the formula of the “vision of two states in secure borders and in peace” rhetorically to death. The Middle East is not the 1930s and the 1940s in Germany and in Europe.

Reminiscent of that difference, I wonder whether the invitation of President Shimon Peres to address the Bundestag on 27 January 2010 – the commemoration day for the victims in Auschwitz and for the liberation of that extermination camp by the Soviet army – is a well thought-of decision. Remembering the victims of the Shoah and resolving the conflict in the Middle East is in moral terms an imprudent mixture of historical affairs which are not interdependent in today’s conflict reality – let alone that Mr. Peres represents just that part of the survivors who live in Israel. His invitation plays into the hands of those Germans who are wiling or even keen to compare the suffering of the European Jews with the Israel treatment of the Palestinians or to the “Antideutschen”, a group of Germans who try to legitimize the Israeli policy in the Middle East completely, because they claim that critical remarks are supposed to repeat the Shoah.

One thing is abundantly clear: Without an agreement about the future of Jerusalem as the political and emotional cradle of the Jewish and the Palestinian peoples, no peace will be achievable. For the Palestinian Muslims and Christians, and for Israeli Jews the Old City including the “Holy Basin” is the most precious heritage of their ancestors: For the Palestinians Jerusalem is “the Flower of Cities and [the] Capital of Capitals,”⁸ for the Jews the centre of God’s rule in the world, the centre of the Land of Israel, and the Temple on Mount Moriah the centre of Jerusalem herself.⁹

Not incidentally, the foreign ministers in Brussels focussed their attention onto the occupation of that part of the Palestinian territories. In the framework of an agreement the city as the capital of

two states it is not necessary that Jerusalem be redivided again territorially. Instead, an open city model should be established – in terms of theology: the perseverance of the “Sovereignty of the Almighty.” He, who does not want to prolong the conflict between uneven opponents has to reflect his former decision to avoid the strategy of non-interventions today and in the future. Insofar the business-as-usual reaction of the German Foreign Office to the “Discussion Paper” of former ambassadors¹⁰ was not a good omen for a change.

Jerusalem has become the central arena of international concern. On this background the “Conclusions” (not a “declaration” anymore!) should initiate a major kick-start for a new diplomatic agenda. The British cabinet was the first government at least to “recommend” in mid-December 2009 that business owners in their stores mark products from West Bank settlements to their consumers effectively. The governments of the Old Continent should extend their support to the U.S. Administration to implement their own announcements. It was President Obama himself who proposed a tandem profile together with Europe, Russia, and all states of the region.

To the Bundestag I would propose to invite more Israelis and Palestinians of the peace camps to present their positions. I remember well how Dr. Yossi Beilin und Yasser Abed Rabbo in January 2004 had a spectacular welcome reception in the “Committee for Foreign Affairs,” until the heads of the Foreign Office in cooperation with the Israeli Embassy intervened successfully with the result that the Geneva Accord as a non-government initiative had no chance to be a major topic in the German policy, although the Accord includes schemes and propositions for all relevant aspects of the conflict.

Similarly, all parties concerned with peace efforts should pay attention to a strange proposal Prof. Gerald Steinberg of the Political Science Faculty at Bar-Ilan University recently presented: i.e. to curb

the activities of international NGOs, because they work with “non-democratic methods”: the Physicians for Human Rights, B’tselem, the Centre for the Defense of the Individual (“Hamoked), the Geneva Accord, and lawyers who are involved in human rights cases pending at the High Court of Justice¹¹. The author tried to substantiate his verdict with the satisfactory inclination that these Israeli groups are not rooted in Israeli society.¹²

With Dr. Steinberg’s point of departure in mind I would like to ask

- why and for how long political foundations in Germany have contributed to financing for example the Herzliya Conference of Dr. Uzi Arad (now chief security advisor to Prime Minister Netanyahu),
- what the “America Israel Public Affairs Committee (AIPAC)” and numerous other Jewish and Evangelical organizations and groups are striving for on Capitol Hill, and
- whether it is appropriate that one day after the conference in Brussels members of the “American Jewish Committee” saw Dr. Westerwelle in Berlin to express their disappointment about German and European attitudes toward the peace process in the Middle East.¹³

I suggest that all relevant participants communicate with honesty, sincerity, and uprightness and stop employing double standards in their judgements and performances.

The deep frustration and despair of Gideon Levy “Cry, beloved country, cry” must not develop into a dead-end reality. The lamentation of Jeremiah 6:14 should be evaded with all reasonable instruments available and on all tracks: “Peace, peace, but there is no peace.” This is my message after more than forty years dealing with affairs in the Middle East.

Thank you for your attention!

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- ¹ Palestinian National Authority. Palestine. Ending the Occupation, Establishing the State. Program of the Thirteenth Government. August 2009.
 - ² David Makovsky: No freeze to the gesture, in "Haaretz" 01.12.2009 (in Hebrew).
 - ³ Eyal Weizman: Hollow Land. Israel's Architecture of Occupation, London/New York 2007. His book has been translated to German and has been published under the title "Sperrzonen. Israels Architektur der Besatzung. Hamburg 2009.
 - ⁴ Ehud Sprinzak: The Ascendance of Israel's Radical Right. New York 1991.
 - ⁵ Yossi Sarid: I have no brother, in "Haaretz" 04.12.2009.
 - ⁶ Daniel C. Kurtzer and Scott B. Lasansky: Negotiating Arab-Israeli Peace. American Leadership in the Middle East. United States Institute for Peace: Washington, D.C., 2008.
 - ⁷ "A moment of truth: A word of faith, hope, and love from the heart of Palestinian suffering," published by the Palestinian News Agency "Maan" 11.12.2009.
 - ⁸ Palestinian National Authority. Palestine, p. 9.
 - ⁹ Reiner Bernstein: Hidden Peace. Politics and Religion in the Middle East. Berlin 2000, p. 92 (in German).
 - ¹⁰ "Five theses to the Middle East conflict," in www.reiner-bernstein.de/ge_erklaerungen/Schneller_Fuenf_Thesen.pdf (in German).
 - ¹¹ In the meantime the German Foreign Office responded on April 26, 2010 to a request of Member of Parliament Petra Pau. Cf. www.reiner-bernstein.de and there under "Chronologie" 26.04.2010.
 - ¹² Gerald Steinberg: Manipulating the marketplace of ideas, in "Haaretz" 27.11.2009; Rosner's Domain: Gerald Steinberg on European funding for Israeli NGO's, in "The Jerusalem Post" 02.12.2009.
 - ¹³ AJC Meets German Foreign Minister in Berlin, AJC News 09.12.2009; AJC Disappointment at EU Ministers' Statement on Middle East, AJC News 09.12.2009.