# Beyond Business as Usual in Israel-Palestine

**Middle East Report N°225** | 10 August 2021

USMEP

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*Preventing War. Shaping Peace.*

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# Principal Findings

**What's new?** The Israeli-Palestinian conflict experienced a new outburst in April-May 2021, spreading from East Jerusalem to the occupied West Bank and Israel's mixed cities, and also to Gaza, where Israel and Hamas fought an eleven-day war, their fourth in fourteen years, exacting a high human and physical toll.

**Why did it happen?** The absence of a viable peace process and a growing loss of hope in a workable settlement lulled Israeli leaders into believing they had secured the Palestinians' acquiescence in their oppressive reality, while Palestinians felt there was increasingly little to lose from confronting Israel directly.

**Why does it matter?** The scale of the unrest, involving Palestinians throughout the territory of Israel-Palestine, and the ferocity of the violence have driven home the notion that the situation has become unsustainable. A new approach is needed. But in the meantime, urgent steps are required to stop the bleeding.

**What should be done?** International stakeholders should pursue a long-term truce in Gaza; call on Israel to halt evictions of East Jerusalem Palestinians; encourage respect for existing arrangements at Jerusalem holy sites; and support Palestinians in renewing their political leadership – all as part of opening a path toward a rights-based approach to solving the conflict.

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# *Executive Summary*

For those feeling the full impact of the Israeli-Palestinian conflict, the situation has long been unbearable, but it took major unrest in Jerusalem, the West Bank and Israeli cities, as well as yet another war in Gaza, to drive home to all that the status quo is creaking. It is no longer possible to hope that negotiations will yield peace, nor even, for the cynical, that attempts to reactivate the peace process will obscure the irrelevance thereof. A succession of right-wing Israeli governments has long abandoned talks in all but name, while many Palestinians have lost faith in the possibility of a vanishing two-state solution. True progress requires a paradigm shift that centres the need to equally respect the rights of both peoples, but that change will take time. For now, steps are needed to lower the temperature and perhaps explore new avenues toward addressing the conflict. External stakeholders must create the space for Palestinian elections and reconciliation, while pressing for a long-term truce in Gaza, and for Israel to halt expulsions of Palestinians in East Jerusalem and return to pre-existing arrangements on the Holy Esplanade.

The latest flare-up in the conflict brought an important shift in the status quo. It exposed the futility of a military solution and underlined the absolute and urgent necessity of a political approach. It also laid bare the bankruptcy both of the peace process as it existed before former U.S. President Donald Trump assumed power and of his administration's attempt at foisting a one-sided, Israel-dictated peace on the Palestinians. It pierced the complacency of Israel, many of whose leaders thought they had brought the Palestinians to heel and removed them as an obstacle to their state's development and expansion. It unmasked the fiction of peaceful Arab-Jewish coexistence in Israel, laying bare its highly imbalanced underlying dynamic. Perhaps most consequentially, it highlighted the notion that Palestinians, despite their imposed geographic fragmentation and obvious diversity, remain as one – a people aspiring to secure their collective rights.

Triggered by a series of incidents in East Jerusalem, the latest confrontation spread to all parts of the territory of Israel-Palestine and catalysed the heaviest sustained fighting between Israel and Palestinian factions in Gaza since 2014. After eleven days, both sides agreed to a ceasefire and declared victory. Israel said its Operation Guardian of the Walls had achieved its objectives: it had greatly weakened its adversaries' offensive capabilities and put them back in the proverbial box. Hamas had survived the onslaught, startled Israel with its rocket launches and, by making the need for a change in Israel's conduct in East Jerusalem its central demand, laid claim to leadership of the Palestinian national movement.

The truth lay somewhere else. Even in the Israeli security establishment, some declared Hamas the winner, citing the same factors that gave that group its post-ceasefire swagger: Israel had been caught by surprise, its vulnerabilities exposed with an Iron Dome anti-missile defence system that worked well but could not stop all rockets from getting through. Yet Hamas's victory was hollow, given not just the hammering its own capabilities received but the human and physical toll the war took upon ordinary Gazans. Its decision to go to war was controversial within the movement, even if many Palestinians cheered it on. At the same time, the established

Palestinian leadership suffered a grave blow to its standing among Palestinians, having been a spectator during the conflict. Many also saw it as a contributor to Israel's repressive apparatus in the West Bank. As for Palestinians broadly speaking, their unified yet amorphous voice arose loudly and clearly across the entire territory between the river and the sea, stressing historical themes of dispossession and repression, with Jerusalem at the core.

What must come next? Israel's defence system, the Iron Dome, has in many ways provided it with an insurance policy that afforded the luxury of not coming up with a better way to deal with Hamas. Israeli leaders tried to sustain a shaky deterrence, contenting themselves with what they call "mowing the lawn" every few years. Yet this approach has led, not to Hamas's containment, but to a growing, ever more lethal challenge that is no longer limited to Hamas and kindred groups. That a regional military superpower has a hard time providing basic defence and security for its citizens is due primarily to the bankruptcy of a political strategy that entails fragmenting the West Bank, encircling East Jerusalem from without and settling it with Jews from within, and fighting Hamas in Gaza every few years when necessary. The alternative – a return to the old peace process – no longer exists, certainly not with an Israel whose centre of gravity, even with a post-Netanyahu government, has drifted so far to the right as to have dismantled its own diplomatic exit ramp.

While the occasion requires a paradigm shift, the first priority must be to stop the bleeding. The war in Gaza may have ended but, as brief subsequent flare-ups highlight, the ceasefire remains fragile, and elsewhere – in the West Bank, East Jerusalem and inside Israel – the state continues to repress Palestinians.

Thus far, nothing Israel's new government has said or done suggests it is likely to veer from its longstanding approach. Yet it has lesser options that could at least reduce prospects of another flare-up it can ill afford, as more fighting would strain an already fractious coalition. In Gaza, Israel should forge a long-term truce, lifting the blockade in exchange for a halt to all rocket fire from the territory. At the Holy Esplanade, it should revert to the existing framework known as the Status Quo, to which it has subscribed since 1967 and which has largely kept the peace there, albeit increasingly less so of late. In East Jerusalem, Israeli authorities should rescind the orders to evict Palestinian residents of Sheikh Jarrah and generally refrain from expelling Palestinians from that part of the city. Israel also needs to grapple with deep rifts within its own society caused by institutionalised discrimination against Palestinian citizens.

For Palestinians, the latest events show how desperately they need a leadership that can effectively negotiate and coordinate efforts on their behalf. Elections, which Palestinian President Mahmoud Abbas cancelled in April – due in part to Israeli restrictions on voting in East Jerusalem – should happen, as imperfect as their administration may be under current conditions: political renewal is critical, and people have made clear they want a vote. The broader goal should be internal dialogue and political reconciliation, and a return to representative national institutions embodied in the Palestine Liberation Organisation and accountable governance by the Palestinian Authority.

None of these measures are likely absent a firmer international line. Beyond pressing for a long-term truce in Gaza, a return to the Status Quo in the Holy Esplanade and a halt to eviction orders in East Jerusalem, foreign powers could take other steps.

They should support Palestinian elections under the freest and fairest conditions attainable, including with East Jerusalem Palestinians' participation. They should also revise the conditions the Quartet (the U.S., UN, European Union and Russia) has imposed on Hamas for the past fifteen years – recognising Israel, renouncing violence and accepting all previous Israeli-Palestinian agreements – in a manner that at least allows the group to participate in a unity government, for example by nominating ministers who are not card-carrying Hamas members. Western politicians may be loath to change tack now that Hamas has grown stronger in the wake of the April-May crisis. But the current policy is inherently misguided and has long since scored an own goal: empowering Hamas, while obstructing the Palestinian reconciliation and political renewal that international actors claim they support.

Ideally, foreign powers would go further still. They would recognise that the conflict's current manifestation is becoming increasingly unsustainable; that depriving the Palestinian people of a unified national voice by dividing them will lead to neither peace nor surrender; that neither Jews nor Palestinians have a unique claim on self-determination; and that the way forward should be based on the overriding principles of respect for international law and protecting people's rights in Israel-Palestine (notably those whose rights are least respected, the Palestinians, including those living as refugees outside the territory), regardless of whatever form a political solution takes. They also need to do more to hold the sides accountable – Hamas for its indiscriminate attacks; Israel for its policies of systematic discrimination, dispossession and de facto annexation; and the Palestinian Authority for its repressive measures targeting individuals and groups that are critical of it. Interim measures are urgently needed, but the latest bout of fighting offers still more evidence that a rethink of the entire edifice of the peace process is long overdue.

**Tel Aviv/Ramallah/Gaza City/Brussels, 10 August 2021**

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## I. Introduction

The latest flare-up in Israel-Palestine took place, unusually, in all parts of its territory. In Israeli-occupied East Jerusalem and Israel's mixed cities, the conflict assumed the form of altercations between, on one side, Palestinians engaging in peaceful marches and sit-ins, escalating to stone throwing and mob violence against Jews and Jewish property; and, on the other, Israeli police (in some places backed up by paramilitary Border Police) and Jewish mobs largely protected by the police. In the West Bank, the Israeli side comprised soldiers using live fire, as well as roaming settlers beating Palestinian residents. In Gaza, Hamas fired over 4,300 rockets at Israel, and the Israeli military wreaked heavy destruction in response, using air and artillery bombardments.

The human and physical costs highlighted the severe imbalance in the conflict. The Gaza Strip was hardest hit, continuing the record set in previous violent rounds in 2008-2009, 2012 and 2014. This coastal enclave of 365 sq km is home to over two million people, making it one of the most densely populated areas in the world; most have no safe rooms or bomb shelters. Roughly 70 per cent of the Strip's residents are UN-registered refugees, nearly half of whom are unemployed. Israel, which occupied Gaza in 1967, retains full control of Gaza's land, sea and airspace despite removing all soldiers and Jewish settlers in 2005. Egypt, which controls the Strip's only other land border at Rafah, maintains its own strict limitations on entry and egress for people, goods and services.[1]

The death toll in Gaza from eleven days of fighting stood at 254, mostly civilians, including 66 children, but also scores of Hamas fighters, while more than 1,900 were wounded.[2] More than 75,000 people were temporarily displaced, many having found shelter in UN Relief and Works Agency (UNRWA) schools during the bombardments, and upward of 2,500 were left homeless.[3] Gaza's public works and housing ministry noted that 1,800 housing units were completely destroyed and 14,315 damaged, adding that 74 government buildings were knocked down as well.[4]

[1] Since Hamas's takeover of the Strip in 2007, Rafah has become the main exit point for the majority of Palestinians who wish to travel, study or seek medical care abroad. Egypt largely kept the crossing closed for a number of years, but on 9 February of this year it opened the crossing on a daily basis as part of its effort to encourage Palestinian reconciliation talks in Cairo. Yet it allowed only 250-300 Palestinians to cross every day, something far short of demand in Gaza.

[2] Ministry of Health in the Gaza Strip, 25 May 2021. Yahya Sinwar of Hamas claimed that 80 of those killed were fighters, including 57 from Hamas, 22 from Palestinian Islamic Jihad and one from the Popular Resistance. Press conference broadcast on Al Jazeera, video, YouTube, 26 May 2021. For details about the children killed, see "They were only children", *The New York Times*, 26 May 2021.

[3] "Occupied Palestinian Territory: Flash Update #9, Escalation in the Gaza Strip, the West Bank and Israel", UN Office of the Coordinator for Humanitarian Affairs (OCHA), 18-19 May 2021.

[4] Cited by Al-Mezan, "Cessation of Israel's Latest Full-Scale Military Operation on Gaza: Closure must now be Lifted and War Criminals Held Accountable", 22 May 2021.

Hamas fired a total of 4,360 rockets at Israel from Gaza over eleven days. Some 680 projectiles landed inside the Strip, having misfired or fallen short.[5] Israel claims that its Iron Dome anti-missile defence system intercepted some 90 per cent of those that reached its airspace.[6] Hamas rockets forced around 70 per cent of the Israeli population to go into bomb shelters at various times, and they killed twelve people, including two children. School was cancelled across a swathe of Israel from Gaza's periphery to an area just north of Tel Aviv during the entire period. Many Israelis who live near Gaza slept in shelters or fled to safer parts of the country.

There were casualties elsewhere, too. In East Jerusalem, at least 600 Palestinians were injured in scuffles during police raids at al-Aqsa mosque.[7] In the West Bank, fifteen Palestinians were killed and over 1,700 injured.[8] In Israel's mixed cities, two Jewish and two Palestinian citizens were killed, and dozens more injured, some seriously.

This report provides a summary of what happened, discusses how the principal political actors fared and tries to illuminate a way out of this conflict's seemingly interminable destructive cycle for the betterment of both Israel and the Palestinians. It is based on over 100 interviews conducted during April-July 2021 with Israeli, Palestinian Authority (PA), Fatah and Hamas officials and actors in military wings; UN, U.S. and European officials; Palestinian activists; Gaza residents; and former Israeli security and intelligence officials.

[5] "Israel's Gaza challenge: stopping metal tubes turning into rockets", Reuters, 23 May 2021.
[6] Ibid.
[7] Josef Federman and Fares Akram, "Gaza militants, Israel trade new rocket fire and airstrikes", Associated Press, 11 May 2021; and Oliver Holmes and Peter Beaumont, "Israel launches airstrikes on Gaza Strip after Hamas rocket attacks", *The Guardian*, 10 May 2021.
[8] Thirty-four Palestinians were killed in the West Bank in May, reportedly the highest monthly total in ten years. "Israeli forces open fire on Palestinians; hundreds wounded", Al Jazeera, 9 July 2021.

## II. Evolution of the Conflict

The recent bout of conflict began following a set of separate but interconnected incidents in East Jerusalem that cumulatively catalysed the heaviest sustained fighting between Israel and Palestinian factions in Gaza since 2014. These included impending expulsions of Palestinian families from the Sheikh Jarrah neighbourhood, marches by ultra-nationalist Israeli Jews ahead of and on Jerusalem Day, and – most provocatively – repeated Israeli police harassment of Palestinians in and around the Old City, particularly of worshippers near or at al-Aqsa mosque, during the Muslim holy month of Ramadan. Together, the incidents comprised an opportune moment for Hamas to seize on the Jerusalem issue as Palestinians' unifying rallying cry, and to fire rockets into Israel, thus sparking a dramatic escalation.

### A. *East Jerusalem*

Several hundred Palestinians were injured in altercations with Israeli police in the weeks before fighting broke out in Gaza. Clashes in East Jerusalem began on 9 April, ahead of an Israeli Supreme Court ruling expected to back the state-ordered expulsion of Palestinian residents from the neighbourhood of Sheikh Jarrah. Demonstrations against the expulsions picked up on 13 April, coinciding with the first day of Ramadan, and continued intermittently throughout the month. Apart from Sheikh Jarrah, protests were centred on the area around Damascus Gate, a place where East Jerusalem residents gather to socialise after *iftar*, the evening meal breaking the Ramadan fast, and later on the Holy Esplanade (Haram al-Sharif/Temple Mount) itself, including inside the al-Aqsa mosque.

On 13 April, Israeli police banned East Jerusalem residents from congregating on the Damascus Gate steps by barricading the area in what they claimed was an effort to prevent crowding in the Old City during Ramadan.[9] The same day, the police entered the Holy Esplanade and "cut the cables to the loudspeakers" atop "[al-Aqsa's] four medieval minarets", for fear that the prayers would drown out a nearby speech by the Israeli president on Israel's Memorial Day (Yom Hazikaron).[10] Palestinian youth in East Jerusalem, many of whom were unaligned with any political faction, then began a new set of nightly protests that angered ultra-nationalist Jews, who claim the entirety of Jerusalem as their capital.[11] The latter marched toward Damascus Gate on several nights, chanting "death to Arabs" and attacking Palestinians in the streets. Video footage of physical assaults by people on both sides appeared on social media platforms, causing tempers to flare.[12] Meanwhile, Sheikh Jarrah residents, joined by

[9] Nir Hasson and Josh Breiner, "After violent clashes, barricades removed at Jerusalem's Damascus Gate", *Haaretz*, 25 April 2021.
[10] Patrick Kingsley, "After years of quiet, Israeli-Palestinian conflict exploded. Why now?", *The New York Times*, 15 May 2021.
[11] Crisis Group telephone interviews, East Jerusalem residents and protesters, April 2021.
[12] See Nir Hasson, "Dozens wounded in far-right, anti-Arab Jerusalem protest", *Haaretz*, 22 April 2021; and "Several attacked as Jerusalem mob chants 'death to Arabs'; 6 arrested", *Times of Israel*, 20 April 2021.

other East Jerusalemites, were staging nightly *iftar* sit-ins to protest the planned expulsion on Israeli orders of four households.[13]

The plans were part of a well-worn pattern of displacement of Palestinians and insertion of Jewish Israeli settlers into Palestinian neighbourhoods in the vicinity of Jerusalem's Old City with the express intent of creating new demographic realities.[14] The Israeli Supreme Court was scheduled to issue a final ruling on the expulsions on 10 May, but the day before, the judges decided to delay the concluding session for 30 days. Yet protests had already started escalating when far-right Knesset member Itamar Ben Gvir put up a makeshift "parliamentary office" in Sheikh Jarrah on 6 May, using his Knesset immunity to heckle and provoke those who had gathered peacefully for *iftar*.[15] Israeli police fired sponge-tipped bullets, stun grenades and skunk water at Palestinian residents, causing hundreds of injuries.[16]

In addition, throughout April, Israeli police continuously obstructed Palestinian electoral campaigning in East Jerusalem, arresting politicians and their supporters ahead of Palestinian Legislative Council elections that had been slated for 22 May. These actions were consistent with Israel's policy to prevent Palestinian political organising, the Palestinian Authority from operating and Palestinians from voting for Palestinian institutions in the city.[17] President Mahmoud Abbas's 29 April announcement that the elections would be "postponed indefinitely" did little to calm tempers, as he cited the absence of an Israeli green light allowing East Jerusalem Palestinians to vote as the main reason for his decision.[18]

Things came to a head in the last four days of Ramadan, when Israeli police, responding to chair and bottle throwing, began firing sponge-tipped bullets, stun grenades and tear gas at Palestinians inside al-Aqsa, Islam's third most sacred site. On 7 May, Israeli police clashed with young Palestinians and used force against worshippers at al-Aqsa, injuring dozens and closing the gates leading to the mosque. The next day, authorities blocked busloads of Palestinian citizens of Israel from entering Jerusalem and reaching al-Aqsa for prayers on *laylat al-qadr*, the holiest night of Ramadan; Israel's repression of the protests that ensued anyway again involved violence against

[13] The planned expulsions from Sheikh Jarrah are not limited to these four households. At least 27 other households are fighting similar eviction orders. For more on the legal cases, see "Fact Sheet Regarding the Case of Sheikh Jarrah – The Occupied Jerusalem (Field Facts and Legal Findings)", Law4Palestine.org, 13 May 2021.

[14] See Crisis Group Middle East Report N°202, *Reversing Israel's Deepening Annexation of Occupied East Jerusalem*, 12 June 2019.

[15] Israel's police chief told Israeli media: "The person who is responsible for this intifada is Itamar Ben Gvir". "Itamar Ben Gvir, the ultra-nationalist accused of stirring up violence in Jerusalem", France 24, 15 May 2021.

[16] "Far-right MK vacates Sheikh Jarrah 'office' in return for more policing in area", *Times of Israel*, 7 May 2021.

[17] Israel's approach to East Jerusalem since occupying it is that it is part of Israel and as such there is no place for Palestinian political organising, despite the clause in the Oslo accords that calls for Palestinian residents of East Jerusalem to be able to vote in Palestinian elections. For more on this policy, see Crisis Group/USMEP Statement, "Why Palestinian Elections Should Get Back on Track", 30 April 2021; and Crisis Group Report, *Reversing Israel's Deepening Annexation of Occupied East Jerusalem*, op. cit.

[18] See Crisis Group/USMEP Statement, "Why Palestinian Elections Should Get Back on Track", op. cit.

the Muslim faithful on the Holy Esplanade.[19] On 9 May, Israeli forces fired stun grenades and tear gas canisters at stone-throwing youth inside the compound and forced their way into the mosque, injuring scores of worshippers.

Another such raid occurred the following day, 10 May, which happened to be Jerusalem Day, when Israel commemorates what it calls the reunification of the city in the 1967 war. Palestinian residents of East Jerusalem and thousands of West Bank Palestinians holding Jerusalem entry permits staged protests and prayers at al-Aqsa against a planned march by Israeli ultra-nationalist Jews through the Old City's Muslim Quarter toward the central plaza that abuts the Holy Esplanade. On the plaza's western edge stands the wall that Jews believe to be the last remnant of the ancient Second Temple. Israeli authorities redirected the march at the last moment upon the advice of their security officers and under international pressure, diverting it from the Muslim Quarter. But the decision came too late and did not lower the temperature.

That night, thousands of Israelis gathered at the Western Wall plaza to celebrate Jerusalem Day despite Hamas having launched its first volley of rockets. At one point, as they were dancing and singing religious nationalist songs derived from the Biblical story of Samson – "O God, that I may be at once avenged of the Philistines for my two eyes" – a cypress tree on the Holy Esplanade caught fire. Scores could be seen celebrating as smoke billowed. It appeared to be Palestinians throwing firecrackers who accidentally set off the blaze, but the video of a mass of Jewish Israelis cheering flames at Islam's third holiest site went viral, exacerbating the rage already felt in the Muslim world about Israel's raid upon al-Aqsa during Ramadan.[20]

### B. *The Gaza Strip*

Over the course of those weeks, from mid-April until 10 May, senior Hamas leaders, from both its political and armed wings, issued statements in support of the protesters and threatened retaliation if Israel continued its violent crackdown on the various demonstrations.

Hamas's armed wing, the Izz al-Din al-Qassam Brigades, issued its own warnings, saying Israel would pay a "heavy price" for its actions. Its leader, Mohammed al-Deif, declared: "The Qassam Brigades will not stand idly by in the face of attacks on the Sheikh Jarrah neighbourhood".[21] His statement carried particular weight with Israeli forces, which have repeatedly tried to assassinate him; he has been presumed dead mistakenly for periods of time.[22]

[19] "Conflicts in East Jerusalem; Hamas threatens: Deif will not break his promise", *Globes*, 8 May 2021 (Hebrew).

[20] "Jews dancing while fire rages on Temple Mount lights up social media", *Jerusalem Post*, 11 May 2021.

[21] "Hamas commander warns Israel over occupied East Jerusalem attacks", Al Jazeera, 5 May 2021. Hamas also directed its ire at Arab leaders in the region. Mahmoud al-Zahhar, a member of the Hamas political bureau, condemned Arab leaders for remaining "silent as they watch the attack on al-Aqsa mosque", saying the only way to address the situation in Jerusalem was "armed resistance". Arwa Ibrahim, "Hamas warns of consequences", Al Jazeera, 7 May 2021.

[22] "An Israeli campaign targets a Hamas commander who has escaped death many times", *The New York Times*, 19 May 2021.

During clashes on the three consecutive days when Israeli security forces stormed the Holy Esplanade, chanting Palestinians called upon Hamas to intervene, in particular invoking the name of al-Deif.[23] As leaders of a self-described Islamic national liberation and resistance movement, Hamas officials calculated that they could not risk being seen as watching from the sidelines when al-Aqsa had become, once again, a major flashpoint, with Palestinians appealing for them to take action.[24]

In the preceding six months, the Hamas leadership inside Gaza had discussed the state of the Palestinian national movement and the implications of its own containment in the Gaza Strip. According to Hamas sources, the group decided that it would use any future confrontations with Israel to pursue larger goals. In other words, it would no longer keep its objectives to extracting narrowly focused concessions from Israel (such as easing the blockade or temporarily opening border crossings); rather, it would apply its limited resources to what it saw as its original raison d'être as a resistance movement, placing goals of liberation and dignity at the heart of its strategy. Accordingly, when East Jerusalem erupted over the aforementioned issues in April and early May, key Hamas leaders inside Gaza saw the occasion as their chance to highlight the group's internal strategic shift, reoriented now toward the Palestinian cause in its entirety.[25]

Watching events unfold in East Jerusalem in April and repeatedly threatening a response, the Joint Chamber of Palestinian Resistance Factions in the Gaza Strip, in which Hamas plays a leading role, issued an ultimatum to Israel on 10 May, announcing that Israel had until 6pm local time that day to withdraw its forces from al-Aqsa and Sheikh Jarrah, and release all Palestinians detained during that period.[26] Shortly after the deadline expired, seeing no change in Israel's posture, Hamas fired seven rockets from Gaza toward Jerusalem. Palestinians in the city cheered, while Israelis headed to shelters and the Knesset plenum halted its proceedings as Knesset members headed for secure rooms.[27] Shortly afterward, Israeli Prime Minister Benjamin Netanyahu warned that Hamas had "crossed a red line" and that Israel would respond with great force.[28] Israel soon launched a series of heavy tank strikes and airstrikes on locations throughout Gaza, targeting Hamas command facilities and government compounds, and killing three Hamas fighters.[29]

Eleven days of war followed. On the first night of its offensive, which it dubbed Operation Guardian of the Walls, Israel targeted the Gaza Strip's northern and eastern peripheries, before moving farther east, farther south and toward the centre. By 13 May, the Israel Defence Forces (IDF) began assembling tanks, artillery and ground

[23] "'We are all Hamas': Palestinians wave terror group's flag on Temple Mount", *Times of Israel*, 7 May 2021.
[24] Crisis Group interviews, senior officials of Hamas's Gaza political bureau, Gaza, May 2021.
[25] Crisis Group interviews, senior Hamas officials from the Gaza political bureau and military wing, Gaza, 22 May 2021.
[26] Hana Salah, "Jerusalem violence reignites tension between Gaza, Israel", *Al-Monitor*, 12 May 2021.
[27] "Knesset plenum evacuated over rocket fire; MKs return a few minutes later", *Times of Israel*, 10 May 2021; and David Hearst, "Israel-Palestine: Nine days that shook the world", *Middle East Eye*, 19 May 2021.
[28] Lahav Harkov, "Netanyahu: Gaza terrorists crossed red line with Jerusalem rockets", *Jerusalem Post*, 10 May 2021.
[29] Ibid.

troops along Gaza's northern and southern frontiers, with artillery strikes seeking to create what Israeli military sources referred to as a "fire belt" around the territory's perimeter.[30] Earlier in the day, the IDF suggested that a ground offensive was imminent, though it did not take place.

On 14 May, in a 40-minute air campaign starting around midnight, some 160 aircraft dropped about 450 bombs on 150 targets the IDF claimed belonged to a network of tunnels dug underneath Gaza City.[31] The IDF referred to this complex as the "Metro", and said it was a "strategic asset" that Hamas had built in the years after the 2014 war. Israel said the group used the tunnels to store weapons and move fighters throughout the Strip, hidden from Israeli aircraft.[32]

Israel claims to have also struck rocket-launching sites, including the long-range launcher used to fire rockets at Jerusalem on 10 May. Other targets included Hamas surface-to-surface and anti-tank missile launch sites, an intelligence centre and observation posts on land and off Gaza's southern coast.[33]

One of the deadliest days of clashes was 16 May, when Israeli air raids on Gaza City flattened three residential buildings, killing at least 42 people, including ten children. In many cases over the course of Israel's operation, civilians received no warning to evacuate their homes or workplaces.[34] These strikes also killed two of Gaza's essential medical personnel: its top neurologist, Mouin Ahmad al-Aloul, and the deputy head of Gaza's coronavirus task force at the al-Shifa hospital, Ayman Abu al-Ouf, who died along with twelve members of his extended family.[35] On the same day, Israeli aircraft also struck the homes of top Hamas figures Yahya Sinwar and Khalil al-Hayya; the operational office of Hamas security head Tawfiq Abu Naim; and two apartments belonging to Hamas naval force operatives.[36] The following day, the Israeli military said it had killed a top Islamic Jihad commander, Hussam Abu Harbeed.[37]

Overall, Israeli artillery raids destroyed or badly damaged nearly 500 buildings in the Gaza Strip. These include several high-rise buildings where 33 media outlets had offices. The Al-Jalaa tower alone, bombed on 15 May, housed more than a dozen international and local press offices, including Al Jazeera and the Associated Press. Israel said Hamas was using the tower to try and jam the Israeli Iron Dome defence system, adding that it had provided U.S. Secretary of State Antony Blinken with intelligence

[30] "How did Hamas foil the Israeli army's trick last night?", *Sama News*, 16 May 2021 (Arabic); and "For this reason, the Israeli army used the 'Belt of Fire' plan on Gaza", *Gaza City*, 26 May 2021 (Arabic); both citing Israel's Channel 13.

[31] Tovah Lazaroff and Anna Ahronheim, "Security cabinet meets as pressure mounts on Israel to end Gaza operation", *Jerusalem Post*, 16 May 2021.

[32] "IDF rejects claims media unit cheated journalists with Gaza invasion tweet", *Jerusalem Post*, 15 May 2021.

[33] Lazaroff and Ahronheim, "Security cabinet meets as pressure mounts on Israel to end Gaza operation", op. cit.

[34] "'No warning': Israeli air attack on Gaza kills eight children, say residents", *The Guardian*, 15 May 2021.

[35] Lina Shaikhouni, "'His death is a catastrophe': Gaza doctors mourn specialist killed in air strike", BBC, 20 May 2021.

[36] Crisis Group interviews, senior officials of Hamas's Gaza political bureau and military wing; and Crisis Group observations, Gaza, 18 May 2021.

[37] Virginia Pietromarchi and Usaid Siddiqui, "Israel kills Islamic Jihad commander, Gaza death toll above 200", Al Jazeera, 17 May 2021.

to that effect.[38] Israel also destroyed more than 184 residential and commercial properties, including beachside cafés, factories, commercial stores, charity centres and vocational institutes. Israeli attacks damaged at least 51 educational facilities, including 46 schools, two kindergartens, an UNRWA training centre and parts of the Islamic University of Gaza.[39]

Gaza's already depleted medical sector saw at least six hospitals and eleven primary health care centres struck by Israeli air raids this time around, including the strip's only COVID-19 testing laboratory, which was left inoperable following an Israeli attack that hit a nearby building on 17 May.[40] Gaza's electricity network also suffered damage, leading to daily power outages lasting as long as 21 hours. The blackouts affected water and sanitation facilities across the territory, leaving at least 250,000 people without access to drinking water, similar to Israel's targeting of Gaza's sole power generation plant in previous assaults.[41] The humanitarian situation in Gaza was at a crisis point well before the latest bombardment, with its health system in near-collapse.[42] But now the World Health Organisation is warning that Gaza suffers from a severe shortage of medical supplies, a risk of waterborne diseases and intensified spread of COVID-19 because of displaced residents crowding into schools.[43]

### C. *Inside Israel*

Clashes over expulsions in East Jerusalem, violence at al-Aqsa and the outbreak of cross-border conflict between Hamas and Israel had the domino effect of triggering unrest in Israel's mixed cities, such as Lod/al-Lid, Ramla, Tel Aviv/Jaffa, Haifa, Akko/Akka and Rahat, as well as majority-Palestinian towns like Nazareth and Umm al-Fahm. While such incidents are not new, their occurrence in response to and in tandem with violence in Gaza and the occupied West Bank, including East Jerusalem, was unprecedentedly widespread.

On 10 May, as Hamas fired rockets at Jerusalem from Gaza, Palestinian citizens of Israel in Lod/al-Lid and other Israeli cities gathered to protest Israeli security forces' actions at the Holy Esplanade and in Sheikh Jarrah. Police broke up the demonstrations with tear gas and stun grenades. That night, a Jewish gunman shot dead a Palestinian resident of al-Lid during clashes, claiming self-defence. The shooting sparked intense rioting, which lasted for days, with Palestinians setting fire to synagogues and police cars and assaulting Jewish residents with rocks and, at times, live fire. Conversely, Jews, including some coming from neighbouring towns, attacked Palestinians,

[38] "Israel destroys Gaza tower housing AP and Al Jazeera offices", Reuters, 16 May 2021. For Israel's justification, see "Israel says Gaza tower it destroyed was used by Hamas to try and jam Iron Dome system", BBC, 8 June 2021. In mid-May, Blinken said Israel had supplied "further information through intelligence channels" – pursuant to a U.S. request – but gave no details. "US says Israel provided information on Gaza media tower bombing", Al Jazeera, 18 May 2021.

[39] "OCHA Situation Report on the West Bank, Gaza and Israel", OCHA, 20 May 2021.

[40] Pietromarchi and Siddiqui, "Israel kills Islamic Jihad commander, Gaza death toll above 200", op. cit.

[41] "Gaza: Widespread Impact of Power Plant Attack", Human Rights Watch, 3 August 2014.

[42] Crisis Group Middle East Briefing N°78, *Gaza's New Coronavirus Fears*, 9 September 2020.

[43] "U.N. agency says 52,000 displaced in Gaza, Amnesty wants war crimes investigation", Reuters, 18 May 2021.

torching a mosque and desecrating a Muslim cemetery, at times while Israel police looked on passively.[44] On 17 May, a Jewish man, who had been pelted with bricks by Palestinians while driving his car a few days earlier, died of his wounds.[45]

These events prompted the government to declare a state of emergency in Lod/al-Lid, the first time Israel has used such emergency measures, including nightly curfews, against its Palestinian citizens since Israel dismantled military rule over them in 1966.[46] The state also deployed paramilitary Border Police forces from the occupied West Bank. Israel's public security minister, a Netanyahu loyalist, tweeted that the four Jewish gunmen arrested in connection with the Palestinian resident's killing should be released.[47] Despite the curfew, Jewish ultra-nationalist gangs, including West Bank settlers, swarmed the city on 12 May, armed with stones and batons, attacking Palestinian residents. Israeli forces that were supposed to enforce the curfew again stood idly by most of the time.[48] Violence perpetrated by Jews received far less scrutiny than that by Palestinians. At a press conference in Lod/al-Lid on 15 May, Netanyahu warned that "anyone who acts like a terrorist will be treated like a terrorist", clearly referencing Palestinian citizens of Israel and thus engaging in dog-whistle politics.[49]

Lod/al-Lid is a working-class city south of Tel Aviv; 30 per cent of its population is Palestinian. During the 1948 Arab-Israeli war, when it was a majority-Palestinian city, Jewish battalions entered the city, expelled the Palestinian residents and shot 250 men, women and children inside a mosque, a massacre that is seared into Palestinians' collective memory.[50]

Today, the city is notorious as a hub of crime, as well as government neglect and disparities between Palestinians and Jews. Israel's Palestinian parties have long implored the government to address the city's crime problem. In the last five years, religious nationalists have moved into the city in order to change its demographic balance further in Jews' favour, establishing a *yeshiva trom z'vai*, a pre-military religious academy.[51] The influx of new Jewish residents has exacerbated the gaping disparities between Jewish and Palestinian citizens in the city, as the state invests its resources and funds in the former, while neglecting the latter. Palestinian citizens have long had difficulties in obtaining building permits to expand their homes as their families grow. Jewish citizens do not face this problem. Often, Palestinians proceed with con-

[44] Oren Ziv, "Lyd's Palestinians are leading a new uprising", *+972 Magazine*, 20 May 2021.
[45] "Jewish man seriously hurt by Arab mob in Lod dies of wounds", *Times of Israel*, 17 May 2021.
[46] "Israel declares emergency in Lod as unrest spreads", BBC, 12 May 2021.
[47] Tweet by Amir Ohana, @AmirOhana, Israeli public security minister, 1:55am, 12 May 2021.
[48] Oren Ziv, "How Israeli police are colluding with settlers against Palestinian citizens", *+972 Magazine*, 13 May 2021.
[49] Jonathan Lis, "Netanyahu on Jewish-Arab violence: 'Anyone who acts as a terrorist will be treated as such'", *Haaretz*, 16 May 2021.
[50] At the time, only just over 1,000 of the original Palestinian population were allowed to remain. See Ari Shavit, "Lydda, 1948", *The New Yorker*, 21 October 2013; and "Welcome to the city of al-Lydd", Palestine Remembered, n.d.
[51] Nir Yahav, "The real story behind the 'Judaisation of mixed cities'", Walla, 5 November 2015 (Hebrew). Pre-military religious academies prepare youth for military service by trying to instil in them a sense of purpose that weds their religious devotion to commitment to serve the country in the military. These academies are often hotbeds of extreme nationalist sentiment.

struction regardless, running the risk of eviction and demolition; in some cases, the state will not hook up houses built without permits to its electricity and water supplies (in contrast, for instance, to how Israel treats even those Jewish settlements in the West Bank that the government has not formally authorised).[52]

For Palestinian citizens of Israel, the evolving situation in the occupied West Bank and East Jerusalem evokes their own predicament. Little surprise, then, that Palestinians in al-Lid, incensed by the events at al-Aqsa, readily identified with the Sheikh Jarrah families facing expulsion in favour of Jews and rose up in solidarity. A Palestinian resident of al-Lid said: "Sheikh Jarrah woke up the Palestinian street. These are the same grievances".[53]

Incidents of mob violence took place across Israel. In Akko/Akka, Palestinians assaulted a Jewish man on 12 May, leaving him in serious condition.[54] A well-known seafood restaurant was set ablaze and several Jewish historical and cultural sites defaced, damaged or torched.[55] That same night in Bat Yam, a coastal town, dozens of ultra-nationalist Jews bearing the Israeli flag vandalised Palestinian-owned retail outlets and assaulted a Palestinian citizen, who had to be hospitalised. In West Jerusalem, a Jewish mob stabbed a Palestinian man.[56] During clashes in Umm al-Fahm, where for weeks residents had been protesting police brutality and rampant gun violence, police shot a seventeen-year-old boy sitting in his car; he died a week later.[57] In some areas, like Jaffa, police conducted random house raids, met peaceful protests with stun grenades, deployed undercover officers and erected checkpoints, thus making freedom of movement more difficult, much like military procedures in the occupied West Bank. The appearance of armed vigilantes in Israeli cities during the disturbances added to a sense of breakdown in law and order.

These scenes have been a rude awakening for many Israelis, though their roots run deep. The Palestinian minority constitutes about 20 per cent of the Israeli citizenry. It has long faced structural discrimination, entrenched to a more permanent and official level by the 2018 Jewish nation-state law. This legislation states that "the right to exercise national self-determination" in Israel is "unique to the Jewish people"; it establishes Hebrew as Israel's official language and downgrades Arabic; and it establishes "Jewish settlement as a national value" and pledges that the state "will labour to encourage and promote its establishment and development".[58] The law greatly enflamed Palestinians' longstanding sense of disenfranchisement.

Arrest totals reported in the aftermath of the mob violence highlight the disparities. Police said they had made a total of 2,142 arrests in the operation they dubbed

[52] See "Israel: Discriminatory Land Policies Hem in Palestinians", Human Rights Watch, 12 May 2020.
[53] Crisis Group telephone interview, Rula Daoud, al-Lid resident and national director of Arab-Jewish movement Standing Together, 12 May 2021.
[54] Bar Peleg, "Attempted lynching and smashed stores as Jewish-Arab clashes spread across Israel", *Haaretz*, 12 May 2021.
[55] "Arab rioters attack two major symbols of Israel's ancient heritage", *Haaretz*, 13 May 2021; and Peter Beaumont, "This is more than a reaction to rockets: communal violence spreads in Israel", *The Guardian*, 13 May 2021.
[56] "Palestinian in critical condition after being knifed by Jewish mob in Jerusalem", *Times of Israel*, 13 May 2021.
[57] "Thousands attend funeral of Arab teen allegedly killed by Israeli police", *Haaretz*, 20 May 2021.
[58] "Basic Law: Israel – The Nation State of the Jewish People", 26 July 2018 (Hebrew).

Law and Order, 92 per cent of them Palestinians.[59] The difference may have been greater; a Palestinian Knesset member claimed this number did not include Palestinians arrested by the Shin Bet, Israel's internal security agency.[60] Of the 170 citizens charged, 90 per cent are Palestinian.[61] These numbers do not simply reflect the balance of the violence, but rather a discriminatory arrest pattern.

Two elements have been added to the mix. The first is the empowerment of right-wing thuggery among Israeli Jews toward Palestinian citizens, which authorities often ignore. A report in *The New York Times* suggested that Israeli ultra-nationalists formed more than 100 new WhatsApp groups to stage attacks on Palestinians, which led, among other incidents, to a street brawl in Bat Yam on 12 May. The episode was one of dozens that authorities have linked to a surge of anti-Arab mobilisation on the social media platform.[62]

The second factor is the representation of that incendiary trend in parliament. Israeli politicians of various parties have been cultivating ethnic hatred of Palestinians in general and Palestinian citizens in particular for a long time. Some, like Avigdor Lieberman, now finance minister in the new government and a former defence minister, who coined the slogan "without loyalty, no citizenship", have called for Palestinian citizens to be stripped of their citizenship and for the lands on which they live to be excised from Israel and conjoined to a future Palestinian state.[63] Ayelet Shaked, the interior minister and number two in Bennett's party, has posted that the enemy is "the Palestinian people" and that Israel's war is with all Palestinians, including mothers and children, as "otherwise more little snakes will be raised".[64] Netanyahu has called members of the Arab Joint List "terror supporters" and portrayed Palestinian citizens as an existential threat, saying during the 2015 elections that they were "going to the polls in droves", as if exercising their democratic rights was a danger to the state.[65]

In the March 2021 elections, Netanyahu signed a vote-sharing agreement with Itamar Ben Gvir and Betzalel Smotrich, both far-right figures notorious for their anti-Palestinian positions; gave a slot on the Likud Knesset list to the unified "religious Zionism" faction to permit the two party leaders to unite under one umbrella; and called on voters to support that list as a fallback option to voting Likud, thereby pro-

[59] "Summary of Operation Law and Order of the Israel Police", Israel Ministry of Public Security, 3 June 2021.
[60] Isabel Kershner, "Israeli police round up more than 1,550 suspects in mob violence", *The New York Times*, 24 May 2021.
[61] Josh Breiner and Bar Peleg, "After widespread civil unrest in Israeli cities, over 90 percent of those indicted are Arabs", *Haaretz*, 20 May 2021.
[62] Sheera Frenkel, "Mob violence against Palestinians in Israel is fueled by groups on WhatsApp", *The New York Times*, 19 May 2021.
[63] In 2004, Avigdor Lieberman first proposed the "populated-area exchange plan", in which areas in Israel heavily populated by Palestinians would become part of a future Palestinian state. "Plans to transfer Arab Israelis to new Palestinian state seeks legal approval", *The Guardian*, 25 March 2014.
[64] From a Facebook post by Ayelet Shaked, 1 July 2014, in which she quoted an article by former Israeli settler leader Uri Elitzur. The item is referenced in Ishaan Tharoor, "Israel's new justice minister considers all Palestinians to be 'the enemy'", *The Washington Post*, 7 May 2015.
[65] Lahav Harkov, "Right-wing bloc assails 'dangerous' Arab List-backed gov't", *Jerusalem Post*, 18 November 2019; Dahlia Scheindlin, "By labeling Arabs an 'existential threat', Bibi invokes a terrifying history of ethnic violence", *+972 Magazine*, 18 November 2019; and Mairav Zonszein, "Binyamin Netanyahu: 'Arab voters are heading to the polling stations in droves'", The Guardian, 17 March 2015.

moting their entry into the Knesset.[66] Since the election, Smotrich has said Palestinian Israelis are citizens "for now".[67]

Netanyahu continued on the same divisive path even after the bulk of the violence had ceased. He has not called out Jewish attacks on Palestinians in the same way that he has denounced Palestinian attacks on Jews. For example, he named only acts of vandalism committed by Palestinians and called on Palestinian leaders inside Israel to condemn anti-Jewish violence. But he stayed silent about Jews organising mob violence and his Knesset colleagues' incitement.[68]

### D. *The West Bank*

Having started in East Jerusalem and expanded to Israeli mixed cities, Palestinian protests soon spread to the occupied West Bank. On 12 and 13 May, Hamas invited Palestinian mass action across historical Palestine, calling on Palestinians to "mobilise and protest".[69] On 14 May, amid Israel's intensifying bombardment of Gaza and the continuing threat of expulsions in Sheikh Jarrah, protests erupted throughout the West Bank, in response to calls from all Palestinian political factions. West Bank Palestinians staged more than 80 demonstrations in Palestinian Authority-controlled towns, in refugee camps and at critical intersections, as well as near Israeli military checkpoints. Israeli security forces often countered these protests with live fire, killing fifteen protesters and injuring over 1,700.[70] Events in the West Bank remained smaller in scale compared to those in Jerusalem, Gaza and cities inside Israel.[71]

The following day, 15 May, marked the anniversary of the Nakba, when Palestinians commemorate their expulsion from what became Israel in 1948. Demonstrations broke out in cities like Hebron, Ramallah, Nablus and Qalqilya. In Ramallah, protesters marched from the city centre to Beit El, an Israeli settlement just outside town, meeting no resistance from Palestinian forces which, under the terms of the PA's security coordination agreement with Israel (under the Oslo accords), would normally have blocked their advance. In this instance, these security forces deliberately adopted a low profile even as the protesters burned tires and threw stones.[72] Israeli forces responded with tear gas, stun grenades and live ammunition, killing two Palestinians

[66] In 2007, Itamar Ben Gvir was convicted of incitement to racism and supporting a terror organisation. "Ben Gvir convicted of inciting to racism", *Jerusalem Post*, 25 June 2007.
[67] "Far-right party leader Smotrich: 'Arabs are citizens of Israel, for now at least'", *Haaretz*, 26 April 2021.
[68] In a press conference after the ceasefire took hold, Netanyahu specified that the "Arab rioting" did not represent the majority of the Palestinian citizen population but "a significant minority". Israeli Public Broadcasting Service, video, YouTube, 21 May 2021 (Hebrew).
[69] "Press statement", Islamic Resistance Movement-Hamas, 12 May 2021.
[70] Mel Frykberg, "Israeli forces kill two Palestinians at Nakba Day marches", Al Jazeera, 15 May 2021.
[71] Similarly, there were large solidarity protests in Jordan and Lebanon, with marchers moving toward the borders with, respectively, the West Bank and Israel. In Jordan, the protesters' ranks included East Bankers – a rare sight. "Protesters in Jordan march to the Israeli border in support of Palestinians", *The New York Times*, 14 May 2021.
[72] Crisis Group telephone interviews, Palestinian Civil Police and Preventive Security officials, 23 May 2021.

and wounding 450, 104 of them with live bullets.[73] On 17 May, Israeli soldiers killed a Palestinian teenager outside al-Arroub refugee camp near Hebron.[74]

Violence by Israeli settlers roaming roads and intersections in Israeli-controlled Area C, which surrounds Palestinian cities and towns in the West Bank, also increased. Organised in mobs, the settlers attacked those cities' residents, while Israeli security forces simply watched. Fear of Jewish mob attacks limited Palestinians' ability to move between West Bank locales if they had to pass through Area C.[75] This situation prompted a Palestine Liberation Organisation (PLO) executive committee member to declare that Palestinians were caught up in "an open battle" with the settlers.[76]

On 18 May, Palestinian organisers, many active in Sheikh Jarrah, launched a general strike as "a united struggle against the racist settler colonial system throughout Palestine".[77] The strike was to encompass Palestinians in the entire area between the Jordan River and the Mediterranean Sea, the largest set of protests in recent memory. In the West Bank, all businesses closed down. In Ramallah, protesters gathered in the central Manara Square and marched toward the Beit El military checkpoint in neighbouring El-Bireh. Israeli forces killed a 25-year-old man in a subsequent encounter that day in which two soldiers were injured.[78] Protesters also clashed with the army in Hebron, Bethlehem, Nablus and Tulkarem, as well as the village of Budrus, celebrated by Palestinians as a site of resistance to Israeli settlement encroachment through popular protest. Israeli soldiers used rubber-coated steel bullets to suppress the crowds.[79]

[73] Ibid.
[74] Shatha Hamad, "Israeli forces shoot and kill Palestinian teenager north of Hebron", *Middle East Eye*, 17 May 2021.
[75] Settlers also pelted passing Palestinian vehicles with stones. For reports, see "Settlers pelt stones at Palestinian vehicles in Bethlehem", Wafa, 16 May 2021; and "Settler vandals injure a Palestinian man with gunfire near Hebron", Wafa, 16 May 2021.
[76] Crisis Group interview, PLO executive committee member, Ramallah, 18 May 2021.
[77] "The Dignity and Hope Manifesto: The Unity Intifada", statement issued on behalf of organisers, 18 May 2021.
[78] "Israeli forces kill Palestinian protester in occupied West Bank", Al Jazeera, 18 May 2021.
[79] "Dozens of Palestinians injured in continuing clashes across West Bank", Wafa, 18 May 2021.

## III. Gains and Losses

Shortly after midnight on 21 May, following Egyptian and U.S. mediation, Israel and Hamas agreed to a ceasefire – a quiet-for-quiet truce. Within minutes, tens of thousands of Gazans poured into the streets – some heavily damaged by Israeli attacks on the tunnel system allegedly serving Hamas's military operations – to celebrate the halt in fighting and declare victory, setting off fireworks and firing automatic rifles. One celebrant said Hamas and the Palestinians had emerged triumphant because "we made Israelis suffer from what we suffer".[80] With a ceasefire in place, what has each side accomplished in relation to the goals it had set? Will both sides return to the status quo ante or has, instead, a small window opened to a possible new path toward stopping the apparently interminable, repetitive cycle of violence?

### A. *Hamas*

This war was the fourth since Hamas took control of Gaza in 2007. It had distinctive features that included new achievements in blunting Israel's qualitative edge, which increased the impact of the group's asymmetric strategy. Hamas clearly surprised Israel with its rocket launches on 10 May; it put Israel on the political defensive by demanding first and foremost a change in Israel's conduct in East Jerusalem. In the process, it laid claim to leadership of the Palestinian national movement and proved that Israel's stifling blockade of Gaza had not prevented it from amassing an impressive arsenal of locally manufactured rockets, some of which reached as far as Eilat in the south east, Tel Aviv in the north and, perhaps most consequentially, Jerusalem. Palestinians including Hamas see the mere feat of surviving the Israeli onslaught and keeping alive their resistance to the military occupation as evidence of victory, consistent with the concept of *sumoud* – steadfastness in the face of overwhelming odds.[81]

But Hamas accomplished more than that. It exposed the limits of Israeli deterrence, this time more intensely than in previous rounds, causing discomfort and chaos, a massive eleven-day disruption of Israelis' daily lives. Hamas had spent the last seven years readying itself for a confrontation it assumed would come. What transpired in Jerusalem in April-May provided the right mix of factors enabling it to trigger the next round itself, dictating both the timing and the arena.

Israeli officials made clear that Hamas's military strength caught them off guard.[82] They had not expected the group to target Jerusalem or to go all-out when it did. Nor were they prepared for rocket barrages of an unprecedented intensity that put the Iron Dome anti-missile defence system under strain, exposing it as incapable – despite its overall effectiveness – of stopping all rockets from getting through and sowing panic in Israel as well as causing casualties. (It claims that Iron Dome was 90 per cent effective.[83]) Then, despite responding with greatly superior force, the IDF proved

[80] Crisis Group interview, Gaza City, 21 May 2021.
[81] "Hamas claims victory as Gaza celebrates ceasefire", Al Jazeera, 21 May 2021.
[82] "As recently as this past weekend, the Israeli military assessed that Hamas was not looking for a major escalation in Gaza". Neri Zilber, "The war that shouldn't have been", *Newlines Magazine*, 13 May 2021.
[83] "Summary of Operation Guardian of the Walls: About 4,360 rockets were fired at Israel, about 20 senior Hamas figures killed", *Maariv*, 21 May 2021 (Hebrew).

unable to stem the rocketing.[84] By war's end, Hamas had reportedly fired over 4,300 rockets at Israel but claimed to have thousands more, enough for another two months' fighting.[85] The rocketing stirred criticism among Israelis of how their leaders handle Hamas's challenge. This criticism recurs with every round in Gaza. But unlike all previous rounds, Israelis were not prepared for the fact that schools would be closed as far north as Netanya, or that streets would be empty as people hid in bomb shelters.

A second military aspect of the Hamas-Israel confrontation also matters. Hamas's achievement – finding a way to unsettle Israel's massive military edge – was all the more significant given that it did so under a stringent blockade, with virtually all its connections outside Gaza cut off. For this reason, Israel tried hard to hit Hamas's local weapons-manufacturing facilities and the people who head them.

Still another unexpected turn was Hamas's successful bid to raise Jerusalem as Palestinians' main issue through its rocket escalation from Gaza.[86] In the past three Gaza wars, Hamas had invariably sought to extract concessions from Israel concerning conditions in Gaza, most urgently the lifting of the blockade imposed since 2007. This time, Hamas pushed aside such matters, instead zeroing in on events that had aroused Palestinians' ire in the preceding weeks. Significantly, they called their rocket campaign Sword of Jerusalem.[87] They amplified Palestinians' central demands about Israeli efforts to change the demographic balance in Jerusalem, what its deputy mayor, like some other leading Israeli figures, refers to as "Judaisation".[88] Hamas called for an end to police harassment and freedom of access and worship at al-Aqsa, a halt to the expulsions in Sheikh Jarrah and the release of all Palestinians who had been imprisoned over the course of that neighbourhood's protests.[89]

[84] Yaniv Kubovich, "Senior Israeli army officials raise doubts over effectiveness of Gaza operation", *Haaretz*, 21 May 2021. An IDF general said: "I didn't assess that Hamas would fire rockets at Jerusalem". He made this comment while asserting that Hamas had made a mistake in targeting the city and would pay a high price. Maj. Gen. Aharon Haliva quoted in Judah Ari Gross, "Top general: This Gaza conflict will be a success if it brings 5 years of calm", *Times of Israel*, 19 May 2021.

[85] Hamas leader Yahya Sinwar, press conference broadcast on Al Jazeera, video, YouTube, 26 May 2021. See also Mina El-Naggar, "Gaza's rockets: A replenished arsenal that vexes Israel", *The New York Times*, 13 May 2021.

[86] Michael Milstein, head of the Palestinian Studies Forum at the Moshe Dayan Center at Tel Aviv University, said: "Hamas changed the rules of the game. The next time things heat up in Jerusalem, they will also heat up in Gaza". Crisis Group interview, Tel Aviv, 12 May 2021. A senior Israeli official likewise noted the shift: "This time, the Hamas fire wasn't because of an issue in Gaza – it was because of the elections and Jerusalem". Crisis Group telephone interview, 19 May 2021.

[87] Khaled al-Hroub, "By defending Jerusalem, Hamas stakes its claim to Palestinian national leadership", *Middle East Eye*, 21 May 2021.

[88] Jerusalem Deputy Mayor Arieh King has explicitly called for the "Judaisation" of Jerusalem. "Jerusalem city councilman boasts of 'Judaization' after pushing police to shut down Palestinian pretzel seller", *Haaretz*, 24 July 2018.

[89] Hamas leader Khaled Mishaal, quoted on TRT, 14 May 2021. Hamas leaders considered adding the demand that Israel end its obstruction of Palestinian electoral activity in East Jerusalem, as mandated in the Oslo accords' Declaration of Principles, but they did not include this item on the list they gave to the Egyptian mediators. Crisis Group interview, Hamas official, Gaza, 19 June 2021. For the Oslo reference to elections in East Jerusalem, see "Declaration of Principles on Interim Self-Government Arrangements (Oslo Accords)", Article II of the 1993 Oslo I Accord and Article VI of the 1995 Oslo II Accord.

In doing so, Hamas clearly indicated its intent to no longer be relegated to representing only the small Gaza enclave, but to speak for the Palestinian people as a whole across its geographical divides. It also seized on two issues on which there is not just cross-Palestinian but also a degree of regional and even international consensus: even the U.S. nudged Israel to restrain itself at the Holy Esplanade and criticised it for expulsions in East Jerusalem.[90] In other words, Hamas made demands that other powerful actors might also advance. Israel is almost certain not to satisfy Hamas's demands, at least not explicitly, but the very fact of Hamas placing Jerusalem at the top of its agenda is significant and likely to endure.

Hamas drove this point home a month after the ceasefire, on 15 June, when thousands of Israelis waving the national banner, and some chanting "death to Arabs", paraded in East Jerusalem during a "march of the flags", drawing widespread condemnation from Palestinians.[91] Hamas warned of renewed hostilities ahead of the march and launched incendiary balloons from Gaza. In response, Israel carried out airstrikes against what it said were Hamas military compounds in the Strip.[92]

Some Palestinians, particularly in Gaza, fretted over another round of destruction, while others in Jerusalem and the West Bank resented what they viewed as Hamas's co-optation of otherwise peaceful protests. Yet, overall, there was widespread support for Hamas's actions, reflecting a broad consensus that only when Israeli blood, too, is shed does the world take note of the Palestinians' plight.[93] Even more, the mobilisation of Palestinians across the territory of Israel-Palestine demonstrated that the Palestinian issue is not fragmented into political-geographic parts but is interconnected – that "the heart of the Palestinians is one heart", as Palestinians say.

Hamas also has proven its ability to restock its arsenal even under siege. The blockade itself acts as an impetus for the group to rebuild (and occasionally use) its asymmetric military capacity. Still, Hamas leaders are engaged in self-criticism over notable failings – a quarter of the rockets allegedly never reached Israel; only a small percentage of them, about 10 per cent, evaded Israeli defences; and Israel reportedly destroyed a good part of Hamas's tunnel system.[94] But Hamas can point to not only Gazans' but also other Palestinians' celebrations when the ceasefire took effect as evidence that it won at least a symbolic victory at home.[95]

[90] Secretary of State Blinken reportedly told Israeli leaders that repressive actions in East Jerusalem (evictions, house demolitions and "everything that took place on and around the Temple Mount") could lead to "conflict and war". Quoted in "Antony Blinken 'warns Israeli leaders evicting Palestinians from East Jerusalem could spark war'", *The Independent*, 28 May 2021.

[91] Stephen Farrell and Rami Ayyub, "Israeli nationalists march in East Jerusalem, raising tensions with Palestinians", Reuters, 16 June 2021. The event marks the anniversary of Israel's 1967 occupation of the city's eastern part. Significantly, the march took place against the backdrop of tensions over the planned expulsion of Palestinian families from Sheikh Jarrah. In advance of the march, Israeli police forcibly removed dozens of Palestinians from outside the Old City's Damascus Gate, arresting at least seventeen Palestinians and wounding 33 others when officers fired stun grenades. Police also redirected the march from its usual route through Damascus Gate into the heart of the Muslim Quarter.

[92] "Israel launches air raids on Gaza, first since truce with Hamas", Al Jazeera, 15 June 2021.

[93] For more on popular views of Hamas's actions, see "Press Release: Public Opinion Poll No. (80)", Palestinian Center for Policy and Survey Research, 15 June 2021.

[94] "Israel strikes Gaza tunnels as truce efforts remain elusive", *Los Angeles Times*, 17 May 2021.

[95] Crisis Group observations, Gaza City, 21 May 2021.

The virtual disappearance of the PA's security forces during the fighting reinforced Hamas's image as the flagbearer of resistance.[96] Its strength was vividly demonstrated at West Bank rallies celebrating the ceasefire on 20 May. Hamas supporters came out in full force to hear their local leaders, headed by Hussein Abu Kwaik, give speeches.[97] Fatah leaders were notably absent, as was the movement's paraphernalia. Palestinian social media was flooded with videos deriding Abbas and his ruling party, while songs hailing the resistance effort from the Gaza Strip proliferated.[98] Protesters chanted: "Who says there is division [between Fatah and Hamas]? Fatah is cheering [Hamas's military wing] al-Qassam!" and sang the praises of its leader al-Deif.[99]

### B. *Israel*

The Israeli leadership has its own victory narrative. The official line claims that Operation Guardian of the Walls, which aimed to weaken the Palestinian factions' offensive capabilities in Gaza, notched up notable successes: degrading Hamas's ability to replenish its rocket capacity, killing many of its operatives and destroying portions of its tunnel network.[100] Netanyahu said Israel had done "daring and new things" and caused "maximum damage to Hamas with a minimum of casualties in Israel". He added: "The public doesn't know everything. Hamas doesn't know everything. But all our achievements will be revealed over time".[101]

Israel's policy toward Hamas has been to keep it deterred in Gaza and prevent it from gaining strength outside the Strip. Israel maintains that Hamas is a terrorist group with which it cannot negotiate, but it has not set the goal of removing Hamas from power in Gaza. Israeli leaders accordingly view periodic strikes that maintain quiet for a few years – "mowing the lawn", in Israeli parlance – as satisfactory in achieving their main objective.[102] An IDF general declared: "If you forced me into a corner and asked me what is reasonable to consider a success, I would say at least five years [before the next war]".[103] Yet many Israelis, particularly those who live near

[96] Crisis Group telephone interviews, West Bank security personnel (from all three branches, the Palestinian Civil Police, the Palestinian National Security Forces and the Preventive Security Forces), 20 May 2021.

[97] Crisis Group Skype interviews, Ramallah protesters, 21 May 2021.

[98] Crisis Group observations, Israeli-occupied West Bank, 20 May 2021.

[99] See tweet by Harakat Fatah, @Fatahorg, 6:24am, 18 May 2021. Other slogans reaffirming the sense of unity included: "So that one day the children of Majd al-Krum [in the West Bank] can play with the children of Gaza in Jerusalem". Tweet by Harakat Fatah, @Fatahorg, 5:30am, 18 May 2021.

[100] The IDF claims that it took out 40 per cent of Hamas's rocket launchers and 100km of its tunnel system, while killing 200 Hamas and Islamic Jihad fighters, twenty of them commanders. "Summary of the Guardian of the Walls: The IDF destroyed over 100km of underground tunnels", MAKO, 21 May 2021 (Hebrew); and "Summary of Operation Guardian of the Walls: About 4,360 rockets were fired at Israel, about 20 senior Hamas figures killed", *Maariv*, 21 May 2021 (Hebrew).

[101] Quoted in "Palestinians return to devastated homes as UN calls for Gaza dialogue", *The Guardian*, 22 May 2021. See also "Netanyahu, defense chiefs call operation 'game-changing' defeat of Hamas", *Jerusalem Post*, 21 May 2021.

[102] Crisis Group telephone interview, senior Israeli official, 19 May 2021.

[103] Maj. Gen. Haliva quoted in Gross, "Top general: This Gaza conflict will be a success if it brings 5 years of calm", op. cit. Just before the ceasefire went into effect, a poll of Israelis found that 72 per cent

Gaza, felt the government had done too little to keep them safe. Many advocated for hitting the Strip even harder.[104]

Netanyahu also accused Hamas of exploiting events in Jerusalem to cover for having lost its election gambit. Israel had made efforts to cool things down, he said. It had asked (unprecedentedly) the High Court to delay its decision on the Sheikh Jarrah evictions; rerouted the Jerusalem Day march away from the Old City; and barred Jewish visitors from entering the Temple Mount during Ramadan so as to allow free access for Muslim visitors to al-Aqsa. Yet Hamas had decided to launch rockets at Israel, he said – at a great cost to itself.[105] As for civilian casualties in Gaza, Israel insists that it goes to great lengths to avoid them and holds Hamas responsible for embedding itself in civilian areas.[106]

The counter-narrative is of an Israel caught by surprise, with significant intelligence failures, exaggeration of losses it allegedly inflicted on Hamas, and acknowledgment of the range, longevity and impact of the Hamas military effort, which had exposed Israeli vulnerabilities. Israel may have destroyed a significant portion of Hamas's underground defence system, but its plan to lure Hamas leaders into the tunnels first had failed. It had ordered the bombing prematurely, with no significant personnel loss to Hamas.[107] Moreover, Hamas's ability to fire over 4,000 rockets suggests that Israel's fourteen-year blockade of Gaza had failed to sufficiently interdict the group's supply of parts, and Israel's "mowing the lawn" strategy has failed to wipe out know-how for producing homemade armaments. Instead, even if Hamas has not been able to amass the capacity of other groups in its neighbourhood – to wit, Hizbollah – its arsenal remains potent despite setbacks in previous rounds of fighting.

Meanwhile, the blockade has deepened ordinary people's misery immeasurably, giving rise to a prolonged humanitarian crisis that perpetuates grievance and conflict.

believed the IDF operation should continue, as many, especially residents of the south, thought that it had not yet succeeded in restoring deterrence.

[104] Just before the ceasefire went into effect, a poll of Israelis found that 72 per cent believed the IDF operation should continue, as many, especially residents of the south, thought that it had not yet succeeded in restoring deterrence. "Poll: 72% of Israelis believe Gaza operation should continue, with no ceasefire yet", *Times of Israel*, 20 May 2021.

[105] "*The Sun*: 'Israel's Netanyahu addresses foreign diplomats on Israel Gaza conflict'", video, YouTube, 19 May 2021.

[106] "Evidence of Hamas' Abuse of Civilian Infrastructure", Israel Defence Forces, 16 May 2021. International organisations such as Human Rights Watch disagree with Israel: "During armed hostilities over the last decade plus, Human Rights Watch has documented the regular use of excessive and vastly disproportionate force by Israeli authorities, at times deliberately targeting civilians or civilian infrastructure". "Jerusalem to Gaza, Israeli Authorities Reassert Domination", Human Rights Watch, 11 May 2021.

[107] The ruse reportedly involved planting a story with the media that the IDF was planning to launch a ground offensive in Gaza in the early hours of 14 May, hoping that the disinformation would persuade Hamas's leadership to seek shelter in the tunnels. It appears, however, that Hamas did not fall into the trap, perhaps estimating that the IDF could not yet be carrying out a ground offensive at this early stage of the campaign. The IDF then had to issue a correction saying its ground forces were involved in the fighting, not in Gaza itself, but via tanks and artillery deployed along the Strip's periphery inside Israel. For an account, see Ben Caspit, "No victory picture for Israel in Gaza", *Al-Monitor*, 18 May 2021; and "A press corps deceived, and the Gaza invasion that wasn't", *The New York Times*, 18 May 2021.

Israel's immediate dilemma in Gaza is balancing its need to prevent Hamas from rearming or strengthening its position against pressure to allow passage of supplies to prevent an utter humanitarian disaster.[108]

Israeli opposition leaders were merciless in their critique of Netanyahu. New Foreign Minister Yair Lapid, who was then outside government but soon to form one with Naftali Bennett, now prime minister, said: "The citizens of Israel, in particular the citizens in the Gaza border communities, took heavy fire and, in return, received neither achievements nor change in their reality".[109] Gideon Sa'ar, head of the New Hope party (and now a senior minister and coalition partner in the new government), was even more scathing:

> Ending the fighting with Hamas unilaterally deals a blow to Israel's deterrence against Hamas and not only against it. … Ending Israel's military operations without imposing any limits on the strengthening and rearming of Hamas, and without the return of soldiers and civilians being held in Gaza, is a political failure whose price we will pay with interest in the future.[110]

But the new reality goes beyond failures in Gaza or Hamas's reappearance at the head of the Palestinian national movement: the mobilisation of Palestinian citizens of Israel has left a deep impression. A PLO leader said: "Palestinians inside Israel have created a milestone by telling us that Netanyahu has reshuffled all cards and all Palestinians now have a common enemy".[111] Giora Eiland, a former head of Israel's National Security Council, largely agreed: "Israeli Arabs are more Palestinian than we want to believe. We need to recognise that".[112]

### C. *The Palestinian Authority*

The leaders of the Palestinian Authority – and Fatah, its de facto ruling party – were conspicuous by their almost total absence during the conflict, enabling Hamas to usurp the mantle of de facto leadership of the Palestinian movement. Overall, among Palestinians, the standing of the PA and Fatah suffered a major blow, precipitating what might be the most serious political crisis in their respective histories. In fact, the 2021 Gaza war is the second chapter of this crisis, with the first being President Abbas's postponement of legislative elections following Fatah's split into three separate electoral lists.[113]

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[108] Crisis Group telephone interview, senior Israeli official, 19 May 2021.
[109] Quoted in "Lapid, Sa'ar slam Netanyahu over Gaza operation outcome", *Haaretz*, 21 May 2021.
[110] Ibid.
[111] Crisis Group interview, PLO executive committee member, Ramallah, 18 May 2021.
[112] Crisis Group telephone interview, 11 May 2021.
[113] See Crisis Group/USMEP Statement, "Why Palestinian Elections Should Get Back on Track", op. cit. A PLO executive committee member described the PA's position as struggling to cope with "the anger of the people in the West Bank. There is a wave of rage against what [Palestinians] consider the surrender of the Oslo accords group – the PA and its security services – and its security coordination and normalisation with Israel". Crisis Group interview, Ramallah, 16 May 2021. A member of Fatah's advisory council went a step further, saying: "Fatah is very weak, and I believe that within the next few years it will dismantle itself, unless a new generation comes in to start a new phase". Crisis Group interview, Ramallah, 20 May 2021. Fatah leaders stressed the distinction between Fatah

During the April and May events, the PA offered little more than soundbites condemning Israeli violence against Palestinians in East Jerusalem and later Gaza. Only on 13 May, the third day after the Gaza war, did Abbas come out to give a speech, proclaiming: "They [the occupation] have gone too far! Leave us alone! Get off our chests! Get off our chests! Get off our chests! We'll continue to be a thorn in your eyes. The [people of] Sheikh Jarrah won't leave, won't surrender, won't calm down and won't be silent".[114] His words brought insults from protesters, who decried the PA as complicit in the occupation's indignities and called instead upon Hamas to come to their aid.[115]

As loosely organised protests spread throughout the West Bank, the PA and Fatah tried to jump on the bandwagon. Jibril Rajoub, secretary-general of Fatah's central committee, declared that the movement was in "popular, open and comprehensive confrontation with the occupation" and was looking to form an inclusive national front.[116] Fatah also played up its claims that many of the Palestinians killed in the West Bank in April and May were movement members, calling for protests around their funerals.[117] Conscious of being on the sidelines, Fatah came out in support of the 18 May general strike and presented itself as a principal organiser, much to the chagrin of the actual organisers, who viewed Fatah's intervention as an attempt at co-optation.[118] Mahmoud Al-Aloul, Fatah's vice chairman, joined the protests in Nablus.[119]

and the PA, asserting also that Hamas escalated rocket fire not to protect Palestinian protesters, whom they said had already secured a victory in forcing a delay in the court decision on the Sheikh Jarrah evictions, but to achieve its own political goals. A senior Fatah security official said: "Hamas wanted to invest in the incidents in Jerusalem to benefit itself and its party, while Fatah is working for the general benefit of the Palestinian people, not its own factional interests". Crisis Group interview, Ramallah, 22 May 2021.

[114] "The Palestinian President sends a strong message to America and Israel: 'Get off our chests. We will remain a thorn and will not leave our homeland'", video, YouTube, 12 May 2021.

[115] Protesters accused Abbas and Fatah luminaries such as Hussein al-Sheikh and Majd Faraj of being traitors, of serving Israeli not Palestinian security, and even of being dogs. Video clips containing these insults were uploaded to social media sites. Fadi Elsalameen, "Cheers to al-Aqsa mosque this morning: The people want to overthrow the president", Facebook post, 21 May 2021; "The chants of the Murabitoun [the defenders of al-Aqsa] are now in the courtyards of the blessed al-Aqsa mosque", video, YouTube, 8 May 2021; and "Mohtawa Hadif: 'The dogs of power out of the way 🏛 The Authority's mufti Muhammad Hussein was expelled from the blessed al-Aqsa mosque after he ignored Gaza in his sermon'", video, YouTube, 21 May 2021.

[116] Jibril Rajoub statement, aired on Palestine TV, 14 May 2021.

[117] Crisis Group interview, senior Fatah security official, Ramallah, 15 May 2021. See, for example, the tweet by Harakat Fatah, @Fatahorg, 3:33pm, 17 May 2021.

[118] For example, the PA circulated photographs of the strike in Ramallah, claiming that it was a "Fatah strike", though it did not manifest any factional characteristics. Crisis Group observations, Ramallah, 18 May 2021. A Fatah/PLO official said he was annoyed at protesters' accusations, falling back on the old slogan that Fatah is the "mother and father of the national project". He also claimed that unspecified parties had paid youth to take part in the demonstrations. This critique extended to the role of NGOs in the West Bank, which he claimed were being funded to create chaos and divert attention from the PA's good works to make it look like a dictatorship. Crisis Group interview, Ramallah, 17 May 2021. Others were critical of Fatah. A retired security general and member of Fatah's advisory council said Abbas is "paralysed, deaf and blind", adding that Fatah is so weak it is all but crumbling. "Fatah is a liberation movement converted into a political party without confessing that it has failed in both missions: liberating Palestine and building the state of Palestine". Crisis Group interview, Ramallah, 20 May 2021.

[119] Tweet by Harakat Fatah, @Fatahorg, 10:30am, 17 May 2021.

The PA and Fatah's attempt at reframing the strike did not succeed in overcoming a popular sense of their growing irrelevance. Compounding the problem were reports during the first few days that implicated PA security forces in suppressing protests in West Bank towns, particularly those in support of Hamas rocket fire on Israel.[120]

The PA security forces stayed out of most West Bank protests. They took note of those in attendance at some demonstrations but, with one or two minor exceptions, went no further.[121] (In stark contrast, PA security forces violently dispersed the West Bank protests that arose in solidarity with Gaza during the 2014 war.) Yet Fatah-aligned al-Aqsa Martyrs Brigade fighters lined the streets during protests in some West Bank cities, in one instance shooting at Israeli soldiers who were suppressing protests close to checkpoints.[122] The goal of their intimidating presence on the sidelines was unclear. A self-identified Brigade member asserted: "The shooting in the air, the uniforms and behaviour [of the armed Fatah men] were all hints to refresh local people's memories of the second intifada".[123]

Meanwhile, Hamas supporters had been flaunting their appurtenances at rallies and demonstrations across the West Bank, while largely refraining from partaking in violent clashes.[124] Some Hamas supporters claimed the PA and its security forces had threatened them during this time, but to little effect. "Ultimately, the PA has lost control of the streets", one such supporter said, in a sentiment echoed frequently over the course of the events.[125] In the ceasefire's aftermath, the PA security forces launched an arrest campaign against those who participated in West Bank protests, including activists who had registered as candidates for the legislative elections.[126] They included Hamas members and members of Muhammad Dahlan's Democratic Reform Movement.[127]

The PA's limited role, and by association that of Fatah, was also evident from their absence from mediation efforts. The U.S. and European governments, which refuse to speak directly to Hamas, reached out to the PA. U.S. President Joe Biden spoke to President Abbas on 15 May, stressing the need for Hamas to stop firing rockets at Israel, while underscoring Israel's right to defend itself and calling for renewed efforts

[120] At the same time, a senior PLO official said he had called Hamas political bureau member Musa Abu Marzouq in Cairo after the fighting broke out to express solidarity. Crisis Group interview, Ramallah, 17 May 2021.

[121] On 14 May, protesters and PA security forces skirmished near the heavily fortified presidential compound in Ramallah; and in Hebron, security forces arrested two protesters. After this date, the security forces disappeared from sight. Crisis Group telephone interviews, West Bank protesters, Palestinian security forces personnel and Omar Rahal, director, Human Rights and Democracy Media Centre (Ramallah), 18-21 May 2021.

[122] Crisis Group telephone interviews, West Bank protesters and National Security Forces personnel, 20 May 2021.

[123] Crisis Group interview, al-Aqsa Martyrs' Brigades member, Ramallah, 22 May 2021.

[124] Crisis Group telephone interviews, West Bank protesters, including Hamas supporters, 21 May 2021.

[125] Crisis Group telephone interview, West Bank protester, 18 May 2021.

[126] In mid-June, the number reportedly stood at 22. Ahmad Melhem, "PA cracks down on West Bank activists", *Al-Monitor*, 10 June 2021.

[127] "Dahlan: 'We condemn the arrest campaign by the authorities of the Future List volunteers'", *Gaza Post*, 26 May 2021. Dahlan, long recognised as Gaza's most important security figure, was Abbas's national security adviser when he led a failed attempt to overthrow Hamas in Gaza in June 2007. He then fell out of favour with Abbas and, in 2011, was expelled from Fatah on charges of embezzlement. He has lived in exile in Abu Dhabi since then.

toward a peaceful resolution.[128] Regional powers, by comparison, actively communicated with Hamas in Gaza and offered to mediate.[129] After the first volley of rockets from the Gaza Strip into Israel, Egyptian officials called Hamas leaders, demanding an immediate cessation of fire.[130]

The transnational Palestinian leadership – the PLO – meanwhile, remained rhetorically committed to international efforts to end the fighting.[131] But it had little sway over events on the ground, partly because Hamas is not part of the PLO.

### D. *Palestinian Popular Mobilisation*

While Hamas seemed to steal the limelight from 10 May onward, Palestinian activists unaligned with any one particular political faction were behind the earlier protests in April-May. They were instrumental in unifying a Palestinian voice that had been increasingly splintered as a result of Israel's efforts at atomising Palestinians in separate enclaves.

There have been instances of Palestinian popular mobilisation before, but the novelty this time was that all segments of the Palestinian people (in Gaza, the West Bank, Israel, East Jerusalem and the diaspora) came out in unison to focus on themes of dispossession and repression, with Jerusalem at the core. Mobilisation spanned a broad spectrum, from leftists to independents to supporters of Marwan Barghouthi (the popular Fatah leader and harsh Abbas critic imprisoned in Israel) to Hamas members. Many otherwise non-political Palestinians showed up as well. It was the culmination of decades of building networks among activists in the West Bank, Gaza, East Jerusalem and Israel's mixed cities, where Palestinians had become increasingly assertive (with a high level of solidarity and support from the diaspora). The simultaneous gatherings reflected Palestinians' collective historical experience of dispossession and denial of rights, from Sheikh Jarrah to Lod/al-Lid and beyond.[132]

Momentum built throughout April, especially in East Jerusalem over Israeli police actions at the Damascus Gate, in Sheikh Jarrah and at al-Aqsa, which acted as an accelerator. It was also fed by the widely unpopular PA decision to postpone Palestinian national elections and a general loss of faith in established leadership struc-

[128] "Biden makes first call to Abbas amid Israel-Gaza fighting", Reuters, 15 May 2021.

[129] In response, in a television interview on 14 May, Jibril Rajoub accused Arab countries of augmenting Palestinian divisions by failing to call Abbas and "enabling an economic and political blockade" of Gaza by speaking to Hamas, which he viewed as in line with Netanyahu's effort to widen intra-Palestinian rifts. "Official in Fatah: No Arab leader has called President Abbas during the Israeli aggression", RT, 15 May 2021 (Arabic).

[130] A person close to Hamas noted that a low-level Egyptian security official had called Ismail Haniyeh, the former Hamas prime minister now living in Doha, saying Hamas should immediately cease firing rockets at Israel. Haniyeh reportedly slammed the phone down and, as the fighting intensified, senior Egyptian officials reached out via Qatari interlocutors to apologise for the earlier communication, as they sought a more active mediation channel with Hamas. Crisis Group interview, Amman, 19 May 2021.

[131] PLO leaders spoke of focusing on three things in international diplomacy: putting pressure on the Netanyahu government to end the war on Gaza, stopping settler violence in the West Bank including East Jerusalem, and placing Israeli occupation forces on trial, a reference to the International Criminal Court. Crisis Group interview, PLO executive committee member, Ramallah, 18 May 2021.

[132] See, for example, "Palestinian activist discusses Israel unrest", NPR, 16 May 2021.

tures. Cumulatively, these events precipitated a fury that found its – initially peaceful – expression in the streets. Protesters decried the PA for its ineffectiveness but also Hamas for its hijacking-by-rockets of their peaceful sit-ins and marches. Many of these activists deem both parties, along with the rest of the minor factions, to be unrepresentative.

This movement, if it can be called that, is somewhat disjointed, spread out over various enclaves while speaking from a shared motivation. Smaller circles of activists coordinate efforts on the ground.[133] The general strike on 18 May is a good example, when activists in the West Bank organised popular action in coordination with activists in Haifa, Jaffa, Al-Lid and East Jerusalem.[134]

There are clear limits as to what this movement can achieve at this time. Conditions for West Bank Palestinians pose particular difficulties. They are caught between an increasingly repressive PA and Israel's military occupation buttressed by its armed settlers. Large segments of the West Bank population are often dependent on PA patronage and employment for their sustenance, and have faced years of intrusive surveillance, which qualitatively differs from that exercised over Palestinian citizens of Israel or Palestinians in Gaza.[135] Translating this loose amalgam of Palestinians into a consolidated popular movement that could insert itself in game-changing ways into the Palestinian national political mix will be a tremendous challenge.

Still, regardless of how this mobilisation unfolds, the events of April and May will have long-lasting resonance. Their power rests not solely in the fact that Palestinians were able to unite their voices across geographic and political divides, but also in that they appeared to be leading in forming a narrative that Palestinians in the diaspora as well as their allies in various solidarity movements would echo – one of national unity in demanding rights and equality (one people against one oppressive regime) rather than of state-building (the struggle for a Palestinian state and an end to settlements). The organisers' demands reached politicians in the upper echelons of power. Even in Washington, the so-called Squad – influential progressive Democrats in Congress who are deeply connected to U.S. social justice movements – as well as some of their colleagues used their podium to talk about Palestinian rights in terms Palestinians had chosen.[136] They were also reflected unusually in mainstream broadcast and print media. Social media offered a powerful platform for Palestinians to organise and overcome the fragmentation imposed on them in the real world.

[133] Crisis Group telephone interviews, West Bank activists and organisers, 20-22 May 2021.
[134] Ibid.
[135] A U.S. intelligence official called the West Bank "probably the most intensely surveilled territory on Earth". Crisis Group interview, Washington, June 2017.
[136] The Squad is the name given to a group of progressive Democrats in the House of Representatives. Its original members, first elected in 2018, are Representatives Alexandria Ocasio-Cortez, Ilhan Omar, Ayanna Pressley and Rashida Tlaib, who is herself of Palestinian heritage. Pro-Palestinian sentiment in Congress is not unprecedented, but the Squad's words carry more weight because its members are recognised inside and outside Congress as a political force allied with a social movement that the Democratic leadership must take seriously. Tlaib in particular has used distinctly Palestinian terms to frame the conflict, speaking of the 1948 *nakba*, apartheid, settler-colonialism and Palestinian rights.

## IV. Role of External Players

The events in Israel-Palestine drew the usual press of vocal spectators from around the world, with the U.S. still trying to project itself as the preponderant outside power in the conflict. While professing to engage in "quiet, intense" diplomacy, the Biden administration more or less allowed the conflict to run its course, only to step in once Israel said it had achieved its main military objectives, Hamas had indicated it was ready for a truce and Egypt had mediated a ceasefire.[137]

Having called for calm in Jerusalem in the days leading up to the Gaza war, the administration proceeded to upbraid "Hamas and other terrorist groups" for indiscriminately firing rockets at Israel, strongly reaffirmed Israel's right of self-defence and called for a cessation of hostilities.[138] As the conflict escalated and casualties increased, President Biden also defended the proportionality of the Israeli military response, stating that he had not seen a "significant overreaction".[139] A week into the fighting, Secretary of State Blinken signalled that the U.S. would not attempt to force a ceasefire, saying: "Ultimately, it is up to the parties to make clear that they want to pursue a ceasefire".[140] Biden reportedly spoke to Prime Minister Netanyahu by telephone six times in the war's eleven days, presumably to try persuading him to move toward a ceasefire, on the assumption that public calls would likely have made Netanyahu more intransigent.[141]

The upshot appears to be that while the U.S. engaged early and often with the flurry of calls, it had little effect on how the war played out, mainly because the administration had no channels to Hamas, precious little leverage over the group and was not ready to use U.S. clout with Israel. Then, when it saw that Israel had nowhere else to go with the Gaza operation and was looking to wrap things up, the U.S. choreographed the closing act.[142]

Arguably, and as some U.S. officials appear to acknowledge off the record, the Biden administration's real failing preceded the major escalation.[143] By putting the Israel-Palestine file on the back burner, and especially by taking a pass on weighing

[137] Crisis Group/USMEP interviews, U.S. official, two former U.S. officials and others, Washington, June 2021. "Quiet, intense" diplomacy was the term used by both White House Press Secretary Jennifer Psaki and National Security Advisor Jake Sullivan on 17 May. "Biden raises ceasefire, civilian toll in call to Netanyahu", AP, 18 May 2021. On Israel achieving its military objectives, see Barak Ravid, "11 days, 8 calls and a ceasefire: Inside Biden's response to the Gaza crisis", *Axios*, 23 May 2021.

[138] See, for example, "Department Press Briefing", U.S. Department of State, 10 May 2021; and "Readout of President Joseph R. Biden, Jr Call with Prime Minister Benjamin Netanyahu of Israel", White House, 17 May 2021.

[139] Jordan Fabian, "Biden says Israel hasn't overreacted to Gaza rocket attacks," Bloomberg, 13 May 2021.

[140] "Blinken signals U.S. will not press for ceasefire in Middle East", PBS, 17 May 2021.

[141] Ravid, "11 days, 8 calls and a ceasefire", op. cit.

[142] Crisis Group/USMEP interviews, U.S. official, two former U.S. officials and others, Washington, June 2021. At the same time, it is plausible that pressure on the Biden administration and uncertainty over how it might react to Israel's Gaza operation had a pre-emptive influence on Israel's overall conceptualisation of their parameters of manoeuvre, leading it to align its goals somewhat to what they thought was possible with Washington, as it did not want to test this new administration.

[143] Crisis Group/USMEP interviews, U.S. official, two former U.S. officials and others, Washington, June 2021.

in on the Palestinian elections in any significant way, the administration left itself unprepared for what happened next. Had it engaged on the election, it might have focused on events in Jerusalem, and might then have prevented these from deteriorating so badly. That action, in turn, would have prevented Hamas from cashing in politically on both the Jerusalem events and Abbas's cancellation of the elections. Once the fighting broke out in earnest, Washington's own self-imposed constraints limited what it could do.

Biden may not have placed great pressure on Israel, but he himself came under pressure from the aforementioned Squad, and their colleagues in Congress and among the Democrat grassroots, where a shift regarding Israel-Palestine has started to become manifest.[144] A Gallup poll in March found that most Democrats now think the U.S. should lean harder on Israel to resolve the conflict.[145] Some progressives in Congress accused the administration of taking Israel's side. Representative Alexandria Ocasio-Cortez asked: "Do Palestinians have a right to survive? Do we believe that? And if so, we have a responsibility to that as well".[146] Just as noteworthy was a shift inside the Democratic Party's congressional caucus: the progressives were no longer the outliers of yesteryear, berated by a consensus of pro-Israel Democrats. The latter, notably Senate Foreign Relations Committee Chairman Robert Menendez, were now voicing their own concerns at Israel's actions.[147]

In the meantime, the U.S. thwarted diplomatic efforts by other actors to bring the fighting to a halt. At the UN in New York, the U.S. literally rendered the Security Council speechless throughout the crisis. The Council met four times after clashes intensified in early May. Although China (the Council president in May), Norway and Tunisia tabled a series of draft press releases and less formal press "elements" in the course of the fighting, the U.S. refused to take up any of these, claiming that they would only

[144] On 16 May, 29 Democratic senators called for an immediate ceasefire. "Sen. Ossoff Leads 29 Senators Urging Immediate Ceasefire in Middle East", press release, Office of Senator Jon Ossoff, 16 May 2021. Several Congressional Democrats were also outraged by a proposed $735 million U.S. arms sale to Israel. Alex Kane, "Progressive legislators to introduce resolution blocking bomb sale to Israel", *Jewish Currents*, 19 May 2021.

[145] Lydia Saad, "Americans still favour Israel while warming to Palestinians", Gallup, 19 March 2021. James Zogby, president of the Arab American Institute, said: "Congress is beginning to reflect the demographic changes in how the public views [the] Israeli-Palestinian issue. You're seeing a much more diverse group on the Democratic side who reflect where the base of the Democratic Party is going from Black and Latino to young people and professional women. Their attitudes in polls are radically different than white middle-class Americans". Quoted in "Hamas attacks on Israel divide Democrats", The New York Press News Agency, 13 May 2021.

[146] *The New York Times* reported that, "on Thursday [13 May], a group of leading progressive members of Congress offered a rare break from party unity, giving fiery speeches on the House floor that accused Mr. Biden of ignoring the plight of Palestinians and 'taking the side of the occupation'". Lisa Lerer and Jennifer Medina, "Tensions among Democrats grow over Israel as the left defends Palestinians", *The New York Times*, 15 May 2021. See also Nicholas Fandos and Catie Edmondson, "Democrats, growing more skeptical of Israel, pressure Biden", *The New York Times*, 17 May 2021.

[147] "Chairman Menendez Statement on Violence Across Israel and Gaza", U.S. Senate Committee on Foreign Relations, 15 May 2021.

alienate Israel.[148] U.S. diplomats in New York, diverging from their colleagues in Washington, seemed keen to agree to language, especially as the U.S. approach left China, whose foreign minister had given a comprehensive statement on how to end the fighting and move forward, looking like the more responsible power promoting international legality.[149] The U.S. eventually acquiesced to a very thin Council press statement on 22 May, after the ceasefire was reached.[150]

All other Council members expressed discomfort with the U.S. stance, and two days before the ceasefire, on 18 May, France attempted to prod Washington into a change of course by tabling a draft resolution calling for one.[151] The U.S. reportedly was furious with this gambit, but some European diplomats argue that it did accelerate Washington's efforts to secure a cessation of violence.[152] Manoeuvres in New York notwithstanding, UN officials in the field, including Tor Wennesland, the UN special coordinator for the Middle East peace process, worked closely with the U.S. and Egypt to secure a ceasefire.[153]

In the end, this sequence of events simply demonstrated the Security Council's marginal role in managing intermittent outbursts in the Israeli-Palestinian conflict, given U.S. opposition to it doing so, and the Biden administration's reluctance to restore a more effective Council role. The administration has said it wants to show that "America is back" as a champion of international law, democratic values and human rights. But Council diplomats say that the U.S. is finding it harder to persuade other powers to back UN action on other crises, like, for example, the war in Ethiopia's Tigray region, after it sidelined the UN so bluntly over Israel and the Palestinians.[154] From

[148] Crisis Group interview, UN diplomats, 20 May 2021. A Council diplomat said the U.S. position during these discussions was that "de-escalation needs to happen behind closed doors and not through public statements". Crisis Group telephone interview, UN Security Council diplomat, May 2021.
[149] Crisis Group interviews, UN diplomats, 12 May 2021; and "End the Fighting and Violence Immediately and Uphold Equity and Justice", remarks by Foreign Minister Wang Yi to the UN Security Council, Ministry of Foreign Affairs of the People's Republic of China, 16 May 2021. He said, inter alia, that "an enduring settlement can only be achieved on the basis of the two-state solution".
[150] The statement read, in part: "The members of the Security Council stressed the urgency of the restoration of calm in full and reiterated the importance of achieving a comprehensive peace based on the vision of a region where two democratic States, Israel and Palestine, live side by side in peace with secure and recognized borders". "UN Security Council Press Statement", *UN News*, 22 May 2021.
[151] In a closed Council session on 18 May, France announced it was considering a draft resolution that it initially discussed with the U.S. and circulated among all Council members on 19 May ahead of the General Assembly session. The draft resolution demanded an immediate cessation of hostilities, called for intensification of efforts to de-escalate and reach a ceasefire, and called for unimpeded humanitarian assistance throughout Gaza. The text did not include any reference to East Jerusalem. Crisis Group telephone interview, UN Security Council diplomat, New York, May 2021.
[152] Crisis Group interviews, UN diplomats, 20 May 2021; and Crisis Group communication, European diplomat, 21 May 2021. A spokesperson for the U.S. delegation to the UN said in response to the French initiative: "We've been clear and consistent that we are focused on intensive diplomatic efforts under way to bring an end to the violence and that we will not support actions that we believe undermine efforts to de-escalate". Quoted in "U.S. says no to French push for U.N. Mideast action", Reuters, 19 May 2021.
[153] Wennesland spoke of his role in an online conversation as part of the Mediterranean Dialogues in Rome. See "Dialogue with Tor Wennesland, UN special coordinator for the Middle East peace process", video, YouTube, 7 July 2021.
[154] Crisis Group interviews, UN Security Council diplomats, New York, June 2021.

his side, UN Secretary-General António Guterres described Gaza as "hell on earth" for children, and continued:

> I am deeply shocked by the continued air and artillery bombardment by the Israeli Defence Forces in Gaza. As of 19 May, this had claimed the lives of at least 208 Palestinians, including 60 children, and injured thousands more. The continued indiscriminate firing of rockets by Hamas and other militant groups towards population centres in Israel, resulting in at least twelve fatalities including two children, and hundreds of injuries, is also unacceptable.[155]

Meanwhile, in the Middle East, the U.S. was engaged in talks with Israel and Egypt about ways of ending the fighting. The Biden administration had sent Hady Amr, the U.S. deputy assistant secretary of state for Israeli and Palestinian Affairs, to the region. But U.S. diplomatic efforts were hampered by the 1997 U.S. designation of Hamas as a Foreign Terrorist Organisation, preventing direct contact with one of the conflict's two main protagonists.[156] Instead, Washington spoke with President Abbas, who barely played a role.

The U.S. was therefore heavily dependent on Egypt, as it has been during previous Israel-Hamas fighting, despite strained relations. Cairo had an intelligence team on the ground in Gaza in contact with Hamas, which appears to have paid off in the end in helping it broker the ceasefire. Following the ceasefire, Biden thanked President Abdel Fattah al-Sisi for Egypt's "critical role in this diplomacy" and Blinken visited Cairo.[157] While opposed to Hamas ideologically, Egypt is keen to play a mediating role between the group and Israel, lest it lose clout vis-à-vis Gulf states that have normalised ties with Israel, and Turkey and Qatar, which are close to Hamas and also have working relations with Israel. Egypt likely also wished to make itself useful to the Biden administration, given Sisi's courtship with Trump during the latter's term in office; Blinken's subsequent visit to Cairo appeared to vindicate the Egyptian efforts.

As on so many previous occasions, the Europeans proved to be largely bystanders, issuing stock proclamations. Before the fighting started on 10 May, the European External Action Service (EEAS) called for de-escalation in response to clashes on the Holy Esplanade and expressed concern over violence in East Jerusalem.[158] France,

[155] "Remarks to the General Assembly Meeting on the Situation in the Middle East and Palestine", UN Secretary-General, 20 May 2021. He said: "If there is a hell on earth, it is the lives of children in Gaza today".

[156] A detailed review of the intended legal limitations a Foreign Terrorist Organisation designation puts in place can be found at the U.S. State Department website. These severely restrict the ability of U.S. officials to have direct contact with members of an organisation designated as such.

[157] "Remarks by President Biden on the Middle East", White House, 20 May 2021.

[158] The EEAS statement said: "Over the past days, tensions and violence in the occupied West Bank, particularly in East Jerusalem, have dangerously risen. Last night saw serious clashes at the Temple Mount/Haram al-Sharif, which led to many injured. Violence and incitement are unacceptable and the perpetrators on all sides must be held accountable. The European Union calls on the authorities to act urgently to de-escalate the current tensions in Jerusalem. Acts of incitement around the Temple Mount/Haram al-Sharif must be avoided and the status quo has to be respected. Political, religious and community leaders on all sides should show restraint and responsibility and make every effort to calm down this volatile situation. The situation with regard to the evictions of Palestinian families in Sheikh Jarrah and other areas of East Jerusalem is also of serious concern. Such actions are illegal un-

Germany, Italy, Spain and the UK jointly urged Israel to reverse its recent settlement expansion in East Jerusalem.[159] But once the Gaza fighting started, the European Union (EU) reverted to the position it had expressed in previous flare-ups, with EU member states issuing condemnations of Hamas's indiscriminate rocketing paired with statements in support of Israel's right to self-defence, and the EEAS also reminding Israel of the need to respect proportionality in its response to Hamas attacks.[160]

As protests roiled European cities, including London, where an estimated 180,000 gathered, the domestic debates within the EU returned to traditional fault lines between the pro-Israeli camp (largely right-wing liberal and conservative parties, which hold the majority in the EU Council) and those who criticise Israel's policy toward the Palestinians (largely social democratic and Green parties), undermining any attempt at unifying an EU position.[161] On 18 May, EU High Representative for Security and Foreign Policy Josep Borrell and the 27 EU foreign ministers discussed Israel-Palestine at an extraordinary EU Council meeting, but their effort to prepare formal conclusions, which require unanimity, met a veto from Hungary, which called the draft "one-sided" against Israel.[162] The EEAS and remaining 26 member states then took the uncommon decision to issue the readout of their debate as a press release, calling for an immediate ceasefire, while condemning Hamas attacks and emphasising Israel's right to self-defence as well as its responsibility for proportionality.[163] They stressed the need for Palestinian elections.[164]

der international humanitarian law and only serve to fuel tensions on the ground". "Israel/Palestine: Statement by the Spokesperson on the Rise in Tensions and Violence", EEAS, 8 May 2021.

[159] The statement referred to an Israeli government decision to develop 540 homes in the Har Homa E settlement in the occupied West Bank. "Joint Statement from France, Germany, Italy, Spain and the United Kingdom on Har Homa E and the Israeli Settlements", Spanish Ministry of Foreign Affairs, 6 May 2021.

[160] The EEAS said: "The indiscriminate launching of rockets from Hamas and other groups towards Israeli civilians is unacceptable. While recognising Israel's legitimate need to protect its civilian population, this response needs to be proportionate and with maximum restraint in the use of force". "Israel/Palestine: Statement by the High Representative on the Escalation of Confrontations", EEAS, 12 May 2021. Swedish Foreign Minister Ann Linde tweeted on 11 May to condemn Hamas's rocket attacks, but also called for the parties to respect the Status Quo at the Holy Esplanade, and reiterated that "evictions and demolitions on occupied territories [are] against international law". Tweet by Ann Linde, Swedish foreign minister, @AnnLinde, 8:42am, 11 May 2021. In a later interview, she again condemned Hamas's attacks but stressed that Israel's settlement policy would have to change and evictions to end for a solution to be found. *Svenska Dagbladet*, 14 May 2021.

[161] "Thousands gather in London for Palestine solidarity march", *The Guardian*, 22 May 2021.

[162] Hungary, which is closely aligned with Israel, had already vetoed the presentation of the EU common position at the UN Security Council debate of 16 May, which meant that EU Ambassador Olof Skoog could not intervene on behalf of member states. "EU Statement – United Nations Security Council: 'The situation in the Middle East, including the Palestinian question'", EEAS, 16 May 2021; and "Hungary FM condemns EU's 'one-sided' statements on Israel", France 24, 18 May 2021.

[163] There are some precedents for the EU making common declarations on Israel-Palestine that exclude Hungary, often at a lower level, such as the statement by the Finnish presidency on behalf of member states in May 2019. "EU ignores Hungary veto on Israel, posing wider questions", *EU Observer*, 1 May 2019.

[164] "Informal Video Conference of Foreign Affairs Ministers, 18 May 2021", European Council, 18 May 2021.

These internal divisions stymied any action by European diplomats, whose hands were already tied in any case, as they, too, could speak to Abbas but not to Hamas.[165] Once a ceasefire was achieved, the EU quickly fell back on affirming the need to "restore a political horizon toward a two-state solution", while saying it could not be asked to pay for Gaza reconstruction time and again.[166]

[165] Another example of internal divisions: European Commission President Ursula von der Leyen's initial reactions were closer to Israel's position than the EU's declared equidistant policy, somewhat reflecting a position of her own political family (centre-right) and government in Germany. Contrast with Borrell, who expressed sympathy for the conditions of Palestinians in declarations to the Spanish media, likewise mirroring positions of his political group (centre-left).

[166] Borrell said: "We are appalled and regret the loss of life over these past eleven days. As the EU has consistently reiterated, the situation in the Gaza Strip has long been unsustainable. Only a political solution will bring sustainable peace and end once for all the Palestinian-Israeli conflict. Restoring a political horizon towards a two-state solution now remains of utmost importance". "Israel/Palestine: Statement by the High Representative Josep Borrell on the Ceasefire", EEAS, 21 May 2021.

## V. Implications for a Better Way Forward

The Israel-Palestine status quo is perennially described as unsustainable while proving to be manageable at what every party except the Palestinians perceives as an acceptable cost. On this latest occasion, however, shifts appear to have taken place that could prove less amenable to business-as-usual politics.

The war gave Israel something of a jolt. Beforehand, the sense among a broad spectrum of the Israeli political elite and public was that they were edging toward a historic victory over the Palestinians. The resulting shock is all the more dramatic as Israeli politics have drifted so far to the right as to have no other policy to fall back upon. None of the major political parties has endorsed the kind of steps that could credibly put two states and a peace process back on the table, and the new Bennett/Lapid government is unlikely to do so, either.[167] Some commentators suggest that the new government could adopt a policy of "shrinking the terms of the conflict".[168] In essence, that approach would amount to economic peace – enhancing Palestinians' lives through economic improvements while neglecting their political rights – and confidence-building measures, which Israel has tried to no avail on numerous previous occasions. The outcome is unlikely to be different this time, and it is highly questionable whether the Bennett/Lapid coalition would contemplate constructive measures of real consequence for Palestinians' daily lives.

A second shift is that the war saw Palestinians across Israel-Palestine speak in a single popular voice. Having transcended their separation (however briefly) and regained a sense of "peoplehood", Palestinian activists, intellectuals and civil society leaders are pressing the world to see the conflict through an alternative lens. They argue that the focus on the two-state framework has enabled the entrenchment of a one-state reality. Arguably, the two-state solution has become unattainable; in any event, as usually conceived, it would exclude Palestinian refugees and Palestinian citizens of Israel. Instead of demanding a one- or two-state solution, more and more Palestinians mobilise in the name of protecting their individual and collective rights as a people living under a state that denies them those rights. That mobilisation is of greater consequence today given the collapse in the PA's legitimacy. It aligns with calls by Palestinian and international human rights groups to understand the status quo under Israel's control as one which fits the legal definition of the crime of apartheid, and with efforts among progressive Democrats in the U.S. to apply a racial justice lens to the conflict.[169]

[167] See Mairav Zonszein, "In Israel, Change Coalition Ousts Netanyahu, But Little Change Expected", Crisis Group Commentary, 11 June 2021.

[168] Jacob Magid, "Former congressman: Give Democrats something to be for, not against, on Israel", *Times of Israel*, 15 June 2021. See also Barak Ravid, "Naftali Bennett: How Israel's new PM plans to handle relations with Biden", *Axios*, 16 June 2021. The term "shrinking the terms of the conflict" comes from a 2018 book by Israeli author Micah Goodman entitled, *Catch-67: The Left, the Right and the Legacy of the Six-Day War* (New Haven and London, 2018).

[169] "A Threshold Crossed: Israeli Authorities and the Crimes of Apartheid and Persecution", Human Rights Watch, 27 April 2021. Palestinian human rights groups have gone further, defining the situation in Israel-Palestine outright as one of apartheid. See "Al-Haq Highlights Israel's Apartheid Regime and Calls for Accountability at the 46th Session of the [UN] Human Rights Council", 12 April 2021. For Al-Haq's longstanding record of characterising Israel's occupation as a form of apartheid, see

Yet despite the rising enthusiasm for this approach, it faces huge obstacles. In immediate policy terms, the imperative is to avoid another flare-up. Palestinians who have mobilised in 2021 may have overcome their atomisation, at least psychologically, but it will be difficult to parlay the sense of togetherness into an organised movement, given the dearth of leaders and because Israel, many foreign powers and even the Palestinian leadership have a vested interest in returning to the status quo. Pro-Israel sentiment of an uncritical type may be losing its hold on much of the U.S. public, particularly among Democratic Party voters, but Israel still commands powerful, often passionate, support in the U.S. political arena, especially among large evangelical Christian communities. At the same time, measures are needed to alleviate the most acute stresses and save lives. The war in Gaza may have ended, but the ceasefire remains fragile, and elsewhere – in the West Bank, East Jerusalem and inside Israel itself – Israel is continuing repressive actions against Palestinians at full speed. The top priority must be to stop the bleeding.

### A. *Israel*

In Israel, the Gaza war brought home the notion that its default strategy of ignoring Gaza except when it needs to tamp down a resurgent Hamas – to "mow the lawn" – is overdue for revision.

Israeli politicians clearly did not think they would wind up in this fix. Barely a year before the latest escalation, President Donald Trump launched his Peace for Prosperity manifesto, which sought to end the Israeli-Palestinian conflict by reducing Palestinian aspirations to a non-contiguous state-minus entity of disjointed enclaves, endorsing Israeli annexation and tilting decisively in favour of Israel's continued occupation. In practice, this plan sounded the death knell of an already moribund peace process. It also accelerated what one might call the Israel victory narrative.[170] At its core, this narrative, which is implicitly held widely across the Israeli political spectrum, holds that the Palestinian issue has faded, the world has moved on and that Palestinians, defeated, eventually will have to accept whatever terms of surrender Israel dictates. Gaza will be domesticated, the West Bank cut up into pieces, Jerusalem encircled from without and its eastern half increasingly settled by Jews from within, and the Palestinian refugees absorbed in other Arab countries by defunding UNRWA and seeking Gulf money for alternative resettlement.

For decades, the peace process has offered an effective and convenient vehicle for Israelis, as well as for PLO leaders and international stakeholders, to "manage" the conflict, even if the latest bout of violence reveals the limits of that management. The

Lynn Welchman, *Al-Haq: A Global History of the First Palestinian Human Rights Organization* (Berkeley, 2021).

[170] In referring to the Trump plan's departure from accepted principles around the two-state solution, Netanyahu said: "[Past initiatives are] not appropriate for today. The reality has changed". Even before its release, the plan's chief architects repeatedly noted that it constituted an acknowledgement of the new reality in Israel-Palestine. See "Kushner: Mideast peace plan expected after Israeli election", Associated Press, 14 February 2019. The Israeli victory narrative was predicated on a sense of Palestinian defeat. For commentary, see Robert Malley and Aaron David Miller, "The real goal of Trump's Middle East plan", *Politico*, 28 January 2020; and Robert Mackey, "Trump and Netanyahu dictate terms of Palestinian surrender to Israel and call it peace", *The Intercept*, 28 May 2020.

process came to serve as a fig leaf as Israel entrenched its control of the Palestinians, deepening separate and unequal systems. When Trump assumed office, he, with Netanyahu's enthusiastic backing, put paid to any pretence that a fair peace might yet result.

Yet the events of April-May show that Israel's approach to managing asymmetric warfare with Gaza is handcuffed by its leaders' eschewing of serious political engagement with the Palestinians. Israel faces a strategic dilemma. It has not articulated an endgame vis-à-vis Gaza and Hamas. The only objective it has laid out is restoring deterrence and setting Hamas capabilities back as many years as possible, to achieve what it calls "long-term quiet".[171] "There are only two ways to deal with [Hamas]", Netanyahu said. "You can either conquer them, and that's always an open possibility, or you can deter them. And we are engaged right now in forceful deterrence".[172] Since Israel must continuously restore deterrence, this approach limits Israel's engagement with Gaza to the tactical military sphere.[173]

There is little agreement in Israel about how to proceed. Some on the Israeli right have said for years that the country's interest lies in preserving Hamas's power while weakening the PA, so as to bolster the case that no partner exists with whom to negotiate peace.[174] Other Israeli politicians and commentators criticise Netanyahu for doing precisely that, and thus separating the West Bank further from Gaza in order to undermine any prospects for Palestinian statehood.[175] A variation on that criticism, coming primarily from the Israeli centre and former security officials, calls for strengthening the PA and restoring its power in Gaza in order to weaken Hamas. Some still echo this call despite the fact that the PA has lost legitimacy among Palestinians.[176] Meanwhile, actual policymaking in Israel is paralysed: any exploration of an alternative approach is stymied by the fear of appearing weak against the backdrop of Israeli politics' decisive rightward drift. It will be hard if not impossible to unstick policy under the factious new Israeli governing coalition.

Beyond Gaza, Israel's de facto policy – creeping annexation and the division of Palestinians – will face greater challenges if Palestinians, as they did during the brief

[171] In May 2021, Defence Minister Benny Gantz said: "The IDF's military campaign will continue to the end of achieving long-term quiet", *Jerusalem Post*, 19 May 2021.
[172] Netanyahu also said that Israel had seven years of quiet since the 2014 war, and that it would be important now to try to push back Hamas to maximise the next period since there is no military solution in Gaza. "Israel's Netanyahu addresses foreign diplomats on Israel Gaza conflict", op. cit.
[173] As an Israeli security analyst put it: "Whereas Israel's thinking during the fighting displayed a tactical-quantitative logic, Hamas's thinking was strategic-qualitative. … Israel ended the operation in a position of great strategic inferiority". Doron Matza, "Operation Guardian of the Walls: Tactical Victory, Strategic Defeat", Begin-Sadat Center for Strategic Studies, 25 May 2021.
[174] In 2015, right-wing Knesset member Betzalel Smotrich said: "The Palestinian Authority is a liability and Hamas an asset". Quoted in Bernard Avishai, "Even with a ceasefire, Israel must face a changed reality", *The New Yorker*, 21 May 2021. That view reflects sentiments that many on the Israeli right express, even if behind closed doors; it found a common airing particularly during Netanyahu's tenure. See Dmitry Shumsky, "Netanyahu needs a strong Hamas in Gaza", *Haaretz*, 16 May 2021; and David Shulman, "Cracks in the Israeli consensus", *The New York Review of Books*, 1 July 2021.
[175] Shumsky, "Netanyahu needs a strong Hamas in Gaza", op. cit.
[176] Meretz Knesset member Mossi Raz said: "The solution to Gaza goes through Ramallah". Crisis Group telephone interview, 13 May 2021. A former security official said: "Integrating Hamas in Palestinian politics is a mistake. The moderates must be strengthened". Crisis Group telephone interview, 19 May 2021.

war, unify their voices across a fractured landscape. The problem becomes worse for Israel with its own Palestinian citizens joining this consciousness. Israel's last president, Reuven Rivlin, and some commentators already ominously refer to a pre-civil war situation – a bigger threat than Hamas poses.[177] Authorities may be able to restore calm in Israel's mixed cities through brute force and mass arrests alongside easing of measures such as home demolitions and more social spending. The unprecedented entry of the United Arab List into a governing coalition suggests that some Palestinian citizens of Israel will endorse improvements under the existing regime. But what happened in May is qualitatively new, with clashes of a nationalist-ethnic character and state power clearly aligned with one side. Many Palestinian citizens not only insist upon the reversal of systematic discrimination inside Israel but also link their demands to those of the larger Palestinian polity.[178]

Overall, the April-May war cries out for a paradigm shift in policy toward the Palestinians, but the state of Israeli politics makes that unlikely. The question for Israeli leaders is under what conditions they might consider interim measures that could at least bring down the temperature and perhaps create openings for new ways of addressing the conflict in the future.

In Gaza, the best way forward, narrowly conceived, would be a long-term truce with the blockade lifted in exchange for a halt to rocket fire from the territory. Israel has indicated it would consider lifting the blockade were the PA to take control of Gaza and Hamas to disarm.[179] Hamas rejects such an idea, all the more so after its successes in May. Attempts to circumvent the deadlock through, for instance, the Gaza Reconstruction Mechanism have failed, with Israel maintaining restrictions on the movement of goods in and out of Gaza, which the Israeli organisation Gisha has described as "sweeping, excessive … and disproportionate in harm done to the civilian population".[180] In the interim, Israel insists on preventing Hamas from rearming – understandable, but not something it can do without reoccupying Gaza or ending the conflict on terms acceptable to most Palestinians, neither of which is on the cards. The continued blockade violates Israel's treaty commitments and condemns Pales-

[177] "Israeli president warns of civil war as Jews, Arabs clash over Gaza", Reuters, 12 May 2021; and "Lod: Why an Israeli town's mayor is warning of civil war", BBC, 12 May 2021. Noa Landau said: "I've been a journalist in Israel for more than fifteen years now and I've never seen anything like what is happening right now on the ground. This is a civil war between citizens". Quoted in tweet by Bianna Golodryga, CNN anchor, @biannagolodryga, 4:50pm, 18 May 2021.

[178] See Nir Hasson, Yanal Jbareen and Fatima Khamaisi, "Arab citizens of Israel show unprecedented involvement in Jerusalem protests", *Haaretz*, 9 May 2021, which quotes a young Palestinian citizen of Israel as saying: "Jerusalem is the center of the Palestinian issue. Without it there is no liberation of the Palestinian people, who live under occupation and historic injustice". The interviewee added that young Arab citizens of Israel are heading to Jerusalem "to express solidarity with the residents of Sheikh Jarrah and Jerusalem", as well as, the *Haaretz* writers say, with "the struggle for the establishment of a Palestinian state whose capital is Jerusalem".

[179] In supporting such a policy, former U.S. official Dennis Ross has described the approach as one of "reconstruction for no rearmament". Dennis Ross, "How the World Could Help End the Israeli-Palestinian Conflict – and Prevent Future Clashes", Washington Institute for Near East Policy, 19 May 2021. Israel's other main demand regarding Gaza is the release of two Israelis being held there.

[180] "The day after: Gisha's priorities June 2021", private policy note shared with USMEP/Crisis Group. The Gaza Reconstruction Mechanism is an informal process of coordination between the Israeli and Gaza governments implemented by the UN.

tinians in Gaza to endless suffering, while failing to deliver security for Israel or to prevent Hamas from rearming.

Even Israeli security officials who agree that the approach to Gaza is not working raise the concern that easing the blockade would allow Hamas to rearm faster and perhaps with better weapons. They draw comparisons to Hizbollah's upgraded precision-guided missiles in Lebanon. That concern is real, but ending the blockade is not tantamount to relinquishing control over Gaza. At no time in the foreseeable future will Israel and Egypt allow unfettered entry and exit. Weaponry can be interdicted without causing the enormous suffering that today's blockade is intended to inflict. Moreover, security is a function of not only capacity but also motivation. Removing the blockade will improve the socio-economic situation in Gaza; Hamas will hesitate before sacrificing these gains. It is not surprising, then, that the follow-up talks to the May ceasefire (led by the Egyptians, with active UN assistance as well as the involvement of the U.S. and occasionally other regional and European actors), to lock in a more permanent calm, are thus far stuck.

The possible openings for breaking the impasse revolve around two factors. First, there may be an opportunity for a somewhat different approach and a joint push by the constellation of external state actors (discussed further below), should Egyptian-Qatari and Egyptian-Turkish relations warm slightly, and should the U.S. engage somewhat differently on this file. Secondly, there could be a significant re-escalation of fighting in Gaza, even if unintentional and not desired by either party. Another such exchange of fire might rupture Israel's new governing coalition, particularly the tactical alliance between Bennett and the United Arab List. The coalition factions are aware of this political Achilles' heel, but whether they therefore become willing to pursue different policies to head off such a risk remains to be seen.

At the Holy Esplanade, Israel has an easier if not problem-free way forward, because a framework exists. It can revert to what is called the Status Quo and subsequent unwritten "understandings" between Israel and Jordan, whose royal family are custodians of Jerusalem's holiest Islamic sites.[181] The Status Quo, which has mostly kept the peace at the Holy Esplanade – though less and less of late – since the 1967 war, gives the Islamic Waqf the right to administer the site (with certain restrictions, for instance on archaeological digs) and Israel the power to police it from the outside; it also allows Muslims to pray at the site and non-Muslims to enter as tourists. Returning to this arrangement would help reduce tensions and lessen the chance of altercations between protesters and Israeli police. The latter should be given clear instructions not to enter the Esplanade, much less the al-Aqsa mosque, and refrain from harassing worshippers in East Jerusalem. For its part, the Waqf should redouble efforts to stop violence emanating from the plateau and maintain all aspects of the Status Quo, not only those relating to security.[182]

[181] See, for example, Crisis Group Middle East Report N°159, *The Status of the Status Quo at Jerusalem's Holy Esplanade*, 30 June 2015.

[182] It seemed for a time that Bennett would go in the opposite direction, with the new prime minister allowing a significant Jewish presence on the Temple Mount during the Tisha B'Av fasting holiday in mid-July and asserting the rights of Jews to worship there. This move was a clear, provocative break with the Status Quo. Under pressure, however, including from his coalition partner the United Arab List, Bennett subsequently appeared to backtrack in asserting only "the right of Jews to visit".

As for East Jerusalem, the formula for stemming unrest could be just as simple but would have a high political cost. Israel would rescind the orders to evict Palestinian residents and evacuate Jewish settlers from Silwan, Sheikh Jarrah and other densely populated Palestinian neighbourhoods. This course would, however, require upending consistent Israeli practices of Palestinian dispossession; their application in East Jerusalem is particularly incendiary given the convergence of nationalist and religious narratives there. Israel is likely to consider taking such steps only if it faces sufficiently stiff consequences in the international arena for not doing so. For now, such consequences are not on the global agenda, even if evictions from particular homes in Sheikh Jarrah are under a microscope.

When the Supreme Court reviewed the Sheikh Jarrah case on 2 August, it made no final decision but offered to remove the imminent threat of eviction by letting the affected Palestinian families stay as "protected tenants" and making them pay an ongoing rental fee to the settler association claiming ownership of the land.[183] The Court's action shows that the Israeli system is susceptible to pressure and did not want to risk either further international opprobrium or a potential security escalation. At the same time, the court's inability to reach an equitable definitive solution means that the issue in Sheikh Jarrah, as well as Palestinian dispossession and evictions in general, will continue to fester.

But although options exist – even if they are half-measures that only temporarily stave off further unrest – little suggests that Israel, absent international intervention that recalibrates the government's incentives, will take a more constructive approach. In fact, the three specific guidelines for Israeli policies in the Occupied Territories that appear in the coalition documents for the multi-party Bennett-Lapid government all double down on negative trends: allocating additional funding for students at Ariel University in the eponymous West Bank settlement; committing to produce a new "master plan for transportation in Judea and Samaria and the Jordan Valley"; and giving the defence ministry more money to prevent so-called illegal building by Palestinians in Area C.[184] Subsequently, the Bennett government resolved its first controversy over West Bank settlement – about the unauthorised outpost of Evyatar – in the settlers' favour, paving the way for building more formal new settlements.[185]

"Bennett backtracks on statement backing Jewish freedom of worship on Temple Mount", *Haaretz*, July 19, 2021.

[183] The judges offered what they described as "a practical solution" in giving the Palestinian residents the status of "protected tenants". If appeals by the settler organisation Nahlat Shimon are unsuccessful, that will remove the threat of eviction for three generations. The judges' proposal, however, both maintains the structural inequality in Israeli law and gives only one-off protection to these specific families. In requiring the Palestinian residents to pay a nominal annual "renter's fee" to the settler organisation – something that reports suggest the Israeli government is insisting the Palestinian families will have to accept – the court is also making the arrangement conditional on Palestinian acquiescence to Israeli ownership and to their own inequality before the law. This means the issue will remain a potential flashpoint. Nir Hasson, "Court offers Palestinians 'protected residents' status", *Haaretz*, 2 August 2021.

[184] These points all appear in the summary of the Israeli government guidelines and coalition agreements on the Knesset website (Hebrew).

[185] Jacob Magid and Shalom Yerushalmi, "Settlers evacuate illegal Evyatar outpost under deal that keeps it intact", *Times of Israel*, 2 July 2021.

A new Israeli government will also face the task of addressing the deep social rifts that stem in no small part from institutionalised discrimination against Palestinian citizens, compounded by increasingly incendiary political rhetoric and the near-total collapse in community-police relations. Ethnic violence has receded but will not easily be forgotten or eradicated. Israel must begin by treating its Palestinian citizens equally before the law; integrating them more equally into state housing plans and budgets; and urgently addressing rising poverty, crime and gun violence in low-income neighbourhoods such as Lod/al-Lid. A new Israeli government must also rein in incitement against Palestinian citizens, from the highest to the local level, and halt organising by far-right elements to attack Palestinian citizens.

The latest bout of violence also appears likely to check, for now at least, any further normalisation between Israel and Arab states. The Abraham Accords, which Israel signed with Arab states in the Trump presidency's waning months, are part of the mirage of Israel's vanquishing of the Palestinians. They have not (nor did they intend to) generated leverage vis-à-vis Israel's treatment of the Palestinians. Yet neither did they help Israel during the war. Instead, they put both Israel and the signatory Arab states on the defensive, as Arab populations across the region expressed renewed sympathy for the Palestinians' plight. These events could serve as a cautionary tale for other Arab states, especially Saudi Arabia, that might have been considering normalisation.

## B. *The Palestinians*

Unified in their rejection of Israeli repression, Palestinians remain divided geographically and politically, and despite Hamas's bid for the mantle, they lack legitimate leaders elected by popular mandate. The past fifteen years saw the rise of a political system in the West Bank that is authoritarian and unaccountable to the public. Abbas rules the territory by presidential decree without parliamentary oversight or other institutional checks and balances, and he has undermined the judiciary.[186] Corruption and human rights abuses have proliferated, as security forces clamp down on popular activism.[187] Abbas has overstayed his legal tenure as president. By "indefinitely postponing" legislative elections planned for May and failing, in many Palestinians' eyes, to stand up for their rights during the confrontations with Israel, he has sidelined himself, along with the PA and Fatah.

For Hamas, elections offered a way out of being little more than Gaza's primary service provider. Earlier in 2021, Fatah and Hamas gave each other verbal assurances about a post-election power-sharing arrangement that would see a unity government designed to ensure that they would retain their dysfunctional duopoly on power. Hamas agreed to play second fiddle to Fatah as a way to relinquish its administrative responsibilities in Gaza, in the hope of easing Israeli restrictions on the Strip, while

[186] In 2019, Abbas unilaterally dissolved the Palestinian parliament, amid opposition from Palestinian civil society, by pushing through a ruling at the Palestinian Supreme Constitutional Court, a body comprised of lawyers and judges known for doing the president's bidding. "Why Mahmoud Abbas dissolved the Palestinian parliament – and what it means for the future", *The Washington Post*, 18 January 2019.

[187] "Two Authorities, One Way, Zero Dissent", Human Rights Watch, 23 October 2018.

gaining an institutional foothold in the Palestinian body politic, including most importantly the PLO, through Palestinian National Council elections that had been slated for August.

Such a power-sharing deal was predicated on Fatah winning a majority. Instead, Fatah split in the lead-up to the planned elections. When it became clear that the official Fatah list could not achieve victory, Abbas postponed the elections, citing Israeli obstructions to voting in East Jerusalem. Against the backdrop of tensions in Sheikh Jarrah and at al-Aqsa, Palestinian political factions discussed how to respond to the election postponement. The energy for action was present then, and events provided an opportunity for Hamas to capitalise on popular disenchantment with the leadership. Thus, in its insistence that the April-May war "started with Jerusalem and will end with Jerusalem", Hamas fuelled an inchoate but growing public movement while also boosting its own popularity by choosing to confront Israel.

Yet, while Hamas demonstrated its military capacity and achieved wider political resonance, it faces significant challenges. It can barely operate in the West Bank: while it could gain some traction now due to its expanding popularity, security coordination between the PA and Israel will still prevent it from establishing an institutional or operational presence. Gaza, where it retains full control, will be even harder to manage than before. Hamas sustained serious damage to its own military and governing capabilities, as well as to Gaza's civilian infrastructure, in addition to lives lost and the destruction of tower blocks and individual dwellings. Gazans still have not recovered from the losses of the last three wars and may never do so under Israel's continuing siege and amid the pandemic. They will be able to emerge from such adversity only once Israel lifts the blockade and foreign reconstruction funds start to stream in.[188]

Even if, over time, new personnel can be trained and depleted stocks replenished, Hamas will face an even greater governance and service provision challenge. There are now, for instance, more homeless people and more severe problems of power generation, water supply and sewage treatment. Hamas, which is cash-strapped, has few options for passing on those challenges to other authorities, with power sharing via elections seemingly off the agenda.[189]

Still, Hamas has shown it must be a significant part of the PLO's renewal and of any future strategy that accommodates public sentiment.[190] Palestinian political insti-

[188] The Hamas government has already begun the arduous task of assembling a National Council for Reconstruction, composed of the relevant government ministries, the private sector and prominent individuals and private donors, to supervise the reconstruction process in coordination with all relevant parties inside and outside the Gaza Strip. "The government media: we started to form national council for the reconstruction of Gaza, in coordination with all parties", *Gaza Post*, 22 May 2021.
[189] Anshel Pfeffer, "Israel targets Hamas's financial heart in Gaza", *The Times* (London), 16 May 2021.
[190] Jibril Rajoub, secretary-general of the Fatah Central Committee, proclaimed on 19 May that "struggle in all its forms is a means to end the occupation for us", even "if it is necessary for us to return to bearing arms". Quoted in "Rajoub: 'A ceasefire agreement is expected within the next 24 hours'", *Sama News*, 19 May 2021. Even Hamas's staunchest critics in Fatah have come out in support of the former. Munir al-Jaghoub, a senior Fatah leader, proclaimed that Fatah and the PLO need to rethink their strategy to find ways to capitalise on the military deterrence developed by Hamas and the other factions in Gaza, which have become a "force to be reckoned with" in their dealings with Israel. Munir al-Jaghoub interview with local West Bank radio, shared in WhatsApp news groups, 11

tutions' fragility, division and lack of agency facilitate the Israeli right's approach to the Israeli-Palestinian conflict. The April-May events, in which Abbas was largely a spectator, have exacerbated this problem. He and Fatah appear to be at a point of unparalleled weakness, without a viable strategy and seemingly actively cooperating with the Israeli occupation. For many Palestinians, Abbas and Fatah's primary focus appears to be not winning Palestinian rights and freedom but maintaining their grip on power. The disconnect was brought home appallingly on 24 June, when Palestinian activist and former legislative candidate Nizar Banat died in the PA security forces' custody.[191] His death spawned protests in all major West Bank cities, with people demanding Abbas's resignation and calling for the PA's downfall. Mourners from across the West Bank attended his funeral. In East Jerusalem, hundreds of worshippers at al-Aqsa mosque protested the killing.[192]

A return to business as usual appears to be the path of least resistance for Palestinian leadership structures, but it is a dead end. The immediate future will probably see the PA and Fatah focus on regaining control over the West Bank and returning to the socio-political dispensation that existed prior to the escalation in April. They may also try to gain a firmer foothold in Gaza by attempts to control disbursement of pledged reconstruction funds. One thing seems clear, however: the option, especially popular with international actors and Israeli centrists, of strengthening Abbas, returning to negotiations and resuming the old peace process no longer exists as a credible path forward. There may well be an international effort to revive the PA, but the chances of it succeeding have diminished to almost zero. Anyone interested in preventing future escalations must think in terms of a new scaffolding on which the building blocks of future peace can rest.

Palestinian elections remain important, even if they cannot change Israeli policy. The build-up to the cancelled elections in early 2021 saw a flurry of enthusiasm and activity. Voter registration reached 93 per cent of all eligible voters. New candidates and lists participated, many of whom subsequently joined street actions in April-June. Elections are a mechanism for incorporating these actors into governing structures without overhauling the entire system, the prospect of which seems to be what concerns Israel and its international backers the most. They would also provide an

May 2021. PLO officials such as Husam Zomlot, the ambassador to the UK, hinted as much in a televised Channel 4 interview on 22 May, when he refused to condemn Hamas rocket fire. See tweet by Husam Zomlot, @hzomlot, 6:26am, 22 May 2021.

[191] PA security forces arrested Banat, who was known for his scathing social media posts about the Palestinian leadership, on 24 June. Banat was a harsh critic of both the Israeli occupation and the PA. He had called on Western donors to cut off aid to the PA because of its growing authoritarianism and human rights violations. In the days before his death, Nizar had openly criticised a vaccine exchange deal between the PA and Israel by which Israel would send up to 1.4 million Pfizer-BioNTech doses that were soon to expire to the PA in exchange for receiving a reciprocal number of fresh doses from the PA later in the year. The PA later cancelled the deal, the details of which it did not make public. See "Activist fears Palestinian Authority's bid to 'silence' dissent", France 24, 30 June 2021; "Palestinians attend funeral for PA critic Nizar Banat in Hebron", Al Jazeera, 25 June 2021; and Peter Stubley, "Palestinian Authority cancels Covid vaccine swap deal with Israel over expiry dates", *The Independent*, 19 June 2021. PA officials described Banat's death as an "unfortunate accident". "PA apologises for murder of activist Nizar Banat", *Middle East Monitor*, 24 July 2021.

[192] "Palestinians attend funeral for PA critic Nizar Banat in Hebron", op. cit.

opportunity for change from within. The latest events show how desperately Palestinians need effective leadership. Palestinian political renewal could better contest the Israeli-imposed status quo, by giving the national movement a strategy, asserting its agency and challenging Israeli impunity in ways that the PA and PLO in their present incarnation palpably have failed to do.

Moreover, a vote could provide a means toward a power-sharing arrangement within the PA and PLO, incorporating not only Hamas, Fatah and other factions, but also new political actors that have their own roots in civil society. Cancelling polls some months ago was a missed opportunity. The ballot box still has the potential to offer a way forward, at least for an interim period, however imperfect the circumstances may be. The reality of Palestinians' geographical scattering means that elections need to happen at two levels. The first is elections for the overarching Palestinian National Council. This body is, in effect, the legislature for Palestinians wherever they may be, not just those who reside in the occupied territories, including in East Jerusalem. The second is the PA: in the interest of effective governance, Palestinians in the Occupied Territories require democratic accountability and a unified government in charge of both the West Bank and Gaza.

Abbas, however, appears to have other plans. The likelihood of Hamas winning polls has only grown, and this knowledge alone appears likely to encourage him, supported by Israel (and, it seems, the U.S.), to turn indefinite postponement into definitive cancellation. Instead, he is reportedly considering pushing for a power-sharing agreement with Hamas without either elections or any form of popular endorsement – presumably using leverage the PA will acquire as bursar of international funds pledged to rehabilitate Gaza.[193] Yet there is no reason to expect that what has failed under more propitious circumstances could succeed under today's more trying conditions of an unprecedented decline in Fatah-PA credibility.

The present predicament over Palestinian leadership structures also requires international partners to rethink their positions: why they have seemed indifferent to elections; why they continue to impose unrealistic conditions on Hamas for recognition and, by extension, power sharing; and why they appear willing to keep funding an unrepresentative, undemocratic and rights-violating PA.

### C. *International Actors*

Even as the latest strife has forced international actors to re-engage with the conflict; even as the futility in doing more of the same is widely acknowledged in private; and even as ever more observers recognise the shifting realities on the ground, signs of change in policy are conspicuous by their absence. Some international leaders use – indeed, for some years have used – rhetoric that implicitly recognises new realities, but their actual policies remain static.[194] International actors cannot be blamed for

[193] Crisis Group/USMEP interview, confidant of Abbas, June 2021.

[194] President Biden and Secretary of State Blinken have repeatedly said: "Israelis and Palestinians should enjoy equal measures of freedom, security, prosperity and democracy". U.S. State Department spokesperson Ned Price conveying the words of Biden and Blinken in "US to Israel: Israel, Palestinians should enjoy equal measures of freedom", Middle East Online, 3 April 2021. The EU's Borrell has said: "The EU cannot be expected to finance yet again the rebuilding of Gaza without a mean-

failing to deliver a comprehensive solution at this time. Indeed, attempting to relaunch peace negotiations at this point makes little sense; that option has run its course, particularly after the unilateral Trump measures, alongside Israel's longstanding negation of the Oslo-era two-state concept and international partners' failure to uphold it.[195] But foreign powers can work together on initiatives that can reduce the chances of further short-term flare-ups, significantly ease the plight of Gazans and better protect the rights of all those in Israel-Palestine, particularly Palestinians denied their basic rights and freedoms.

The U.S. and other international actors support the notion of Palestinian democratic renewal but have obstructed its practical realisation. Rather than pave the way for a strategic rethink, the peace process's slow demise has given way to a tendency to shore up an unreformed PA leadership to try filling the Palestinian political vacuum.[196] By seeking to empower the PA only through unrepresentative means, as well as imposing unduly strict conditions on Hamas's political participation, outside powers have contributed to hollowing out Palestinian democracy. Meanwhile, they have enabled a fourteen-year Israeli blockade on Gaza that acts as collective punishment of two million Palestinians, while failing to curb Hamas's electoral prospects.

Ideally, the U.S. would lead an international shift in tack. It should lead the Quartet in revisiting the conditions imposed on Hamas, which have undermined political reform by denying Hamas any share of power. International stakeholders should meanwhile proactively support Palestinian elections under the freest and fairest circumstances attainable, including with the participation of East Jerusalem Palestinians. They should also cease empowering an unreformed Fatah-PA as a core partner.

As Crisis Group has long argued, the conditions the Quartet (the U.S., UN, EU and Russia) has imposed on Hamas since it won the 2006 elections need revision.[197] These demands – recognising Israel, renouncing violence, and accepting all previous agreements between Israel and the Palestinians – should mostly be left for negotiations between them, not considered preconditions for international engagement with Hamas. They offer a strong disincentive to effective power sharing in Palestinian politics. To be sure, Western politicians, who have mostly shied away from any reckoning with the implications of the Quartet's policy, will be reluctant to change it now that Hamas has grown stronger in the wake of the April-May crisis. But it is precisely this policy that empowers the movement by allowing it to draw a stark distinction

ingful prospect of actually solving the underlying conflict". Josep Borrell, "Israel/Palestine after the ceasefire: what should Europe do?", EEAS (blog), 22 May 2021. In addition, French Foreign Minister Jean-Yves Le Drian has warned that an apartheid state could emerge if the two-state solution disappears. Quoted in "Proche-Orient: Jean-Yves Le Drian met en garde contre un 'risque d'apartheid' en Israël", Yahoo! Actualités, 23 May 2021.

[195] The Trump measures included recognising Jerusalem as Israel's capital, moving the U.S. embassy to Jerusalem, cutting assistance to the Palestinians, shutting down the U.S. consulate in East Jerusalem and the PLO mission in Washington, defunding UNRWA and supporting settlement annexation in the Peace to Prosperity plan.

[196] See, for example, Crisis Group Middle East Report N°122, *The Emperor Has No Clothes: Palestinians and the End of the Peace Process*, 7 May 2012; and Crisis Group/USMEP Statement, "Three Pillars for a New U.S. Approach to Peace in Israel-Palestine", 15 December 2020.

[197] For more, see Crisis Group Middle East Reports N°162, *No Exit? Gaza and Israel Between Wars*, 26 August 2015; and N°191, *Rebuilding the Gaza Ceasefire*, 16 November 2018.

between what it portrays as the subservient and domesticated Fatah and PA, on one hand, and its own defined posture of resistance. Moreover, revising the Quartet conditions is a prerequisite for the Palestinian political renewal that major powers claim to support.

The conditions are misguided and should be replaced by a universal measure of a government committing itself to, and abiding by, international law. In the interim, the Quartet should revise the conditions in a manner that at least allows Hamas to support and participate from a distance in a unity government, for example by nominating ministers who are not card-carrying Hamas members, as happened previously in the short-lived 2006 unity government. This step would facilitate a return to representative national institutions and accountable PA governance. The U.S. and other Western powers may not be able to directly engage with Hamas due to domestic legislation (it is doubtful that Hamas seeks such relations, either). But revising the conditions along these lines would remove the excuse of external pressure from Palestinian calculations about elections, reform and power sharing.

Egypt is likely to remain *primus inter pares* in mediating between Palestinian political factions. It has proven able to draw a distinction between its antipathy for the Muslim Brotherhood and its relations with the latter's Palestinian manifestation, Hamas. With the nascent easing of certain tensions in the region, others – including Qatar, Jordan and Turkey – could also support this kind of effort vis-à-vis the Palestinian body politic alongside Egypt.[198] They will be far more attuned to doing so if they are receiving strong positive reinforcement, even if behind the scenes, from the U.S. and elsewhere. (Russia has also hosted intra-Palestinian talks and can be helpful in this effort). Absent strong U.S. signals of encouragement to the regional actors, progress is unlikely.

At the same time, any progress – whether easing of conditions or prevention of further bloodshed – requires first and foremost change in Israeli policy, and that is unlikely to happen of its own accord. Israel will not shift its approach unless the cost-benefit equation put in place by the U.S. and international partners starts to look different. While the new Israeli government has started with a business-as-usual approach to Palestinian issues, its longevity would be threatened by another major flare-up; how it would respond to an external push aimed at averting such a flare-up is unknown. It should be put to the test. Some might say that the coalition is simultaneously too rigid and too fragile – too rigid on the Palestinian issue for external pressure to generate a useful result, too fragile in its composition to risk forcing a fifth election – but that only raises the question of why world powers would be so short-sighted as to accept the continuation of current policies whether by this or a future government. Outside powers should shift toward holding Israel more accountable for its discrimination, dispossession and de facto annexation.

Pressure undoubtedly will need to accumulate over time. Gaza and East Jerusalem should be the focus at first. On Gaza, Israel already accepts Egyptian mediation with Hamas, works with an internationally backed and UN-led Gaza Reconstruction Mechanism and endorses the notion of "long-term quiet" – encouraging extensive

[198] In the wake of the Biden administration's arrival in the White House, several governments in the region made diplomatic overtures toward their adversaries in an apparent effort to ease tensions. These include Saudi Arabia vis-à-vis Iran and Qatar, and Egypt vis-à-vis Qatar and Turkey.

Qatari financial support for Gaza.[199] International actors should now press Israel to accept the more comprehensive and permanent opening of Gaza which the Mechanism failed to achieve, and to desist from blocking Palestinian power sharing if and when the Palestinians themselves pursue that path. On East Jerusalem, coordinated external pressure is required to continue preventing evictions in Sheikh Jarrah and other settlement provocations, and to return to pre-existing modalities at the Holy Esplanade, as well as to allow Palestinian residents to vote in future elections.

Over time, ending impunity and inserting accountability into the relationship with Israel offers the best chance to push Israeli decision-making toward greater respect for Palestinian rights. The Biden administration's advent, the new mood in parts of the U.S. body politic, Netanyahu's ouster and regional de-escalation have created new opportunities for change, however limited. Standing alongside Israel's new Foreign Minister Yair Lapid, Blinken noted that while the new administration supports the Abraham Accords, "we have also discovered, or perhaps rediscovered, that as important as they are … they are not a substitute for engaging on the issues between Israelis and Palestinians that need to be resolved".[200] Following the April-May crisis, it is worth the U.S. making a greater effort to tease out the contours of a concerted international approach as proposed in this report.

[199] Jacky Hugi, "Weeks after the end of fighting, the Hamas leadership found itself in a situation it had not known in a long time", *Ma'ariv*, 25 June 2021 (Hebrew). Hugi noted that Israel needed the Gaza payment arrangement and that the former Mossad director, Yossi Cohen, asked the Qataris to restart it twice after it had expired. It included millions of dollars for the power station, as well as millions more for the needy and for the 7,000-strong bureaucracy in Gaza. According to Hugi, the Israeli government explained to anyone who asked that, with Qatar's money, it was buying quiet. In a later piece, Hugi reported that Qatar's grant will amount to $30 million per month. Jacky Hugi, "Qatar's demands and Israel's reservations: Behind the settlement talks with Hamas", *Ma'ariv*, 23 July 2021 (Hebrew).

[200] See "Secretary Antony J. Blinken and Israeli Foreign Minister Yair Lapid before Their Meeting", press release, U.S. State Department, 27 June 2021.

## VI. Conclusion

The Israeli-Palestinian conflict has gone on for decades, and each new episode of violence serves to underline the troubling fact that positions are becoming more deeply lodged and ever further apart. A negotiated solution, so desperately needed, seems increasingly remote. This extended period of political stasis might be alluring for many – Israeli leaders, Fatah and the PA, international actors – but the latest outburst has shown that the Palestinian question is not going away, however much some might wish it would.

At this brief moment of rupture, Israeli and Palestinian leaders should take steps to minimise risks of another outbreak and prevent further suffering, and international actors should push them in this direction. It also presents an opportunity to rethink the entire edifice of Israeli-Palestinian peacebuilding. Most importantly, international stakeholders need to revise their own stances. They should start acting like truly impartial brokers rather than as helpless bystanders to, or active enablers of, the unequal application of freedom, security and democracy for both peoples between Jordan and the Mediterranean.

**Tel Aviv/Ramallah/Gaza City/Brussels, 10 August 2021**

## Appendix A: Map of Israel-Palestine

## Appendix B: About the International Crisis Group

The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 120 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries or regions at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international, regional and national decision-takers. Crisis Group also publishes *CrisisWatch*, a monthly early-warning bulletin, providing a succinct regular update on the state of play in up to 80 situations of conflict or potential conflict around the world.

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After President & CEO Robert Malley stood down in January 2021 to become the U.S. Iran envoy, two long-serving Crisis Group staff members assumed interim leadership until the recruitment of his replacement. Richard Atwood, Crisis Group's Chief of Policy, is serving as interim President and Comfort Ero, Africa Program Director, as interim Vice President.

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**August 2021**

## Appendix C: Reports and Briefings on the Middle East and North Africa since 2018

### Special Reports and Briefings

*Council of Despair? The Fragmentation of UN Diplomacy,* Special Briefing N°1, 30 April 2019.

*Seven Opportunities for the UN in 2019-2020,* Special Briefing N°2, 12 September 2019.

*Seven Priorities for the New EU High Representative,* Special Briefing N°3, 12 December 2019.

*COVID-19 and Conflict: Seven Trends to Watch*, Special Briefing N°4, 24 March 2020 (also available in French and Spanish).

*A Course Correction for the Women, Peace and Security Agenda*, Special Briefing N°5, 9 December 2020.

### Israel/Palestine

*Israel, Hizbollah and Iran: Preventing Another War in Syria*, Middle East Report N°182, 8 February 2018 (also available in Arabic).

*Averting War in Gaza*, Middle East Briefing N°60, 20 July 2018 (also available in Arabic).

*Rebuilding the Gaza Ceasefire*, Middle East Report N°191, 16 November 2018 (also available in Arabic).

*Defusing the Crisis at Jerusalem's Gate of Mercy*, Middle East Briefing N°67, 3 April 2019 (also available in Arabic).

*Reversing Israel's Deepening Annexation of Occupied East Jerusalem,* Middle East Report N°202, 12 June 2019.

*The Gaza Strip and COVID-19: Preparing for the Worst*, Middle East Briefing N°75, 1 April 2020 (also available in Arabic).

*Gaza's New Coronavirus Fears*, Middle East Briefing N°78, 9 September 2020 (also available in Arabic).

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*Averting Disaster in Syria's Idlib Province*, Middle East Briefing N°56, 9 February 2018 (also available in Arabic).

*Winning the Post-ISIS Battle for Iraq in Sinjar*, Middle East Report N°183, 20 February 2018 (also available in Arabic).

*Saudi Arabia: Back to Baghdad*, Middle East Report N°186, 22 May 2018 (also available in Arabic).

*Keeping the Calm in Southern Syria*, Middle East Report N°187, 21 June 2018 (also available in Arabic).

*Iraq's Paramilitary Groups: The Challenge of Rebuilding a Functioning State*, Middle East Report N°188, 30 July 2018 (also available in Arabic).

*How to Cope with Iraq's Summer Brushfire*, Middle East Briefing N°61, 31 July 2018.

*Saving Idlib from Destruction,* Middle East Briefing N°63, 3 September 2018 (also available in Arabic).

*Prospects for a Deal to Stabilise Syria's North East*, Middle East Report N°190, 5 September 2018 (also available in Arabic).

*Reviving UN Mediation on Iraq's Disputed Internal Boundaries*, Middle East Report N°194, 14 December 2018 (also available in Arabic).

*Avoiding a Free-for-all in Syria's North East*, Middle East Briefing N°66, 21 December 2018 (also available in Arabic).

*Lessons from the Syrian State's Return to the South,* Middle East Report N°196, 25 February 2019.

*The Best of Bad Options for Syria's Idlib*, Middle East Report N°197, 14 March 2019 (also available in Arabic).

*After Iraqi Kurdistan's Thwarted Independence Bid,* Middle East Report N°199, 27 March 2019 (also available in Arabic and Kurdish).

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*Iraq: Evading the Gathering Storm*, Middle East Briefing N°70, 29 August 2019 (also available in Arabic).

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*Decentralisation in Tunisia: Consolidating Democracy without Weakening the State*, Middle East and North Africa Report N°198, 26 March 2019 (only available in French).

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*Post-Bouteflika Algeria: Growing Protests, Signs of Repression*, Middle East and North Africa Briefing N°68, 26 April 2019 (also available in French and Arabic).

*Of Tanks and Banks: Stopping a Dangerous Escalation in Libya,* Middle East and North Africa Report N°201, 20 May 2019.

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*The Iran Nuclear Deal at Two: A Status Report*, Middle East Report N°181, 16 January 2018 (also available in Arabic and Farsi).

*Iran's Priorities in a Turbulent Middle East,* Middle East Report N°184, 13 April 2018 (also available in Arabic).

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*Saving the Stockholm Agreement and Averting a Regional Conflagration in Yemen*, Middle East Report N°203, 18 July 2019 (also available in Arabic).

*Averting the Middle East's 1914 Moment,* Middle East Report N°205, 1 August 2019 (also available in Farsi and Arabic).

*After Aden: Navigating Yemen's New Political* Landscape, Middle East Briefing N°71, 30 August 2019 (also available in Arabic).

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*The Urgent Need for a U.S.-Iran Hotline*, Middle East Briefing N°77, 23 April 2020 (also available in Farsi).

*The Middle East between Collective Security and Collective Breakdown*, Middle East Report N°212, 27 April 2020 (also available in Arabic).

*Rethinking Peace in Yemen*, Middle East Report N°216, 2 July 2020 (also available in Arabic).

*Iran: The U.S. Brings Maximum Pressure to the UN*, Middle East Report N°218, 18 August 2020 (also available in Arabic).

*The Iran Nuclear Deal at Five: A Revival?*, Middle East Report N°220, 15 January 2021 (also available in Arabic and Farsi).

*The Case for More Inclusive – and More Effective – Peacemaking in Yemen*, Middle East Report N°221, 18 March 2021 (also available in Arabic).

*Iran: The Riddle of Raisi*, Middle East Report N°224, 5 August 2021.

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## SENIOR ADVISERS

Former Board Members who maintain an association with Crisis Group, and whose advice and support are called on (to the extent consistent with any other office they may be holding at the time).

**Martti Ahtisaari**
Chairman Emeritus

**George Mitchell**
Chairman Emeritus

**Gareth Evans**
President Emeritus

**Kenneth Adelman**
**Adnan Abu-Odeh**
**HRH Prince Turki al-Faisal**
**Celso Amorim**
**Óscar Arias**
**Richard Armitage**
**Diego Arria**
**Zainab Bangura**
**Nahum Barnea**
**Kim Beazley**
**Shlomo Ben-Ami**
**Christoph Bertram**
**Lakhdar Brahimi**
**Kim Campbell**
**Jorge Castañeda**
**Joaquim Alberto Chissano**
**Victor Chu**
**Mong Joon Chung**
**Sheila Coronel**
**Pat Cox**
**Gianfranco Dell'Alba**
**Jacques Delors**
**Alain Destexhe**
**Mou-Shih Ding**
**Uffe Ellemann-Jensen**
**Stanley Fischer**
**Carla Hills**
**Swanee Hunt**
**Wolfgang Ischinger**
**Aleksander Kwasniewski**
**Ricardo Lagos**
**Joanne Leedom-Ackerman**
**Todung Mulya Lubis**
**Graça Machel**
**Jessica T. Mathews**
**Miklós Németh**
**Christine Ockrent**
**Timothy Ong**
**Roza Otunbayeva**
**Olara Otunnu**
**Lord (Christopher) Patten**
**Surin Pitsuwan**
**Fidel V. Ramos**
**Olympia Snowe**
**Javier Solana**
**Pär Stenbäck**