**When Annexation Snowballs it will Lead to Disaster**

**Shaul Arieli, Israel Policy Forum, April 28, 2020**

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The Netanyahu-Gantz government, in coordination with the United States, intends to begin moves towards annexation this summer. This is a dramatic change from Israeli government policy since 1967. What should we expect? What are the possible consequences and effects?

The current government has operated so far within the format of creeping annexation, which is reflected by expanding Jewish settlements (in accordance to Israeli law and in conflict with it), by using the separation fence to create de facto annexation, by building in the Jewish neighborhoods in East Jerusalem, by paving national roads, by restricting Palestinian development and demolishing illegal homes in Area C, and by deepening the distinction between Jewish and Palestinian residents by several legislative measures.

Annexation legislation would indicate that the Israeli government intends to move to de jure annexation. As Minister Naftali Bennett said to Prime Minister Benjamin Netanyahu in 2016: "On the subject of Israel, we need to move from containment to decision. We need to mark the dream, and the dream is that Judea and Samaria will be part of the sovereign land of Israel."

Eliminating the feasibility of a two-state solution by limited annexation measures and exploiting the perceived ability to flex political muscle—the unprecedented support from the Trump administration, the EU's weakness, the UN's weakness, the wars in the Arab world and more—are the passion of many in the current government. For them, this is removing an existential threat to the State of Israel, but so far, they have hesitated to take an operational step because of the threat that annexation of Area C, or parts of it, could escalate. An escalation may necessitate the re-establishment of a military government in Territories A and B, and perhaps their annexation.

Today, however, they are seeking to gamble and risk what is needed to drive forward annexation processes, in part for the fulfillment of their messianic-nationalist beliefs. Those who support annexation tend to underestimate the potential threats to Israel that will follow these moves, causing them not to shy away from changing the current situation to achieve this goal. This is despite the fact that there has been no professional, in-depth examination on annexation and all of its facets.

The annexation of Area C, or parts of it, and the annexation of the entire West Bank, should be seen as one process: its beginning is the turning point in government policy, which can be decided by the Prime Minister and the Ministerial Committee on Legislation to bring one of the related bills to the Knesset for approval. The first stage of the process must be understood as the approval of the law in the Knesset.

It is difficult to estimate exactly what the reactions to annexation will be. It is impossible to know how severe they will be and how long they will last, so their impact on the parties' positions and the process of development cannot be assessed. However, it should be noted that the reactions may be softened by the overlapping interests of Israel and the US (especially if Donald Trump is elected for a second term), Arab states and other parties involved in deployment towards Iran, and Turkey and the movements of extremist political Islam. In the shadow of the Corona epidemic, common economic interests, instability in Europe due to an increase in the power of extremist Islamic movements and nationalist parties, or the mobilization of the Jewish lobby in the United States may moderate or even erode the reactions.

We are expected to see gradual annexation of Area C, which will undermine stability and substantially alter the existing situation. The point of change—the watershed moment of the process—is the dismantling or collapse of the PA following the annexation process. Such a result would require Israel, for security, economic and legal reasons, to be held accountable to Areas A and B and their Palestinian residents. In the first phase, this will be renewing the military administration, which will involve a hostile take-over of the West Bank, and then, if the situation deteriorates and given certain conditions, annexing the entire West Bank.

It is difficult to accurately estimate what will cause the snowball to grow and to precipitate a watershed moment, but it is possible to name a number of moderating principles: the risk of crossing the watershed decreases as the scope of annexation decreases, such as annexation of one or two settlement blocks at most. It will also help if the area to be annexed is within the territories offered by the Palestinians for land swaps, as well as if it is close to the Green Line and west of the security fence. Another important principle is that Palestinian localities or residents will not be annexed, and finally, that the fabric of Palestinian life will not be harmed substantially with no alternatives. But the Netanyahu-Gantz government seems to be doing the exact opposite.

The government could take compensatory measures to soften the response to the move, especially the Palestinian response. For example, in the first stage, it is possible to transfer authority in Area C in spaces connecting the isolated Palestinian communities to the Palestinian Authority. As for the built-up areas of the Palestinian localities that have overflowed from Areas A and B into Area C, it can be assumed that they will not be annexed to Israel and that like Area B, control will be transferred to the Palestinian Authority. It is also possible to ensure the construction of a transportation infrastructure to ensure territorial and movement continuity for Palestinians. The Netanyahu government does not intend to do so, and it would not be possible to enact this by the summer.

If the PA collapses, Israel will work to establish governing alternatives for managing Palestinian lives in Areas A and B. But the success of such a move depends, among other things, on the willingness to cooperate with the Palestinians, and on the level and effectiveness of the pressure (including violence) that will undoubtedly be triggered by these governing alternatives. In such a case, united leadership of all Palestinian organizations in the West Bank and Gaza, with emphasis on Fatah and Hamas, will probably be established, and much will depend on its policy and early preparedness to provide basic services to the population, without Israeli involvement, for a relatively long period of time (many months). The chances of this succeeding are low to zero.

Israel will do everything in its power to avoid the application of Israeli law to the entire West Bank, but some cumulative conditions could force it to take this very fateful historical step: governmental chaos, a fundamental change in the Palestinian position (presented by a united leadership or an expat government) that would give up the two-state solution. And a demand for full equality of rights in one country; Arab and international support for the new Palestinian position, pressure from interested political parties in Israel and passivity from the Israeli public. The feasibility of accumulating all of the necessary conditions for annexing the entire West Bank is very low, making this scenario unlikely, but still possible.

In the case of annexation of the entire West Bank, substantial questions will arise regarding the identity and rule of the one state. Initially, the Israeli government may face practical questions such as the application of Absentee Property Law, requests by Palestinians for citizenship, comparing services according to the model in East Jerusalem. But later, the state will not be able to avoid questions about the composition of the security arms in general and the IDF in particular, the future of the Palestinian refugees, the applicability of the Law of Return and more.

Therefore, in a situation in which the PA has collapsed, given a reality which requires decisions by the state regarding the transition between the stages of annexation and the absence of the necessary conditions outlined above, we foresee Israel's attempt to turn back the wheel. It will be an effort that involves making concessions that are more noticeable as the process progresses.

The historical experience of the 25 years of the Oslo process, and even of the first intifada, shows that in every violent escalation, Israel chose one of three options to exit the crisis: renewing negotiations and even signing an agreement (the Oslo Accord following the First Intifada, the Hebron Protocol following the events of the Western Wall tunnel); Establishing an international framework for continuing the political process (the Roadmap, Sharm el-Shaikh Summit, Annapolis Conference); And a unilateral move (disengagement and construction of the security fence).

The first option is to resume negotiations between Israel and the Palestinians on the existing parameters. However, it is possible that a Palestinian position may be much stricter than today's position on the four core issues (borders, security, Jerusalem, and refugees), as well as the future of the Jewish settlements. This could likely be a position that no Israeli government could accept, even one that supports the two-state solution in the accepted parameters. This insight must be present with the opposition leaders in Israel as they formulate their stance on any annexation process, however small.

The second option is that Israel would like to launch a new three-step roadmap that aligns with the US, the EU and the Arab Quartet (Egypt, Jordan, UAE, and Saudi Arabia), even if it is necessary, to represent the expatriate Palestinian leadership. The first phase can contain a plan to assemble at various levels (which may also be carried out in a unilateral Israeli move, if the entire outline is not reached), recognition of Palestine on temporary borders and the renegotiation of the final status agreement, and the second stage—signing a permanent agreement with regional involvement. In the third stage, a gradual application, conditional on the Arab and international involvement in the Permanent Agreement.

It seems that the only practical benefit of applying Israeli law to territories in the West Bank is the ability of the government to promote the expansion of the settlement enterprise under Israeli law, which allows the High Court and the restrictive occupation law to be circumvented—the regulation law and overriding clauses. For Israel, the possibility will open to expropriate large-scale territories and promote construction for Jews in the West Bank, as was done in annexed East Jerusalem after the Six Day War.

However, it may turn out that this advantage will be negated completely, given the Israeli immigration trend to the Occupied Territories, which is steadily declining. In addition, the international community will continue to see this as occupied territory in the West Bank, to which all relevant international conventions apply. Effective dismissal of the two-state idea is possible only by establishing one consensual state, which is in complete contradiction to the Zionist vision of a democratic state of the Jewish people, and which also contradicts Israel's interests.

Therefore, annexing Area C or substantial parts of it would be a dramatic step and potentially a change in the reality that would occur outside of the existing agreement framework which has regulated relations between the parties since 1993. Basically, the annexation process will hit hard at the balance that exists in the current situation, and may move us from the fragile equilibrium to a different reality. This new reality will be much more threatening for Israel than the existing one, something which could deteriorate to the point of annexing the entire West Bank, despite Israel's wishes.

We can expect Israel to be rocked by very negative developments in the fields of security, economy, political relations, legal systems, and internal social threats, which will cast a heavy shadow on Israel’s image and status in the family of nations. The more severe these developments are and the longer they continue, the more difficult it will be for Israel to put the genie back in the bottle, and it may find itself collapsing and giving rise to a different state from the state that began the annexation process in its composition, economy, status, and rule.

How will the current state of Israel collapse? The first option is the gradual establishment of a bi-national state, which will pose substantial questions about the identity and rule of one state. This means that millions of Palestinians will become citizens of Israel with equal rights at the end of the process, including the right to vote and be elected to the Knesset. It would be a different state from Israel established in 1948 by the founding fathers. The opposition to this will be so great that it can be determined with certainty that the Jewish public will not allow it.

The second option is to create two civilian classes—Jews and Arabs. This will, of course, be accompanied by efforts to endorse, falsify and conceal: It will be said that it is only for a transitional period that the Palestinians will be given the opportunity to obtain political rights if they swear allegiance to the state and agree to additional terms. The Palestinians will reject such conditions outright, thereby allowing Israel to justify political discrimination. But such conditions will also be rejected in the enlightened world, and Israel will be rightly labeled as an apartheid state. The crisis will also cause a rift with diaspora Jewry and within Israeli society itself. Therefore, the chance of realizing this possibility is relatively low.

There is a third option. Following the security crisis created by the annexation, there will be a new wave of violence, involving not only the Palestinians but their supporters in the Arab and Muslim world, and in the storm of fighting, hundreds of thousands of Palestinians will be deported west of Jordan and possibly even of Israel to the east of the border.

What happened in the War of Independence and went without a global shock (though it created the refugee problem), and what happened for the second time in the Six Day War with almost no response (creating the issue of displaced persons), is likely to happen again. But this time Israel will rightly be accused of ethnic cleansing, and will be treated as a leper state.

This new understanding of annexation, if promoted by legislative steps, could dramatically change the perception of the Zionist movement and the Israeli government, because of the necessary decision they will have made about the 100-year conflict between the three major goals of Zionism: to be a democratic state, with a Jewish majority, in all its territory in the land of Israel.

Due to the fact that for most of the conflict there was a non-Jewish majority living here, which was internationally recognized for its right to self-determination in the country, the Zionist leadership was forced to decide and choose two of the three national goals, and its choice to date has always been a democratic state with a Jewish majority in the Land of Israel.

In the process of annexing the North, there was a change in the order of priorities, to favor all land of Israel in the mandate, at the expense of democratic rule of the State of Israel in the first stage—and if the process continues, it will come at the expense of a Jewish state in the long run.

The cost of annexation is far greater than its usefulness, because any small process of annexation can evolve and bring about the need to annex the entire West Bank. The application of Israeli law in the West Bank will be rejected in the international community, including the United States, which will continue to regard it as an occupied territory whose Palestinian residents are protected under the Hague Convention and the Fourth Geneva Convention, and are entitled to self-determination in an independent Palestinian state whose capital is in East Jerusalem.

The expected implications in the political sphere can be summed up in violation of the peace treaties with Jordan and Egypt, the loss of the potential for regional alliances with the Arab states to curb the Iranian axis, an increase in the involvement of Russia, Iran and Turkey in the region, damage in relations with European countries, and also with other American governments—even in the good, strategic relationship with the United States.

In the diplomatic field, Israel is expected to enter into a fierce armed conflict with the Palestinians, and for their part, they are expected to push for joint leadership, abolishing security coordination, returning to armed struggle and intensifying their struggle on the international level. Existing security coordination with Jordan and Egypt will also be harmed, and the buds of cooperation with the Arab world will wilt away before they bloom. In the economic sphere, Israel will be pushed out of the OECD, which will dramatically damage the public services to the Israeli citizen, with emphasis on welfare, health and education. Israel could be swept up in a civil war, and in the end, a different country from the one that entered it might emerge.