
Case Analyses

Is Unilateralism Always Bad? Negotiation Lessons from Israel's “Unilateral” Gaza Withdrawal

Robert H. Mnookin, Ehud Eiran, and Shula Gilad

Using the 2005 unilateral Israeli withdrawal from Gaza as a case study, this article exposes an apparent paradox: circumstances may exist in which an outcome that serves the interests of parties to a conflict cannot be achieved through bilateral negotiation but can be achieved by unilateral action. Although the withdrawal was seen at the time as serving the interests of both the Israeli government and the Palestinians, we argue that the same result could not have been achieved through bilateral negotiations. “Behind-the-table” internal conflicts on each side would have made it impossible for the leaders to agree on the scope of these negotiations.

Prime Minister Ariel Sharon’s success in implementing his Gaza withdrawal was attributable in significant measure to his ability to maintain ambiguity about his long-run plans for the West Bank. Only by focusing attention on Gaza was he able to build the necessary coalition to implement the controversial move. The Palestinian leaders, on the other hand, could never have agreed to come to the table to negotiate about Gaza alone — they would have insisted that the scope of any negotiations address a broad range of final status issues.

Robert H. Mnookin is the Samuel Williston Professor of Law at Harvard Law School, the director of the Harvard Negotiation Research Project, and the chair of the Program on Negotiation at Harvard Law School. His e-mail address is mnookin@law.harvard.edu.

Ehud Eiran is an assistant professor of international relations in the School of Political Science at the University of Haifa in Israel. He previously served as an assistant to former Israeli Prime Minister Ehud Barak’s foreign policy advisor. His e-mail address is eiran59@gmail.com.

Shula Gilad is a senior fellow at the Program on Negotiation at Harvard Law School. She was previously the director of policy research at Harvard Kennedy School’s Institute for Social and Economic Policy in the Middle East. Her e-mail address is shulagilad@gmail.com.

In this article, we identify some of the lessons that the Gaza example teaches regarding the utility and limits of unilateralism as well as the benefits and potential costs of employing ambiguity as a strategy to help accomplish a controversial move. Finally, we also explore the aftermath of the withdrawal and its many missed opportunities for improving the outcome. We suggest that, even when acting unilaterally, leaders should carefully consider the probable impact of their actions on the internal conflicts of their adversaries.

Key words: negotiation, unilateralism, conflict, Israel, Palestinians, Gaza, West Bank, settlers, behind-the-table negotiations, ambiguity, Ariel Sharon.

Introduction

On the morning of September 12, 2005, after having successfully evacuated all nine thousand of the Israeli settlers living there, the Israeli government withdrew the last Israeli soldier from the Gaza Strip as well. This marked the successful completion of Prime Minister Ariel Sharon's "unilateral disengagement" plan and the end of Israel's thirty-eight-year military occupation of Gaza, a territory it had acquired in the 1967 Six-Day War.

The withdrawal from Gaza was a stunning political achievement for the Sharon government and marked the first time that Israel had dismantled settlements in the Palestinian territories. What made the plan of particular relevance for dispute resolution researchers and practitioners was its "unilateral" nature — the Israeli government did not engage in direct negotiations with the Palestinians over the scope, timing, or terms of the withdrawal, although it was clear that Palestinians had long sought to dismantle settlements and end the Israeli occupation of Gaza (Beinin and Lockman 1989).¹

Sharon first announced the broad contours of the "disengagement" plan at the Fourth Herzliya Conference in December 2003.² By the time he rose to deliver his speech, he had already told American officials that the "dismantlement [of settlements] would not be a product of negotiation with the Palestinians" but that he would take this action through "unilateral steps" (Abrams 2013: 88). While Sharon never negotiated with the leadership of the two parties most affected — the Palestinians and the Gaza settlers — over the ensuing twenty-four months, within Israel he employed a shrewd combination of coercion, ambiguity, and negotiation to overcome staunch internal opposition from other key stakeholders. He also negotiated with key international actors, including the United States and the European Union, and even engaged in technical coordination with the Palestinian Authority (PA) over security issues.

Most Palestinians, for their part, welcomed (albeit with apprehension) Sharon's plan. While many remained deeply skeptical of his motivations and Israel's ultimate intentions, a majority of Palestinians saw the planned evacuation as providing them with important benefits — land, greater autonomy, a “victory” over Israel, and a step toward the realization of their broader national aspirations — at little or no cost (Palestinian Center for Policy and Survey Research 2004).³ It is unsurprising, then, that Palestinians implicitly accepted Israel's unilateral withdrawal, electing not to disrupt the evacuation.

The fact that both Israeli and Palestinian leaders saw the evacuation as aligning with their respective interests raises a puzzling question: why didn't the parties sit down and achieve a similar or even better outcome through direct negotiations? After all, as practitioners in the field of dispute resolution commonly recognize, a negotiated settlement confers discrete benefits over unilateral imposition of the same outcome by one party. All else being equal, a negotiated settlement is more likely to foster cooperation over the long run, to be seen as legitimate, and to be stable over time. One of the most compelling puzzles associated with Israel's withdrawal from Gaza, which has received scant attention to date, is this: if both sides ultimately supported the evacuation, was it rational for Israel to choose (and the Palestinians to implicitly accept) the evacuation unilaterally?

In this article, we seek to answer this important question and extract broad lessons regarding the utility and limits of unilateralism. We demonstrate that, because of internal, “behind-the-table” conflicts, Israeli and Palestinian leaders could not have achieved the evacuation through bilateral negotiations. As such, Prime Minister Sharon's decision to forego negotiations and instead implement his plan unilaterally was eminently rational. We also explore the benefits and potential costs of employing ambiguity as a strategy to build a wide and diverse coalition to support a controversial move. We conclude by considering the aftermath of Israel's withdrawal in order to identify missed opportunities and suggest ways in which those acting unilaterally and employing ambiguity can maximize the likelihood of long-term success. In particular, we underscore the need not only for coordination before the action is taken but also for mindful consideration of the effects that the unilateral actions are likely to have on the internal conflicts plaguing the other party.

Background

Sharon Comes to Power: February 2001–November 2003

Prime Minister Ariel Sharon was swept into power in February 2001. His overwhelming victory over incumbent Prime Minister Ehud Barak was primarily the result of the failure of bilateral negotiations with the Palestinians and the resumption of violence. The Oslo process was in shambles. After eight years of negotiations between the Israeli government and the

Palestine Liberation Organization (PLO), no final status agreement on any of the five core issues required for the implementation of a two-state resolution had been achieved.⁴ There was instead a new, intense round of violence. The violent uprising known as the Second Intifada, which began in October 2000, ultimately led to the deaths of more than one thousand Israelis and three thousand Palestinians (BBC News 2005; UNOCHA 2007; B'Tselem 2013; International Institute for Counterterrorism 2013). Within Israel, both the failure of bilateral negotiations and the resumption of violence contributed to a public perception that a negotiated agreement was not possible (Tami Steinmetz Center for Peace Research 2002).⁵

The stated policy goal of the Sharon government became separation of two peoples, not reconciliation. Pointing to the mounting loss of life during the Second Intifada, the Sharon government in April 2002 authorized the construction of a “separation barrier” within the West Bank, with some sections lying east of the Green Line border that marks the line between Israel and the territories it captured in the 1967 Six-Day War (Gaza, West Bank, Golan Heights, Sinai). While many in the international community condemned this action as illegal (International Court of Justice 2004),⁶ it was supported by a majority of Israelis (Tami Steinmetz Center for Peace Research 2012).⁷

United States President George W. Bush tried to reignite bilateral negotiations in June 2002 with the “Road Map for Peace.” Among other things, the Road Map called upon Israel to remove outposts and rein in settlement expansion. Palestinians were enjoined to stop the use of violence. But neither side paid more than lip service to these stated objectives, and negotiations were not resumed. Sharon repeatedly claimed that Israel had no Palestinian partner with whom to negotiate. PLO leader Yasser Arafat still clung to power but had been severely weakened both physically and politically after Israeli forces confined him to his compound in the West Bank city of Ramallah. The Sharon government showed no interest in pursuing negotiations with the PLO.

In the 2003 Israeli elections, Sharon’s principal opponent was Amram Mitzna, the head of the Labor Party. While Mitzna did not suggest a resumption of direct negotiations with Arafat, he did propose that Israel should unilaterally withdraw from Gaza, but Sharon ridiculed the idea. In January 2003, Sharon and his Likud party handily won reelection.

Sharon’s Announced Plan and Its Implementation: December 2003–September 2005

Given his earlier opposition to any withdrawal from any occupied territory, Prime Minister Sharon’s December 2003 plan sounded bold and was entirely unexpected: he proposed that Israel on its own initiative withdraw Jewish settlers and military personnel from some of the territories it had occupied following the 1967 war.⁸ Sharon initially did not specify the precise scope of his plan (i.e., which territories), nor did he spell out a clear justification for the proposed action or articulate a long-term strategy concerning Israel’s borders.

By February 2004, Sharon had clarified the scope of his initial plan: to evacuate Gaza entirely along with four small settlements in the northern West Bank (Globe News 2004).⁹ Sharon justified his unilateral proposal as a demographic necessity — that is, to ensure, over the long term, a Jewish majority in Israel: Gaza's population comprised more than 1.4 million Palestinians and only nine thousand Jewish settlers (Rynhold and Waxman 2008: 23). The evacuation of Gaza would also plainly demonstrate that Israel was abandoning any effort to incorporate Gaza into the Jewish state. Perhaps for this reason, Sharon suggested that, by making such a substantial concession, his proposal would signal to the world Israel's commitment to establishing peaceful relations with Palestinians (Rynhold and Waxman 2008: 28).

Throughout the process, Sharon maintained a sense of ambiguity about how his planned evacuation fit into a longer-term strategy. The Gaza evacuation was clearly intended to establish the Jewish state's *de facto* border with Gaza, but the extent to which Sharon intended later to evacuate large portions of the West Bank in order to establish a *de facto* eastern border remained unclear. Many hoped that Sharon's long-term plan was "Gaza first" and that he would later evacuate the settlements throughout most of the West Bank, perhaps even as a prelude to recognizing a Palestinian state. The fact that Sharon included four small West Bank settlements in his plan at least suggested this possibility. The U.S. National Security Advisor, Condoleezza Rice, later wrote that she saw the Gaza evacuation as titled "another step toward a Palestinian State" (Rice 2011: 280).

But during the implementation of his plan, Sharon himself never indicated that he contemplated the eventual establishment of a Palestinian state. Indeed, to fend off domestic opponents to his plan, one of his key staff people suggested that his disengagement plan would actually help *prevent* the creation of a Palestinian state. In an interview in October 2004, Sharon's Chief of Staff Dov Weisglass averred, "The significance of the disengagement plan is the freezing of the peace process. When you freeze that process, you prevent the establishment of a Palestinian state" (Ettinger, Benn, and Shavit 2004). Weisglass stated this even at the risk of creating strong opposition to the disengagement among Palestinians and the Israeli left. All of this is to suggest, as we discuss later in this article, that Sharon found it politically helpful during the implementation of his plan *never* to clarify his long-term strategy with respect to the West Bank as a whole.

We can only speculate about Sharon's timing: why did he launch his plan at the end of 2003? Within Israel in 2003, the pressure on Sharon to resume direct negotiations with the Palestinians was minimal, but some criticism of the continued occupation came both from the Israeli left and from within the military. A few soldiers in elite reserve units declared publicly that in the future, if called up, they would refuse to serve in the territories as part of an occupying force (Myre 2003; YNET News 2003). In addition, many on the left still expressed the hope that the long-term goal would be the creation of a

Palestinian state through negotiation of final status issues. This sentiment was exemplified by a pair of highly publicized nongovernmental initiatives, the Geneva Accords and the Ayalon-Nusseibeh Initiative, which each suggested that Israelis and Palestinians might plausibly agree on the terms or principles of a two-state deal and thus placed added pressure on Sharon. Both initiatives called for the end of the occupation, the evacuation of Israeli settlers from Gaza and the West Bank, and the establishment of a Palestinian state.¹⁰ Finally, the U.S. government and others in the international community were exerting pressure on Sharon's government to make progress with the peace process by implementing Bush's Road Map. Sharon apparently believed that his initiative would deflect both domestic and international calls to resume negotiations with the Palestinians (Sharon 2011).

Initially, the international community's response to Sharon's plan was resoundingly positive. Before Sharon's speech in December 2003, the Israeli government secretly outlined the plan to senior American officials and secured their support. In an exchange of letters between Bush and Sharon in April 2004, Bush openly praised what he called a "bold and historic initiative that can make an important contribution to peace" (White House 2004). He also delivered what Sharon believed was a substantial concession — one that would help him placate right-wing opposition. Bush stated in writing that any future negotiations between Israel and the Palestinians would need to take into account "new realities on the ground, including already existing major Israeli population centers" and that in light of these realities it would be "unrealistic to expect that the outcome of final status negotiations will be the full and complete return" to the 1967 Green Line (White House 2004). This was a historic departure by a U.S. president from his predecessors' determination to use the 1967 line as the basis for territorial negotiation. In addition, the U.S. government took a variety of actions to encourage Palestinian cooperation with the evacuation, including pledging \$50 million in economic support and conducting a ceremony on the lawn of the Rose Garden in which President Bush called Abbas "a man of courage," assuring him publicly that he would put pressure on Israel to halt settlement expansion in the West Bank and promising Abbas to send Secretary of State Condoleezza Rice to the region to propel the peace process (NPR 2005; Washington Post 2005).

In early 2004, the European Union, United Nations, and others in the international community threw their support behind the plan (Gallach 2004). The support was not unqualified, however. Some within the European Union objected to the plan's limited scope, in that it did not address the final status issues necessary to create a two-state solution to the Israeli-Palestinian conflict (United Nations Security Council 2004). At the very least, most Europeans, like the Palestinians, wanted Israel to withdraw from all the occupied territories and grant the Palestinians national autonomy. Still, the withdrawal was seen as potentially productive insofar as it could jolt the stalled peace process, but too narrow to lead to a broad resolution.

Sharon had a far harder time convincing his traditional Israeli political base to support the withdrawal. Sharon's own party, Likud, held a referendum on May 2, 2004, in which 60 percent of the party membership voted against the disengagement plan (Urquhart 2004). In fact, to obtain the necessary majority in his cabinet, it was necessary for Sharon to fire pro-settler cabinet ministers (Holguin 2004). In contrast, the general public appeared to favor Sharon's venture, with polls in the summer of 2004 showing that 58 percent of the Israeli electorate would vote in favor of the disengagement plan if it were put to referendum (Angus Reid Global 2005). Nevertheless, the pro-settler movement held large demonstrations through the summer and fall of 2004, including building a "human chain" extending 90 km from the Western Wall in Jerusalem to Jewish settlements in Gaza.

In February 2005, the Israeli Knesset enacted the Disengagement Implementation Law. This law authorized the removal of all Israeli citizens and entities from the Gaza Strip, as well as from four West Bank settlements. The law further authorized the annulment of all Israeli property rights there once the settlers would be removed and set the criteria for compensating them (Eiran 2009). The settlers challenged the law in court, but in June the Israeli Supreme Court rejected the final petitions by settlers, signaling judicial approval for the withdrawal. Soon thereafter, several ports of entry to Gaza were closed, and by the following month the Palestinian territory was formally closed to nonresidents. On August 15, 2005, Israeli settlers in Gaza were given final notice to vacate their homes within forty-eight hours.

A broad swath within Palestinian society initially supported Sharon's proposal. Polls indicated that more than 70 percent of the Palestinian population welcomed the Israeli withdrawal (Palestinian Center for Policy and Survey Research 2005a). But despite their general support, Palestinians in these early months remained somewhat dubious about the plan because of their mistrust of Sharon's motives (Palestinian Center for Policy and Survey Research 2005a). Their support, therefore, was hardly a vote of confidence in the capacity of Sharon's plan to contribute to long-term peace or stability. Instead, it was viewed as an isolated victory for Palestinians who, while distrustful of Israel's motives, eagerly anticipated an end to its control over Gaza.¹¹

Palestinian leadership also generally welcomed the move, although for differing reasons.¹² Former Gaza security chief Muhammad Dahlan viewed the withdrawal as an opportunity to renew the peace process. Hamas, the more militant of the Palestinian political parties that opposed any negotiations with Israel, celebrated the proposed withdrawal as a vindication of armed resistance (Rabbani 2004). After all, in June 2005, polls showed that "72 percent of the Palestinians see Sharon's plan to evacuate the Israeli settlements from Gaza as a victory for the Palestinian armed struggle against Israel," and that "66 percent of the Palestinians believe that the Palestinian Intifada and armed confrontation has helped Palestinians achieve national

and political goals that negotiations could not achieve” (Palestinian Center for Policy and Survey Research 2005b). Yasser Arafat and his lead negotiator, Saeb Erakat, criticized the proposal on the grounds that Israel’s unilateral action further undercut the PA and the political standing of the Fatah political party, which had supported the Oslo process (Erakat 2004). For a decade, Arafat had followed an all-or-nothing approach to the negotiated resolution of the five final status issues (borders, refugees, Jerusalem, settlements, security) identified in the Oslo Accords, so the limited scope of Israel’s disengagement from Gaza, therefore, made it unlikely that Arafat would offer public support to Sharon’s unilateral action.

Arafat’s death in November 2004 and the ascension to power of Mahmoud Abbas signaled a new opportunity for bilateral negotiation. But even with Abbas in power, the only achievement of the February 2005 Sharm el-Sheikh Summit, at which Sharon and Abbas met with Arab leaders, was a functionally hollow bilateral statement affirming an end to hostilities.

In the months leading up to the withdrawal, Israelis coordinated technical preparations for the evacuation, with a PA committee chaired by Muhammad Dahlan, who became the *de facto* point man on the Palestinian side. The Israeli focus was on security measures to ensure that Palestinians would not disrupt the Israeli evacuation. But Palestinian leadership expected political coordination with Abu Ala, and at the very least insisted on coordination with Dahlan with respect to Gaza’s economic development after the evacuation to resolve questions relating to the movement of people and goods, an airport, a seaport, water, and electricity. Despite indications from both sides that coordination relating to economic development might serve as a confidence-building measure to improve the relationship, little of the sort was achieved (Wikileaks 2005). Although understandings were reached on limited security issues pertaining to the evacuation itself (Erlanger 2005), by June Dahlan exasperatedly stated, “Israel asked the Palestinians to coordinate its evacuation with them, and yet is doing its best to undermine that coordination,” concluding “Israel’s coordination is a sham” (Palestine Liberation Organization, Negotiation Affairs Department 2005).

As the announced deadline for the evacuation grew closer and closer, most Gaza settlers steadfastly refused voluntarily to leave their homes. But despite widespread fears of potential violent resistance, the evacuation proceeded with remarkable efficiency. Through meticulous planning, nearly fifty-thousand unarmed troops overwhelmed the nine-thousand settlers, who were forcibly removed. Within a week, the evacuation of Israelis from Gaza was complete. Not a single shot was fired, and no life was lost. There was neither civil war nor significant disunity in the military ranks.¹³

The Puzzle

Let us start by underscoring an obvious but important point: the Palestinians had the capacity to disrupt the evacuation and probably make it

impossible for Sharon to implement his plan. In the months before the evacuation, Fatah and Hamas could have engaged in or encouraged widespread violence against Israeli Jews that would have made it even more politically challenging for Sharon to leave Gaza. Had suicide attacks killed Israeli school children, they surely would have undercut Sharon's efforts. During the Second Intifada, many violent attacks by Palestinians resulted in the deaths of Israelis, but in the twelve months before the evacuation, the number of such attacks as well as the number of mortar shells fired at Israeli population centers in Gaza and Southern Israel both declined significantly (Meir Amit Intelligence and Terrorism Information Center 2009).

Nor did the Palestinians make any concerted diplomatic effort to disrupt Sharon's plan. As we have noted, the evacuation was supported not only by the United States but also by the European Union, the United Nations, and Russia. Had the Palestinians vociferously objected to the plan, surely the international support would have been more muted.

Why did Palestinians not take actions to disrupt Sharon's plan? For us the answer seems reasonably clear: for the most part, the Palestinian leadership and the Palestinian people saw the evacuation of Gaza as serving Palestinian interests.

The withdrawal from Gaza was to confer upon them important benefits, some immediate and others potential. Within Gaza, it would end the occupation and the daily, widespread intrusion of the Israeli forces into the lives of ordinary Palestinians. Moreover, without having to make any concessions in exchange, the Palestinians would recover nearly 18 percent of the land in Gaza, which had previously been held by settlers and the Israeli military (Americans for Peace Now 2005). The evacuation would also create the potential for direct Palestinian access to Egypt, a seaport, and perhaps even an airport. It would provide Palestinians with a sense of national accomplishment, a much-sought "victory" over Israel. As Muhammad Dahlan noted, "[t]he withdrawal from the Gaza Strip is a victory for the Palestinian people's will" (Pipes 2004). Palestinians echoed Dahlan's sentiment across the political spectrum. Palestinians could view the evacuation as a significant milestone on the road to an independent Palestinian state.

In terms of the competition between Hamas and Fatah, the benefits for Hamas were apparent at the time: Hamas would claim that its armed resistance from Gaza had driven Israel out. For Fatah, the evacuation at least raised the possibility of taking concrete steps toward nation building (Waked 2005).

As we have shown, at the time of the evacuation most Israelis supported Sharon's plan and thought it served Israel's national interests, but there were three principal arguments in opposition. The first related directly to the settlements: Gaza settlers objected for the obvious reason that they were being involuntarily uprooted and displaced, and West Bank settlers objected because they feared the evacuation could serve as a precedent for future withdrawals from the West Bank. Many settlers, and

some other Israelis, objected because of their ideological/religious commitments to a vision of a “Greater Israel” that included Gaza.

A second set of concerns related to national security. Some feared that withdrawal would in the future diminish the ability to stem violence emanating from Gaza. Once the Israeli military withdrew from Gaza, they suggested, it would be more difficult to contain attacks coming from there (Kaspit and Rapaporat 2004). Others, including the chief of staff, were concerned that the evacuation itself would encourage future violence. After all, Hamas claimed that the withdrawal was the result of its armed resistance in the past.¹⁴

A third set of objections was based on the concern that Israel had received nothing tangible in exchange for land. Some Israelis felt no long-term commitment to retaining Gaza but thought that Israel should have demanded Palestinian concessions in return. Indeed, successive Israeli governments had previously claimed that Israel would only return land in exchange for peace, arguing that Palestinian concessions on political and security issues would signal their commitment to upholding their end of the bargain. The withdrawal from Gaza flew in the face of this long-held Israeli policy.

Nonetheless, nearly 60 percent of the Israeli public supported Sharon’s plan because they perceived the evacuation would serve Israel’s long-term national interests. The most important argument in favor was the “demographic imperative.” The evacuation of Gaza substantially enhanced Israel’s long-term prospects of retaining a Jewish majority within its borders. The withdrawal represented the start of a plan that, according to nearly all serious observers, would be necessary if Israel were to remain both Jewish and democratic: namely, the separation of the Israeli and Palestinian populations through the withdrawal of Israeli settlers from large parts of the Palestinian territories.

The state of Israel was born out of the desire to establish a democratic, Jewish state in Palestine. Simply put, if Israel were to annex all the occupied territories, it could not remain a democracy with a Jewish majority. According to respected Israeli demographer Sergio DellaPergola, Jews represent 49.8 percent of the total population living in Israel and the occupied territories; the rate of population growth among Jews in Israel is 1.8 percent, significantly lower than that among Arabs in Israel (2.2 percent) and in the occupied territories (2.7 percent) (DellaPergola 2013). By relocating only nine-thousand settlers, Israel would be ensuring that more than 1.4 million Palestinians would never have a plausible claim to Israeli citizenship, significantly alleviating the demographic pressures facing Israel. Not surprisingly, then, Sharon justified the withdrawal in large part as a demographic necessity.

Some Israelis also argued that the withdrawal eliminated the military costs of defending a small number of settlers sprinkled among 1.4 million Palestinians. Sharon went further and argued that evacuation would

diminish the threat of terror within Israel proper. When Sharon first announced his plan at the Herzliya Conference, he emphasized that it would promise to “*increase* security for the residents of Israel and relieve pressure on the IDF and security forces in fulfilling the difficult tasks they are faced with” [emphasis added]. The plan would “grant maximum security and minimize friction between Israelis and Palestinians” (Sharon 2003).

Most Israelis who were committed to a two-state resolution of the Israeli–Palestinian conflict ultimately supported Sharon’s evacuation even though they were skeptical of his commitment to the goal. They saw ending the occupation of Gaza as a promising first step. No member of the Knesset from the left-wing political parties voted against the disengagement and compensation law (Gideon, Mualem, and Shragai 2004).¹⁵

A final set of benefits is related to Israel’s international relations. By unilaterally and preemptively taking this step, Israel could diminish the risk of being pressured by the United States and the international community into accepting a less favorable bilateral deal. Indeed, the April 15, 2004 Bush letter allowed Sharon to claim that the United States would never attempt to pressure Israel into giving up the West Bank. The withdrawal also enabled Israel to define its Gaza border and to claim it was ending its occupation of Gaza. The Israeli government hoped that this would reduce international criticism of the occupation.

All this brings to the fore the puzzle stated at the outset: if most Israelis and most Palestinians saw the evacuation as serving their national interests, why didn’t the parties sit down and negotiate similar terms? More specifically, given what was known at the time, was it wise for Sharon to pursue his goal through unilateral action rather than first at least attempting to achieve this goal through direct negotiations with the Palestinians?

Sharon’s Decision: Why Bilateral Negotiations between Israel and the Palestinians Were Impossible

To assemble the puzzle and explore the wisdom of acting unilaterally, we begin our analysis by exploring the decision from the Israeli perspective. Prime Minister Sharon faced a choice: should I attempt to initiate negotiations with the Palestinians about an Israeli evacuation from Gaza, or should I pursue evacuation unilaterally?

Sharon no doubt viewed Arafat as the “devil.” By “devil” we mean “an enemy who has intentionally harmed you in the past or appears willing to harm you in the future. Someone you don’t trust. An adversary whose behavior you may even see as ‘evil’” (Mnookin 2010: 1). Arafat, Sharon said in a 2002 speech, “has meticulously planned and prepared” a “campaign of terror against the state of Israel.” Sharon had claimed that “[t]his man is not — and will never be — a partner for peace” (Sharon 2002). But this is hardly a sufficient explanation. After all, political figures often take actions that are inconsistent with earlier rhetorical claims. Sharon himself had suggested he

would never abandon Gaza. Moreover, before the evacuation even took place, Arafat died and was replaced by Mahmoud Abbas.

Sharon obviously believed an evacuation would serve Israel's national interests. He likely also realized that an evacuation would serve Palestinian interests as well. But the fact that there was a potential negotiated deal that would serve the interests of both sides does not end the analysis. Sharon also believed he could evacuate unilaterally. He would, therefore, want to consider the costs of entering into direct negotiations and whether the parties could ever agree on the proper scope of direct negotiations.

In approaching this question, Sharon might first have considered the costs of entering into negotiations, especially the political costs. A core concern would have related to the scope of the negotiations. We expect that Sharon would have insisted on limiting the scope exclusively to the evacuation of Gaza so as to avoid addressing the broader "final status" issues: boundaries, particularly drawing Israel's eastern border in the West Bank; the fate of Jerusalem; the status of Palestinian refugees; the settlements in the West Bank; and security. Sharon would likely have thought it inconceivable that the parties could reach an agreement on these final status issues. More to the point, he would have perceived it as politically costly to even address them in negotiations with the Palestinians. Had he agreed to discuss these final status issues, we also expect that he would have faced insurmountable opposition from his political base, as well as the Israeli security establishment and the far right.

Even formulating explicitly a position on how much of the West Bank would be eventually conceded would have placed him in a vulnerable position: *any* division of the West Bank that Sharon might have proposed at the negotiation table would be condemned by some as too much and by others as too little. Those who supported the establishment of a "Greater Israel" would condemn giving up any part of the West Bank. Moreover, because the West Bank is closer to Israel's main population centers, the security risks of leaving the West Bank are seen as far greater than the risks of leaving Gaza. On the other hand, others, including most Palestinians, would condemn giving up less than *all* of the West Bank. After all, the stated position of Fatah was that the Israel-Palestine border should be the 1967 Green Line, and many in the international community, as well as some Israelis on the left, supported that claim. For Sharon, it seems likely that it was far preferable not to discuss the issue at all. Acting unilaterally enabled him to continue being ambiguous about his long-term plan.

We expect that Sharon would have responded to those pressing him to pursue the negotiation path with this question: *how likely is it that the Palestinians would agree in advance to strictly limit the scope of negotiations to Gaza alone?* We think the answer is clear: neither Arafat nor any other Palestinian leader would have agreed to participate in "Gaza only" negotiations. The political costs on the Palestinian side would simply

be too great. Instead, we think the Palestinians would have insisted on framing the Gaza discussions within broader final status discussions in which all these issues needed to be addressed either concomitantly or sequentially. They would have pointed out that the Oslo Accords, to which both parties had previously subscribed, were intended to lead to a comprehensive resolution that addressed these five core issues. Participating in a limited negotiation over Gaza alone would have been viewed as compromising the scope of legitimate Palestinian aspirations. In addition, Fatah would have realized that pursuing this limited scope would make it especially vulnerable to attacks from Hamas. Hamas, after all, aspired not simply to a Palestinian state that included the entire West Bank and Gaza but also all of Israel proper.

In short, if Sharon had thought through the costs and benefits along these lines, he would have rationally concluded that merely asking the Palestinians to engage in “Gaza only” negotiations would serve neither what he saw as Israel’s long-term interests nor his own political interests.

Sharon’s Strategic Use of Ambiguity

Sharon’s success in implementing his Gaza plan was attributable to his ability *to maintain ambiguity* about his long-run plans for the West Bank.¹⁶ Sharon’s studied ambiguity made it possible for him to pursue effectively his plan by securing broader support and dampening criticism both domestically and internationally. During the entire evacuation process, Sharon never revealed a long-term vision of a broader resolution, much less suggested what territorial concessions he might make in the future with respect to the West Bank.

Was Sharon’s long-term strategy *first Gaza* or *only Gaza*? Did he intend to carry out a subsequent unilateral withdrawal from significant portions of the West Bank to establish *de facto* Israel’s permanent eastern border? By including the evacuation of four small West Bank settlements in his plan, did Sharon signal further West Bank evacuations in the future and progress toward a two-state solution? Or was Sharon’s plan to give up Gaza and these trivial West Bank settlements in order to hold on to the rest of the West Bank for the long term?

Notwithstanding the evacuation of the four small West Bank settlements, Sharon’s previous record of championing the expansion of the settlements made credible his assurances to settler leaders that there would be no further withdrawals (Weisglass 2012).¹⁷ Sharon also offered repeated assurances that Israel would expand five large settlement blocs in the West Bank and connect them territorially to Israel. Indeed, Sharon stated unequivocally that Israel would never concede large settlement blocs in the West Bank (McGreal 2005).

Within Israel, Sharon’s clever cultivation of ambiguity about his long-term objectives helped him secure the support of key lawmakers, ministers, and military leaders, and members of the Israeli public whose long-term goals were highly divergent. Had Sharon been forced to divulge his intentions with

respect to a broader peace process, he would have exacerbated Israel's internal conflicts and upset the fragile coalition he had cobbled together to implement his plan. On the one hand, if he had explicitly indicated that his long-term plan also included the eventual evacuation of substantial portions of the West Bank in order to unilaterally create a *de facto* border east of the Green Line, a majority of Israelis would have opposed the move. Indeed, if the Gaza withdrawal had been conducted in conjunction with bilateral negotiations concerning final status issues, he would have been unable to maintain sufficient support to move forward with his plan.

Sharon's multiple and often contradictory messages allowed Israelis on both the left and the right to imagine that Sharon himself would eventually pursue their preferred goal. But apart from what might today be viewed as somewhat naïve and uninformed hopes about what Sharon himself might have done in the future, a broad range of Israelis could tell themselves a story that made the Gaza evacuation consistent with their long-term aspirations. Many players on either side of the divide — those who wanted the Gaza evacuation to be the sacrifice that made possible expanded West Bank settlements and those who wanted the Gaza withdrawal to lead to the end of Israeli occupation — hoped that they could later use the Gaza disengagement to serve their long-term vision.

Ambiguity about goals may create benefits in the short run, but may also plant seeds of mistrust and disillusionment that exacerbate conflict in the long run. It allowed Sharon to broaden both domestic and international support precisely because it encouraged the creation of divergent expectations among various stakeholders with contradictory long-term goals. Over time, someone's expectations were sure to be disappointed. As it turned out, in the years following the Gaza evacuation, Jewish settlement activity on the West Bank and East Jerusalem increased and no additional West Bank settlements were evacuated. This surely disappointed the expectations of all those who were encouraged to see the Gaza evacuation as a first step toward further West Bank evacuations. This no doubt exacerbated the distrust of Israel and dashed the hopes of Palestinians who saw Gaza as a first step toward a two-state resolution of the conflict. All of this suggests that ambiguity about the ultimate aims of a unilateral action may create the risk that disappointed stakeholders will be less willing to engage in constructive future negotiations.

Explaining the Absence of Direct Negotiations with Settlers

The Gaza evacuation was “unilateral” in a second sense: Sharon announced his decision to evacuate the Gaza settlements without any prior discussions with the Israeli settlers who were eventually forced to dismantle their homes and communities. The absence of negotiations before the announcement is not surprising. Sharon no doubt realized the settlers would never

simply agree in advance to leave. After announcing his plan, Sharon did authorize members of his government to approach the Gaza settlers to assess their needs and facilitate their relocation and reintegration into Israel (Abramovich 2011). With rare exceptions, the settlers refused even to discuss how the government might help them in the relocation process.

It is not hard to surmise why the leadership of the settler movement steadfastly refused to negotiate at all with the Sharon government: their primary goal was to defeat politically Sharon's plan. To discuss relocation plans with the government would have signaled weakness and a lack of commitment. It might also have been seen as an implicit recognition of the legitimacy of the plan. For the leaders of the settler movement, compromise would have explicitly suggested the legitimacy of giving up part of "Greater Israel," land that many settlers considered to have been promised to them by God. While not all settlers were driven exclusively by ideological or theological considerations, the settlers' response to Sharon's plan was "being set by ideological settlers in general and extremist elements in particular" (International Crisis Group 2005: i). The compensation issue, therefore, became more than part of the search for a practical remedy for relocation: the settlers sought to use it as a means of blocking the evacuation. The government in the meantime used the issue politically by informing the public that the settlers were being treated fairly.

But this does not explain the unwillingness of nearly all the Gaza settlers — including those who lacked deep-seated religious and ideological commitments — to discuss in advance with the government how their evacuation might best be facilitated. To be sure, at least some settlers moved to Gaza out of economic rather than ideological considerations. One would have expected that they would have been willing to negotiate, particularly given the incentives that they were offered. These incentives included funding moving costs contingent upon settlers' willingness to cooperate. Beyond this, the settlers would have been able to shape the terms of their relocation to a much greater extent had they negotiated. For example, they would likely have been able to relocate as communities rather than as individuals, a lost outcome that many would later bemoan.

The most likely explanation for settlers' near unanimous refusal to negotiate was their fear that they would be ostracized. The Gaza settlers lived in small communities. Pressure from community leaders, rabbis, teachers, neighbors, and friends to maintain a united front in opposition to the withdrawal made it costly for any individual settler to break ranks and negotiate directly with the government. The ideologically committed settlers took concrete steps to prevent defections. They demonstrated in front of the offices of the relocation agency (SELA), verbally attacked its leader personally, and deployed a lookout near the agency's office in Jerusalem to identify settlers who might visit the building (Har-Noy 2007).

Thus, as a result of both ideological considerations and the fear of being ostracized, settlers opted not to negotiate and chose instead to engage in civil disobedience and hard bargaining tactics. They tried to play on the fear among Israelis at large that any evacuation of settlers would lead to violence between Israeli Jews, which could in turn create a dangerous rift within Israeli society. The idea that a traumatic withdrawal would protect the settlers against any future evacuation gained sway among the settlers such that the strategy quickly became one of open disobedience and threats of violence rather than compromise and negotiation.

Aftermath

Immediately after the withdrawal, polls reported that the Palestinian public had become more optimistic, moderate, and willing to compromise. “[M]ore than three-fourths, 77 percent of the public . . . supports the continuation of the ceasefire,” which showed “significant progress in the people’s willingness to move away from violence even as they believed that violence was responsible for the achievement of the disengagement” (Shikaki 2006). The poll also demonstrated that priorities of the Palestinians shifted markedly from ending the occupation to economic well-being and nation building (Gwertzman 2005). It appeared as if the withdrawal from Gaza improved ending the occupation for negotiations and peace building.

It soon became clear, however, that Israel’s withdrawal had substantial effects on Palestinian politics that diminished the prospects for peace. In January 2006, just months after the evacuation from Gaza, Hamas won a landslide legislative victory over Fatah, allowing it to assume political control over Gaza. Fatah leadership emerged broken by the lost opportunity to realize material value and disillusioned by the lack of coordination with Israel. Fatah lost substantial political power even though polls showed a brief period of Palestinian optimism and pragmatism immediately after the withdrawal.

Fatah’s disappointment can best be illustrated by President Abbas’s open letter, published only a month after the successful evacuation, expressing frustration at being deceived:

. . . my government was asked to ensure that Israel’s evacuation took place peacefully and without disruption. I am proud to say that we succeeded: not a single Israeli settler or soldier was attacked or fired on. We were told that our behavior would be a “test,” and that if we did our part, Israel would reciprocate by allowing Gazans to breathe the air of freedom and begin rebuilding their shattered lives. . . [but] Gaza’s airport and crossing point to Egypt remain closed; its waters are off-limits to our fishermen; its borders are completely sealed and movement into or out of Gaza is virtually impossible; and no safe passage between Gaza and the West Bank exists. Palestinians have been assured that “Gaza first” would not be “Gaza last.” We were told that we would soon enjoy an expansion of our freedom in the West Bank. We

were told that Israel's evacuation of the Gaza Strip would not come at the expense of deepening the settlement activity in the West Bank. Instead, Israel has accelerated its settlement expansion in the Palestinian heartland. In fact, the twenty-six months since Israel announced its plans to disengage from Gaza have witnessed the highest rate of West Bank settlement construction in all the occupation years. Israel has also continued construction of the Wall — deemed illegal by the International Court of Justice — depriving more and more Palestinians their freedom and livelihood, and closed off access to East Jerusalem, Palestine's religious, cultural and political capital (Wall Street Journal 2005).

With Fatah still controlling the West Bank, Hamas's ascent to power in Gaza resulted in a *de facto* split in the Palestinian national movement. In December 2006, violent confrontations erupted between Fatah and Hamas in Gaza after the two Palestinian factions failed to reach a power-sharing deal. For months, fighting raged between the factions, with tensions punctuated by two particularly intense rounds of fighting. The first, which lasted from December 2006 to January 2007, ended with a Saudi-brokered power-sharing deal, which the two factions signed on February 7, 2007. Small skirmishes continued over the ensuing months, culminating in a second round of acute fighting in June 2007, when Hamas took control of key infrastructure in Gaza and summarily executed or removed from power Fatah security officials. By the end of June 2007, Hamas had seized complete military control of Gaza. In the years that followed, for many Palestinians, the Israeli evacuation of Gaza fulfilled neither their political aspirations nor economic expectations.

The evacuation also reshaped the Israeli political map, albeit to different effect. Whereas the evacuation helped the hard-line Hamas sweep into power in Gaza, in Israel the lead-up to the evacuation led to the emergence in November 2005 of Kadima, a new, more moderate, center-right party, which led the country between 2006 and 2009. Kadima's emergence benefited from and helped to foment increasing public optimism regarding the peace process. Indeed, during and immediately after the withdrawal, Sharon's unilateral plan enjoyed strong public support, even though, according to polls conducted in October 2005, nearly 75 percent of Israelis expected Palestinian violence to continue and perhaps intensify (Tami Steinmetz Center for Peace Research 2005b).

The reintegration of Israeli settlers, meanwhile, became a thorn on the side of successive Israeli governments. Although the relocated settlers received monetary compensation (Eiran 2009), many of them faced difficulties in securing housing and employment. Eight years after the relocation, 70 percent of relocated settler families still reside in temporary housing. They suffer from unemployment rates that are four times their pre-evacuation levels (Yagne 2012). The State Controller's three reports on the matter (published in March 2006, May 2007, and January 2009) characterized the treatment of the evacuees as an unmitigated failure (Israel State Controller 2006; Israeli

Knesset: Committee for State Controller Affairs 2006; Drukman 2007; Glickman 2009). In June 2010, a special Inquiry Commission concluded that the government had not implemented the disengagement properly. Publication of the report won public sympathy for the settlers and intensified public skepticism about the ability of the state in the future to integrate successfully in Israel proper large numbers of West Bank settlers. The government was very successful in evacuation but not at all in absorption.

Whatever hopes Israelis had that the evacuation would lead to an improved security situation were dashed shortly after the evacuation. By June 2006, Hamas had begun to intensify its armed campaign against Israel. On June 25, Hamas militants abducted Gilad Shalit, a corporal in the Israeli Defense Forces, from Israeli territory, and throughout the month they initiated a threefold increase in the number of rockets fired into Southern Israel (Meir Amit Intelligence and Terrorism Information Center 2007).

Israel responded assertively to those attacks, both economically and militarily. It intensified the blockade of Gaza.¹⁸ The IDF conducted three major military operations in Gaza in the summer of 2006 (Operation Summer Rains), in the winter of 2008–2009 (Operation Cast Lead), and in the fall of 2012 (Operation Pillar of Defense). These resulted in some eighteen hundred Palestinians deaths and fifteen Israelis deaths.

The deteriorating security situation and Israel's response to it exacerbated a steep downturn in Gaza's economy that followed Israel's withdrawal. The Palestinian economy had previously been buoyed in part by the November 2005 Agreement on Movement and Access signed between the Israeli government and the PA (Israel Ministry of Foreign Affairs 2005). This agreement facilitated the movement of goods and people into and out of Gaza and the West Bank and, until January 2006, had briefly increased exports from the Gaza Strip prior to January 2006.

With Hamas's legislative victory and the ensuing violence, Israel restricted exports and imports. In September 2007, Israel declared Gaza hostile territory, allowing the army to limit fuel and electricity supplies, further aggravating the security situation (BBC News 2008). Because of Gaza's economic dependence on Israel, the relatively sudden disengagement between Israel and Gaza created significant adverse economic effects for Palestinians. The United Nations Office for the Coordination of Humanitarian Affairs for the occupied Palestinian territory reported that "[a]t the heart of this crisis has been the degradation in the living conditions of the population, caused by the erosion of livelihoods and the gradual decline in the state of infrastructure and the quality of vital services" (UNOCHA 2011). Key economic indicators indicate the detrimental effects of Israel's withdrawal and subsequent events on the Gaza economy: exports from Gaza dropped from \$60 million in 2005 to \$40 million in 2006, while unemployment rose from 30 percent in 2005 to 35 percent in 2006, and then to 40 percent in 2008 (Kumail 2012).

Public opinion polls conducted in 2005 showed that in both the West Bank and Gaza, the Palestinian people's top priority was improving their economic conditions (Palestinian Center for Policy and Survey Research 2006). The dire economic conditions in Gaza following the evacuation were, therefore, particularly troubling and no doubt contributed to a spiral of political radicalism and violence that has occurred there since 2005. Polls taken in January 2006 suggested that the economic downturn that immediately followed Israel's withdrawal facilitated Hamas's electoral victory (Palestinian Center for Policy and Survey Research 2006).

Once in power, the Hamas government extracted high rents from the new economic channels that evolved under the siege, mostly around the smuggler tunnels between Gaza and Egypt. The new economic structure further weakened traditional local economic elites that could have supported an alternative to Hamas. Paradoxically, Israel's retaliatory actions after 2006 may well have had the perverse effect of strengthening Hamas further, creating a vicious cycle.

These developments help explain why many Israelis and Palestinians view the Gaza withdrawal as a failure.¹⁹ Hamas's ascent to power, the increase in attacks on Israeli population centers emanating from Gaza, the precipitous decline in the Palestinian economy and resulting instability, and the struggles that Israel faced to reintegrate Gaza settlers into Israeli society have withered whatever support the withdrawal once had within Israeli society. Most Israelis have concluded that the costs associated with the withdrawal far exceeded its supposed benefits and that the Sharon government should never have pursued a unilateral withdrawal. In fact, the disillusionment with the Gaza withdrawal is so widespread that "unilateral" has become a dirty word in Israeli politics. Today, it is almost inconceivable that Israel would pursue a similar effort to dismantle settlements in the West Bank, unless of course it were done in the context of a negotiated settlement that included important Palestinian concessions.

Key Lessons and Conclusions

For scholars and policy makers alike, an analysis of Israel's unilateral withdrawal from Gaza reveals important negotiation lessons.

The first relates to the limits of negotiation: unilateral action may sometimes be necessary to achieve an outcome that is better for *both* parties than the *status quo*. The Israeli withdrawal from Gaza could not have been achieved through bilateral negotiations even though the withdrawal benefited both Israelis and Palestinians. "Behind-the-table conflicts" within each side would have made it impossible for the political leaders to agree on the scope of negotiations. Sharon would have needed to limit the talks to Israel's withdrawal from Gaza alone, while the PA would have insisted on talks that also addressed the broader, final status issues. Had

Sharon pursued bilateral negotiations, it is almost certain that his efforts to withdraw from Gaza would ultimately have failed. As such, the episode provides compelling evidence against the view, held by some practitioners in the field of dispute resolution, that negotiations should *always* be attempted before resorting to unilateral action.

This Gaza case study also demonstrates a second important lesson: even when a party rationally decides that a unilateral decision is to be preferred over negotiation, the successful implementation of that decision — both in the short run and the long run — requires careful and ongoing consideration of the impact of that decision on the interests and needs of key stakeholders.

Even when a decision is made unilaterally, leaders must pay special attention to issues of coordination during and after the implementation. In this case, there was inadequate postwithdrawal coordination with Palestinians and settlers. As a result, an initial success story turned into what many consider a disaster.

As we discussed earlier, before the evacuation the Sharon government coordinated effectively with the Palestinians with respect to security. That neither Fatah nor Hamas attempted to disrupt the withdrawal resulted in part because both factions believed an Israeli withdrawal served their interests. But the security cooperation between the PA and the Israeli government also contributed to this result.

While the Sharon government succeeded in security coordination with key stakeholders in the lead-up to the evacuation, it manifestly failed to anticipate and mitigate the harmful effects of its withdrawal on the internal conflict between Fatah and Hamas or on Gaza's economy. This failure ultimately jeopardized the long-term success of Israel's withdrawal. The Sharon government should have realized that the withdrawal had the potential to empower Hamas at Fatah's expense. That Israel's evacuation might ultimately serve to facilitate Hamas's rise to power was eminently foreseeable.²⁰ Indeed, in the lead-up to the evacuation, many Israeli and international observers warned about this possibility. Tellingly, many critics of the unilateral nature of Sharon's decision warned that his actions would strengthen Hamas, arguing that it would be far better for Sharon to negotiate the withdrawal with Fatah so that the more moderate party could claim credit.

For reasons we have spelled out, negotiating the withdrawal with Fatah and the PA would not have been possible. Nevertheless, the Israeli government could have done far more to enhance the standing of Palestinian moderates, or at least to prevent credit from going to extremists. There were symbolic opportunities to signify that authority for Gaza was being transferred to the PA. When Israel agreed to evacuate from Sinai in 1979, for example, authority was clearly transferred to Egypt. Doing the same in this case would have run against Sharon's traditional position opposing the creation of a Palestinian state, but he could have coordinated more closely

with the PA's strongman in Gaza, Muhammad Dahlan, and thus indicated that Israel was handing the keys to the PA.

Israel could have also foreseen that its withdrawal might harm the Palestinian economy. Had Israelis adopted a more forward-looking approach to the evacuation, they might have sought to buoy the Palestinian economy or at least to prevent the economic downturn that followed their withdrawal by, among other things, allowing goods to move more freely. Gaza's economy was heavily dependent on Israel, and the disengagement between Israel and Gaza created an adverse shock to key sectors of the Palestinian economy that might have been mitigated. Polling data suggested that economic growth was the Palestinian public's top priority. Israeli leaders should have understood that political stability would depend on economic development in the postevacuation environment. They should have further realized that an economic decline would be particularly frustrating for many Palestinians, given their expectation that Israel's withdrawal would result in widespread economic benefits.

With the benefit of hindsight, it also seems clear that Israel could have mitigated the security risks created by the evacuation by conducting its withdrawal in two stages. In the first stage, the settlers could have been evacuated. Israeli military personnel would be removed only during a second stage, after the political and economic situation in Gaza had stabilized. Israel could have muted whatever criticism might have arisen from a two-stage plan by clearly communicating in advance its intention to withdraw all military personnel once stability had been achieved.

Actions such as these might have helped prevent — or at least limit — the downward political and economic spiral within Gaza that followed Israel's withdrawal. Such actions might have enabled Palestinian moderates to gain greater traction, and ultimately increased the likelihood that the withdrawal would be followed by a period of greater stability and security.

Politicians are typically sensitive to the impact of their actions on their own constituents. They are typically less attentive to the probable impact of their actions on the internal conflicts behind the other side of the table (Sebenius 2013). Sharon and other Israeli officials were no exception. A critical lesson of Gaza is that, before taking unilateral actions, a political leader should carefully consider the impact of his actions on the internal conflicts of the other side. Had Sharon done so, his government might have better promoted the interests of Palestinian moderates in Gaza and Israel's own long-term interests.

NOTES

We are very grateful to Ilan Stein for his research and editorial assistance.

1. Many books and articles written between 1985 and 2005 expressed the view that both Intifadas were Palestinian protests against the Israeli occupation and settlement activity. A selection

of articles by Palestinian writers who describe the first, nonviolent attempt to end the occupation is available from http://books.google.com/books?id=Cf35PAAACAAJ&source=gbs_book_other_versions. In an interview for the Council on Foreign Relations with Bernard Gwertzman on October 19, 2005, pollster Khalil Shikaki, Director, Palestinian Center for Policy and Survey Research, concluded that "prior to the Gaza withdrawal, Palestinians overwhelmingly gave the 'end to the occupation' as their top priority." (Full article available from <http://www.cfr.org/israel/shikaki-since-israeli-withdrawal-gaza-palestinians-now-give-top-priority-improving-living-standard-not-end-occupation/p9055>.)

Palestinian leadership expressed a similar view that peace could only be ensured when Israel ends its occupation and settlement activities. See, for example, "Arafat: Just Peace Comes Only by Ending Occupation." Settlement Albawaba. May 15, 2001. Available from <http://www.albawaba.com/news/arafat-just-peace-comes-only-ending-occupation-settlement>. Meanwhile, on April 30, 2003 Mahmoud Abbas said on CNN: "Palestinians would not compromise on key issues, including an end to Israeli settlements and expansion of those settlements in Palestinian territories. It's either real peace without settlements or continuing occupation, suppression and hatred and conflict." "Abu Mazen vows to end 'chaos of arms.'" April 30, 2003. Available from <http://www.cnn.com/2003/WORLD/meast/04/29/mazen.speech/index.html>.

2. While Sharon's Herzliya speech discussed his general intention to withdraw Israeli settlers and military personnel from parts of the occupied territories, he did not provide any details regarding the scope or timing of the evacuation.

3. A Palestinian Center for Policy and Survey Research summary report of June 2004 stated that "[i]n March 2004, 73% of the Palestinians and 64% of the Israelis welcomed the original plan when it was first announced." Available from <http://www.pcpsr.org/survey/polls/2004/p12ejoint.html>.

4. These are usually characterized as relating to (1) borders, (2) Jerusalem, (3) the rights of Palestinian refugees, (4) the Israeli settlers, and (5) Israeli security arrangements.

5. A May 2002 poll showed that 74 percent of Israelis did not believe that the Oslo peace negotiation process could lead to a peace agreement between Israelis and Palestinians. See Peace Index, May 2002. Available from <http://www.peaceindex.org/indexMonth.aspx?num=97&monthname=%D7%9E%D7%90%D7%96>.

6. The Israeli Supreme Court subsequently upheld its legality with some changes (see http://en.wikipedia.org/wiki/Israeli_Supreme_Court_opinions_on_the_West_Bank_Barrier), but the International Court of Justice condemned it as illegal in an advisory opinion (see <http://www.icj-cij.org/docket/index.php?pr=71&code=mwp&p1=3&p2=4&p3=6>).

7. A May 2002 poll showed that 51.4 percent of Jews supported a unilateral move to separate the two populations, while 35 percent were against such a move. See Peace Index, May 2002. Available from <http://www.peaceindex.org/indexYears.aspx?num=9>.

8. For full text of speech, see <http://mfa.gov.il/MFA/PressRoom/2003/Pages/Address%20by%20PM%20Ariel%20Sharon%20at%20the%20Fourth%20Herzliya.aspx>. For a history of the Israeli settlement project in Gaza, see Tenenbaum and Eiran (2005).

9. For full plan, see Government of Israel, Prime Minister's Office Communication Department, *Over-All Concept of the Disengagement Plan*, Available at <http://www.mfa.gov.il/MFA/ForeignPolicy/Peace/MFADocuments/Pages/Disengagement%20Plan%20-%20General%20outline.aspx>.

10. The 2002 Ayalon-Nusseibeh Initiative announced agreed-upon principles that should inform a future deal, while the 2003 Geneva Initiative produced a detailed model treaty resolving all of the final status issues.

11. Representatives of the PA voiced their concern on April 28, 2005 at a Palestine Center Briefing. Maen Areikat, director general of the PLO's Negotiations Affairs Department, and legal advisor Zeinah Salahi explained that Palestinians "expect Israel's disengagement from Gaza to be the first step in a clear political process that will lead to the end of Israel's occupation of all Palestinian territory including East Jerusalem . . . [and] must include a halt to Israel's settlement activity, confiscation of Palestinian land, and construction of the separation wall. There must be a political horizon after Gaza." For the full briefing, see Areikat, Salahi, and el-Gindy 2005.

12. A report on the Gaza disengagement by the Council on Foreign Relation claimed that "some Palestinian leaders are reluctant to take a stand against a plan that could lead to the rapid withdrawal of many settlements. This conundrum has led to a range of responses from Palestinians: Arafat harshly condemned the plan, but Prime Minister Ahmed Qurei said he would welcome the removal of Gaza settlements, if it were followed by the removal of those in the West Bank. On February 9, Yasser Abed Rabbo, a member of the Palestinian Liberation Organization executive

committee and a cosponsor of the Geneva Accord, told reporters in Ramallah that the Palestinians are considering declaring an independent state in the West Bank, Gaza Strip, and East Jerusalem if Sharon tries to impose boundaries." For full report, see <http://www.cfr.org/middle-east-and-north-africa/middle-east-disengagement-plan/p7737>.

In a Palestine Center briefing on June 21, 2004, Marwan Bishara said that "Arafat is fully aware that an Israeli withdrawal from Gaza will not lead to a similar withdrawal from the West Bank. Indeed, if Sharon decides to pull settlers out of Gaza, only to put them into consolidated settlement blocs in strategic locations on the West Bank, Arafat's, and most Palestinians', situation will be worse." For full briefing, see <http://www.thejerusalemfund.org/ht/display/ContentDetails/i/2367>.

PA Negotiation Affairs leader Saeb Erakat expressed his sentiments about the unilateral move and its implications in an April 2004 *Washington Post* article entitled, "Why Did Bush Take My Job?" in which he wrote: "... Palestinians are no longer even welcome at the negotiating table. Israel is now negotiating peace with the United States—not with the Palestinians. It is impossible to describe how deeply this has undermined Palestinian moderates, such as myself, who have continued to argue for a solution that is based on reconciliation and negotiation and not on revenge and retaliation. The primary beneficiaries of these developments are extremist groups throughout the Middle East. The leaders of such groups could not have invented a better method of recruitment than the Bush-Sharon press conference" (Erakat 2004).

Meanwhile, a senior professional staff member (Minority) reported to the U.S. Senate Committee on Foreign Relations on October 2005 that "close advisors to President Abbas believe that Prime Minister Sharon does not want a viable Palestinian partner and is deliberately trying to weaken Abbas. Their fear is that disengagement and the construction of the West Bank barrier suggest that Israel is interested in a long-term interim arrangement and further unilateral steps, not a negotiated final agreement." For full report, see U.S. Government Printing Office 23-820, available from <http://www.gpo.gov/fdsys/pkg/CPRT-109SPRT23820/html/CPRT-109SPRT23820.html>.

13. In early September, four settlements in the northern West Bank were also evacuated without incident.

14. Indeed, on July 6, 2006, former Chief of Staff Yaalon was quoted as saying, "the Disengagement was a strategic mistake of the first order. It brought about the Hamas victory. It emboldened terror groups. It has fueled the Palestinian struggle for years. It created a feeling among the Iranians, the Muslim Brotherhood, and al-Qaeda" (HaLevi 2006).

15. For full breakdown of the votes, see <http://www.haaretz.com/news/knesset-approves-pm-sharon-s-disengagement-plan-1.138398>.

16. There is a rich literature relating to the purposeful use of ambiguity in agreements aimed to resolve conflict. Henry Kissinger, for example, used "constructive ambiguity" to mediate the cease-fire between Egypt and Israel at the end of the Yom Kippur War (see Kliman 1999: 31). The "6-Point Agreement," signed on November 11 at Kilometer 101 of the Cairo-Suez road was one example of using ambiguity to create incentives for both Egyptian and Israeli negotiators to interpret their accord in diametrically opposite ways, and stop the war. United Nations Security Council Resolution 242 is another classic example and relevant to the Gaza Disengagement. The clause requiring Israel to withdraw from [the] territories occupied in the 1967 war was never clarified to determine whether it meant to withdraw from all or some of the occupied territory. Indeed, in the English version, the article "the" is missing, but present in the French version. Likewise, throughout the Israeli-Palestinian negotiations, the definition of what constitutes Jerusalem has been left ambiguous.

17. For additional information, see Walla 2005. Defense Minister Mofaz made a similar promise in a meeting with Likud veterans (Evron 2012).

18. For example, Israel's May 2010 raid on a number of vessels that were trying to sail to the Gaza Strip strained Israel's relationship with Turkey and with some European nations, such as the United Kingdom, and led to a condemnation by the U.N. Security Council.

19. According to a poll conducted by Dr. Aaron Lerner, Director IMRA (Independent Media Review and Analysis) for Israel's Knesset on August 22, 2008, 67 percent of Israelis consider the Gaza withdrawal a failure. Available from <http://www.imra.org.il/story.php?id=40410>. For further information, see Wood 2010.

20. Of course, the outcome of the 2006 Palestinian elections swept Hamas into power with a majority in the parliamentary elections. At the time of Sharon's initial announcement in December 2003, Palestinian elections were scheduled for July 2005. These elections were subsequently postponed until January 2006 — after the evacuation was complete. Some believe that Sharon

should have postponed the implementation of the actual withdrawal until after the elections, although given Israeli opposition to the elections this proposal seems unlikely to have succeeded.

REFERENCES

- Abramovich, A. 2011. Interview with the National Inquiry Commission on December 11.
- Abrams, E. 2013. *Tested by Zion: The Bush administration and the Arab-Israeli conflict*. Cambridge: Cambridge University Press.
- Americans for Peace Now. 2005. Disengagement — Profiling the settlements. *Settlements in Focus* 1(5). Available from <http://peacenow.org/entries/archive1048#.UsGDefRdXZE>.
- Angus Reid Global. 2005. Israelis back disengagement, review Jerusalem situation. June 3. Vancouver: Angus Reid Global. Available from http://www.angus-reid.com/polls/17975/israelis_back_disengagement_review_jerusalem_situation/.
- Areikat, M., Z. Salahi, and K. el-Gindy. 2005. The Gaza disengagement plan: How to make it work. Summary of Palestinian Center Briefing. *For the Record* No. 220. April 28.
- B'Tselem. 2013. Fatalities before Operation Cast Lead. Available from <http://www.btselem.org/statistics/fatalities/before-cast-lead/by-date-of-event>.
- BBC News. 2005. Intifada toll 2000–2005. February 8. Available from http://news.bbc.co.uk/2/hi/middle_east/3694350.stm.
- — —. 2008. Gaza's rocket threat to Israel. January 21. Available from http://news.bbc.co.uk/2/hi/middle_east/3702088.stm.
- Beinin, J. and Z. Lockman. 1989. *Intifada: The Palestinian uprising against Israel*. Cambridge, MA: South End Press.
- DellaPergola, S. 2013. Interviewed by Aaron David Miller. Available from http://www.jewishjournal.com/demographic_duo/item/israels_65th_demographics.
- Drukman, Y. 2007. State Controller report: The relocation had cost twice than expected. *YNET*, May 7 (in Hebrew). Available from <http://www.ynet.co.il/articles/0,7340,L-3396329,00.html>.
- Eiran, E. 2009. Politics and the 2005 Gaza and North West Bank compensation and assistance facility. *Harvard Negotiation Law Review* 14(Winter): 101–122.
- Erakat, S. 2004. Why did Bush take my job? *Washington Post*. April 24. Available at www.palestine-studies.org/files/pdf/jps/6192.pdf.
- Erlanger, S. 2005. Time runs short to settle economics of Gaza's future. *The New York Times*, June 20. Available from <http://www.nytimes.com/2005/06/20/international/middleeast/20gaza.html?sq=&st=nyt&scp=416&pagewanted=all&r=0>.
- Ettinger, Y., A. Benn, and A. Shavit. 2004. Sharon's senior advisor: We initiated the disengagement to free the process indefinitely. *Haaretz*, October 5. Available from <http://www.haaretz.com/news/u-s-asks-israel-to-clarify-comments-made-by-top-pm-aide-1.136619>.
- Evron, Y. 2012. Kadima's absurd theater. *Israel National News*. April 4. Available at www.inn.co.il/news/news.aspx/236167 (in Hebrew).
- Gallach, C. 2004. Javier Solana, EU high representative for the CFSP, talks on the phone with Israeli Prime Minister, Ariel Sharon. European Union press release, June 9. Available from http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/declarations/80901.pdf.
- Gideon, A., M. Mualem, and N. Shragai. 2004. Knesset approves PM Sharon's disengagement plan. *Haaretz*, October 26. Available from <http://www.haaretz.com/news/knesset-approves-pm-sharon-s-disengagement-plan-1.138398>.
- Glickman, A. 2009. State Controller's report: Relocation evacuees still do not have a home. January 7 (in Hebrew). Available from <http://www.ynet.co.il/articles/0,7340,L-3651620,00.html>.
- Globes News. 2004. Sharon: "I gave instructions to remove 17 settlements in Gaza," will ask for Bush's support. February 2 (in Hebrew). Available from <http://www.globes.co.il/news/article.aspx?did=767434>.
- Gwertzman, B. 2005. Shikaki: Since Israeli withdrawal from Gaza, Palestinians give top priority to improving living standards not end of Occupation. *Council on Foreign Relations on-line*, October 19. Available from <http://www.cfr.org/israel/shikaki-since-israeli-withdrawal-gaza-palestinians-now-give-top-priority-improving-living-standard-not-end-occupation/p9055>.
- HaLevi, E. 2006. Former chief of staff: Sharon's disengagement a disaster. *Israel National News*. July 6. Available at www.israelnationalnews.com/news/news.aspx/106737.

- Har-Noy, M. 2007. *Orange time: The expulsion from Gush Katif — A personal diary*. Jerusalem: Reuven Mass Press. (in Hebrew).
- Holguin, J. 2004. Sharon fires ministers over Gaza. *CBS News*. Available at www.cbsnews.com/news/Sharon-fires-ministers-over-Gaza.
- International Court of Justice. 2004. Legal consequences of the construction of a wall in the occupied Palestinian Territory: Advisory opinion. Available from <http://www.icj-cij.org/docket/index.php?pr=71&code=mwp&p1=3&p2=4&p3=6>.
- International Crisis Group. 2005. Disengagement and its discontents: What will the Israeli settlers do? *Middle East Report* 43:7. July. Available from <http://www.crisisgroup.org/~media/Files/Middle%20East%20North%20Africa/Israel%20Palestine/Disengagement%20and%20Its%20Discontents%20What%20Will%20the%20Israeli%20Settlers%20Do.pdf>.
- International Institute for Counterterrorism. 2013. Middle Eastern conflict statistics project. Available from http://212.150.54.123/casualties_project/stats_page.cfm.
- Israel Ministry of Foreign Affairs. 2005. Agreed documents on movement and access from and to Gaza. November 15. Available from <http://www.mfa.gov.il/MFA/Peace+Process/Reference+Documents/Agreed+documents+on+movement+and+access+from+and+to+Gaza+15-Nov-2005.htm>.
- Israel State Controller. 2006. An audit report on relocation. March 2006. Available from <http://demo.ort.org.il/clickit2/files/forums/359654676/573166882.pdf>.
- Israeli Knesset: Committee for State Controller Affairs. 2006. State Controller report on disengagement. March 13 (in Hebrew). Available from <http://www.knesset.gov.il/protocols/data/html/bikoret/2006-03-13-01.html>.
- Jerusalem Center for Public Affairs. 2004. Dahlan: Gaza pullout “victory” for Intifada. Available from <http://www.dailyalert.org/rss/Mainissues.php?id=30201>.
- Kaspi, B., and A. Rapaport. 2004. Disengaging from the plan. *NRG-Maariv*, February 11 (in Hebrew). Available from <http://www.nrg.co.il/online/archive/ART/646/758.html>.
- Kliman, A. S. 1999. *Constructive ambiguity in Middle East peace-making*. Tel Aviv: Tel Aviv University, Tami Steinmetz Center for Peace Research.
- Kumail, A. A. 2012. Gaza Strip: Socioeconomic situation. A presentation delivered at the Harvard University’s Center for Middle-Eastern Studies, April 18, Cambridge, MA.
- McGreal, C. 2005. Sharon firm on West Bank sites. *The Guardian*, February 15. Available from <http://www.theguardian.com/world/2005/feb/16/israel>.
- Meir Amit Intelligence and Terrorism Information Center. 2007. Terrorism against Israel in 2006: Data, features, and directions. March 2007 (in Hebrew). Available from http://www.terrorism-info.org.il/data/pdf/PDF_07_010_1.pdf.
- — —. 2009. Features of rocket and mortar attacks for the year 2008 (a yearly summary). January 1 (in Hebrew). Available from http://www.terrorism-info.org.il/data/pdf/PDF_19045_1.pdf.
- Mnookin, R. 2010. *Bargaining with the devil: When to negotiate, when to fight*. New York: Simon and Schuster.
- Myre, G. 2003. Twenty-seven Israeli reserve pilots say they refuse to bomb civilians. *The New York Times*, September 25.
- NPR. 2005. White House pledges \$50 million in aid to Palestinians. May 26. Available from <http://www.npr.org/templates/story/story.php?storyId=4668396>.
- Palestine Liberation Organization, Negotiation Affairs Department. 2005. Dahlan calls Israeli coordination a sham. Press release, June 7. Ramallah: Palestine Liberation Organization. Available from <http://www.nad-plo.org/etemplate.php?id=228>.
- Palestinian Center for Policy and Survey Research. 2004. Public opinion poll #12. June 2004. Available from <http://www.pcpsr.org/survey/polls/2004/p12a.html>.
- — —. 2005a. *Public Opinion Poll #15* March 2005/. Available at <http://www.%20pcpsr.org/survey/polls/2005/p15a.html>.
- — —. 2005b. *Public Opinion Poll #16* June 2005/. Available at <http://www.%20pcpsr.org/survey/polls/2005/p16a.html>.
- — —. 2006. Public opinion poll #19. April 2006. Available from <http://www.pcpsr.org/survey/polls/2006/p19e.html>.
- Pipes, D. 2004. Palestinian responses to an Israeli withdrawal from Gaza. *Daniel Pipes’s Middle East Forum*. Available from <http://www.danielpipes.org/blog/2004/02/palestinian-responses-to-an-israeli>.
- Rabbani, M. 2004. Gaza’s wars of perception. Middle East research and information project. Available from <http://www.merip.org/mero/mero101404>.

- Rice, C. 2011. *No bigger honor: A memoir of my years in Washington*. New York: Crown Publisher.
- Rynhold, J., and D. Waxman. 2008. Ideological change and Israel's disengagement from Gaza. *Political Science Quarterly* 123(1): 11-37.
- Sebenius, J. 2013. Level two negotiations: Helping the other side meet its "behind-the-table" challenges. *Negotiation Journal* 29(1): 7-21.
- Sharon, A. 2002. Speech at the Third Herzliya Conference. Available at <http://mfa.gov.il/MFA/PressRoom/2002/Pages/Speech%20by%20PM%20Sharon%20at%20the%20Herzliya%20Conference%20-%204.aspx>.
- — —. 2003. Speech at the fourth Herzliya conference. Available from <http://mfa.gov.il/MFA/PressRoom/2003/Pages/Address%20by%20PM%20Ariel%20Sharon%20at%20the%20Fourth%20Herzliya.aspx>.
- Sharon, G. 2011. *Sharon: A life of a leader*. Tel-Aviv: Matar.
- Shikaki, K. 2006. *Willing to compromise: Palestinian public opinion and the peace process*. United States Institute for Peace Special Report 158. January. Available at www.usip.org/site%20s/default%20files/sr158.pdf.
- Tami Steinmetz Center for Peace Research. 2002. The peace index. May 2002. Available from <http://www.peaceindex.org/indexMonthEng.aspx?mark1=&mark2=&num=97>.
- — —. 2005a. The peace index. May. Available from http://en.idi.org.il/media/598182/peaceindex2005_5_3.pdf.
- — —. 2005b. The peace index. October 2005. Available from http://en.idi.org.il/media/597007/peaceindex2005_10_3.pdf.
- — —. 2012. The peace index. May 2005. Available from <http://en.idi.org.il/media/602071/PeaceIndex-May2012.pdf>.
- Tenenbaum, K., and E. Eiran. 2005. Israeli settlement activity in the West-Bank and Gaza: A brief history. *Negotiation Journal* 21(2): 171-176.
- United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) Occupied Palestinian Territory. 2007. *Israeli-Palestinian fatalities since 2000 — Key trends*. East Jerusalem: UNOCHA. Available from <http://unispal.un.org/UNISPAL.NSF/0/BE07C80CDA4579468525734800500272>.
- — —. 2011. *Special focus March 2011*. East Jerusalem: UNOCHA. Available from http://www.ochaopt.org/documents/ocha_opt_special_easing_the_blockade_2011_03_english.pdf.
- United Nations Security Council. 2004. Press release SC/8063. Available from <http://www.un.org/News/Press/docs/2004/sc8063.doc.htm>.
- United States Institute of Peace. 2006. *Willing to compromise: Special report 158*. January 2006.
- Urquhart, C. 2004. Blow for Sharon as Gaza plan rejected. *The Guardian*, May 2. Available from <http://www.theguardian.co.uk/world/2004/may/03/Israel>.
- Waked, A. 2005. Dahlan: Settlements will be open for tours by Palestinians. *YNET*, August 1. Available from <http://wwwynet.co.il/articles/0,7340,L-3120687,00.html>.
- Wall Street Journal. 2005. Is the "Road Map" at a dead end? October 20. By Mahmoud Abbas. Available from <http://online.wsj.com/news/articles/SB112977056304073951>.
- Walla. 2005. Katzav: Sharon promised me that there would be no further unilateral withdrawals. *Walla*. September 25. Available at <http://news.walla.col.il/?w+/79/787672> (in Hebrew).
- Washington Post. 2004. Why did Bush take my job? April 25. By Saeb Erkat. Available from <http://www.palestine-studies.org/files/pdf/jps/6192.pdf>.
- — —. 2005. Bush offers Palestinians aid. May 27. Available from <http://www.washingtonpost.com/wpdyn/content/article/2005/05/26/AR2005052600292.html>.
- Weisglass, D. 2012. *Ariel Sharon: A prime minister*. Tel-Aviv: Miskal. (in Hebrew).
- White House. 2004. Letter from President Bush to Prime Minister Sharon. April 14. Available from <http://georgewbush-whitehouse.archives.gov/news/releases/2004/04/200404143.html>.
- Wikileaks. 2005. Peres advisor, NSC discuss Dahlan's positions. Available at http://wikileaks.org/plusd/cables/05telaviv2427_a.html.
- Wood, P. 2010. Settlers and Palestinians remember 2005 Gaza pullout. *BBC News*. August 17. Available at www.bbc.co.uk/news/world-middle-east-11002744.
- Yagne, Y. 2012. The state will start charging rent from relocated settlers that reside in Nitzan. *Haaretz*, August 8 (in Hebrew). Available from <http://www.haaretz.co.il/news/education/1.1796273>.
- YNET News. 2003. Conscientious objectors: Even in Sayerat Matkal. December 21 (in Hebrew). Available from <http://wwwynet.co.il/articles/0,7340,L-2845620,00.html>.