

From Internal Reconciliation to External Reconciliation? A Sketch of the EU's Ideas and Implementation Regarding the Arab-Israeli-Palestinian Conflict

Lily Gardner Feldman

It is a distinct pleasure to write in honor of the extensive, rich and insightful contributions of Professor Panayotis Soldatos to the study of European integration. The topic chosen and the approach offered here relate to Professor Soldatos in a number of ways. His distinguished body of work has been marked by a search for comprehensiveness and breadth, by an interest in the long, multifaceted process of policy, by the intersection of concepts and practice, by the untangling of complex phenomena. All these features appear to some degree in an examination of the EU as an external actor, moving from the exposition of core ideas to the ultimate implementation of policy through action. The Arab-Israeli-Palestinian conflict is one of the most thorny and intractable in the international system; its proximity to the European Union, and especially to Greece, render it of high significance to Professor Soldatos. The dimensions of both success and failure in Community actions speak to his fundamental approach towards European integration: appropriate enthusiasm over its presence and goals, but healthy skepticism as to its realization.

Internal Reconciliation as a Core Idea of European Integration

Internal reconciliation has served as a fundamental, galvanizing idea throughout the post-war history of European integration, with both incorporeal (almost spiritual) and quotidian (essentially practical) aspects. As a core value, reconciliation defined the EU's essence as a structured peace community, an antidote to the centuries-long history of conflict in Europe and a new way of organizing cooperation and partnership beyond the mere absence of war. It also informed specific behavior and relationships. Franco-

German reconciliation was the fulcrum on which the European community turned, and the Franco-German tandem has remained essential to all the major milestones of the European Community and European Union. The European project also proffered the framework early on for Germany's reconciliation with Britain and the Netherlands; and more recently, in the enlargement process, facilitated additional avenues for German post-1989 reconciliation with Poland and the Czech Republic.

External Reconciliation as a Commitment

For several decades, the EC and EU have explicitly focused on the external goal of reconciliation, casting the Community as a model for conflict resolution and peace-building, as revealed in leaders' statements and treaties' purposes. In a February 1992 seminal address to the European Parliament, Jacques Delors referred to the Community as "a focus of attraction...throughout the world, a model of regional integration serving the interests of peace."¹ Three years later, in October 1995, the German President Roman Herzog intoned to the same body: "The message of reconciliation still remains the best message Europe can offer the world."² Twenty-five years later, in a May 2009 major speech on Europe at Humboldt University, Chancellor Angela Merkel noted: "[Internal values of peace and freedom] also define the role of Europe globally...This task of peace, which has largely been accomplished internally, increasingly is focused externally... With our experience, we can be an example of how centuries-long conflicts can be overcome ...without being arrogant [about our success]."³

¹ Address by Jacques Delors, President of the Commission to the European Parliament, February 12, 1992, *Bulletin of the European Communities*, Supplement 1/92, p. 44

² Roman Herzog, Address to the European Parliament, Strasbourg, October 10, 1995, *Statements and Speeches*, German Information Center, New York, vol. XVIII, no. 16.

³ See her May 27, 2009 speech at: http://www.hu-berlin.de/pr/aktuell/reden/humboldt-rede_merkel?set_language=en (accessed December 9, 2010).

Successive treaty efforts at registering identity through new institutions and institutional relationships included the explicit goal of building international peace. The Single European Act (1986) alluded to the aim of “speaking ever increasingly with one voice...so that together they may make their own contribution to the preservation of international peace and security.”⁴ The Maastricht Treaty (1992), more grandly, “[r]esolved to implement a common foreign and security policy including the eventual framing of a common defence policy, which might in time lead to a common defence, thereby reinforcing the European identity and its independence in order to promote peace, security and progress in Europe and in the world.”⁵ The Amsterdam Treaty (1997) reiterated Maastricht’s commitment and language, but added the objective “to assert its identity on the international scene.”⁶ The Lisbon Treaty (2007) made the synchronization between internal and external identity crystal clear: “The Union’s action on the international scene shall be guided by the principles which have inspired its own creation, development and enlargement, and which it seeks to advance in the wider world.”⁷

The Community’s proposed and actual activities as a “civilian power” have constituted efforts to move Europe out of the category of “political dwarf” internationally towards an actor of political stature. There is recognition that such a process will probably not match the EU’s weight as an “economic giant,” representing the world’s largest trading bloc with one-fifth of global imports and exports and producing one

⁴ Text available at: [Hhttp://www.eurotreaties.com/eurotexts.html#singleeuropeanact](http://www.eurotreaties.com/eurotexts.html#singleeuropeanact)H (accessed February 27, 2011).

⁵ Text available at: [Hhttp://www.eurotreaties.com/maastrichteu.pdf](http://www.eurotreaties.com/maastrichteu.pdf)H (accessed February 27, 2011).

⁶ Text available at: [Hhttp://www.eurotreaties.com/amsterdamtreaty.pdf](http://www.eurotreaties.com/amsterdamtreaty.pdf)H (accessed February 27, 2011).

⁷ Text available at: [Hhttp://eur-lex.europa.eu/JOHtml.do?uri=OJ:C:2007:306:SOM:EN:HTML](http://eur-lex.europa.eu/JOHtml.do?uri=OJ:C:2007:306:SOM:EN:HTML)H (accessed February 27, 2011).

quarter of the world's Gross National Product, but it can add a unique voice to the abatement of international conflicts and complement the Commission's largely economic external functions.

European Integration's Lessons of Reconciliation

What are the key lessons of Europe's own experience with internal reconciliation that color its behavior in the international system? There are essentially ten conclusions on which Europe operates as it tries to model peace:

- **1.** Reconciliation does not suggest harmony, but rather contains and manages disagreement, conflict and contestation in a cooperative framework.
- **2.** Reconciliation hinges on the mutual recognition of the grievances at the heart of past conflict.
- **3.** Reconciliation is not an easily approached terminal condition, but rather an ongoing, lengthy, non-linear process.
- **4.** Reconciliation involves multiple levels and multiple actors, not only governments but also societies and Non-Governmental Actors (NGOs), not only central governments but also regional and local entities. Democracy and open, porous societies speed up the process of reconciliation.
- **5.** Reconciliation takes place in both high politics and low politics.
- **6.** Reconciliation entails the building of governmental and societal institutions that confer equality of both rights and responsibilities, even if structural equality is absent.
- **7.** Reconciliation is driven by both affective (change in attitudes) and pragmatic (practical) motivations.

- **8.** History cannot be a mere footnote in the relationship, but rather must act as a constant companion to structure a fundamentally different relationship from the past.
- **9.** Reconciliation needs a regional organization to buttress bilateral partnerships.
- **10.** Reconciliation requires political leadership and vision that can negotiate the inevitable opposition to a new framework for interaction and partnership.⁸

Over four decades, the EC and EU built an extensive set of institutions and instruments to conduct foreign policy, which increasingly sought to reflect externally the values, norms and identity the community stood for from its inception.

The EU, Reconciliation and The Arab-Israeli-Palestinian Conflict: A Sketch

One of the very first efforts in foreign policy via European Political Cooperation concerned the Arab-Israeli-Palestinian conflict- the so-called “Secret Working Paper” of 1971- and ever since the community has devoted attention and resources to this critical conflict, recognizing early on the complexity and unwieldiness of the process of peace-building. The High Representative of the Union for Foreign Affairs and Security Policy, Catherine Ashton , articulated the EU’s parameters in a March 2010 speech in Cairo: “We know that peace is about more than signing agreements on borders and security arrangements. It is about compromise and reconciliation; about co-operation across

⁸ For an initial treatment of international reconciliation, see: Lily Gardner Feldman, “The Principle and Practice of ‘Reconciliation’ in German Foreign Policy: Relations with France, Israel, Poland and the Czech Republic,” *International Affairs*, vol. 75, no. 2, April 1999. An elaborated view appears in Lily Gardner Feldman, *From Enmity to Amity: Germany’s Foreign Policy of Reconciliation* (Lanham, Maryland: Rowman & Littlefield, 2012). For an application to the EU, see: Lily Gardner Feldman, “Reconciliation and Legitimacy: Foreign Relations and Enlargement of the European Union,” in Thomas Banchoff and Mitchell P. Smith, *Legitimacy and the European Union: The Contested Polity* (London and New York: Routledge, 1999).

borders and shared security.”⁹How extensively has the Community acted in the Middle East to bring an end to conflict and build the framework for peace and reconciliation, bearing in mind European integration’s own lessons? This examination cannot touch on the ultimate question of “influence” exerted by the EU, dealt with systematically by Ginsberg;¹⁰ rather it offers a preliminary sketch on the issue of whether reconciliation ideas have been implemented into policy through a variety of institutions and instruments.

There are at least five related arenas in which the EU has operated regarding the Arab-Israeli-Palestinian conflict over the last five decades: statements and diplomacy, encompassing individual leaders, the Quartet and the EU’s Special Representative for the Middle East; bilateral agreements with parties to the conflict; including Association Agreements and Action Plans; the Union for the Mediterranean as a regional undertaking; development aid; and civilian missions.

Diplomacy and Statements: Lessons 1, 2, 3 and 6

The June 1980 Venice Declaration was path-breaking in its reference to a “comprehensive peace settlement;” the Palestinian population’s “right to self-determination;” and to the Palestine Liberation Organization (PLO) as a party that should be “associated with negotiations.”¹¹ At the same time, Israel’s right to security and

⁹ Speech by Catherine Ashton, the High Representative of the European Union for Foreign Affairs and Security Policy, on "A Commitment to Peace - the European Union and the Middle East" at the League of Arab States, Cairo, March 15, 2010, at: [Hhttp://www.europa-eu-un.org/articles/en/article_9572_en.htm](http://www.europa-eu-un.org/articles/en/article_9572_en.htm)H (accessed March 1, 2011.)

¹⁰ Roy H. Ginsberg, *The European Union in International Politics: Baptism By Fire* (Lanham, Maryland: Rowman & Littlefield, 2001), chapter 5).

¹¹ An overview of EC/EU statements on the Middle East conflict and peace process are in: European External Action Service, “EU positions on the Middle East peace process,” available at: [Hhttp://eeas.europa.eu/mepp/eu-positions/eu_positions_en.htm](http://eeas.europa.eu/mepp/eu-positions/eu_positions_en.htm)H (accessed March 1, 2011). The text of the

existence was recognized. From the beginning the EC/EU focused on a long-term process given the complexity of issues and the variance among actors. Over the next decades, through its many statements on the Middle East the EU adhered to the same principles of mutual recognition of actors and inclusiveness, as demonstrated once more in the Council's December 2010 Conclusions on the Middle East Peace Process: "The EU believes that urgent progress is needed towards a two state solution to the Israeli-Palestinian conflict. We want to see the State of Israel and a sovereign, independent, democratic, contiguous and viable State of Palestine living side by side in peace and security. The legitimacy of the State of Israel and the right of Palestinians to achieve statehood must never be called into question."¹² In those Conclusions, as it had since June 1980, the EU criticized the Israeli occupation of territory and identified the status of Jerusalem as a primary point of conflict.

Quartet statements have demonstrated a similar tone. EU membership of the Quartet, together with Russia, the US and the UN, is recognition of both the actual legitimacy and the potential efficacy of its role in the Middle East. More recently, in its March 2011 condemnation of the murder of an Israeli family in the West Bank, the EU, as part of the Quartet, found "[a]ttacks on civilians...completely unacceptable in any circumstance."¹³ The EU might attract more resonance, particularly with Israel, from its commitment to even-handedness, balance and mutual acknowledgment of grievances if

Venice Declaration, June 13, 1980 is at:

[Hhttp://eeas.europa.eu/mepp/docs/venice_declaration_1980_en.pdf](http://eeas.europa.eu/mepp/docs/venice_declaration_1980_en.pdf) (accessed March 1, 2011).

¹² The text is available at:

[Hhttp://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/118448.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/118448.pdf) (accessed March 1, 2011).

¹³ For the text, see:

[Hhttp://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/119861.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/119861.pdf) (accessed March 16, 2011).

proclamations about injustices and complaints on both sides were expressed more frequently in one statement rather than appearing *ad seriatim*, depending on the most recently aggrieved. EU statements have increasingly referred to mutual responsibilities, expressed vividly in Ashton's March 2010 message to the Palestinians and Arab countries in Cairo. The frequency of EU statements demonstrate the priority attached to resolution of the conflict, as does the post and activity of the EU's Special Representative for the Middle East Peace Process, created in 1996 to show the EU's "presence," and gives a consistent profile to the EU's peace identity.¹⁴

Association Agreements and Action Plans: Lessons 4, 5 and 6

While statements bring the countries to conflict together in one space, Association Agreements and Action Plans, as part of the European Neighborhood Policy, provide a set of bilateral relationships for the EU with individual parties.¹⁵ While tailoring each Agreement and Plan to the individual country, the EU is nonetheless advancing the notion of equality of opportunity. The EU has concluded Association Agreements with Israel, Egypt, Jordan, Syria (entry into force pending) and Lebanon and has an Interim Agreement with Palestinian Authority. Association Agreements' economic and social benefits and structural embedding with the EU can provide incentives and preparation for peace, and aim at long-term partnership and reciprocity.

The EU's Action Plans with the same set of countries (except Syria) are generally more recent (after the 2004 EU enlargement) and more "ambitious" with assumptions about "shared values" and clear details as to strategies, targets and instruments for deeper

¹⁴ See the self-definition of the Special Representative at:

[Hhttp://www.consilium.europa.eu/showpage.aspx?id=452&lang=en](http://www.consilium.europa.eu/showpage.aspx?id=452&lang=en)H (accessed March 1, 2011).

¹⁵ On Association Agreements, see: [Hhttp://www.eeas.europa.eu/association/index_en.htm](http://www.eeas.europa.eu/association/index_en.htm)H. The Action Plans are accessible under each country in the Country Index of the European External Action Service's website: [Hhttp://eeas.europa.eu/countries/index_en.htm](http://eeas.europa.eu/countries/index_en.htm)H.

economic, financial and political cooperation. The Action Plans expand political dialogue and cooperation by targeting the Middle East conflict and peace process as a primary focus. In its Action Plan with the Palestinian Authority, the EU recognizes the specific institution-building challenges due to intra-Palestinian rivalries and Israeli policy. EU-Israel discussions about the conflict, so fraught in the past, have been increased and strengthened as a result of the new avenues provided by the EU-Israel Action Plan. However, in general, the EU has underestimated in both the Association Agreements and Action Plans the possibility and pace of democratic, human rights and rule of law changes necessary for peace among the parties to conflict.

The Union for the Mediterranean: Lessons 4, 5, 6, 7,8 and 9

The bilateral Association Agreements and Action Plans have been encased in the multilateral framework of the Euro-Mediterranean Partnership, formerly known as the Barcelona Process (from 1995) and re-launched, with a commitment to a secretariat, in 2008 as the Union.¹⁶ This arrangement, including the EU Partnership for Peace Program, has five potential advantages for peace-building: it is the only international forum where Israel, the Arab countries and the Palestinian Authority interact and dialogue, and do so on the basis of equality; it centers on training and practical cooperation; low politics issues, such as energy, the environment, education, health, transportation, and business development, are a priority; heavy emphasis is placed on relations among civil society NGOs, for example in the Anna Lindh Foundation for the Dialogue between Cultures; the endeavor has both regional and sub-regional formats as well as local government input. Yet, there are three main obstacles to realization of potential. The Union is too

¹⁶ For details and history, see: European Union External Action, “Euro-Med Partnership” at: [Hhttp://www.eeas.europa.eu/euromed/index_en.htm](http://www.eeas.europa.eu/euromed/index_en.htm)H.

large and cumbersome, bringing together 27 EU member states and 16 Southern Mediterranean, African and Middle Eastern countries. The sub-regional dimension, which could dilute the first problem, is only in its infancy and should be elevated as a structural feature. More attention should be assigned to education (e.g. bilateral textbook commissions to write historical narratives aimed at complementarity not commonality) and culture (fostering new understanding of the “other”).

Development Aid: Lessons 4, 5, 6 and 7

As part of the effort to “foster the conditions for peace...and to enhance the viability of the future Palestinian state,” the EU constitutes the largest donor to the Palestinians, with European Commission and EU Member State contributions amounting to some 1 billion Euros per annum.¹⁷ In the last decade, much of this activity has concentrated on state-building through the development of institutions in areas such as health, education and the judiciary. One creative aspect has been the trilateral interaction among the Palestinian Authority, Israel and the European Commission on energy, trade and transport, again low politics areas that can provide the first steps to peace. However, such a focus has to be prioritized and expanded such that Israel, at least at the civil society and local government level, can develop some psychological and financial investment in institutions that might prevent them from constituting targets of destruction when political tensions boil over into physical conflict. A further set of problems is the EU’s inability to compete with the social welfare benefits offered by other actors, such as Hamas, and to prevent corruption in the distribution of services by the Palestinian Authority.

¹⁷ European External Action Service, “EU Practical and Financial Support for the Middle East Peace Process,” at: http://eeas.europa.eu/mepp/practical/practical_en.htm (accessed March 21, 2011)

Civil Missions

One of the key examples of EU support for Palestinian institution-building has been in the area of the police and the judiciary. The EU Police Mission for the Palestinian Territories (EUPOL COPPS) mission in Ramallah, beginning in 2006, as part of European Security and Defense Policy, was a step up in the EU's efforts at peace-building.¹⁸ The EU Border Assistance Mission (EUBAM) at the Rafah crossing point (between Egypt and the Gaza Strip) following Israel's August-September 2005 disengagement from Gaza, accentuates the potential for direct, on-the-ground involvement in peace maintenance, bringing full circle the range of tools the EC/EU have employed with the goal of overall reconciliation.¹⁹ However, soon after the auspicious start, it was clear that both missions were limited in numbers and funding and lacked sufficient coordination with the US. The most critical obstacle has been conditions on the ground, including the electoral victory of Hamas, Israeli responses, and the subsequent political stalemate.

Obstacles to Reconciliation and Hope for the Future

The pressure of local conditions as a glaring limitation on EU civil missions has been repeated in other areas of EC/EU policies and practices. The volatility of the conflict has represented a persistent obstacle to EU efficacy regarding the Middle East from the early 1970s in a region punctuated by large-scale wars and intermittent military interventions on both sides, resulting in reactive EC/EU policy. There are two other perennial obstacles the EU faces in its policies towards the Arab-Israeli-Palestinian

¹⁸ For details and background, see EU Police Co-ordinating Office for Palestinian Police Support at: [Hhttp://www.eupolcopps.eu/content/what-eupol-copps](http://www.eupolcopps.eu/content/what-eupol-copps)H.

¹⁹ On background and obstacles to deployment, see: European Union External Action, "EUBAM Rafah," at: [Hhttp://www.consilium.europa.eu/showPage.aspx?id=979&lang=en](http://www.consilium.europa.eu/showPage.aspx?id=979&lang=en)H.

conflict, one to do with its own institutions and modus operandi, the other relating to the nature of the actors in the region.

While the EU has possessed and deployed a range of foreign policy and external affairs instruments, for a long time it was hobbled by five deficiencies – in consultation, coherence, consistency, coordination and convergence – all resulting in limitations on efficacy. Specifically, the informal nature of EPC, the intergovernmental preference, the lack of synergy among Council, Commission and Parliament, and divergent member-state perspectives have all hampered the development and implementation of policy. The Maastricht and Amsterdam treaties addressed some of the issues in the creation of the pillar system, a CFSP framework with its own head, new instruments and a modicum of change in unanimity voting. In the end, however, it is only with the Lisbon Treaty that fundamental reform is possible. With the goal of greater coherence, coordination, and consistency the ending of the pillar system established a High Representative of the Union for Foreign Affairs and Security Policy to oversee the new External Action Service. The post essentially blends the post-Amsterdam High Representative with the European Commissioner for External Relations and European Neighborhood Policy, and its incumbent is also the Vice-President of the European Commission.

Peace and reconciliation depend ultimately on democracy that makes societies porous and facilitates people-to-people exchanges. Until the Arab Awakening beginning in Tunisia in December 2010 and spreading quickly in different forms to Egypt, Libya, Bahrain, Yemen and Syria, the prospects for democracy in the Arab world were dim. Now they are multiple, although not yet crystalline. The EU has recognized that its policies failed in bringing change through reform, and sees ferment in the Arab world as

an opportunity to refashion its approach, to emphasize now “deep democracy,” and “inclusive economic development.” Catherine Ashton and the European Commission have understood in this time of intense fluctuation the urgent need for progress in the Arab-Israeli-Palestinian conflict, requiring substantial reform of the Union for the Mediterranean to permit a laser-like focus on practical projects with concrete benefits as the goal and civil society groups as the primary players. Such an initiative would be shaped by Europe’s own experience, as Ashton made clear in February 2011: “Where relevant, we can draw on our own history of building democracy and reconciliation including those from among us that have gone through these transitions recently.”²⁰

If the EU can now include in its new approach the nurturing of a new cadre of Arab political leadership and its interaction with a younger generation of political leadership in Israel (Lesson 10), it will have demonstrated that all ten of its lessons of reconciliation have found their way into policies regarding the Arab-Israeli-Palestinian conflict.

The March 2011 murder of an Israeli family in the West Bank, bombing in Jerusalem and rocket attacks from Gaza represent Hamas’ response to change and have prompted Israeli retaliation, reminding us of the basic problem of volatility. However, the fact that the Arab Awakening itself has so far excluded an anti-Israel dimension is a small, auspicious sign for the first steps of peace-building and reconciliation in a new era.

²⁰ European Union, “Remarks by the EU High Representative Catherine Ashton at the Senior Officials’ Meeting on Egypt and Tunisia,” February 23, 2011, at: http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/119459.pdf for ashton 23/2H (accessed March 1, 2011). See, also, European Commission and High Representative of the Union for Foreign Affairs and Security Policy, “A Partnership for Democracy and Shared Prosperity with the Southern Mediterranean,” Brussels, March 8, 2011, at: http://www.eeas.europa.eu/euromed/docs/com2011_200_en.pdf (accessed March 27, 2011).

