

Title: "The Golan Heights: Frozen conflict or new area of confrontation?"

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Abstract:

The situation in the Golan Heights has experienced the deep impact of the Syrian civil war and foreign intervention. The traditional status quo in the area was characterized by a high respect of the UN resolutions and ceasefire agreements between Israel and Syria. The armies of both countries were separated by a UN peacekeeping force (UNDOF) and the clashes between them took place in Lebanon, a country in which both states found an important strategic depth.

The impact of the Syrian civil war implied that the Golan Heights became an area of anarchy in which the presence of several armed groups helped to increase the level of tension. This area fell under the control of the Russian Army and the Damascus regime in 2018, opening a new phase in the territorial dispute between Syria and Israel. At the same time, many international actors attach an enormous importance to this region and the negotiation of its future. Moreover, nowadays the Golan Heights provide both Israel and Hezbollah with more strategic depth, increasing the risk of confrontation between them in this region and creating a major threat for UNDOF. The objective of this paper is to assess the interests of the different actors involved in the area and their impact on the negotiation of a peace agreement. And there would be an analysis of the different possible scenarios in the region.

Introduction:

The main obstacle in the relationship between Syria and Israel over the last decades has been the issue of the Golan Heights. For Israel, it is a key-area for its national security given the perception of Arab hostility against the Jewish state (Inbar, 2011: 3-12). For Syria, the recovery of the Golan Heights is a necessary condition for any peace agreement with Israel.

The situation in the Golan Heights has experienced the deep impact of the Syrian civil war and foreign intervention. The traditional status quo in the area was characterized by a high respect of the UN resolutions and ceasefire agreements between Israel and Syria. The armies of both countries were separated by a UN peacekeeping force (UNDOF) and the clashes between them usually took place in Lebanon, a country in which both states found an important degree of strategic depth. In fact, Syria used its alliances in Lebanon to put pressure on Israel to weaken its position concerning the Golan Heights issue. For its part, Israel tried to guarantee their Christian allies the control of the Lebanese government and created a proxy militia in southern Lebanon (the so-called South Lebanon Army, SLA), which helped the Israeli Defence Forces (IDF)

to maintain their security belt in South Lebanon. Since the end of the Lebanese civil war, the Shia militia of Hezbollah was allowed by Damascus to maintain its weapons. This privileged status meant that Hezbollah would keep the role of military challenger against the IDF and its allies of the SLA. Even after the Israeli withdrawal in 2000 the clashes between Hezbollah and the IDF were common.

Israel decided in 1981 the unilateral annexation of the area of the Golan Heights under its occupation, whereas it developed a limited policy of colonization with the building of Jewish settlements which altered the demographic balance. At the same time, different initiatives of negotiation took place in the past with the objective of achieving a peace agreement between both countries but the issue of the Golan Heights remained an important stumbling-block in the path of peace.

The impact of the Syrian civil war has implied that the Golan Heights became an area of anarchy in which the presence of several armed groups (Hezbollah, Iran, jihadist fighters...) has helped to increase the level of tension. And many national and international actors attach an enormous importance to the control of this area. Moreover, nowadays the Golan Heights provide both Israel and Hezbollah with more strategic depth, increasing the risk of confrontation between them in this region, creating a major threat for UNDOF. The recent US recognition of the Israeli annexation of the Golan Heights has added more fuel to the conflict, and the number of armed incidents has increased more and more. The objective of this paper is to assess the interests of the different actors involved in the area and their impact on the negotiation of a peace agreement for Syria. This negotiation requires a favourable international context and the current situation in the Golan Heights can imply a major obstacle to achieve that objective. The question now is whether violence will prevail or there will be an opportunity for a compromise.

The structure of this article goes as follows. First, I will set the theoretical framework to understand this conflict. Second, there is a review of the historical relevance of the Golan Heights both for Israel and Syria. Third, I will examine the ups and downs in the Syrian-Israeli negotiation on the Golan Heights and the use of violence by both parties. Fourth, I will study the impact of the Syrian civil war and the evolution of the approach developed by the main actors. Fifth, there will be a global analysis of the dispute. Finally, I will draw some conclusions.

1.Territorial disputes and interstate rivalries: causes and consequences

The traditional realist paradigm has dominated the explanations concerning why some states have territorial disputes leading to violent confrontation and war. According to realism, the prevalent state of anarchy in the international scene encourages the different states to guarantee their security through a continuous search for more power. In other words, the absence of a world authority which would guarantee

international security leads the political authorities to accumulate power as the best form to prevent aggressive behaviours from other actors. Sometimes this implies the emergence of a context of security dilemma in which every measure taken by an actor to increase its own security is considered as a threat by another actor (Waltz, 1988: 619-620). From this perspective, states would be power maximizers. Other authors consider that the problem is not a context of anarchy but the deterioration of hegemony. Robert Gilpin asserts that in a context of hegemonic decline, new actors can try to challenge the hegemon even with the use of force (Gilpin, 1981: 50-55). Organski developed this idea and considered that war only occurs in situations of power transition, with a challenger surpassing the power of the hegemon (Organski, 1958). According to the dyadic-level of power-preponderance hypothesis, war is less likely when one state has power-preponderance over another state (Levy:1998: 148). Given the fact that some realist authors consider capability as in terms of relative shares of certain resources, states would try to increase their relative share of resources like raw materials, military means and territory (Kennedy, 1987). And there is a historical link between national power and territory according to which the spread of a state would imply to increase its strength (Diehl, 1992: 2). But capability change is not enough to justify war. In fact, it is necessary that capability change influences the perception of political leaders so that that it can trigger war.

Other authors emphasize the importance of the domestic level to understand international conflicts. For example, the diversionary theory of war asserts that sometimes political leaders use international conflict as a means to serve their particular purposes after creating more national cohesion (Levy, 1998: 152). Sometimes, these initiatives are considered to be linked to a state of political insecurity of the political elites, like economic crises, high levels of unemployment, domestic political conflicts, etc. The type of political regime is also considered a relevant factor. Whereas some authors think that democratic states are less prone to war due to the higher level of accountability, others openly question this assertion and think that traditional rivals are good scapegoats for diversionary wars (Gelpi, 1997). At the individual level we can find that political leaders maintain different preferences, prejudices or perception which affect their behaviour concerning international conflict (Levy, 1998: 157-158).

Finally, we must recognize that traditional theories of International Relations devoted little attention to the relationship between war and territory. It is difficult to determine the reasons behind this fact but authors like John Vasquez consider that the main reason is the prevalent realist thinking according to which every confrontation was based on a fight for power. This view neglected the interest in certain factors as the main issues leading to war confrontation, including territorial factors (Vasquez, 2009: 136). In contrast, during the last decades there has been an enormous effort to understand the main causes of international wars incorporating quantitative methods

(Toft, 2014: 185). The results have provided much criticism against realist explanations, given the fact that only few wars were the result of a search for power. They have asserted that territorial disputes are considered the primary source in these confrontations, remarking especially the relevance of territorial contiguity as a key factor (Holsti, 1991. Vasquez, 2009). According to Vasquez, *“it is territoriality, the tendency of humans to occupy and, if necessary, defend territory, rather than the struggle for power, that is the key to understand interstate war”* (Vasquez, 2009: 136).

Paul Diehl considers that territory can be both a facilitating condition for conflict and a source or subject of conflict. It is a facilitating condition for conflict because *“...geography is one of several factors that structure the risks and opportunities that a state has with another state...Geographic proximity to the site of a dispute may also make a state more willing and able to fight a war”*. But, according to him, there are other factors apart from geographic proximity (like alliances) that can increase or decrease the spread of a conflict (Diehl, 1992: 11). However, territory can also be a source of conflict, given the fact that states seek to control territories for strategic, economic, historical, political and ethnic reasons. Diehl attributes the importance of territorial disputes to the value of the territory in dispute, and although this value is subjective, we could recognize certain characteristics as especially valuable like: the availability of water, energy resources and minerals; new markets; land for agriculture and food production; and control over the people living in the area (Diehl, 1992:12-14). Other times, the intrinsic value of a territory is not so relevant, but states are more interested in its relational value, which means the value in relation to the other state involved in the dispute. A clear example would be the geographic location relative to the other state (the closer the other state, the more threatening it becomes); the ethnic composition of its populace (state boundaries do not correspond to ethnic boundaries); or its historical importance (current boundaries do not correspond to historical boundaries) (Diehl, 1992: 17-19).

2.The historical relevance of the Golan Heights

The Golan Heights region occupies an area of around 1200 square kilometres, encompassing the southern borders of Syria and Lebanon. Actually, the demarcation of this border was never clear in the past. As a result, the area of the Shebaa Farms has become a bone of contention¹. The whole region is an elevated plateau dominating the neighbouring areas and harbouring important water resources. The northern part of the Golan Heights is an area of high mountain with the remarkable presence of Mount Hermon (see Map 1).

¹The Shebaa Farms constitutes a small area on the western slopes of Mount Hermon. According to the Israeli interpretation, it belonged in the past to Syria, whereas Beirut considers that it is within Lebanese territory. Hezbollah has consistently demanded the Israeli withdrawal from this area, with the support of the Lebanese authorities.

After the end of the I World War, the region was included into the French Mandates of Syria and Lebanon, setting the line of separation with the British Mandate of Palestine next to the Sea of Galilee. According to this division, Syria would not have access to this lake. With the first Arab-Israeli War (1948-49), the Syrian forces were able to occupy the eastern shore of the lake, and a ceasefire line and a demilitarized zone were set in the absence of an official peace treaty. Since that time onwards, many incidents occurred in the area. Syria allowed Palestinian fighters to attack Israel and sometimes the Syrian army shelled north-eastern Galilee. For its part, the Israelis tended to provoke incidents in the demilitarized zone (Kipnis, 2013: 5-48). During the Six Days War, the Israeli government finally decided to launch a major operation to occupy the Golan Heights at the end of the conflict given the domestic pressures and the state of weakness of the Syrian Armed Forces (Zisser, 2002: 185-190. Kipnis, 2013: 78-83)². The population of the region before the Israeli occupation consisted of almost 150,000 inhabitants, most of them Sunni Muslims, but also Druze, Alawites and members of other minorities. Many of them fled during the Israeli invasion as a consequence of deliberately Israeli policies and fear of occupation (Ram, 2013: 81-83).

The loss of the Golan Heights implied a major defeat for Syria and the Baath government, leading to the emergence of a new President, Hafez al-Assad, who followed a foreign policy aimed at increasing the international weight of his country and recovering the Golan Heights³. His strategy combined the use of limited force (given the fact that Assad was conscious of the inferiority of the Syrian Armed Forces) and negotiation, trying to demonstrate to Tel Aviv that Syria was a strong state and it was worth to negotiate with it (Seale, 1989). For its part, Israel used its military means to weaken the Syrian position in the Middle East and accepted the idea of negotiation from a position of strength, which implied to discard the possibility of returning the whole territory of the Golan to Syria.

The Yom Kippur War in 1973 constituted a failed Syrian try to develop a negotiation from a position of strength. Afterwards, it was only possible to achieve a partial Israeli withdrawal imposed by the US needs to advance a peace process between Israel and Egypt, but Syria was a secondary actor and the Israeli concessions stopped once the Camp David Accords with Egypt had been signed (Quandt, 2005).⁴ The Golan Heights would be divided into three areas. The most important part of the territory would remain provisionally under Israeli control, whereas Syria would keep the eastern part.

² Whereas the chief of the IDF staff Moshe Dayan was reticent to the invasion, other military leaders supported that action. But it was decisive the attitude of the Prime Minister Levi Eshkol, who was pressured by settlers from North Galilee who wanted the fertile lands of the Golan Heights and the important source of water.

³ Assad was Minister of Defence in 1967, so that he was extremely interested in recovering the Golan Heights as a way of justifying his past performance.

⁴ The Israeli withdrawal did not imply a return to the 6 October 1967 positions. On the contrary, Israel would maintain its control over the hills to the west of Quneitra and most of the Golan.

In the middle there would be a UN peacekeeping force (UNDOF)⁵. Since that moment onwards, the cooperation of the parties was globally positive and there were no remarkable incidents. But from a diplomatic perspective, Syria fell in a situation of marginalisation, and its reaction was based on trying to increase its international position profiting from the Lebanese civil war (Dawisha, 1984).

Israel also wanted to ensure a hegemonic position in Lebanon for different reasons (defeating the PLO and reinforcing the security of the northern border). But another important factor was the weakening of Damascus' regional position, which would become an international dwarf in the Middle East conflict. Another important step was the decision of the Israeli authorities of spreading the Israeli law to the Golan Heights, which implied the actual annexation of this territory (1981). Once Egypt had signed a peace agreement with Israel, it was really difficult to see the possibility of launching a major Syrian military operation to recover the Golan Heights. But if Damascus was unable to react, any future negotiation with Israel would be develop in a position of extreme weakness (Davis, 1984).

The Israeli invasion of Lebanon in 1982 had among its objectives to end the Syrian military presence in the country and the creation of a friendly government in Beirut under the leadership of Bashir Gemayel. But after Gemayel's killing, the massacres of Sabra and Chatila and the deployment of the Multinational Force, Tel Aviv changed its objectives and preferred to maintain a tight control of southern Lebanon through the so-called "security belt", in cooperation with its proxy South Lebanon Army. The IDF suffered the constant challenge of the Shia militias (Amal and Hezbollah) which launched a war of attrition against Israel and its allies. After the end of the Lebanese civil war (1990), Damascus allowed Hezbollah to maintain its weapons and this organization continued its challenge against the security belt, whereas in the Israeli-Syrian border calm was preserved. In other words, the Assad regime preferred to use a limited level of violence against Israel on Lebanese territory, preventing a direct war with Israel and the possibility of IDF targeting Damascus. For its part, Israel accepted to focus its military responses on Lebanon, dealing with Hezbollah and avoiding an all-out war against Syria. In this way, both states gained strategic depth at the expense of Lebanon. This situation survived until the withdrawals of the IDF (2000) and the Syrian army (2005) defining a context in which quietness seemed to prevail in the Golan Heights (Cobban, 2000).

3.Fight or negotiation?

The dispute over the Golan Heights has been characterized by a combination of a limited use of violence by both parties and development of discrete negotiations aimed to solve the dispute through peaceful means. In other words, both governments

⁵UN Security Council, Resolution 350, 31/05/1974. Available at https://undof.unmissions.org/sites/default/files/security_council_resolution_350.pdf

considered that a certain degree of violence was useful to enhance their negotiating position, but they recognized that violence alone could not provide the expected results.

For Syria, the Golan Heights had a clear strategic, economic and political value. From the strategic perspective, the geographic position of this region, dominating Damascus, implied a major threat for the security of the core of the country, M5 highway linking the capital with Aleppo and Deraa. Any attack from that area would be almost unstoppable for the Syrian Armed Forces. The Golan is also a region of fertile lands and important water resources which would be of great importance for a state with serious economic problems. And there is also a political factor which makes this issue more complicated. The Baath regime (mainly based on Alawite leadership) has survived until today with a discourse focused on Arab nationalism and secularism, but there has been a strong opposition from Sunni religious groups. The acceptance of the loss of the Golan Heights (or at least a part of them) could have triggered massive protests supported by this religious opposition, undermining the existence of the regime. The Hama events in 1982 were a clear example of this danger and the current civil war has evidenced this threat. For many Syrians, there was an enormous attachment to the Golan and any peace agreement without recovering the region would have been a slap on the face, especially after the recovery of the full Sinai Peninsula by Egypt. Moreover, many Syrians had to flee the Golan plateau during the Israeli attack in 1967 and they demanded the right of return to their former homes (Rabinovitch, 1998: 14-16).

For the Israeli side, the political and strategic factors also made very difficult any process of negotiation implying the full return of the Golan to Syria. First, there were political reasons for keeping the region. Many Israeli politicians and military considered that the traditional hostility of Damascus against the Jewish state should be punished and the full return of the Golan Heights would be out of the question. This would be a signal to the enemies of Israel to demonstrate that any aggression would mean the loss of territory. Moreover, the Israeli governments began encouraging the emergence of settlements in the western part of the Golan, creating new facts on the ground. This could be a message to the Syrian authorities to encourage their engagement in quick negotiations, otherwise they would run the risk of losing the Golan forever. But another interpretation was that the Israeli leaders were trying to use the nationalist card to enhance their domestic power position. In fact, only some weeks after the Israeli victory the first Jewish settlements were created on the Golan. The governments did not support a massive colonization of the area in contrast to the situation in the West Bank, but the number of settlers reached the level of around 20,000, similar to the number of Druze inhabitants (CIA, 1982: 11-12). Therefore, any withdrawal from the area would imply a relevant controversy with the settlers, as happened in 1994 when the Rabin government decided to negotiate a peace treaty

with Damascus. The settlers reacted with a hunger strike which raised enormous controversy (Kipnis, 2013: 194-199).

From a strategic perspective, the Golan provided Israel with an excellent position for early warning and defensive facilities. In fact, Israel tried to transform the whole region into a buffer area with the massive building of military infrastructure and the destruction of homes and villages. The Golan also ensured the access to water resources of paramount importance, including the sources of the Jordan River. Finally, it provided a certain strategic depth that would enable the deployment of the IDF in the event of a Syrian attack (Eiland, 2009: 4-18). From this perspective, Ram (2013: 85) uses the concept of a "securitization of the land" implying that for some Israeli leaders the application of the principle of peace for territories would mean an enormous security threat against Israel, rejecting the rationale behind the US sponsored peace process. However, other politicians and military leaders thought that the maintenance of the Heights was not so relevant, given the new technologies in military affairs and the remarkable Israeli leadership in these areas (Bar-Joseph, 1998). This led to two differentiated postures in negotiations. Given the Syrian resistance to agreements implying only a partial return of the Golan to Syrian sovereignty, some Israeli politicians rejected the possibility of negotiating and preferred to maintain the status quo, whereas others considered that it was necessary to open negotiations and compensate the return of the territory with security conditions that would fulfil the most important Israeli security needs (International Crisis Group, 2009: 8).

After the fall of the Soviet bloc in 1989, Syria had lost its main ally, given the fact that Moscow had warned Assad that its past support could not be maintained in the future. But the skilful management by Assad of his participation in the Gulf War and his victory in Lebanon made the Syrian leader prone to accept the US mediation hoping that it could provide him with a good chance in a future negotiation. For its part, the Israeli Prime Minister Yitzhak Rabin thought that the new regional and international balance of power was against Israel (US cooperation with Damascus, the first Intifada, Israeli defeat in Lebanon...). Therefore, it was necessary to make concessions and Rabin considered that the best area was the Golan Heights. The Israeli presence in South Lebanon was exposed to continuous attacks by Hezbollah and other militias under the influence of Damascus. At the same time, Assad had maintained a high level of compliance of the disengagement agreement. Finally, in a moment of growing tensions in the Occupied Territories Rabin did not want to divert its forces from that scenario. But at the same time, there was an enormous pressure to provide a response to the Palestinian issue in the middle of the first Intifada. According to Patrick Seale (2000), Rabin with his double negotiation with both Syria and the PLO "*...tried to play an Arab party against the other*".

It is in this context in which we must understand the so-called “Rabin’s deposit”. The Israeli Prime Minister asked the US Secretary of state Warren Christopher to convey a message to Assad according to which he was ready to accept a full withdrawal from the Golan if the guarantees demanded by Rabin were met. This was a package-deal approach encompassing different aspects: Assad had to stop Hezbollah’s attacks in Lebanon and dismantle the Palestinian rejectionist groups in Syria; the Syrian track would be independent from any negotiation with the PLO; Rabin demanded some security guarantees like an early warning station in Mount Hermon; the initial Israeli withdrawal would be very limited and only after a five-year term it would be possible to advance in this withdrawal; finally, Syria should offer a genuine peace, which implied a total normalization of diplomatic relations and full cooperation (Seale, 2000: 67). But some obstacles remained of paramount importance: a different interpretation of the concept “total withdrawal” (Israel only accepted a withdrawal to the 1923 border, whereas Syria demanded a withdrawal to the 4 June 1967 ceasefire line) and the question of the security guarantees between both states. Another controversial factor was that of the control over water resources, given the fact that Israel wanted to ensure that control over regional water resources. Assad was not prone to accept some of the Israeli demands and there was a stagnation in the negotiation, especially after Rabin’s death.

Benjamin Netanyahu’s mandate (1996-99) was characterized by a lack of advances concerning the peace negotiations, but the new Prime Minister Ehud Barak reopened the Syrian track (1999) with the aim of ensuring the northern border of Israel, challenged by Hezbollah’s operations. For its part, Assad wanted to achieve a political victory in order to guarantee a smooth succession.⁶ This time the Syrian leader was more flexible but Barak did not clarify his commitment with a total withdrawal. There was a high degree of agreement on the security clauses and the timing of the Israeli withdrawal, but it was impossible to find a solution for the territorial issue, especially because Barak wanted to ensure the Israeli control over the water resources of Lake Tiberias and Jordan River, which implied to limit the withdrawal, a demand that was completely rejected by Assad. Therefore, the negotiation process finally collapsed (Daoudy 2008. Rabinovitch 1998).

After a long period of time in which the Middle East peace process did not experience any remarkable advance, in 2007 a new phase of Israeli-Syrian negotiations was opened. In this context, Israel was wanted to negotiate in order to deal with Hezbollah’s threat for the Israeli northern border and weaken the relationship between Syria and Iran (International Herald Tribune, 2008). For some experts, given the relevant changes in warfare, the control over the high ground was no longer necessary for Israeli security and the strategic depth provided by the Golan could be

⁶ Hafez al-Assad was seriously ill and wanted to guarantee the Presidency for his son Bashar. Hafez died in 2000.

achieved by the demilitarization of Southwest Syria (Bar-Joseph, 1998). At the same time, the personal interests of Israeli Prime Minister Ehud Olmert made this negotiation more attractive⁷. For its part, Syria wanted to improve its relationship with the West after a period of in which its economic situation pushed for this approach. Moreover, Bashar al-Assad needed an international success to consolidate the security of his regime. The negotiation was focused on similar issues than the previous ones, but instead of relying on US mediation, this role was developed by Turkey. Syria wanted to recover the full territory of the Golan Heights and have a certain degree of access to the water resources of the area. At the same time, the objective was to improve its relations with the US and the EU, with the possibility of membership of the World Trade Organization. But the country did not want to renounce to its links with Iran. For its part, Israel wanted Syria to break with Iran, Hezbollah and Hamas before the peace negotiations with Israel. The weak domestic position of Olmert during the negotiation seriously undermined the possibilities of success. (Salem, 2008. Eisenberg and Caplan, 2010: 135-164).⁸ In fact, much criticism emerged in Israel against the possibility of withdrawing from the Golan Heights. The main arguments against this possibility were:

-Assad was not a reliable partner.

-Syria would not accept a full peace with Israel, preferring a state of limited relationship.

-Assad could fall and a new Syrian government, under the control of the Muslim Brotherhood, could break a peace agreement with Israel.

-Assad would continue his cooperation with Hamas, Hezbollah and Iran.

-Syria was no longer the hegemon in Lebanon. Therefore, it was not so useful as in the past given that it could not disarm Hezbollah.

-The Golan Heights still provided a necessary line of defence and any total withdrawal would undermine Israel's security (Eshel, 1997. Eiland, 2009)

With Barak Obama in the White House, there was some pressure on Israel to renew negotiations with Syria as a part of a new US strategy aimed at pressuring Iran to change its policy in the Middle East. The new Prime Minister Benjamin Netanyahu began a secret negotiation with Syria, but the beginning of the Arab Spring and the Syrian civil war led to the end of these contacts and since that moment onwards no negotiation has been developed until today (Hersh, 2009).

⁷Olmert was in a difficult moment as a result of the Winograd Report and serious challenges against his leadership of Kadima.

⁸The Bush administration was reluctant towards a negotiation with Syria and did not provide a relevant support to this initiative.

4.The impact of the Syrian civil war

Concerning the Golan Heights, whereas at the beginning of the conflict the Syrian government retained control over this region and cease-fire was maintained in the area of operations by both the Israeli Defence Forces and the Syrian Armed Forces, the arrival of some insurgent groups in 2012 (and especially in 2014) began challenging the government's control of the Heights. We cannot forget that Bashar al Assad developed his military campaigns in key-areas for his political survival and the Golan was not among them. His military strategy was focused on keeping control of the Syrian backbone, Highway Number 5, linking Aleppo, Hama, Homs and Damascus. From this domestic perspective, the Golan Heights did not pose a direct threat against the regime. The Israeli government had taken a neutral approach vis-à-vis the Syrian civil war and there was no support to any of the insurgent groups. But the proximity of the Jordanian border and the support provided by Amman to some Syrian insurgent groups implied that it was possible for them to undertake an offensive towards the Western part of the country and try to occupy the southern part of the Golan Heights. In fact, the resistance of the Syrian army was weak, and this factor put the UN peacekeepers at risk, given the fact that the zone occupied by the insurgent forces was next to the UNDOF area of operations.

The zone to the east of the UNDOF area of operations was supposed to be demilitarized. This factor benefited the insurgents' offensive, but Damascus sometimes deployed additional troops, with the consequence of combats against the insurgents in the UNDOF area of operations in violation of the UN resolutions. Sometimes, there were incidents of firing across the ceasefire line. At the same time, in this period there were examples of certain cooperation between the IDF and the insurgents when some members on the latter were allowed to cross the ceasefire line to receive medical treatment by the IDF (UN Secretary General, 2013).

But once the Syrian army withdrew to the north, the insurgents took full control of the southern zone and tried to use the UNDOF area for their military purposes. In fact, their objective was to spread their control until the area of Mount Hermon. This objective was of paramount importance, given the fact that it could imply a challenge against Hezbollah's control of the border between Lebanon and Syria in this zone. From a strategic point of view, this possibility would allow the Syrian opposition to have access to Lebanese territory and create a supplying line from southern Bekaa. In other words, this was an excellent choice for some jihadist groups to spread their influence into south Lebanon with the possibility of creating an all-out confrontation against the Damascus government and its foreign allies. It is necessary to remember that at the same time, the Islamic State and Jabhat al-Nusra were spreading their activities in the Qalamoun Mountains in order to create another supplying line

between the Lebanese town of Aarsal and those Syrian areas under the control of jihadist groups (Lion-Bustillo, 2014).

Moreover, these jihadist groups became a direct threat against the peacekeepers for they began a subtle war of attrition with the objective of occupying the UN positions. For that purpose, they laid siege to these positions and took several peacekeepers as hostages. For example, on 28 August 2014, 45 peacekeepers were taken hostages by Al-Nusra, although they were released unharmed some days later. The same pattern of action was repeated several times, making impossible the normal development of the peacekeeping activities usually performed by UNDOF. Under those circumstances, some contributing countries thought that it was impossible to continue the mission and decided to withdraw their contingents. This was the case of Croatia, Japan, Canada and Austria which decided to leave the mission in 2013, arousing serious concerns for its future (UN Secretary General, 2014).

There was also a clear escalation between the IDF and the Damascus regime (and its allies). In January 2015, two Israeli drones attacked a convoy on the Syrian side killing the Iranian general Mohammed Allahdadi and six senior members from Hezbollah. The retaliation of Hezbollah took place some days later in the Shebaa Farms and two Israeli soldiers were killed, whereas Israel responded with a bombardment which killed a Spanish peacekeeper belonging to UNIFIL. Whereas Israel seemed decided to prevent any presence of Hezbollah or Iranian fighters near the Golan Heights, Hezbollah considered that Israel was helping Al-Nusra to consolidate its positions. In fact, Hezbollah's leader Hassan Nasrallah declared in 2013 that the Golan Heights and south Lebanon formed a single front against Israel, but the presence of his organization in Syria was primarily driven to sustain the Assad regime. In any case, Israel was step by step becoming a new actor in the Syrian conflict in spite of its past declarations of neutrality. These events put at risk the continuity of UNDOF mission. It was very complicated to find new contributors (UN Secretary General, 2015).

During the next years, there was a process of consolidation of the insurgent enclave in southwest Syria. The insurgent groups occupied Quneitra and some areas of northern Golan, including the village of Beit Jinn, and they reached the Jordanian border. Whereas the eastern part of this area was under the control of small insurgent groups, Quneitra and the neighbouring lands were occupied by Al-Nusra and the south was in the hands of ISIS. The relations among these groups have been of either confrontation or cooperation depending on circumstances. At the same time, they were able to receive weapons and other material from Jordan and Israel. In fact, Israel increasingly relied on cooperation with some of these insurgent groups with the objective of preventing the presence of Hezbollah or other Shia militias near the ceasefire line. These organizations have to some extent contributed to guarantee more strategic depth, copying the model of the Lebanese security zone maintained by Israel in

southern Lebanon for more than twenty years. In fact, for Israel the strategic balance during the last years has been rather favourable in the context of the Syrian civil war.

The Israeli policy towards the Golan Heights over the last years has combined settlement activity, diplomacy, military activity and cooperation with the Syrian insurgent groups. First, Israel changed its traditional policy of avoiding major settlement activity in the Golan. If the number of settlers in 2016 was around 20,000 there were projects of expanding this number to 100,000 in five years. The government also decided to develop infrastructures and economic activity. This settlement would be justified because Israel would need to expand its housing activity and the international community is opposed to building activity in the West Bank. At the same time, after changing the demographic balance of the area in favour of the Jewish settlers, Tel Aviv planned to create a political body. That implies a clear challenge to the Syrian demand of recovering the area (Rudoren, 2015).

On the diplomatic front, the Israeli government has clearly abandoned the principle of peace for territories in favour of the idea of unilaterally draw the new border with Syria. In other words, any future agreement would be based on the idea of peace for peace, implying the Syrian recognition of the Israeli annexation. Tel Aviv justifies this change with the development of the Syrian civil war, so that a previous return of the territory to Syria would have meant to deal with the presence of Jihadist or Hezbollah fighters near Galilee. In other words, Israeli security concerns could only be met with the maintenance of the high ground in the Golan in Israeli hands (Inbar, 2011:29).

Given the deployment of Shia militias in the nearby of the Golan Heights, threatening the insurgent enclave, the initial Israeli demand was to prevent the deployment of Hezbollah or any allied militia to the west of a red line around 60 kilometers. There were negotiations with Russia on this objective, but with limited results. During the last months Israel has launched many attacks against Iranian and Hezbollah facilities in Syria. The most remarkable fact was that many of these facilities were far from the Golan Heights. In fact, Prime Minister Netanyahu asserted that Israel would not allow any military presence of Iran in Syria, including seaports, airports, permanent military bases or high-precision missile factories, increasing the scope of its demands (International Crisis Group, 2018. Times of Israel, 2018).

This military approach was combined with a growing cooperation with some insurgent groups in the Golan. In fact, the Israeli government followed the path which led to the creation of a "security zone" in south Lebanon in the 1970s. The model consists in reinforcing a local proxy with the objective of winning strategic depth against hostile neighbours. But there were several problems linked to this strategy. The relations among the insurgent groups in the Golan were complicated, with usual clashes and skirmishes. At the same time, some of these groups were linked to Salafist jihadism, a fact that could harm the Israeli image in the Western world. Actually, these groups

were very hostile against the UN peacekeepers, a factor that undermined for them the possibility of being considered as legitimate actors in the Syrian civil war. Finally, these groups were not strong enough to stop an all-out offensive of the Syrian army and its allies, and they would require an active Israeli intervention to stop such offensive. Therefore, the insurgents demanded a serious and long-term Israeli commitment to guarantee the survival of the enclave, whereas Israel only wanted to provide a limited support, avoiding a repetition of the war of attrition in south Lebanon until 2000. In fact, Israel provided a very relevant material and financial support to different groups affiliated with the Free Syrian Army, including allowing them to pass through areas under Israeli control to improve their fighting activities against the government (Tsurkov, 2018).⁹

For its part, the Syrian government was decided to occupy the most of the country before any kind of significant negotiation with the opposition in order to maintain a clear advantageous position. The eastern part of the Golan Heights constituted a key objective in this policy, because it allowed Damascus to control the borders with both Jordan and Israel. At the same time, after some years in which the Syrian government had lost the control of the area, the Syrian demand of recovering the whole Golan Heights has been undermined. With the new policy of the Trump administration, there was a major risk of the US accepting the Israeli bid for the sovereignty of the Golan. If Hafez al Assad devoted much effort to increase the international status of his country, we cannot forget that the Syrian civil war has weakened this position and Bashar has required a strong international support to defeat the military challenge of the opposition. Allies like Iran, Hezbollah and Russia have made a very relevant contribution to the current favourable evolution of the war for Bashar. The problem for Bashar is that he needs the contribution of these allies to recover the control of the whole country, while he tries to avoid dependence on these same allies. For him, the best alternative is to maintain a certain degree of balance between the allies instead of relying only on one of them. This is why Bashar could accept a partial Iranian withdrawal from Syria, but avoiding total dependence on Russia.

To sum up, in 2018 Israel had two available options in the Golan:

-Consolidation of a “security zone”: This option did not require any kind of compromise with either the Syrian authorities or their allies given the fact that it would preserve the status quo and the consolidation of the division of the country into spheres of influence. It implied to maintain or even increase the level of support provided to the insurgent groups, with the possibility of launching more direct military actions involving air strikes, artillery barrages and even infantry operations. This option was hardly compatible with a campaign of international recognition of the Israeli

⁹ An example was the use of the territory of the Golan Heights under Israeli control to send insurgent troops defend the area of Beit Jinn in 2018.

sovereignty over the Golan Heights, given the fact that any Syrian group is committed to the recovery of that region. Under those circumstances, further cooperation with Israel would imply that these groups would be accused of Israeli proxies and would undermine their popular support, giving Assad the legitimacy of defender of national sovereignty. Finally, the Lebanese precedent reminds us about the possibility of a war of attrition performed by Damascus and its allies, which would lead to a strong Israeli commitment towards the defence of the “security zone”.

-Agreement with Russia: In this case, a tripartite agreement with Washington and Moscow would guarantee for Assad the recovery of the insurgent enclave, whereas Israel could achieve at least the US recognition of the annexation of the Golan Heights. But Moscow would demand important compensations, like the recognition of its basic interests in the Middle East, the end of the international sanctions against Russia and a new international approach to the Russian annexation of Crimea. These concessions are acceptable to Israel, but for the US that step could undermine its position in Eastern Europe. At the same time, the Syrian regime would have to de facto accept this annexation given its extreme weakness and its dependence on Moscow.

Israel decided to choose the last option and accept Assad’s recovery of the area controlled by the insurgents in return for a US compromise to recognize that Israel has the right to preserve the territory occupied in 1967. The lack of an Israeli backing to the opposition encouraged many local opposition fighters to strike deals with Assad. This trend favoured the quick recovery of Southwest Syria for the regime, with the help of units of the Russian police deployed in the different towns and villages before the arrival of the Syrian army, playing the role of peacekeepers.

But the main problem for Assad is that an agreement between the US, Israel and Russia could imply the marginalization of his own interests in favour of those of these important powers. In other words, the war has altered the regional balance of power and Syria will be extremely dependent on the behaviour of other states. Therefore, the political position of Assad will be focused on the recovery of other areas of the Syrian territory, whereas his ability to challenge the Israeli annexation seems very weak in the near future. Only the presence of Hezbollah fighters and other Shia militias can change this new status quo.

5. Analysis of the negotiation

During a long peace process, the different proposals to end the conflict between Syria and Israel can be summarised as follows:

-Limited Israeli withdrawal to a new international border: Two hypothetical new borders have been suggested: The “Rear ridge line” (3-5 kilometres west of the separation line) and the “cliff line” (2-5 kilometres east from the Jordan River),

although some Israeli experts were opposed to them because of the inferior quality from a strategic point of view.

-Joint sovereignty on the Golan

-Peace park: given the fact that Syria demands the full Israeli withdrawal and Israel is afraid of the massive settlement and its environmental consequences, the possibility of a joint management of the Golan Heights could be attractive if it were based on the principle of sustainability. This offered the possibility of combining the creation of natural reserves for tourist activity and the development of renewable sources of energy in favour of both countries. These parks would be available to Israeli visitors, whereas the control of the area would be in Syrian hands (Greenfield-Gilat, 2009)

-Long-term lease: after the US decision to reactivate the peace process in 1991, some Israeli politicians (like the then Health minister Ehud Olmert) thought that it was possible to make concessions in the Golan given the fact that it was only important in the absence of peace. A possibility would be to recognize the Syrian sovereignty over the area, but signing a long-term lease agreement (for one or two hundred years) which would be under the control of the UN Security Council. The agreement would stipulate the conditions for the management of the territory. During that period of time, it would be possible to build confidence between the parties and evacuate the settlers (Ben Meir, 1991).

-Regional land swaps: some Israeli experts like Giora Eiland (2009) sustained that Israel cannot abandon the Golan Heights for strategic reasons, whereas Syria cannot accept anything less than a total Israeli withdrawal. The alternative would be a land swap involving other states and Syria would be compensated with some territory in Lebanon.

The durability of this conflict can be understood from different perspectives. Traditionally, different authors attribute this fact to the national interests of both states, driven by a search for power. From a realist view, both actors have tried to maximize their benefits when they had a favourable international context, for example when they had the strong support of great powers. It is difficult to sustain that this conflict is the result of a US declining hegemony in the Middle East, but at the same time Washington has been unable to create the necessary conditions for a peace agreement, which indicates certain problems of credibility in the US leadership. And the power-preponderance hypothesis was not confirmed, given that Israel is much more powerful than Syria and maintains better international links, but in spite of this

fact war has been common between both countries.¹⁰ Finally, these realists arguments do not explain why sometimes Israel and Syria have been more interested in peace.

This is why the domestic dimension is so important. The diversionary theory of war can explain sometimes these states preferred to escalate their confrontation as a means to gain more popular support. This was the case in Syria with its intervention in Lebanon (1976-1990) and the same happened with the Israeli invasion of Lebanon in 1982. On the contrary, the type of regime did not have any influence in the lack of compromise. Concerning the personality of the political leaders, all of them were very tough in the negotiation and they only undertook a more moderate approach when they considered that the benefits for their political position were relevant. In other words, it was difficult for both parties to sign a peace agreement because there would be harsh criticism against them and it was unlikely for them to rip the benefits of peace. A majority of the Israelis has been consistently against returning the Golan to Syria (Cubbison, 2019), whereas the legitimacy of the Assad family would be undermined if they would have signed a unilateral peace agreement with Israel without recovering the whole territory of the Golan and reaching a solution to the Palestinian question.

In this domestic approach, territory becomes of the key factor, given the relevance attached to it by the narratives of Zionism and Arab nationalism. In other words, although the material value of the Golan Heights is not very high, its symbolic value is enormous for both peoples, with remarkable hypothetical consequences for the future of their political leaders. In this context, leaders prefer to maintain the status quo and not to commit political mistakes. This explains their reluctance towards signing a peace agreement even when negotiations seem to be close to a final agreement.

Conclusions

The creation of an appropriate framework for peace negotiations is a task in the hands of the international community. The US role between Israel and Syria was more worried by the Cold War dimension and eluded a decisive role until 1991. This delay allowed Israel to change the status quo and create new facts on the ground that complicated any compromise. When Washington was recognized by both parties as the regional hegemon, it tried to adopt a more constructive role, but the parameters of this mediation have changes over time and there has been a clear lack of continuity. Finally, the Trump administration has completely changed the grounds of the peace process and it has abandoned any peace initiative, preferring to recognize the Israeli annexation of the territory. To sum up, we can say that the US has been unable to create a good framework for negotiation and it has failed to provide the right sticks and carrots that could have encouraged the political compromises.

¹⁰ Although it can explain why Syria preferred to maintain peace in the Golan, challenging Israel elsewhere.

For its part, both the Syrian and Israeli leaders have been extremely reluctant towards signing a peace agreement because the strong symbolism of the territorial issue makes this kind of compromise very controversial at the domestic level. The long-lasting conflict dispute over the Golan Heights is the consequence of the high symbolic value of this territory for both parties today, whereas its material value is much more limited. The reason behind this fact is that both Syria and Israel are late creation states and the political elites tend to use extreme nationalism to consolidate their popular support and avoid being labelled as “weak”. In other words, the most predominant factor is domestic politics and governments prefer to elude compromises that could undermine their political base. But at the same time they are more prone to accept concessions when their political position is unstable and need an important diplomatic success to remain in power. That was the case of Yitzhak Rabin in 1994, Ehud Olmert in 2008 and Hafez al-Assad in 1999. The main problem is how to build a situation in which both parties become weak enough to accept painful concessions and they can count on the support of their respective peoples.

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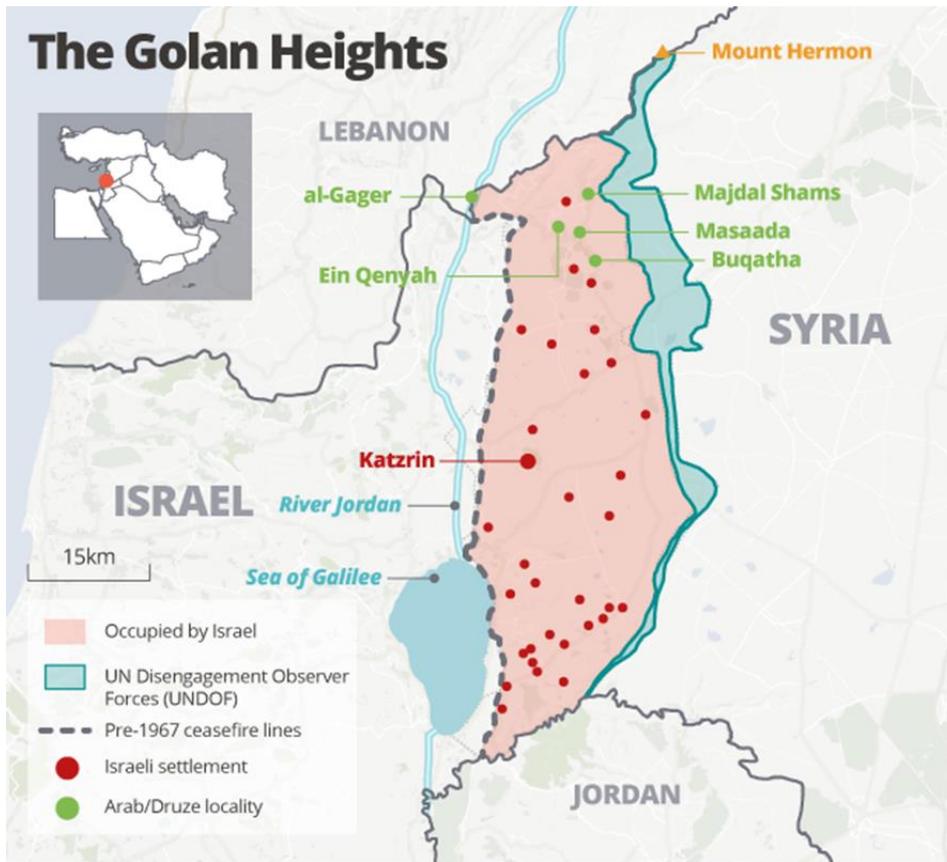
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Source: Source: Central Bureau of Statistics, 2016 Pew Research Center study, UNDOF.org



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Map 1: The Golan Heights today