

The Middle East - Peace by Piece

The Quest for a Solution
to the Arab-Israeli Conflict

Hassan A. Barari

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Preface

Four more than six decades, the Arab-Israeli conflict has sent shockwaves through the Middle East. Since the founding of Israel in 1948, there have been more than half a dozen wars, endless skirmishes along the different borders, and numerous internal uprisings in the region's countries. Moreover, the Arab-Israeli conflict, with the unresolved confrontation between Israel and the Palestinians at its epicenter, has threatened to spill over into a global confrontation on more than one occasion.

It would be easy to recall how the region has slid into the abyss since the collapse of the Oslo process in the late 1990s. To conclude that the region's future could not be any bleaker, it is only necessary to remember the al-Aqsa Intifada from 2000 onwards, the Israel-Hezbollah war of 2006, or the latest war in Gaza in 2008/2009 – to name only a few of the many recent events.

But in the course of that same decade, other remarkable events and initiatives have occurred: among them the summit at Camp David (July 2000), the negotiations in Taba (January 2001), the Arab Peace Initiative (March 2002), the Road Map (2002), the Geneva Accord (or Geneva Initiative, December 2003), and the Annapolis conference “November 2007.”

Given the reoccurring conflict in this troubled region, it is easy to forget that two important peace treaties still remain in place: the 1979 Camp David treaty between Egypt and Israel, and the 1994 Wadi Araba agreement between Israel and Jordan. Although there is little to celebrate, the two anniversaries -- thirty years of Camp David and fifteen years of Wadi Araba -- should not pass unnoticed.

It is against this background that the idea was born to review the successes and failures of the Middle East peace process by analyzing Camp David and Wadi Araba as well as the failed peace attempts between Israel and its neighbors, Syria, Lebanon, and -- above all -- the Palestinians.

The well renowned authors of this study analyze the different dynamics and developments that the various tracks have undertaken, and conclude with lessons learnt and recommendations for those involved in the current process. The reader will find both accounts of opportunities lost and arguments against the dominating pessimism of the regional situation. The Friedrich-Ebert-Stiftung (FES), which has sponsored this study, has been keen to provide space for a variety of different opinions which do not necessarily represent the position of FES.

A number of preconditions must be met in order to achieve a sustainable peace, primarily among them is political will. Certainly, there is no

lack of creative ideas that meet the demands and perceived needs of all sides. It is the tragedy of this region, however, that essentially all the concepts for a comprehensive peace are known, but are sidelined or lost.

The reader will find a number of carefully developed arguments that explain why much of the success in peace making depends on the personalities of the leaders involved. Leaders need to convince their electorates and populations that the benefits of peace are worth the extra step necessary to tear down the barriers of peace. It is equally important for those leaders to convince the other side -- leaders and populations alike -- that the risk involved in overcoming the decades-old mistrust can be managed.

Sure enough, it is easy to blame the missing progress on today's lack of charismatic leaders. But the leaders of the countries directly concerned, as well as those of the Quartet and the Arab League states, will have to take into account that with every year that passes, the conflict becomes more protracted and less easily resolved.

It is our hope, therefore, that this publication will attract attention and remind the decision makers of this volatile, yet rich, region that time is running out fast.

Achim Vogt
Amman, September 2009

Introduction

Hassan Barari

Has the Middle East peace process finally run aground? Is the clock ticking on a two-state solution? Are there still politicians who fit the bill of leadership? These and other questions have been seriously debated in recent months, particularly with the failure of the Annapolis process and the ascendance of Benjamin Netanyahu in Israeli politics. For Arabs, the mere thought of Netanyahu at the helm of the Israeli state is repellent. His position against peace is well documented, and his first premiership (1996-1999) was a negative turning point to an otherwise promising peace process.

The basic fact is that Israeli and Palestinian leaders have failed to make peace. When the moment of truth came during the Camp David summit in July 2000, the two sides hesitated and refused to take the necessary political risks to strike a historical peace settlement. Since that moment, all the tête-à-tête between Israel and the Palestinians has yielded no tangible results.

The ebb and flow of the Middle East peace process has startled both observers and policymakers. Unlike most of the world's attempts at conflict resolution, the Arab-Israeli peace process has been complicated by multiple outside players, including non-state actors that adopt conflicting policies. As such, the complexity of this conflict is so daunting that facilitating a successful peace accord seemingly needs a divine miracle.

Far from being a success, the peace process between Arabs and Israelis has suffered from what has eventually become a chronic standoff. The euphoria that accompanied the convening of the Madrid Peace Conference in 1991 proved to be short-lived. The level of disappointment caused by the lack of any substantive progress has been further aggravated by the American policy vis-à-vis the peace process. While President George W. Bush put the peace process on the back burner for the first seven years of his presidency, the mutual mistrust between Arabs and Israelis reached discouraging levels.

If anything, the years that followed the breakdown of the peace process after Camp David have created an atmosphere of pessimism. Even the belated American attempt at Annapolis proved too little, too late.¹ The Annapolis process has done little but discredit the moderate Palestinian

¹ Hassan A. Barari, "The Annapolis Process: Too Little and Too Late," www.css-jordan.org

leadership that already was suffering from a serious credibility deficit. Palestinian president Mahmoud Abbas was desperate to achieve any political success, and tried to use the Annapolis process to strengthen his position within the Palestinian body politic.

More troubling is the fact that Israel recently elected right-wing hardliners who do not support a two-state solution. Netanyahu's statements explicitly suggest that peace is not a priority. With this type of Israeli government attitude, the chance of peace looks dim. At the same time, the Palestinian body politic is increasingly fissured. Given the situation, jump-starting a genuine peace process will need serious leadership.

Arabs and Israelis, however, have come a long way on the path toward peace. The peace process that started with Anwar Sadat's visit to Israel in 1977 has produced an impressive record: two peace treaties and two Oslo agreements. Why then do observers insist on the failure of the peace process when the conflicting parties have managed to cut historic deals? Certainly, there are those who make the case that a right-wing Israeli government -- such as the current Netanyahu leadership -- is far more capable of making peace than one left-of-center.

More often than not, observers are wrong. They seem to underestimate that territorial concessions to the Palestinians become hotly debated issues inside Israel. Time and again, Israeli governments have fallen because of concessions made to Palestinians. It is not surprising that many argue that the region is farther away from peace now than ten years ago. By and large, the off-and-on negotiations between Israel and the Arabs have produced a string of disappointments. Analysts and politicians alike ponder, what went wrong? What lessons, if any, have been learnt?

In this book, contributors attempt to provide the answer to these two questions. The purpose, however, is not to blame but to understand the dynamics of failure. Several prominent scholars contributed to this volume, and each of them were asked to present a draft paper at a workshop held in Amman, Jordan in October 2008, hosted and sponsored by the Friedrich-Ebert-Stiftung (FES). After discussing these papers, the contributors transformed their work into chapters of this book.

If anything, the centrality of the Palestinian question is evident. Part I addresses two successful peace processes while pointing out how the breakdown of the Israeli-Palestinian track hurt Arab-Israeli relations. In Chapter One, I outline the dynamics of success and failure in the bilateral Israeli-Jordanian peace. Perhaps the most important argument advanced is that while the bilateral relationship is important for both sides, they still failed to conduct their bilateral relations independently of the Palestinian track.

Israeli leaders have failed to appreciate that it is impossible to separate their bilateral relations with Jordan from the progress or breakdown of Is-

raeli-Palestinian talks. For instance, the logic of respecting the sovereignty of others countries escaped Netanyahu and his government when they conducted a foreign policy that eroded Jordanian support for the process. The failed assassination attempt on Khaled Mashal was the epitome of Israeli failure to internalize the necessity to respect Jordanian sensitivities.²

In Chapter Two, Moshe Ma'oz poses a number of questions: why have Egypt and Jordan arrived at peace with Tel Aviv thirty-one and forty-six years respectively after the creation of the state of Israel? Why has peace with Egypt been “cold” while with Jordan “lukewarm”? What can be done to warm up these relations and achieve normalization? Why has Israel been unable to reach peace with Syria and Lebanon despite several attempts, and what are the prospects for peaceful relations in the foreseeable future? These questions are addressed through the examination of the historical, ideological, cultural-psychological, strategic-political, economic, as well as regional and international factors.

In Chapter Three, Emad Gad challenges the conventional wisdom that the peace between Egypt and Israel is a “cold peace.” He insists that this had been the case prior to 2004 when Egypt had conditioned its bilateral relations with Israel to progress on the peace process. For many reasons, Egypt began to separate its relations with Israel from larger Arab-Israeli negotiations, thus helping create “warm” peace with Israel. That said, people-to-people interaction is, to say the least, lukewarm. Egyptians still find it hard to normalize with Israel due largely to the continuation of Israel’s occupation of the Palestinian territories, the anti-Egyptian statements from right-wing Israeli politicians, and Israel’s unfettered efforts to present a fait accompli through its settlements.

Part Two addresses the peace process in regard to the core negotiations: the Israeli-Palestinian track. In Chapter Four, Edy Kaufman of Maryland University and Manuel Hassassian, the Palestinian ambassador to London, present a joint chapter representing what they argue as a common Israeli-Palestinian perspective. In their article, they examine the development of the Palestinian track from 1993 through the present, moving from a critical introspective of the failures of the Israeli and Palestinian leadership and civil society in advancing the Oslo process into a peace accord.

In Chapter Five, Mohammad Yaghi presents a Palestinian perspective why the peace process has stalemated. He takes issue with the assertion of some scholars who make the case for the eclipse of the two-state solution, and argues that the Oslo paradigm has outlived its usefulness. As such, reaching peace requires establishing a new paradigm, one in which the Arab countries would negotiate with Israel to solve the Palestinian question as part of the wider conflict between Israel on one side, and Syria,

² See Efraim Halevy, *Man in the Shadows* (New York: St. Martin’s Press, 2006).

Lebanon, and the Palestinians on the other. This would guarantee that any agreement would be comprehensive, durable, and viable with the support of key actors.

Part Three addresses what we might term “the unfinished business.” In Chapter Six, the Israeli-Lebanese-Syrian triangle is addressed from Syrian and Lebanese perspectives. Faten Ghosn, from Arizona University, critically assesses the relationship between Lebanon and Israel and the lessons learned, as well as provides suggestions for the future. She examines the obstacles to peace, particularly Lebanon’s internal divisions in relation to negotiating with Israel, the role of Hizballah, the coupling of the Lebanese-Syrian negotiation tracks, as well as the issues at stake, particularly territory, security, water rights, and the Palestinian refugees.

In Chapter Seven, Harvard University’s Radwan Ziadeh revisits the Israeli-Syrian track and accounts for the dynamics of failure. He also discusses the deep disagreements over the extent of the Israeli withdrawal, and how Ehud Barak squandered a genuine shot at peace, especially when the world was eager to see him assume office after Netanyahu had managed to disrupt the peace process. In this chapter, he argues that Syria and Israel need to recognize that certain components of the peace deal are final and non-negotiable. Israel must accept that Syria will never agree to anything less than a full withdrawal to the June 4, 1967 line, and that any tampering with this issue and suggesting various political and geographical alternatives will only increase Syria’s lack of confidence in Israel. In return, Syria must satisfy Israel’s demands on security, water, and normalization.

Finally, according to Dr. Ziadeh, Syria has to change the way it conducts negotiations during the next stage, particularly in regard to opening up Syrian civil society and discussing the matter publicly. Such an approach would help the process arrive at a sustainable and popularly accepted agreement, not one imposed from abroad according to the conditionality of international will. This will not come about without the Syrian regime’s engagement in a true democratization process, leading to the principle of the peaceful rotation of power. Such a development would endow the agreement with sustainability, instead of internal animosity, which is what occurred in Egypt.

Without the help of Friedrich-Ebert-Stiftung (FES), this book would not have seen the light of day. Therefore, I would like to extend my gratitude to the Friedrich-Ebert-Stiftung for supporting this project from the beginning. I am equally thankful to all the contributors to this volume who handed in their final drafts in a timely manner and who put up with my unrelenting editorial demands.

Chapter One

Hassan A. Barari

Peace with Israel:
Reality or Illusion?

1. Peace with Israel: Reality or Illusion?

Introduction

Observers, pundits, and analysts were quick to suggest that the October 1994 peace treaty between Jordan and Israel would be markedly different from the existing cold peace between Egypt and Israel. However, the bilateral relationship between Israel and Jordan has been strained by many factors.¹ Warm relations never bounced back after the assassination of Yitzhak Rabin in November 1995, and from Jordan's vantage point, it was not until Benjamin Netanyahu became, in June of the following year, prime minister of Israel, pursuing a series of provocative policies in Jerusalem, that reality challenged the concept of warm peace.

Peace, however, has been maintained, despite mounting tensions in the region. The last decade's events, including the rise of Ariel Sharon, have enhanced the position of the region's radicals. The eruption of the second Palestinian Intifada, the unending violence, and Israel's policy vis-à-vis the Palestinians has enraged and dumbfounded the Jordanian opposition, providing it with further ammunition to call for the abrogation of the peace treaty with Israel. As a result, Jordan's domestic political dynamics have weakened the peace camp in Jordan.

The official Jordanian position, however, has remained unchanged. The year 2009 marks the 15th anniversary of peace between the two countries, and Jordan has promoted a message of peace and has been instrumental in creating an "Arab center," to use Marwan Muasher book's title.² At the heart of Jordan's diplomacy is the quest for a two-state solution. The lack of such a solution has influenced Jordanians' perception of Israel and its intentions. Clearly, then, no one can credibly claim that the relationship between the two countries is as both Rabin and Hussein would have wanted. On the one hand, Israel has failed to understand that seeking warm relations with Jordan while continuing to deny the Palestinians the right to self-determination are incompatible objectives. On the other hand, Jordanians have been irresolute in reaching out to Israeli society and promoting peace. Simply put, some argue that while Jordan has pursued peace with Israel, it has yet to use the tools of peace, address the Israeli public, and build bridges with those who share Jordan's vision of peace, prosperity, and stability.

¹ Hassan A. Barari, *Jordan and Israel: Ten Years Later* (Amman: CSS, 2004).

² Marwan Muasher, *The Arab Center: The Promise of Moderation* (New Haven and London: Yale University Press, 2008).

This chapter is not a balance sheet of the history of Israeli-Jordanian relations. Rather, it takes a thematic approach, shedding light on the obstacles and policies that are undermining the possibility of having a warm peace with Israel. The chapter consists of three sections. The first section presents “Hussein’s peace,” tracing the key events in Israeli-Jordanian bilateral relations that paved the way for peace. During this era, the relationship between Israel and Jordan was characterized by a mix of cooperation, conflict, and tension. The second section addresses the illusion of warm peace, focusing specifically on the root causes for the failure to construct a warm peace, including the controversy over normalization. The third section examines a theme that is probably most important in influencing the two countries’ future relations: the clash of strategies. Finally, the conclusion presents a reflection of the relationship with an emphasis on lessons learnt.

1.1. Hussein’s Peace

As history will tell, no one has put more tireless effort into making peace with Israel than Jordan’s King Hussein. In the aftermath of the catastrophic Jordanian involvement in a war it never sought in 1967, Jordan has been instrumental in creating the regional conditions conducive for peacemaking. Since then, Jordan has renounced entirely the option of dealing with Israel militarily. King Hussein adopted a diplomatic approach and understood that the notion of “land for peace” would be the only means of bringing about historical reconciliation between the otherwise reconcilable enemies. Yet Jordan was only one player. Two factors crippled Jordan’s room to maneuver in the aftermath of the 1967 war and in the period preceding Jordan’s ultimate disengagement from the West Bank in July 1988.

First, successive Israeli governments were unable to break out of the regional impasse that characterized the years up to 1973. Israel’s fourth prime minister, Golda Meir, demonstrated unprecedented intransigence in dealing with Jordan. Yossi Beilin criticized the Israeli government for adopting the “no one to talk to” mantra to mask its inability to make peace.³ Meir’s partnership with the extremist Mafdal party made it hard for her to agree on a peace deal with Hussein, who expressed, in a clandestine meeting with Meir, his ability and sincere willingness to come to an agreement.⁴ Added to this, the internal dissonance within the leading

³ Yossi Beilin, *Touching Peace: From the Oslo Accord to a Final Agreement* (London: Weidenfeld & Nicolson, 1999).

⁴ Avi Shlaim, *The Iron Wall: Israel and the Arab World* (London: Allen Lane/ Penguin, 2000).

party (Labor) led to fragmentation, rendering it impossible to make decisions without running the risk of dismantling the party while at the same time helping the gradual ascendance of the Right bloc.⁵

Second, the rise of the Palestinian Liberation Organization (PLO) on the regional and international scene functioned as another key constraint on Hussein's foreign policy.⁶ The Palestinian national movement sought not only to liberate the occupied territories from the Israeli occupation but also to gain independence from the Arabs and particularly Jordan. The PLO fought tooth and nail with Jordan over the issue of representing the Palestinians and therefore put more effort into battling with Jordan than into liberating Palestine. Arab support for the PLO at the expense of Jordan only weakened Amman's claim to the occupied territories.

By the end of the 1980s, Jordan was, as it were, between the rock of Israeli intransigence and the sand of the Palestinians' evasive position. By that time, Israel had built huge number of settlements at the expense of the territories, which should have been returned to Jordan as a quid pro quo for peace. With the eruption of the first Palestinian Intifada on December 9, 1987, King Hussein realized that his twin objectives of preventing the Likud Party from annexing the West Bank and preventing the establishment of a Palestinian state were irreconcilable. Jordan, therefore, resorted to defensive action by announcing its strategic decision to disengage from the West Bank both legally and administratively.⁷ Jordan's decision shocked the Israelis, particularly the Israeli Labor party who championed the idea of the Jordanian option. However, once the Labor leadership realized that Hussein's decision was a strategic rather than a political gambit, the party quickly changed. The younger generation of the Labor Party, who argued for a Palestinian option, began to gain the upper hand in the internal debate. With Rabin at the helm of the Labor party, the Jordanian option was abandoned.

The dynamics between Jordan, Israel, and the Palestinians were not independent of the changing regional milieu. The structural changes in the international system (i.e. a transformation to a unipolar system) and the defeat of Iraq in Kuwait (which further tipped the balance of power in Israel's favor) were soon to have a key impact on the calculation of different players in the Middle East, including Jordan. Amman's position was further hampered after its relations with the United States deteriorated.

Besieged, Jordan looked for an outlet to break away from its regional and international isolation imposed on Jordan in the aftermath of the

⁵ For more details on the internal divisions within Labor during that era, see Hassan Barari, *Israeli Politics and the Middle East Peace Process* (London and New York: Routledge, 2004), chapter one.

⁶ Adnan Abu Odeh, *Jordanians, Palestinians and the Hashemite Kingdom in the Middle East Peace Process* (Washington, D.C: United States Institute of Peace Press, 1999).

⁷ Hassan Barari, *Jordan and Israel: Ten Years Later* (Amman: CSS, 2004).

Iraq's defeat in Kuwait. For this reason, Jordan did not hesitate to get on board the Madrid peace train. After the Palestinians signed the first Oslo agreement, Jordan signed a peace deal with Israel.

1.2. The Illusion of Warm Peace

Both Israelis and Jordanians alike supported the 1994 peace deal between their two countries. Immediately after signing the peace treaty, Hussein easily managed to ratify the deal with the Jordanian parliament. And since the king anticipated the peace deal, he instructed his government to gerymander the electoral law to guarantee the treaty's ratification. On the Israeli side, Rabin received similar support from his government. Even the Likud Party endorsed the agreement, which must have been a relief to many Jordanians.⁸ Furthermore, the chemistry that developed between Rabin and Hussein might have masked some of the built-in problems in the bilateral relationship.

Now with a peace treaty in place for fifteen years, it is not surprising that both sides have failed in constructing a warm peace. When first signed, the peace treaty created a general optimism that Jordan and Israel would reverse the cold peace model that had characterized Egyptian-Israeli relations. Reality was much more complicated, however, and both sides failed to make their citizens endorse the peace. Yet, it was not until Benjamin Netanyahu became Israel's prime minister in June 1996 that the notion of "warm peace" was put to the test.

It soon became apparent that Jordanian support for peace was not unconditional. Progress on the Israeli-Palestinian track was necessary for Hussein and the Jordanians to buy into the peace process. By and large, Israelis seem unwilling to comprehend that the relationship between Amman and Tel Aviv is informed much by the Israeli-Palestinian question. Perhaps that was the reason why Hussein invested in his personal relationship with Rabin; on one occasion, Hussein emphasized that Rabin was loyal to the concept of peace and that he understood Jordanian interests well. In his first meeting with the Israeli Prime Minister, the first Jordanian ambassador Marwan Muasher told Rabin about the impossibility of insulating or decoupling the Jordan-Israel relationship from the prog-

⁸ Some influential circles within the Likud Party pushed for establishing a Palestinian state in Jordan. King Hussein was watchful of Likud's position, and the party's endorsement of the treaty was received well. Nevertheless, Ariel Sharon, who later became a prime minister of Israel, abstained. Three days later, he wrote an article in *Yedioth Ahronoth* explaining why it was difficult for him to support the peace treaty with Jordan.

ress or breakdown on the Israeli-Palestinian track. In Muasher's words, "I told him that Jordan sought full peace with Israel, but that peace would depend on political progress on the Palestinian track and on whether Jordanians perceived that peace would bring economic relief."⁹

Paradoxically, Rabin's sensitiveness to Jordan's position did not preclude his government from triggering the first crisis in the bilateral relations. On April 28, 1995, the Rabin-led government decided to confiscate 134 acres of land in East Jerusalem. The decision for this expropriation was not received well by Hussein, and Jordan joined the international community in condemning the Israeli cabinet's decision. The king dispatched his Royal Court Chief, Marwan al-Qassim, to hand Rabin a firm and candid letter in which Hussein asked Rabin to reverse the decision.¹⁰ Rabin understood well, according to Marwan al-Qassim, that Jordan was interested in a close relationship, but not at the expense of Jerusalem. Rabin realized, for the first time, that his decision would not resonate well with Jordan and as a result, the whole system of their relations would be affected. A few days later, Rabin convened his government and suspended the decision. Muasher argues that this specific incident led Rabin to realize that "Israel's relationship with Jordan was far more complex than his own relationship with the king, that the monarch's view on this issue was in keeping with the Jordanian national consensus, and that Jordan would not hesitate to confront the matter head-on when it came to such an important matter as Jerusalem".¹¹

Rabin's decision to overturn the cabinet's provocative move also made the king consider Rabin a trustworthy partner, and caused the Israeli prime minister to realize that Jordan could employ the peace with Israel to help solve the Israeli-Palestinian problem. For this reason, the king felt that he lost a genuine partner after the assassination of Rabin in November 2005. This feeling was further deepened with the ascendance of Netanyahu to power in June 1996. Netanyahu's tenure proved to be a cut-off point in the Israeli-Jordanian relationship, which until now has not bounced back to the Rabin-Hussein level.

Netanyahu pursued a policy vis-à-vis the Palestinians that irritated Jordan. Obviously, Netanyahu's reckless policies, particularly with Jerusalem, were insensitive to Jordanian interests. The first crisis erupted when Israel opened the tunnel in the Old City of Jerusalem in September 1996, thus igniting a mini Intifada. Jordan was taken aback by this thoughtless, unilateral Israeli move. Jordanians began to think that Ne-

⁹ Marwan Muasher, *The Arab Center: The Promise of Moderation* (New Haven and London: Yale University Press, 2008), p.41.

¹⁰ Interview with Marwan al-Qassim, Amman, July 18, 2004.

¹¹ Marwan Muasher, *The Arab Center: The Promise of Moderation*, p. 48.

tanyahu would not realize that changes in Jerusalem would have to be taken through bilateral negotiations, and not imposed as a fait accompli. The subsequent violent flare-up between the Palestinians and the Israelis ended in unnecessary casualties on both sides, an incident that would pave the way for Jordan's erosion of trust in Netanyahu's government.

To King Hussein, Netanyahu's decision to open the tunnel was a clear infringement on Article 9 of the peace treaty.¹² Worse still, Netanyahu's decision came only three days after the king received Dore Gold, Netanyahu's political advisor, causing many to believe the king was in collusion with the prime minister. In a meeting at the White House with Yasser Arafat and Bill Clinton, Hussein confronted Netanyahu and criticized his "arrogance of power." Netanyahu approached the king and promised an improvement, reportedly saying he was determined to surprise Hussein.

Pressure on Netanyahu to resume the peace process mounted after the tunnel crisis. With Jordanian intervention, Arafat and Netanyahu signed the Hebron Protocol in January 1997. It was the first time the Likud Party had agreed to concede part of the "Land of Israel."¹³ It was tantamount to an ideological revolution. This could have been a turning point in the Hussein-Netanyahu relationship, after that relationship had reached an all-time low at the end of 1996. However, Netanyahu was constrained by his coalition, which involved right-wing religious parties.¹⁴ In his bid to get the Hebron Protocol approved and ratified by the government and the Knesset, he had to cater to his right wing partners.¹⁵ Once again, Netanyahu chose Jerusalem as a new front for confrontation when he ordered the establishment of a new settlement at Abu Ghunaim (Har Homa). South of Jerusalem, this settlement was meant to cut the city off from the rest of the West Bank.

Hussein was furious. Notwithstanding the successful Jordanian intervention in the Hebron Protocol of January 1997, Amman felt that Netanyahu was not remaining truthful to the peace process. In Queen Noor's words, "The short-sighted approach of Netanyahu and the hardliners in his government had put terrific pressure on the king to reverse the peace process. Everything he had worked for all of his life, every relationship he had painstakingly built on trust and respect, every dream of peace and prosperity he had had for Jordan's children, was turning into a nightmare.

¹² Article 9 states: "Freedom of access to places of religious and historical significance. Israel would respect the special role of the Hashemite Kingdom of Jordan in Muslim Holy shrines in Jerusalem. When negotiations on the permanent status will take place, Israel will give high priority to the Jordanian historic role in these shrines"

¹³ Hassan A. Barari, *Jordan and Israel: Ten Years Later* (Amman: CSS, 2004).

¹⁴ Seven parties of his eight-party coalition opposed the Oslo agreements.

¹⁵ Neill Lochery, *The Israeli Labour Party: In the Shadow of the Likud* (Reading: Garnet, 1997).

I really did not know how much more Hussein could take.”¹⁶

Enraged by the reckless Israeli move in Jerusalem, Hussein sent a letter to Netanyahu on March 9, 1997, rebuking him for undermining trust in the peace process. In the letter, Hussein wrote, “My distress is genuine and deep over the accumulating tragic actions which you have initiated...I frankly cannot accept your repeated excuses of having to act the way you do under great duress and pressures...How can I work with you as a partner and true friend in this confused and confusing atmosphere when I sense an intent to destroy all I worked to build between our peoples and states?”¹⁷

A few days later, a Jordanian soldier opened fire, killing seven Israeli schoolgirls in an unprovoked act. Embittered by the incident, the king moved swiftly to contain the crisis and paid a visit to the bereaved families. Although some made a link between the letter and the killing, most Israelis were not convinced of the connection, and actually came to regard Hussein more highly. This sentiment was obvious when the king visited the bereaved families and was well received. However, many Jordanians and Arabs were not happy with his visit and wondered what Netanyahu would have done if the situation were reversed.

Relations reached a low point when Netanyahu ordered the Mossad, Israel’s secret service, to assassinate Khaled Mashal on September 25, 1997. Israeli agents intercepted him in Amman and injected a slow-acting poison into his ears. The attempt on Mashal’s life in Amman infuriated the king, as he realized that Netanyahu had not internalized the meaning of peace. According to Shimon Shamir, the first Israeli ambassador to Jordan, peace means respecting the sovereignty of the other country - the very thing Netanyahu was incapable of learning.¹⁸ Respecting sovereignty even escaped Netanyahu’s cronies, all of whom shared a groupthink mentality.

Given Hussein’s huge investment in the peace process and his total disappointment of Netanyahu, the king was close to reversing his efforts with Israel. Randa Habib, a Jordanian journalist close to the king, reported that the king sent Netanyahu an ultimatum, stating that if Israel failed to send the antidote, he would close down the Israeli embassy in Amman and void the peace treaty with Israel.¹⁹ Israel did send the antidote. The feeling of betrayal was particularly intense because the failed attempt came only three days after joint Israeli-Jordanian meetings discussing ways to fight terror. The king himself showed up for the meeting

¹⁶ Quoted in Avi Shlaim, *Lion of Jordan: The Life of King Hussein in War and Peace* (England: Allen Lane-Penguin Books, 2007) p.570.

¹⁷ *The New York Times*, March 12, 1997.

¹⁸ Interview with Shimon Shamir, Amman, May 17, 2004.

¹⁹ Randa Habib, *Hussein: A Father and A Son, Jordan in Thirty Years* (Beirut: Al-Saqi, 2008), p.34.

and asked the Israeli delegation to convey Hamas's offer for a thirty-year truce. The failure of the mission embarrassed Netanyahu before his people and his government.

To contain the backlash, Netanyahu sent Mossad leader Danny Yatom to meet the king, but Hussein said such an encounter was intolerable and walked out. The Jordanians squarely rebuked Yatom, and he returned to Israel with a failure. The Israeli leadership resorted to Efraim Halevy, a friend of the king, to help convince Hussein to release the detained Mossad agents in Amman. Halevy secured their release but not without a huge price.²⁰ Netanyahu's judgment came under question in Israel, and the Mashal affair triggered a behind the scenes power struggle within the Israeli government and security apparatus, with Sharon taking full advantage to consolidate his position vis-à-vis the prime minister. Consequently, at the behest of the Jordanians, Netanyahu handed the Jordan file over to Sharon.

For the rest of his tenure, Netanyahu flip-flopped on issues of great importance to Jordan, such as water and Palestinian peace. Netanyahu came across to Jordanians as the epitome of evasiveness. Jordanians saw him as a cheerleader of expansionism and as someone who came to office to undo the Oslo process. Hence, Ehud Barak's landslide electoral victory in 1999 came as a relief to many Jordanians. The impression was that Barak would continue the process where the Rabin era left off. This optimism proved to be premature when Barak and Arafat failed to reach a peace agreement in 2000. Certainly, the king's death in 1999 was a watershed moment in the way Jordanians approach Israel.

1.2.1. Impediments to Normalisation

Of all the obstacles of peace, the controversy over normalization stands out as the most difficult to achieve. The dominant Jordanian perception that Israel is not serious in its peace efforts with the Palestinians is the key to understand the current lack of normalization between Israel and Jordan.

Immediately after the successful conclusion of the peace treaty in October 26, 1994, the deal became a point of contention between the Jordanian opposition and the government. The government's claim that

²⁰ For more details of Israel's strategy during the crisis, see Efraim Halevy, *Man in the Shadows: Inside the Middle East Crisis with a Man Who Led the Mossad* (New York: St. Martin's Press, 2006) pp.164-177. Israel's price for the release of the two Mossad agents detained by the Jordanian authority was freeing Ahmed Yaseen, wheelchair leader of Hamas, twenty-three Jordanian prisoners, and fifty other Palestinians.

Jordan had regained all of its rights did not resonate well with the opposition, the bulk of which opposed peace on ideological grounds.²¹ The anti-normalization forces were strengthened by the eruption of the al-Aqsa Intifada on September 28, 2000. When Jordanians saw daily television footage of the Israeli army storming towns and killing Palestinians, normalization became a national stigma.

More than anything, King Hussein had created the impression among Jordanians that peace with Israel would be the gateway to economic prosperity. Themes such as joint ventures, foreign direct investment, and American aid became catchwords in the government's public discourse. Immediately after the signing of the Washington Declaration in July 1994 (which preceded the peace treaty), 83 percent of Jordanians said they could see the connection between peace and economic improvement.²² Two years later, polls reflected Jordanians' frustration about the lack of benefits peace had brought. Polls conducted in early 1996 showed Jordanians were actually disappointed. Some 46 percent stated that the economy had deteriorated in the year following the official signing of the peace treaty with Israel. More importantly, Jordanians argue that the majority of the Jordanian population is not reaping the benefits of the peace deal. There is, in fact, a long-standing -- albeit one-sided -- view that Israel has not sought ways to improve economic ties in a way that would create a spin-off effect on the Jordanian economy.

Contrary to initial promises, both Jordanians and Israelis failed to overcome the obstacles that stood in the way of trade. One of the obstacles, which many Israelis point out, is that Israeli businessmen were discouraged from cooperating with their Jordanian counterparts because of widespread sentiment of anti-normalization. For instance, Israelis found it difficult to employ Jordanian lawyers to facilitate their business in Jordan because the lawyers ran the risk of being ostracized and expelled from their professional association for working with Israelis.

Another obstacle to normalization was the unwillingness of the Jordanian private sector to penetrate the Israeli market. Oded Iran, then Israeli ambassador to Amman, blamed Jordanians for the lack of cooperation. In his words, "how can you develop trade when the president of the chamber is against cooperation?"²³

One cannot ignore, however, the trade between the two sides. For instance, the Qualified Industrial Zones (QIZ) offered Jordanians thousands of jobs that could not have been created without the peace process.

²¹ For in-depth analysis of the normalization controversy see Hassan A. Barari, *Jordan-Israel: Ten Years Later* (Amman: CSS, 2004), pp.43-58.

²² The Center for Strategic Studies at the University of Jordan conducted a series of polls in the period from 1994-1996 which focused on this issue in particular (<http://www.css-jordan.org>).

²³ *The Jordan Times*, November 23, 1998.

Therefore, there are some achievements, even though they are modest in scope.²⁴ Apart from economic benefits and peace dividends, Jordan is interested in a comprehensive peace process that will enable it to maintain and justify its peaceful relations with Israel. Given the current situation, one wonders if the two countries can ever arrive at a comprehensive peace, or whether Jordan and Israel are rather bound to clash continuously over interests and strategies.

1.3. Clash of Interests or a Clash of Strategies?

Interests and strategies are the key to analyzing the future of Israeli-Jordanian relations. Israel's top interest is maintaining the country's Jewish and democratic character. In 2000, various Israeli elites met at Herzliya to discuss the sources of threats facing Israel by the turn of the 21st century. They reached a national consensus known as the Herzliya Document, which stated that Israel defines its ultimate interests, in line with Zionist ideology, as a democratic and Jewish state.²⁵ Seen in this way, Israelis define the future threats to this "democratic and Jewish" state in terms of demography.

Israel's perception of the demographic threat is articulated by a leading Israeli demographics scholar, Arnon Soffer. In his book *Israel, Demography 2000-2020: Dangers and Opportunities*, he argues that Israeli Jews will be a minority in the area stretching from the Mediterranean Sea to the River Jordan by the year 2020.²⁶ By that year, Israeli Jews will be 42 percent of the population, which will at that point be approximately 15 million. Professor Soffer warns that if Israel fails to disengage from Palestine and delineate its border to maintain a Jewish majority, Israel, as

²⁴ For excellent study on QIZ, see Amal A. Kandeel, «The US-Market-Oriented Qualifying Industrial Zones: Economic Realities and Scope of Benefits (1996-2006)», *Arab Study Quarterly*, vol.30, no.3 (summer 2008). Amal makes the case that "Although this special economic arrangement under which QIZ were formed has embodied elements in principle conducive to generating financial advantages, and in fact benefits did come in Jordan from these zones> operations, neither has the leading beneficiary been Jordan itself nor have the gains it derived from them been as bountiful as aggressively drummed up by certain influential sources. The QIZ framework has yielded benefits to Jordan but the significance of these gains and their true implications for its economy have been dimmed, distorted, and blown out of proportion in literature and popular media. These gains were presented and discussed strictly in abstract terms, in isolation from the fundamental parameters that define Jordan's economy and its strengths and weakness."

²⁵ Special Document: the Herzliya Conference on the Balance of National Strength and Security in Israel, December 2000.

²⁶ Arnon Soffer, *Israel, Demography 2000-2020: Dangers and Opportunities* (Haifa: Center for National Security Studies, 2001).

it is now known, will disappear in two decades.

For this reason, and despite the bifurcation of views among Israelis over how to deal with the grim demographic facts, a majority of Israelis began to change and accept the concept of an independent Palestinian state. Roughly two-thirds of the Israeli public, according to a series of opinion polls conducted by the Tami Center, support the two-state idea.²⁷ It was not an easy step for Israel to take. In fact, it triggered a lot of wrangling within the Likud party, thus leading to an internal split and the emergence of Kadima Party. For some Israelis, bringing about a two-state scenario is an urgent matter.²⁸

Like the majority of Israelis who support an independent Palestinian state as a means of assuring the Jewish nature of Israel and averting a one-state solution, Jordanians support a two-state solution to avert the possibility of Jordanian-Palestinian unification. It is a common argument among Jordanians that unification with Palestine -- the "Jordanian option" or confederation -- would render Jordanians a minority in their own country. This is an impalpable scenario for most Jordanians.

In fact, Jordan defines its vital national interest in the term of a two-state solution. Time and again, King Abdullah has made it clear that the lack of a two-state solution is an anathema for Jordan. In his book, Marwan Muasher chronicles the rise in popularity of the two-state solution in Jordan.²⁹ He rightly argues that the school of thought that considered a Palestinian state a threat to Jordan on account of it being irredentist, gave way to another school of thought that deemed a Palestinian state in Jordan's best interest. Although there were many reasons for this major change in Jordan's position. The abovementioned demographic nightmare, the idea of which became particularly distressing in the 1980s and early 1990s when many in Jordan feared some the Likudnik's "Jordan is Palestine" slogan, was the catalyst for this trend.

Against this backdrop, Jordan has been enthusiastically promoting the idea of a two-state solution, and King Abdullah has been instrumental in creating momentum for solving the Palestinian problem. Consequently, Jordan has played a key role in two different, yet interconnected areas. First, Jordan has contributed to and aggressively promoted the formulation of the Arab Peace Initiative. Second, Jordan worked closely with the George

²⁷ For more details of the evolution of the Israeli position regarding the Palestinian state, see *Tami Steinmetz* at the *Center For Peace Research* (<http://www.tau.ac.il/peace/>).

²⁸ On the eve of the Jewish New Year, outgoing Israeli Prime Minister Ehud Olmert, accentuated this idea in an interview given to *Yedioth Ahronoth* -- "Time has come to Say These Things". In the interview, Olmert said that he was doing some soul searching on behalf of his nation. Israel, according to Olmert, must withdraw from all occupied territories including Jerusalem and arrive at peace with the Palestinians and allow for the establishment of a Palestinian state.

²⁹ Marwan Muasher, *The Arab Center: The Promise of Moderation*, pp.26-30.

W. Bush administration in developing the idea of a roadmap to implement the U.S. president's vision of a two-state solution. Jordan hosted a summit in Aqaba, and many officials argue that the king's meeting with Bush on August 1, 2002 caused the president to adopt the plan. To keep the pressure on, King Abdullah addressed a joint session of the American Congress in March 2007 to drive his point home. He appealed to American lawmakers to help implement a two-state solution in accordance with the roadmap and the Arab peace initiative.

Jordan has not only been interested in solving the Israeli-Palestinian problem, but has also been observing the rise of radicalism in the region. The working assumption in Jordan, which few Israelis agree with, is that solving the Arab-Israeli conflict would help create moderate Arab forces, which could prevail over the radicals who have been hijacking the Palestinian issue. According to Jordan, nothing short of arriving at a solution with Israel can reverse the tide of the ascendance of radicalism in the Middle East.

All the while, Israel and Jordan maintain a low profile, and rarely has King Abdullah paid a visit to Israel. This distance amounts to a grudging acknowledgement that the peace process is not working. The government of Jordan has a hard time convincing its citizens that peace is working when Israelis are seen, rightly or wrongly, denying Palestinian national rights of liberation and independence.

While Jordanians and Israelis see eye to eye on the necessity of solving the Palestinian problem, they do not agree on the process, and are consequently bound to clash. Many in Jordan accuse Israel of being disingenuous about a Palestinian state, saying that Israel is simply buying time to consolidate its grip over as much Palestinian land as possible. These Jordanians fear that Israel is purposely implementing policies that harden the lives of Palestinians to such an extent that would cause them to leave voluntarily, possibly to Jordan. However, according to the Jordanian official position, this would not happen for several reasons, and the king has reiterated that Jordan is Jordan and Palestine is Palestine. Nevertheless, Jordan has not said how it would respond to the potential failure of establishing a Palestinian state. Does Jordan have a Plan B or a blueprint for an alternative? So far, that is not clear.

1.4. Conclusion: Lessons Learnt

Misconceptions and misunderstandings on both sides have contributed to the current situation. On the whole, Jordanians do not trust Israel's intention toward the Palestinians, and by extension toward Jordan as well. Therefore, it is difficult for the Jordanian government to engage in open relations with Israel. King Abdullah has been walking a fine line, and he frames his differences with Israel in terms of the lack of a solution to the Palestinian predicament. From a Jordanian standpoint, the Arabs have done their part to lure Israel to peace with the Arab states collectively. Furthermore, Jordan has spearheaded a campaign in Europe and the United States to impress the urgency of the situation.

The peace process in its current form seemingly has run its course. The belated American attempt at Annapolis to jumpstart the peace process has not yet yielded the desired outcome. This will only complicate Israeli-Jordanian relations, and there is no quick fix for the ruptured relationship. Given that the improvement of bilateral Israeli-Jordanian relations is determined by strategic context, both countries need to work together closely to enable the Palestinians to establish an independent state. Jordan's preference of dealing with Israel through America proved to be less effective. The Arabs in general need to understand that American presidents will always find it hard to pressure Israel. The American democratic context is a variable that limits the power of any American president to apply the kind of major pressure that the Arabs would wish. In other words, one should not underestimate the feasibility of extending bridges with Israeli civil society in an attempt to win over rejectionists within Israel. Thus, Jordanians might need to reconsider their strategy and reach out to those Israelis in the peace camp who share their viewpoint.

Another critical ingredient is leadership. For peace to materialize in the Middle East, strong leaders are needed, ones who can truly lead and navigate forcefully through the minefield of the peace process. Both Hussein and Rabin fit the bill of leadership, and despite the tumultuous environment in the run-up to the peace treaty, neither leader lost the sight of the ultimate strategic objective. Jordanians argue that King Abdullah has been leading the Arab side toward moderation. In back-to-back meetings with different players, he helped formulate the Arab Peace Initiative, and pressed President Bush to adopt the roadmap plan. In this sense, King Abdullah has exercised leadership. However, peace is a two-way road. Jordanians often argue that after Rabin, Israel has never produced leaders who can transcend domestic constraints and lead their country toward peace with Arab moderates. The nature of Israeli coalition governments also creates internal constraints. For Israel to be able to pursue a genuine

peace, it needs a leader capable of transcending political power dynamics, and who can ignore the game of political survival and eventually lead the government to peace.

At the bilateral level, both sides fail to place enough emphasis on work on the ground to enhance the dividends of peace. Given that formulation and execution of foreign policy remains in the hands of a select few people, the issue personalities is a key to understanding the rise and decline of bilateral relations between two countries. Many Israelis argue that peace with Jordan has never been popular in Israel, and that it was essentially the “King’s peace.” Therefore, while the Jordanian government needs to get people to support the peace agreements, Israelis cannot ignore the impact of their policies vis-à-vis the Palestinians because Israel is still seen by many Jordanians as an adversary, not a friend.³⁰ To bring about a change in this perception, peace has to flourish, and Israel can no longer complain that Jordan is not doing its part. Such tactics do not resonate well with the majority of Jordanians and undermine the chances of achieving a real peace.

Another piece of the puzzle deals with the strategy of peacemaking. Since the step-by-step approach has outlived its usefulness, Jordan and Israel need to understand that the best way to achieve peace is to strive for bolder, more comprehensive peace agreements. A piecemeal approach runs the risk of being undermined by spoilers, such as Hamas and Israeli radicals. Instead, negotiations should always aim for an endgame solution. Only then will Jordan and Israel be able to construct a warm peace. But until the Palestinian issue is solved, Jordan and Israel are likely to continue to clash.

³⁰ According to some polls conducted in 1997, 82 percent of Jordanians viewed Israel as an enemy state. For more details of the opinion poll, see the Center for Strategic Studies at the University of Jordan (<http://www.css-jordan.org>).

Chapter Two

Moshe Ma'oz

Israel and its Arab Neighbors:
Peace, Obstacles, and Prospects

2. Israel and its Arab Neighbors: Peace, Obstacles, and Prospects

Introduction

Israel signed peace agreements with Egypt (1979) and Jordan (1994), but has not done so with Syria, Lebanon, or the Palestinians. Israel lacks normalized ties with both Egypt and Jordan, but its peace with Egypt has been cold, while its relations with Jordan have been lukewarm. In 1983, Israel signed a short-lived, non-belligerency agreement with Lebanon, and almost reached a full peace treaty with Syria in 2000.

This brief overview raises several crucial questions: why haven't Israel and Syria reached a peace agreement? What are the prospects for such an agreement in the foreseeable future? Why did the peace treaties between Israel, Egypt, and Jordan occur when they did? Why have these relations remained cold and lukewarm? What are the conditions for warm peace and normalization between Israel and these two countries?

The answers to these questions are complex because of the historical, ideological, political, cultural, psychological, and economic causes and factors involved. The role of leaders vis-à-vis their publics, as well as the regional and international circumstances, are also key factors.

2.1. Common Factors

Broadly speaking, the main reasons for the lack of or delay in peaceful relations and normalization between Arab states and Israel are ideological, cultural, and psychological. As the late Egyptian president Anwar Sadat said in 1977, perhaps with some exaggeration, 70 percent of the Arab-Israeli conflict derives from a "psychological barrier," and the Palestinian issue and Arab Jerusalem were "the crux of the entire problem."¹ He probably referred to the mutual ignorance and misunderstanding of each other's history, society, culture, aspirations, and sensitivities. These shortcomings have produced fear, prejudices, stereotypes, and hatred on both sides. For instance, many Arabs consider Israelis foreign intruders, colonialists, and usurpers of Muslim, Arab, and Palestinian lands, aim-

¹ Jon B. Alterman, ed., *Sadat and His Legacy* (Washington, D.C.: Washington Institute for Near East Policy, 1998), pp. 192, 195.

ing to dominate Arab territory, culture, and economy. These allegations, among other things, have stemmed from Israel's military victories in 1948, 1956, and 1967, as well as from the continuous Israeli occupation of Palestinian territories, including the Islamic shrines in East Jerusalem. To be sure, these hostile Arab feelings, which are manifest in the media and textbooks, have contributed to the prevention and delay of peace and normalization between Israel and the Arab states. Indeed, the peace agreements between Egypt, Jordan, and Israel were not derived from popular ideological reasons, but from strategic (mostly military and economic) constraints, calculations, and interests.

Still, the active and influential Islamic and nationalist groups in Egypt and Jordan continue to strongly reject and hamper peace and normalization with Israel. But, as discussed below, differences have existed in the interplay between these ideological groups and governments. This may go a long way in explaining why Israeli-Jordanian relations have been lukewarm and Egyptian-Israeli relations cold, and why Syria has not yet concluded peace with Israel.

Israel, however, shares responsibility for the absence of peace and normalization, particularly after the 1967 war. Yet even before 1967, Israel carried out many harsh military operations against Arab civilian targets, largely in retaliation to Arab terrorist acts. In 1956, Israel joined France and Britain in a military offensive against Egypt, thus confirming Arab allegations that Israel was a tool of Western imperialism. Both Israeli wars against Lebanon - in June 1982 and July 2006 - were depicted by most Arabs (and many Israeli Jews) as expansionist and aggressive. Since 1967, Arabs have interpreted Israel's continued occupation of the Golan Heights, the West Bank and East Jerusalem as an Israeli reluctance to reach peace. This has also been the case concerning Israel's rejection of the 2002 Arab Peace Initiative. In addition, many Arabs have been worried about Israel's economic and technological advantage, especially its nuclear capability, and its close ties with the United States.

By contrast, many Israeli Jews are deeply worried about the prolonged Arab animosity, Islamic "anti-Semitism" and terror, and the so-called "axis of evil" - Hezbollah, Hamas, Syria, and the potentially nuclear armed Iran. Still, despite the negative perceptions and concerns on both sides, many Israelis and Arabs continue to believe in peace and normalization, and advocate for a comprehensive Arab-Israeli solution. Before examining the conditions and circumstances that could help realize this grand vision, it is important to address the lessons learned from the bilateral relations between Israel on the one hand, and Egypt, Jordan, and Syria on the other.

2.2. Israel-Jordanian Peace Relations at the Governmental Level: A Special Case

Depicting the Israeli-Jordanian peace as lukewarm or warmer than the Egyptian-Israeli peace is not a reference to popular opinion, which has largely been hostile on the Arab side, but rather to the government level - the rulers, the military-security establishment, the bureaucracy, and parts of the political and economic elites. In this respect, Israeli-Jordanian relations have been unique in the region with regard to the length and depth of their strategic cooperation, as well as the close ties between their leaders. These special relations have derived from distinctive historical and regional circumstances that are consistent with global (pro-Western) orientation, and the realistic and pragmatic policies of Hashemite Arab leaders toward the Zionist movement and Israel.

Indeed, these pragmatic policies originated long before the states of Jordan and Israel even existed. For example, with the approval of his father (Sheikh Hussein, the Sharif of Mecca and top Muslim authority), Amir Faysal, the emerging Arab nationalist leader, signed a remarkable historic agreement with Dr. Chaim Weizmann, the chief Zionist leader, in 1919. Although the agreement was signed under questionable conditions and was never implemented, its wording was unique and has never reoccurred. "Mindful of the racial kinship and ancient bonds existing between the Arabs and the Jewish people . . . all necessary measures shall be taken to encourage and stimulate immigration of Jews into Palestine on a large scale." And, in his 1919 letter to the American-Jewish judge Felix Frankfurter, Faysal wrote, "We Arabs, especially the educated among us, look with the deepest sympathy on the Zionist movement . . . we will wish the Jews a most hearty welcome home . . . the Jewish movement is national and not imperialist."²

Faysal's brother, Amir Abdullah, the ruler of Transjordan from 1922 (and king of the Hashemite Kingdom of Jordan from 1948) secretly cooperated with the Jewish-Zionist yishuv (community) in Palestine and Israel. In 1947, he reached with Golda Meir, representing the Jewish Agency, a secret understanding that Transjordan would not work against the establishment of a Jewish state, while the Jewish state would not oppose the occupation and the annexation of the West Bank.³

During the bloody 1948 war, the Jordanian army occupied the West

² Walter Laqueur and Barry Rubin, eds. *The Israel-Arab Leader* (New York: Penguin Books, 1995), pp. 17, 19.

³ Avi Shlaim, *The Iron Wall* (New York: W.W. Norton & Co., 2001), p. 30. Cf. *Idem Collusion across the Jordan: King Abdullah, the Zionist Movement and the Partition of Palestine* (Oxford: The Clarendon Press, 1988).

Bank and East Jerusalem - subsequently annexed to Jordan - but not any areas assigned to Israel according to the 1947 UN partition resolution. Following the Israeli-Jordanian armistice agreement in 1949, Israel and Jordan embarked on discreet peace negotiations, or a non-aggression agreement as King Abdullah suggested, in 1950. But, under the threat of the Arab League and pressure from his government, Abdullah withdrew his suggestion, and in 1951, a fanatic Palestinian Muslim assassinated the king outside the al-Aqsa Mosque in East Jerusalem.

Hussein succeeded his grandfather as king in May 1953, and continued his pragmatic policy toward Israel, despite numerous breaches of the armistice agreement on both sides, including the heavy-handed Israeli reprisals on Palestinian villages and Jordanian positions in the West Bank (and in 1968, in Karame, East Bank). Still, both Jordan and Israel accepted the U.S. sponsored Jordan Valley project of 1953. They discreetly cooperated in utilizing the Jordan Valley waters for their respective economic development.⁴

Subsequently, for a long period of time, Israel adopted a strategy of backing the sovereignty and territorial integrity of Jordan in coordination with King Hussein and the United States. This coordination occurred in the face of potential or real threats by Arab enemies of Jordan (and of Israel) - Egypt, Syria, Iraq, and the Palestinian nationalist movement. These threats appeared after the creation of the radical Egyptian-Syrian union (the United Arab Republic, 1958-61), the overthrow of the Hashemite regime in Iraq in 1958, and the radical Palestinian attempt, with Syrian help, to topple King Hussein in 1970.⁵

On the eve of the 1967 war, however, King Hussein was pressured by Egypt and Syria to join a pan-Arab military coalition against Israel. Apparently, Hussein calculated that if he refused to join the coalition, he was likely to lose his entire kingdom to his radical Arab partners; if he agreed, he was risking only half of his kingdom - the West Bank - to Israel. In contrast and despite Arab pressure, the king avoided a direct military confrontation with Israel lest this destabilize his own country.⁶

Strategic cooperation between Jordan and Israel concerning the Palestinian issue has evolved for decades. During the British Mandatory period (1920-1948) Amir Abdullah, "the friend of the Jews," developed cordial relations and cooperation with Jewish-Zionist leaders and the moderate Palestinian Nashashibi faction against their common enemy, Hajj Amim

⁴ Moshe Ma'oz, "The Jordan Valley's Waters: A Source of Conflict or a Basis for Peace," *Water in the Middle East*, ed. David Hambright, Jamil Ragep and Joseph Ginat (Norman: University of Oklahoma Press, 2006), pp. 11-13.

⁵ For details see Moshe Zak, *King Hussein Makes Peace: Thirty Years of Secret Talks* (in Hebrew), Ramat Gan (Tel Aviv: Bar Ilan University, 1996), p.103.

⁶ Zak, pp. 46, 130.

al-Husayni and his radical Palestinian Islamic and nationalist party.⁷ As already indicated, during the period between 1948 and 1967, Israeli-Jordanian relations were by and large tense due to two major wars and the harsh Israeli reprisals against Jordanian and Palestinian positions in the West Bank.⁸ But following Israel's occupation of the West Bank in 1967, Hussein reached a tacit understanding with Israeli leaders regarding the management of the West Bank and the Islamic shrines in East Jerusalem. Jordan continued to pay the salaries of its former civil servants, teachers, and lawyers, and issued licenses, loans, and grants to individuals and organizations in the West Bank.⁹

Similarly, the Haram al-Sharif (Temple Mount) continued to be controlled by Jordan through a Jordanian-appointed autonomous *waqf* authority.¹⁰ Jordanian laws and regulations continued to apply in various sections of the administrative system. In addition, Israel and Jordan cooperated and coordinated their policies to combat, neutralize, and curb the growing influence of the Palestinian Liberation Organization (PLO) in the West Bank after the pan-Arab, pro-PLO Rabat resolution of 1974. But after the right-wing Likud party assumed power in Israel in 1977, Jordan's relations with the Jewish state deteriorated, largely due to Likud's notion that "Jordan is Palestine" - in a sense, encouraging West Bank Palestinians to move and take over Jordan. Similarly in 1987, Yitzhak Shamir, Likud leader and prime minister, foiled an agreement by Hussein and Shimon Peres (Israel's minister of foreign affairs) regarding the creation of a Jordanian-West Bank federation. This misstep and the subsequent eruption of the Palestinian intifada in 1987 led Hussein the following July to officially sever Jordan's legal and administrative ties with the West Bank, but not with the Haram al-Sharif and other Islamic shrines in Jerusalem. Jordan continued to pay the salaries of thousands of Palestinian clerics and clerks in the local Muslim institutions. For its part, Israel continued to give priority to Jordan over the PLO regarding the West Bank and the Haram al-Sharif. Thus, during the Madrid peace conference in 1991, Israel adopted Hussein's previous suggestion to form a joint Jordanian-Palestinian delegation that would negotiate peace with Israel.

Subsequently, the 1993 Israel-PLO Oslo agreement gave Hussein the opportunity and justification to sign a formal peace treaty with Israel in 1994. Article 9 of that treaty stipulated that "Israel respects the present

⁷ Yehoshua Porath, *From Riots to Rebellion* (in Hebrew) (Tel Aviv: Am Oved Publishers, 1978), p. 98.

⁸ Benny Morris, *Israel's Border Wars 1949-1956* (Oxford: The Clarendon Press, 1993).

⁹ Joseph Ginat and Onn Winckler, eds, *The Jordanian-Palestinian Triangle* (Brighton, Sussex: Academic Press, 1988) p. 15.

¹⁰ On the Jordanian-Palestinian dispute in the Haram, see Hillel Frisch, "Jordan and the Palestinian Authority," *Middle East Journal*, 58 (2004), p. 56.

special role of the Hashemite Kingdom of Jordan in the Muslim holy shrines in Jerusalem. When negotiations of the permanent status take place, Israel will give high priority to the historic Jordanian role in these shrines.” But the PLO and most Arab and Muslim countries rejected this stipulation on the plea that it reflected Jordan’s recognition of Israel’s sovereignty over East Jerusalem.¹¹

Paradoxically, however, Israeli actions in East Jerusalem and the West Bank after signing the Jordan peace agreement embarrassed Amman and hindered the process of normalization. These actions include the opening of an archaeological tunnel close to the al-Aqsa mosque in 1996 (under Benjamin Netanyahu’s order) and Ariel Sharon’s visit (under Ehud Barak’s premiership) to the Temple Mount in 2000. Both events caused great bloodshed, mostly among Palestinians, while Sharon’s visit triggered the eruption of the al-Aqsa Intifada, inducing Jordan to withdraw its ambassador to Israel.

Other Israeli actions against Palestinians also contributed to the deterioration of Israeli-Jordanian relations, such as the continued expansion of Jewish settlements around Jerusalem and the West Bank, as well as the attempted assassination of Hamas leader Khaled Mashal in Amman in 1997.¹² Although Jordan adopted severe measures against Hamas leaders and activists, Hamas’ influence in Jordan has significantly strengthened among Palestinians and Islamists since 1996. Consequently, Jordan has gradually improved relations with Hamas in order to contain it.¹³ To be sure, Jordan’s rapprochement with Hamas may slow down, if not damage, the process of normalization between Jordan and Israel, which has already been hindered by other Islamic and Palestinian groups as well as by Jordanian intellectuals and professionals. Unfortunately, these groups and other sections of the population in Jordan have strongly opposed normalization with Israel since the 1994 peace treaty. For example, many Jordanians “were of the opinion that the peace accord with Israel had isolated the country from its natural Arab-Islamic neighbors, eroding Jordan’s Arab identity and overemphasizing the kingdom’s dependence on Israel and the United States.”¹⁴

Nevertheless, despite these serious constraints, it can be concluded

¹¹ See Steven Cook, *Jordan-Israel Peace* (Washington DC: The Washington Institute, 1995), p. 22; Yitzhak Reiter, *From Jerusalem to Mecca and Back* (in Hebrew), (Jerusalem: The Jerusalem Institute for Israel Studies, 2005), pp. 114-115.

¹² Asher Susser, *Jordan: A Case Study of a Pivotal State* (Washington, DC: Washington Institute for Near East Policy, 2000), p. 98.

¹³ Matthew Levitt and David Schenker, “Amman Warms to Hamas.” *Policy Watch #1400*. The Washington Institute, August 28, 2008.

¹⁴ Susser, pp. 197, 101. See also Lori Plotkin, *Jordan-Israel Peace: Taking Stock, 1994-1997* (Washington, DC: Washington Institute for Near East Policy, May 1997).

that the strategic relations between Jordan and Israel have constituted a major pillar of peace between the two countries. This peace, however, essentially has been on a government-to-government, not a people-to-people, level. And, upon comparing the Israeli-Jordanian and the Egyptian-Israeli peace treaties and their results, it would emerge that the former has been warmer than the latter.

2.3. The Egyptian-Israeli Cold Peace

In contrast to the Israeli-Jordanian case, strategic cooperation and common interests have not characterized the Egyptian-Israeli peace treaty. Egypt and Israel were rigorous enemies for nearly thirty years, fighting five wars in 1948, 1956, 1967, 1969-70, and 1973, as well as many border skirmishes. These military clashes caused bloodshed, destruction, deep suspicion, fear, and hatred on both sides. Many Egyptians felt humiliated and revengeful because of their multiple defeats, while many Israelis were concerned about Egypt's intentions and attempts to destroy their country (except in the aftermath of the 1967 war when many Israelis felt contempt for the defeated Egyptians). Indeed, under the strong rule of Gamal Abdul Nasser from 1952 to 1970, Egypt, the pan-Arab leader, aspired to unify the Arab East, topple the Hashemite Kingdom of Jordan - Israel's neighbor and strategic ally - and encourage Palestinian terror against the Jewish state.¹⁵ Egypt also blocked the passage of Israeli ships through the Suez Canal and the Straits of Tiran, as well as led the pan-Arab economic boycott against Israel.

In this zero-sum conflict between Israel and Egypt (compared to the win-win Israeli-Jordanian conflict), Israel had an important share of the guilt. In addition to its fierce retaliations against Egyptian positions in the Gaza Strip and Sinai, including the Sinai war of 1956, Israel overlooked Egypt's strategic change since 1967. Initially, this change was reflected in Egypt's acceptance of UN Resolution 242 of 1967, thereby indirectly recognizing Israel's existence along its 1949-1967 lines, while insisting on the restoration of Palestinian national rights in the West Bank and Gaza. Subsequently, Nasser's successor, Anwar Sadat (1970-1981), repeatedly stated his readiness to conclude a political agreement or peace with Israel in return for Israel's total withdrawal from Sinai and the restoration of Palestinian rights. Israeli Prime Minister Golda Meir (1969-1974) reject-

¹⁵ Yoram Meital, *Egypt's Struggle for Peace* (Gainesville: University Press of Florida, 1997), p. 2; Peter Mansfield, *Nasser's Egypt* (Penguin Books, 1965), p. 55.

ed Sadat's peace overtures, including proposals for an interim settlement suggested also by Moshe Dayan, Israel's defense minister.¹⁶

2.4. The Role of Leaders in Peacemaking

Golda Meir's rejectionist position contributed to the eruption of the devastating October 1973 war, which induced both Egyptian and Israeli leaders to seek a political solution to the conflict. This solution - the Camp David Agreement of September 1978 - was achieved largely due to the vision, courage, and personality of Anwar Sadat. It was manifested in his remarkable November 1977 historic visit to Jerusalem, but it also took the bold strategic decision (with inducement by Dayan and Weizmann) of Menachem Begin, the new right-wing Israeli prime minister (1977), as well as the painstaking efforts of U.S. President Jimmy Carter.

Although Sadat's peace initiative was related to his new American orientation and Egypt-first policy, his direct, personal contribution to reaching a sustainable peace with Israel was unique. He managed to crack the psychological barrier between the two societies, as well as start the economic and cultural normalization. Sadat adopted these crucial moves despite powerful constraints and obstacles:¹⁷ domestic opposition by Egyptian and pan-Arab (Nasserite) nationalists, particularly the Islamic militants who assassinated Sadat in October 1981; alienation and opposition by the Arab states that ousted Egypt from the Arab League; Israeli conduct, such as Begin's refusal to implement Camp David's commitments regarding Palestinian autonomy, and the establishment of more Jewish settlements on occupied Palestinian territories.

These obstacles, as well as his non-descript leadership, led Sadat's successor Hosni Mubarak to dilute the essence of Egypt's peace with Israel in favor of appeasing the domestic opposition and mending fences with the Arab world. Mubarak discontinued Sadat's initial steps for cultural and economic normalization, cooled off diplomatic relations, and indirectly rebuilt the psychological barrier with Israel. Israeli leaders, particularly from the Likud party, contributed to Mubarak's decision to cool relations. For example, Begin's order to invade Lebanon in 1982 provoked Mubarak to recall his ambassador from Israel. Prime Minister Netanyahu's 1996 decision to open a tunnel near the al-Aqsa mosque, an event that brought about great bloodshed, angered Mubarak. Similarly,

¹⁶ Meital, *Egypt's Struggle*, p. 86; William B. Quandt, *Peace Process* (Washington DC: The Brookings Institution, 2001), p. 67.

¹⁷ For a good discussion on the various aspects, see Alterman, *Sadat and His Legacy*.

the provocative visit of Ariel Sharon to the Temple Mount in late September 2000 that ignited the Palestinian al-Aqsa Intifada led Mubarak again to recall his ambassador from Israel.

Still, despite other anti-Palestinian measures adopted by Israel, such as the construction of Jewish settlements on the West Bank, Mubarak has not cut diplomatic relations with Israel (he has not visited Israel except for a few hours in November 1995 to attend Yitzhak Rabin's funeral). In fact, during Rabin's premiership (1992-1995), Egyptian-Israeli relations improved, mainly owing to the conclusion of the Oslo Agreements. Mubarak tacitly backed Israel's war against Hezbollah in Lebanon in July 2006 and also cooperated with Prime Minister Ehud Olmert to reach a *tahdiyah* (cease fire) with Hamas in the summer of 2008. To be sure, Mubarak's policy of keeping peace relations with Israel, although restricted and cold, has been largely influenced by his determination to please the United States, which has substantially strengthened Egypt's economy and military power since the Camp David Accord in 1978.

By comparison, Jordan's peace with Israel, under King Hussein's leadership, has been definitely warmer than the Egyptian-Israeli peace during Mubarak's term of office and perhaps also during Sadat's leadership. For example, King Hussein's first ambassador to Israel, Dr. Marwan Muashar, in a conference in Amman in September 1995, stated, "The peace we seek with Israel is a warm one, going beyond the mere signing of agreements between governments to normal interaction between people, as the only model that ensures prosperity and economic sustainability through cooperation and interdependence."¹⁸ By contrast, in his speech at the Israeli Knesset in November 1977, Sadat repeatedly spoke of "peace based on justice" for the Palestinians "and not on occupation of the land of others." He depicted Israel as "a fait accompli" and urged it to "give up, once and for all, the dreams of conquest . . . the belief that force is the best method for dealing with the Arabs." And in his subsequent negotiations with Begin, Sadat's expressions were reportedly charged with "threats of hostility to the Jewish people . . . echoing the anti-Semitic writings of his confidant Anis Mansour."¹⁹ He strongly refused to make even minor territorial concessions to Israel, unlike Hussein who agreed under Rabin's premiership in 1994 to a land swap with Israel.

The different personal relationships between the two sets of leaders - mutual respect between Hussein and Rabin and the distrust between Sadat and Begin - were not the only reason for the different outcomes. Hussein

¹⁸ *Jordan, Issues and Perspective*, No. 21, September/October 1995, Washington DC, 9. See also Mu'ashar's book excerpt in *Yedioth Ahronoth*, October 3, 2008.

¹⁹ For the text of the speech, see Alterman, *Sadat and His Legacy*, p. 183. See also Shimon Shamir, *Egypt under Sadat* (in Hebrew) (Tel Aviv: Dvir, 1978), p. 243.

considered Jordan's peace with Israel a culmination of a long strategic cooperation. Under U.S. coordination, Sadat still believed that Egypt's role as the leader of the Arab world was to advance the Palestinian cause and curb Israel's "expansionism." He did not consider Israel a strategic partner under an American umbrella, but a strategic rival (with nuclear arms) for both regional supremacy and American backing. Indeed, Sadat and his successor Mubarak maintained peace relations with Israel, albeit cold, largely because Egypt has benefited from U.S. economic and military aid, as well as from other direct and indirect economic peace dividends, including an annual U.S. grant of \$2.3 billion, the Qualifying Industrial Zone (QIZ) agreement with the United States and Israel, the gas deal with Israel, as well as the revenues from reopening the Suez Canal, the Sinai oil fields, and growing tourism.²⁰ Despite these dividends, Egypt's leaders have neither pushed for warm peace and normalization with Israel, nor sought to overcome their domestic ideological and social constraints.

Peace dividends benefited Jordan by reducing its foreign debt, increasing foreign investments and aid, obtaining U.S. grants through its own QIZ agreement, as well as increasing revenue from tourism and trade with Israel.²¹ In contrast to Egyptian leaders, King Hussein used the "fruits of peace" issue to gain public support for his policy of normalization with Israel, although he succeeded only partially in his objective. His son and successor, Abdullah, while maintaining the peace treaty, has not insisted on normalization with Israel, has cooled relations, and even criticized it for failing to settle the Arab-Israel dispute.²² Abdullah also denounced Israel for its bloody military operation in Gaza in early January 2009.

2.5. No Peace and Normalization on Personal Level

The unresolved Palestinian problem and the status of East Jerusalem, alongside the unchanged "psychological barrier," have remained the major reasons for the strained "peace" between Egypt and Israel, and Jordan and Israel. Israelis have been disappointed, suspicious, and concerned about the hostile attitudes of Egyptians and Jordanians, and believe that

²⁰ Edwin G. Corr, Joseph Ginat and Shaul M. Gabby, eds., *The Search for Israeli-Arab Peace*, (Brighton, 2007); Ibid., articles by Gad G. Gilbar and Onn Winckler, p. 60; and by Elie Podeh, p. 107.

²¹ Gilbar and Winkler, pp. 68-69.

²² Ibid., article by Joseph Nevo, p. 141. See also Yoav Stern, *Ha'aretz*, September 1, 2008 and Marwan Mu'ashar, *Ha'aretz*, August 13, 2008.

the Palestinian issue is a pretext rather than a reason for this hostility. However, a considerable number of Israelis, Jordanians, and Egyptians (as well as Palestinians) have worked together in many NGOs for a fair solution to the Palestinian problem, as well as for peace and normalization. But their impact has been marginal. Similarly, many more Egyptians and Jordanians wish to coexist with Israel, provided they enjoy the economic “fruits of peace.” But only a small number have directly benefited from these “fruits,”²³ while most of them have not been motivated and organized to promote peace.

In contrast, many Jordanians and Egyptians are strongly opposed to peace and normalization with Israel, mostly on ideological grounds. They are highly motivated and organized and wield substantial influence with the public, and periodically with their governments. There are two main rejectionist groups in Egypt and Jordan. The first are the Islamists, such as The Muslim Brotherhood (*al-Ikhwan al-Muslimun*) in both Egypt and Jordan, the illegal Egyptian groups *al-Takfir wa 'l-Hijra* (assassinated Sadat in 1981) and *al-Jama'ah al-Islamiyya*, and the Islamic Liberation Party (*Hizb al-Tahrir al-Islami*) in Jordan. These movements and groups exercise considerable clout through a network of mosques. The Islamist elements in Jordan are more docile and adjustable to the regime (partly thanks to the regime's historic Islamic origins) than their assertive and antagonistic Egyptian comrades. The second group includes the pan-Arab and nationalist groups in Egypt (the Nasserites) and in Jordan, where the large Palestinian population strongly opposes peace and normalization with Israel. These Islamist and nationalist groups control many professional associations that strictly prohibit any ties with Israel.

Other influential organs that propagate anti-peace notions are newspapers, radio and television channels, and textbooks. They spread anti-Israeli and anti-Semitic assertions, and the Egyptian and Jordanian governments have seldom intervened to eliminate or restrain this hostile propaganda and indoctrination.²⁴

On the Israeli side, there are religious and nationalist groups that are anti-Arab and anti-Muslim. They do not believe in peace with Arabs and consider Islam anti-Semitic and evil. Although they are unable (or unwilling) to abolish the peace treaties with Egypt and Jordan, these group have undermined these treaties by doing their utmost to prevent a fair solution to the Palestinian problem through political means, expanding Jewish settlements on the West Bank (often with government approval), harassing Palestinians, and sometimes attempting to strike at Muslim shrines in East Jerusalem.

²³ Corr, Ginat and Gabby, pp. 116-117, 138, 145.

²⁴ Ibid. pp. 108, 136.

From the Egyptian and Jordanian perspective, the unresolved Palestinian issue and the status of East Jerusalem are still “the crux of the entire problem” or at least constitute the major reasons for the absence of warm peace and normalization with Israel. Thus, a fair solution to these crucial issues may warm Israel’s relations with not only Egypt and Jordan but also the Arab and Muslim world.

This could be achieved if Israel accepted the Arab League’s 2002 peace initiative that offered peace and normalization with Israel in return for its withdrawal to the 1967 borders and the creation of a Palestinian state with East Jerusalem as its capital.²⁵ But Arab governments must also take parallel steps to improve relations with Israel. First, Egypt and Jordan must provide more socio-economic benefits to their citizens and present them the fruits of peace with Israel as a neighbor and partner. Second, they must curb the anti-Israeli, anti-Semitic propaganda in the media and textbooks, while stressing the common historical and cultural heritage between Arabs and Jews. Third, they must curb the influence of anti-Israeli professional associations, while encouraging mutual visits and meetings with Israeli educators, scholars, businessmen, artists, and the like. Fourth, they must strengthen the strategic cooperation between the Sunni Arab states and Israel in the face of a new common enemy, Shiite Iran. This cooperation should also include Syria, which must be pulled out of the Iranian-led “axis of evil” to join the Sunni Arab pragmatic coalition. One of Syria’s main conditions of this strategic shift is the return of the Golan Heights within the framework of a peace agreement with Israel.

What are the prospects for such a peace agreement, given the long and bitter conflict (1948-1991) and the failure of peace negotiations between Syria and Israel (1992-2000)?

2.6. Syria and Israel: From Conflict to Peace²⁶

For decades, Syria has been perhaps the most irreconcilable ideological and strategic Arab enemy of Israel. More than its Arab brethren, Syria has considered itself as the “beating heart of Arabism,” committed to fight the enemy that has occupied Palestine and “southern Syria,” and has posed a serious threat to the territorial integrity and the cultural and economic progress of the Arab east. Syria was a major participant in the 1948 pan-Arab war against Israel, and occupied territories adjacent to Lake Tibe-

²⁵ Marwan Mu’ashar in *Ha’aretz*, August 13, 2008. ²⁵ Marwan Mu’ashar in *Ha’aretz*, August 13, 2008.

²⁶ Moshe Ma’oz, *Syria and Israel: From War to Peacemaking* (Oxford: OUP, 1995).

rias that had been allocated to Israel in the 1947 UN partition resolution. Following the 1948 war, the two countries were engaged in many violent border clashes, largely initiated by Syria and partly provoked by Israel.

The Baathist pan-Arab leaders who assumed power by a coup in Damascus in 1963 aggravated Syria's anti-Israel policy and, in reaction to Israel's works to divert the River Jordan waters for economic development, induced Egypt and Jordan to prepare for another war. Partly provoked, and partly started by Israel, the June 1967 war was a crushing defeat for the three Arab armies. Syria, which lost the Golan Heights, rejected the UN's 1967 Resolution 242, which called, among other things, for peace negotiations among the warring parties. Israel, Egypt, and Jordan accepted the resolution, but nothing was concluded between Israel and Egypt despite Egyptian overtures. Consequently, Egyptian president Anwar Sadat co-opted his Syrian counterpart Hafez al-Asad in waging the October 1973 war against Israel.

Although Syria initially reoccupied the Golan, it lost this territory and more by the end of the war. Only then did Syria acknowledge, for the first time, Israel's right to exist by its adoption of UN Resolutions 242 and 338. Subsequently, Syria offered Israel "peace" (non-belligerency) in return for the Golan Heights and the implementation of Palestinians' rights, but without diplomatic and economic relations or normalization. However, these overtures, directed mainly to Washington through the U.S. media, were ignored by Israel. In December 1981, under Menachem Begin's premiership, Israel officially annexed the Golan Heights. In June 1982, Israel invaded Lebanon, ostensibly to eliminate the PLO infrastructure, and also defeated Syrian troops deployed in Lebanon.

These events, coupled with the 1979 peace treaty between Egypt and Israel, led al-Asad to develop a doctrine of strategic balance with Israel. This translated into a military parity with Israel (with Soviet help) that would enable Syria to deter Israel from attacking it, but also to negotiate a political agreement from a position of military strength. But by 1988, al-Asad had to abandon his doctrine of military balance and seek a political agreement with Israel. This dramatic policy shift was caused by the policy implications of the Soviet Union under the leadership of Mikhail Gorbachev. He urged al-Asad to give up the doctrine of strategic balance in favor of political negotiation. In addition, the arms race with Israel weakened the Syrian economy considerably.

Consequently, al-Asad shifted his strategic orientation toward the United States, expecting to secure American economic assistance and support for political negotiations with Israel. To secure this help, al-Asad joined the U.S.-led military coalition during the First Gulf War (1990-1991) and agreed to participate in the Madrid peace conference (1991) with an adaptable agenda, namely, to negotiate directly with Israel without pre-condi-

tions, including the implementation of Palestinian national rights.

Although Yitzhak Shamir, Israel's right-wing prime minister, agreed to participate in the Madrid conference (only under heavy U.S. pressure), he refused to negotiate the return of the Golan Heights within a peace agreement. However, his successor, Yitzhak Rabin, the leader of the Labor Party, acknowledged for the first time in 1992 that the Golan was negotiable under UN Resolutions 242 and 338.

2.7. Peace Negotiations²⁷

Peace negotiations between Israel and Syria lasted about a decade, under five Israeli prime ministers and two U.S. presidents (George H. W. Bush and Bill Clinton). The latter assumed an active mediating role, and peace was almost achieved during the terms of Rabin in 1993 and Barak in 1999-2000. Barak initially agreed to a compromise suggestion by Farouq al-Shara, Syria's foreign minister, concerning the final border with Israel along the northeast tip of Lake Tiberias. Subsequently, however, Barak went back on this agreement because he lacked the support of the Israeli Knesset and public. As a result, al-Asad hardened his demands and the chance for an Israeli-Syrian peace was missed.²⁸

Al-Asad died in June 2000 and was succeeded by his son Bashar, who openly adhered to his father's "strategic choice" of seeking peace with Israel. Indeed, peace with Israel was a strategic choice for both father and son, but that fact did not change their view concerning Israel's right to exist. Bashar appears to be more ideological than his pragmatic father, since he has made pan-Arab and anti-Israeli/anti-Semitic remarks (as well as anti-American statements during the 2003 U.S. invasion of Iraq), and strengthened Syria's ties with Iran and Hezbollah, rendering words of praise to Hezbollah's leader, Hassan Nasrallah, before and after the 2006 war with Israel.

Bashar, however, inherited grim regional circumstances involving veiled threats from President Bush and Israeli Prime Minister Ariel Sharon. Bush induced both Sharon and Olmert not to engage in peace negotiations with Syria. While protecting his flanks through his alliance with Iran and Hizballah, Bashar has continued the resumption of peace negotiations with Israel.²⁹ Olmert, who was initially reluctant to negoti-

²⁷ Itamar Rabinovich, *The Blink of Peace: Israel and Syria, 1992-1996* (in Hebrew) (Tel Aviv: Yediot, 1998).

²⁸ Bill Clinton, *My Life* (New York: Alfred Knopf, 2004), p. 403.

²⁹ For example, during the 35th anniversary of the 1973 war in 2008, *Ha'aretz*, October 7, 2008.

ate with Syria, has held a series of indirect talks with Bashar with Turkish mediation since 2007. Despite certain progress, no breakthrough has been achieved.

With the advent of the new American administration under President Barack Obama, there could be a breakthrough in the Israeli-Syrian impasse. It is certainly in the interest of the three parties, especially Israel and Syria, to reach a peace agreement, preferably one that includes Lebanon and Palestine and leads to stability, prosperity, and reconciliation. Undoubtedly, this is an enormous challenge, loaded with serious obstacles. Courage and vision by the respective leaders and states is necessary, and the United States must resume its leadership in the peace process by inducing Israel to give up the Golan Heights for peace with Syria and accept a Palestinian state with a capital in East Jerusalem. The United States, the European Union, and the Gulf Arab states should also help Syria and the Palestinians develop their economic and social circumstances. Syria, for its part, will have to abandon its alliances with Iran and Hezbollah, and stabilize Lebanon.

Chapter Three

Emad Gad

Egyptian-Israeli Relations:

From Cold War to Warm Peace

3. Egyptian-Israeli Relations: From Cold War to Warm Peace

Introduction

Since Egypt and Israel signed a peace treaty on March 26, 1979, relations between the two countries have been tumultuous, remaining mostly between cold peace and cold war. Relations were shaken only eighteen months after the signing when Egyptian president Anwar al-Sadat was assassinated on October 6, 1981, as many in Israel feared that his successor, Hosni Mubarak, would deviate from the general path laid out by al-Sadat. Relations continued to fluctuate between cold peace and cold war until 2005, when they took a great step forward and reached a new level that some describe as a “warm peace.”

This paper asserts that the evolution from cold peace and cold war to warm peace has largely been attributable to a fundamental change in the two parties’ outlook. In Egypt, decision makers had always viewed relations with Israel as dependent on Egyptian-Arab relations, and Egypt’s role as the largest Arab nation. Thus, the tenor of Egypt’s relations with Israel was based on the status of the peace process. When negotiations moved forward, tensions subsided and outstanding issues of disagreement were resolved. Conversely, when Arab-Israeli negotiations stalled, tensions erupted and outstanding disagreements were reopened. Relations continued to follow this pattern until 2004 when Egypt, for many reasons, began to separate its relations with Israel from broader Arab-Israeli conflict, after which Egyptian-Israeli relations developed in a more positive direction until they entered the current, new era of peace.

At the same time, Israel’s view of Egypt and the peace process has clearly shifted. Egyptian-Israeli interactions were long prisoner to the protracted social conflict, which made bilateral relations secondary to and dependent on the larger conflict and the negotiations and crises it entailed. Egypt’s decision to remove Israeli relations from this context freed bilateral efforts considerably.

This chapter is made up of five sections. The first section presents the conceptual framework to account for the root obstacles in Egyptian-Israeli bilateral relations. The second section examines the relationship’s fluctuation during the period of 1979-2004, which moved from cold peace to cold war. The third section addresses the shift in the relationship toward a warmer peace, which has taken place by the end of 2004. The fourth part looks at what the future holds for both Israel and Egypt. The final section presents some lessons learnt.

3.1. A Conceptual Framework

Although three decades have passed since the signing of the Egyptian-Israeli peace treaty, and more than fifteen years since the Oslo Accords and the Wadi Araba Agreement between Israel and Jordan, there is still no peace. The Arab-Israeli conflict continues, as do efforts to reach a settlement and occasional escalations that could lead to war. This begs the questions: why haven't bilateral agreements managed to resolve the main issues in the Arab-Israeli conflict? Why haven't political agreements turned into real peace?

The answer is found in the nature of the Arab-Israeli conflict, which is an example of what sociologists and specialists in international conflicts call a "protracted social conflict." Among the various types of conflicts, social conflicts are most influenced by demographic changes. Population shifts play an important role in determining the beginning, evolution, and end of this type of conflict.

3.1.1. Protracted Social Conflict

A protracted social conflict is one that is characterized by continuity and longevity. Hostilities are intense, often repetitious, and subject to fluctuations, and may expand throughout a society or between the conflicting societies such that the conflict itself becomes a source of further hostilities. Social conflict also helps shape the national identity and social cohesion of warring groups. Protracted social conflicts have deep-rooted causes, and resist quick solutions (whether direct or imposed by the intervention of outside parties). As such, resolving these conflicts requires a relatively long time period, during which significant changes can take place.

Some analysts believe this type of conflict has roots in ethnic or national rifts. These primarily ideological roots are reflected in the goals of the conflict, which include demands for separation, national liberation, the right of self-determination, independence, and equality. Others argue that this type of conflict is a legacy of the colonial past; erupting mostly in societies- with sharply defined political, economic, and social stratifications- and existing largely in the Third World. We can identify the characteristics of protracted social conflict as follows: first, continuity and longevity; second, fluctuations, intensity, and repetition; third, expansion; fourth, the lack of a defined endpoint to the conflict; and finally, self-resolving.

The first characteristic of protracted social conflicts is their long duration compared to other conflicts. In a study conducted by Edward E. Azar

and William Eckhardt on conflicts between 1945 and 1980, they found that 62 conflicts lasted an average 3.1 years, and 152 conflicts (internal ones such as coups and civil wars) that lasted 1.6 years on average. They also identified 50 protracted social conflicts, which lasted an average of 13.1 years. Examples include the Arab-Israeli conflict (1948-present), the Ethiopian-Somali conflict (1961-present), the Eritrean conflict (1961-present), the Kurdish conflict (1961-present), the Cyprus conflict (1962-present), the Chad conflict (1978-present), and the North-South Korea conflict (1948-present).¹ Thus, we find that protracted social conflicts are more durable than other types of conflict, while at the same time it is often difficult to identify exactly when this type of conflict begins, particularly since it often starts before open violence begins. For example, some date the beginning of the Arab-Israeli conflict to 1948, the date of the first Israeli-Arab clash, while others see it as beginning with the Arab-Zionist conflict following the Basel Conference in the late 19th century. Still, others date it to the Balfour Declaration, and another group believes it began with Arab-Jewish clashes in Palestine during the British Mandate.

Second, protracted social conflicts can fluctuate sharply between conflict and cooperation, and overt and covert violence. Sometimes violent conflict situations are characterized by cooperation on subsidiary issues, such as ceasefire agreements or prisoner-exchange deals. The conflict may persist for a long period without any open violence when it suddenly bursts on the surface after a period of cooperation; the conflict may even reach the point of war between states or civil war,² which has led some researchers to give low-grade, muted conflicts the same importance as open conflict.³ Since the partition of Palestine was announced in 1947, the Arab-Israeli conflict has seen hundreds of military clashes punctuated by periods of low-level violence and regular wars (1948, 1956, 1967, 1973, 1982, 2006, and 2009). The fluctuation, repetition, and intensity of the violence have led some to describe the Arab-Israeli conflict's status quo as war and peace as crisis.⁴

Third, protracted social conflict is sometimes characterized by expansionism. Expansionism applies to both parties to the conflict and the conflict's central issue. Protracted social conflicts spread throughout societies, and it becomes difficult to separate domestic and external affairs. The conflict draws in external forces, whether regional or international,

¹ Nadia Farah, *Population Trends and Protracted Social Conflict*, Unpublished manuscript, p. 3.

² Edward E. Azar, Paul Jureidini and Ronald McLaurin, "Protracted Social Conflict: Theory and Practice in the Middle East," *Journal of Palestine Studies*, vol. 5, no. 1, 1978, p. 47.

³ Edwar 'Azar, "al-Sira' al-ijtima'i al-mumtadd wa-l-nizam al-dawli," *al-Majalla al-'Arabiya li-l-dirasat al-dawliya*, vol. 1, no. 2, (1988) p. 8.

⁴ Edward E. Azar and S. Cohen, "Peace and Crisis and War as Status Quo: the Arab-Israeli Conflict Environment," *International Interactions*, vol. 6, no. 2, 1979, p. 159.

as the conflict crosses international borders. Expansionism, when applied to the conflict's cause, tends to be a source of further conflicts. As parties to the conflict interact, they generate further points of conflict. As a result, protracted social conflicts are characterized by a set of interrelated, problematic issues.⁵

Fourth, just as the true beginning of protracted social conflicts can be difficult to identify, the endpoint is also vaguely defined. It cannot end simply by resolving one or several of the main issues or through cooperative action between the principal agents (such as ceasefire agreements or peace treaties between some parties to the conflict). This is attributable to its expansionary character noted above, which creates more linkages between parties to the conflict and generates further issues of contention. Thus, if some of the principal agents reach an agreement on some or all of the relevant issues, or if all parties reach an agreement on some issues, this does not necessarily resolve the conflict. Conflict may reoccur as a dispute between other agents on certain issues or between the parties to an agreement. As a result, some researchers believe that this type of conflict does not follow the pattern of other comprehensive conflicts that have a clear starting point, gradually exhaust themselves, and ultimately end. Resolutions to protracted conflicts take much longer compared to other types of conflict.⁶

Fifth, since the issues of contention are deeply rooted in society and demographic changes play an important role in the development and end of the conflict, resolutions must arise from the conflicting parties. This is one reason why conflict resolution takes so long, and why resolutions achieved with the intervention of foreign parties often fail. If foreign parties successfully resolve some issues on the surface, the social roots of the conflict continue to thrive until they reemerge. In addition, the multiplicity of agents and issues involved combined with the conflict's tendency to expand, makes the task of foreign parties much more difficult.

As such, some have noted the resistance of protracted social conflicts to conventional methods of conflict resolution. Achieving peace, however, is not impossible provided that conditions are ripe. Based on the aforementioned analysis, it is clear that bilateral agreements cannot ensure a true political resolution to the Arab-Israeli conflict. Indeed, such accords are unstable and are resisted by the peoples of the Arab countries whose governments signed them. Nevertheless, if the conditions for a political resolution on one front are present, this can clear the way for a political agreement that will in turn open the way to peace in the next phase. There are three such conditions for the Egyptian-Israeli conflict.

⁵ Edwar 'Azar, *op. cit.*, p. 24.

⁶ *Ibid.*, p. 24.

First, both parties must recognize the futility of the military option. Both parties have become convinced that the use of force will not resolve the problem and in fact will only further complicate matters and stoke the already deeply rooted enmity on both sides. But if only one party recognizes the futility of the military option, it does not lay the necessary groundwork for a resolution to the conflict. Indeed, ignoring the military futility erodes the status and rights of the party that first renounces the option, and ignores the simplest rules and principles of negotiation. Egypt first recognized the futility of the military option -- the elimination of Israel -- after its defeat in 1967. Israel came to the same recognition after the October 1973 war, although its scope was limited to Egypt. Israel recognized the necessity of a political resolution with Egypt in order to remove it from the front lines of the conflict and to show its compliance with UN Resolution 242 by withdrawing from Sinai.

Second, the political leadership needs to believe in a peaceful settlement. This principle is an extension of the previous condition, and is complimented by the existence of political leaders who want to realize a fair, comprehensive resolution that is acceptable to both parties. In other words, these leaders need to be willing to negotiate for a compromise solution, depriving neither party of its rights. In contrast, history has proven that one-sided surrenders and compromises can often be ticking time bombs. For example, within two decades of the Versailles Treaty that ended World War I, Germany sparked World War II. As a result, the leaders of the victorious countries in World War II learned from this experience and took the initiative to develop and reintegrate the defeated nations to produce stability and foster development. Egyptian president Anwar al-Sadat affirmed this principle when he stated that the October war should be the last war and visited Jerusalem on November 17, 1977. The head of the right-wing Likud faction, Menachem Begin, made the same affirmation and entered into the Camp David negotiations, which produced the Egyptian-Israeli peace treaty, signed on March 26, 1979.

Third, the "Great Powers" must have an interest in resolving the conflict, and a willingness to pay the political price for the settlement. Due to their own calculations, however, the great powers -- largely the United States in this case -- need to use the international system to provide an official framework for negotiations while remaining engaged directly in the process.

3.2. From Cold Peace to Cold War

From 1979 to 2004, Egyptian-Israeli relations fluctuated between cold peace and cold war, reflecting the difference between the two sides' perceptions. The gap between the two outlooks has always been huge, and it widened with the passage of time, particularly when al-Sadat died eighteen months after the peace treaty was signed. Prior to that, Israel thought it could build sophisticated relations with Egypt based on the severe erosion of Arab-Egyptian relations. Israel was shocked at al-Sadat's death, was dubious of Hosni Mubarak, and began to pressure the United States.

For his part, President Mubarak managed the helm with equanimity, implementing all the provisions of the peace treaty while refusing to go beyond the letter of the agreement and develop intimate relations that Tel Aviv hoped for. Instead, Mubarak focused his efforts on repairing Egyptian-Arab relations. Diplomatic relations were restored and gradually Egypt's foreign policy assumed a more Arab dimension. Mubarak refused to pressure Egyptian civil society groups to normalize ties or engage in interactions that would take bilateral relations beyond formalities. Mubarak also did not employ the rhetoric of his predecessor, which linked the political settlement with Israel to an age of development and prosperity. At the same time, Egypt continued to modernize and develop its military, reiterating that a strong Egyptian army was the only way to protect Egypt's national security.

Egypt's adoption of this basket of policies was forceful enough to provoke repeated Israeli complaints. Israel argued that Egypt was intentionally delaying the normalization of relations, taking stances against Israel in all international forums, and encouraging Arab parties, particularly the Palestinians, to "stand firm" in the face of Israeli proposals for political negotiations. Israel also complained several times of Egypt's strong showing in meetings with the Arab countries surrounding Israel, which focused on discussing issues relevant to the negotiations initiated after the Madrid peace conference in October 1991.

The concept of "cold peace" became the best expression of Egyptian-Israeli relations; or rather, it became the most accurate description of the gap between the Egyptian and Israeli views of their relations. Egypt viewed itself as an Arab state that had to support Arab parties and strive to preserve the "Arabness" of the region. It believed that the settlement with Israel would remain lacking and would not lead to normal peace relations until all the conflict's parties had resolved every outstanding issue. Egypt also refused to enter into regional cooperation agreements before all bilateral negotiations were concluded. As for Israel, it saw no outstanding problems with Egypt and thought that relations should be totally normalized.

Egypt appeared to have managed its relations with Israel well enough to blunt official Israeli complaints to Washington. When asked about the American stance on the “cold peace” between Egypt and Israel, a spokesman for the Egyptian foreign ministry expressed this reality well when he said, “the peace treaty between the two countries does not define the temperature of the peace.”⁷

For its part, Egypt pursued a rapprochement with the Arab world and urged a reordering of its internal affairs. With Saudi Arabia and the United Arab Emirates, Egypt launched a campaign to boycott the Doha economic conference in 1997. Cairo also called attention to Israel’s nuclear capabilities and proposed that the Middle East be a region free of weapons of mass destruction. Meanwhile, Israel stopped using the term “cold peace” and instead used “cold war.” This marked a new phase in Israel’s campaign against Egypt, one that focused largely on the increasing military capabilities of the Egyptian army. Some suggested that Egypt was preparing for war against Israel, and several Israeli officials and writers attacked the United States, accusing Washington of undermining Israeli security by supplying American weapons to Egypt. They argued that this contributed to the capabilities of the Egyptian army even as Egypt refused to engage in any sort of military cooperation with Israel, including the periodic joint military exercises conducted by Egyptian and American forces in conjunction with other Arab and non-Arab states.

As such, Egyptian-Israeli relations were arguably in a state of cold peace in the period before the comprehensive Arab-Israeli political process was inaugurated with the Madrid conference in October 1991. When those negotiations began, however, relations entered a period of cold war. Egypt met with the Arab countries surrounding Israel, supported the claims of Arab negotiators, and adopted a clear Arab position by linking normalization with a settlement -- a stance at odds with Israeli-American views.

When right-wing parties rose to power in Israel following Prime Minister Benjamin Netanyahu’s electoral victory in 1996, Egyptian-Israeli relations became volatile and threatened to setback the two countries’ bilateral relationship to levels unseen after the peace treaty of 1979. The Netanyahu government attacked Egypt’s anti-Israeli role, and remarked that the Egyptian army’s increased pace of armament and military exercises suggested that it was preparing for a military confrontation with Israel. Egypt’s economic stance in relation to Middle East and North Africa countries, the primary mechanism for linking normalization with the political process, was a prominent arena of Egyptian-Israeli disputes. But Netanyahu’s loss to Ehud Barak in the 1999 elections put an end to rising

⁷ Emad Gad, ed. *The Israeli Election 2001*, (Cairo: Al-Ahram Center for Political and Strategic Studies, 2001), pp.28-30.

tensions in Egyptian-Israeli relations. Barak's policy and his maneuvering on the political process, particularly before and after the Camp David summit, returned Egyptian-Israeli relations firmly to the realm of a cold peace, and direct and indirect communications continued.

Ariel Sharon became Israel's prime minister in February 2001, running on a platform of security. His platform escalated the aggression against the Palestinian people, exhausted the ability of the Palestinian people to resist, and imposed security coordination on the Palestinian Authority (PA). He believed that through force of arms he could make the Palestinians end the resistance and accept a dictated settlement, which involved a form of autonomous rule over a statelet of non-contiguous areas of the West Bank and the Gaza Strip. At the same time, Arab countries were to accept the roles defined for them by Israel under threat of Israeli military action.⁸

Egypt received the brunt of Sharon's attacks for several reasons. Sharon sought to minimize Egypt's role in the region and force it into line with the Israeli view. He also operated from a particularly Israeli outlook that sees Israel as a Western democratic outpost planted in a hostile environment. Israel, therefore, had to be fortified against regional foes with military superiority, exercise its will through armed force, and firmly support Western, particularly U.S., policies. Sharon launched a media campaign against Egypt even before he was elected prime minister, and employed several political loyalists to lead the effort. At one point, there were even threats to bomb Egypt's High Dam.⁹ Sharon alleged that Egypt was smuggling weapons to the Palestinians -- something that would not be tolerated by the Israeli government.

The Egyptian leadership was careful to refute Sharon's allegations, and attempted to court world opinion by stressing that peace was the strategic choice for Egypt and the Arabs. Egypt added that it was prepared to defend its territory against any Israeli attack, stressing that it would not allow a repeat of 1967. With time, Egypt went beyond the reactive phase and took the initiative in confronting Israeli propaganda. Cairo was convinced that Israel's actions had nothing to do with a political settlement and that previous claims about pro-peace forces or a peace camp in Israel were simply an illusion. The stance of Labor Party ministers in Sharon's government, most prominently Shimon Peres, compared to Israel's right wing members, exposed the huge gap between the different Israeli political factions regarding the peace process. By the end of 2004, however, Egypt and Israel's bilateral relations took a different twist, and could be characterized by a degree of warm peace.

⁸ Emad Gad, «Sharon's government and Peace process,» in *The Israeli Election 2001* (Cairo: Al-Ahram Center for Political and Strategic Studies, 2001), pp.47-48.

⁹ Ibid., pp. 45-46.

3.3. The Road to Warm Peace

By the end of 2004, several factors led Egypt and Israel, both for their own particular reasons, to take bilateral relations to a warm peace. Egypt reinstated its ambassador to Israel and released Azzam Azzam, an individual convicted of spying for Israel. It also signed the Qualified Industrial Zones (QIZ) agreement on December 16, 2004, and agreed to export Egyptian gas to Israel on June 30, 2005. These agreements were clear evidence of a new tone in Egyptian-Israeli relations, and they helped Egypt to play a larger mediating role in Israeli-Palestinian negotiations. A new protocol was added to the Egyptian-Israel peace treaty, allowing more Egyptian forces to be deployed along the border with the Gaza Strip and a bilateral agreement on the management of the Rafah crossing.

Several factors prompted Egypt to change its Israel policy: U.S. pressure after the September 11, 2001 attacks; secret talks between several Arab countries and Israel to lay the groundwork for normalized relations (as seen in the 2002 Saudi-Arab initiative proposing full normalization for a comprehensive peace); U.S. pressure on Arab countries, including Egypt, to institute political and economic reforms; and the death of Yasser Arafat, which ushered in a new Palestinian leadership that provoked fewer reservations from Washington and Tel Aviv.

On the other hand, the following factors influenced Israel's Egypt policy: a recognition by the Israeli right-wing -- Sharon's bloc within the Likud -- that the continued occupation of Palestinian territory was untenable, prompting proposals for the unilateral disengagement from the Gaza Strip; U.S. pressure on the Sharon government to accept the George W. Bush administration's Roadmap peace plan; a desire to confront international pressure, particularly after the International Criminal Court issued its opinion on the separation wall; and the overwhelming support of the Israeli public for the disengagement from Gaza.

These developments brought both parties closer, and while Egypt made greater steps than Israel in agreeing to separate its bilateral relations with Israel from the context of the larger political process, Israel made some strides of its own. The fact that U.S. pressure managed to push both parties towards a warm peace was no accident, since Washington was a major party to the QIZ agreement, seen by Egypt as an important economic win, allowing its textiles (which must have an Israeli component) to enter the American market without tariffs.

From that time, bilateral relations have been treated independently, and the Arab component has begun to recede from Egypt's foreign policy. Still, occasional tensions negatively affect relations. In addition, several factors on both sides hinder the further development of relations, includ-

ing the stance of right-wing forces, ongoing stereotypes, and denigrations of the other in school curricula and the media. Certain measures, however, could be taken to remove the remaining obstacles, in particular changing several articles of the peace treaty.

3.4. Egypt-Israel: Horizons for the Future

At the end of 2007, Egyptian-Israeli relations underwent a severe crisis after Israeli foreign minister Tzipi Livni harshly criticized Egypt's efforts to control the border with the Gaza Strip, calling it "terrible." She added that some Egyptian border guards were actually helping smuggle weapons to Hamas in the Gaza Strip. Egyptian foreign minister Ahmed Abu al-Ghait responded by calling the allegation a smokescreen intending to provide cover for Israeli settlement construction. President Mubarak told the Israeli newspaper *Yedioth Ahronoth* that Livni had crossed "a red line" in her criticisms of Egypt. Yet on February 5, 2008, Livni recommended that the Israeli prime minister consider allowing Egypt to double the number of border guards deployed on the border with Gaza to 1,500 and to upgrade their weapons after Palestinian civilians stormed the Egyptian border. Several sources said the move was planned by Hamas to break the Israeli siege and to force amendments to the border crossing agreement signed between the PA and Israel in November 2005.

Livni's proposal came after repeated Egyptian demands to change the border force protocol to enable Egypt to secure its border. Since the peace treaty states that any change requires the consent of both parties, Egypt acted legally when it asked Israel to change this section to increase the number of border guards and provide it with more advanced weaponry in order to control the 14-kilometer border with the Gaza Strip and the 135-kilometer long border with Israel. While revising this part of the treaty is in Egypt's interest, successive Israeli governments ignored or rejected the request. Suddenly, however, Israel changed course on January 9, 2005, and agreed to the Egyptian demand, accepting an increase of 450 policemen and 750 border guards (a very small number when compared to the demands of controlling a "hot" border). Then on February 5, 2008, the Israeli foreign minister agreed to revise the protocols further.

In reality, increasing Egypt's presence by 4,000-5,000 troops would not represent a threat to Israel, and its refusal to grant the request has little logical basis. It can be concluded, then, that Israel wants to retain the status quo because it perpetuates the blame on Egypt's "performance on the border" in international circles, and especially in Washington.

Current Egyptian-Israeli relations can arguably form the realistic foundations for economic cooperation, and have placed clear controls on mutual escalations. Since the 1973 War, both parties have recognized that military action alone cannot solve their conflict. All indications suggest that neither Egypt nor Israel has any motivation to break the peace treaty.

Although a setback in relations remains possible, such an occurrence would not lead to direct military confrontation. Rather, it would likely mark a return to a cold war, which would evolve into a cold peace punctuated by phases of warm peace. Perhaps the best indication of this was seen in December 2007 when Israel accused Egypt of helping Hamas smuggle weapons into the Gaza Strip, leading Foreign Minister Tzipi Livni to harshly criticize Egypt's performance. Zionist organizations in the United States urged the U.S. Congress to hold up \$100 million in aid to Egypt. These developments caused deep outrage in Egypt. Similarly, although tensions intensified shortly before Defense Minister Ehud Barak's visit to Egypt on December 26, 2007, they were quickly addressed through bilateral security coordination.

Given the above, the peace treaty protocol, regarding the deployment of Egyptian troops in the border area, must be revised. The revision will improve Egypt's ability to control the border while also shoring up security operations in the Sinai, which has resources that are vital to the Egyptian economy.

If a serious breakdown did in fact occur, it would have fundamental consequences for one party, namely Egypt. Egypt would likely witness a radical transformation of its political map, particularly one marked by the rise of the Muslim Brotherhood, which holds one-third of the seats in the parliament. While this possibility is currently remote, it cannot be ruled out entirely. In addition, a severe setback in the political process on the Palestinian front could put vast pressure on Egyptian decision-makers to realign relations with Israel, sending them back to cold peace or cold war.

3.5. Conclusion: Lessons Learnt

The issue of normalization is one of the most important obstacles restricting Egyptian-Israeli relations. Most Egyptians, non-governmental organizations (NGOs), and civil institutions refuse to move forward with normalization with Israel. Normalization has a bad reputation in Egypt, and any interaction with Israel is denounced. Egyptians who visit Israel are

looked down upon in their society, and Egyptian institutions have rules that prevent normalization.

This attitude is due to several causes. First, the conflict between the two countries has been long and bloody; Egypt has been involved since 1948, and it has been in direct military confrontation with Israel in 1948, 1956, 1967, and 1973. More than 120,000 Egyptians have been killed, and hundreds of thousands injured. Rumor has it that Israel has even killed Egyptian captives. This has left an impression that Israel is evil, and that Jews are conspirators. This impression remains in the Egyptian press and has not left the Egyptian mentality.

Second, the conflict has been a protracted social conflict, affecting all levels of society. Therefore, it may take more than a generation to reverse the conflict's wounds. Third, there is a popularly held assumption in Egypt that Israel is deliberately avoiding the necessary political settlements because of its aim to expand into Arab lands, even as far as the Nile and the Euphrates. Fourth, Israel's continued aggression against the Palestinians since the signing of the Oslo Agreement, and continuous building of settlements, has angered Egyptians. Their sympathy toward the Palestinians causes them to consider dealing with Israel as an offence. Fifth, some people in the Arab world and in Israel characterize the conflict in religious terms as war of Muslims and Jews. Western "crusaders," according to certain Muslims, support international Zionism to steal Palestinian land, including East Jerusalem, which is rich in Islamic sanctuaries. This trend has intensified lately due to the increase in claims by some rabbis, such as Ovadia Youssef, about Arabs and Muslims, as well as the escalation of Hamas and the spread of Iranian influence in the region. Fifth, the non-responsive attitude of different Israeli governments toward the Egyptian demand to modify the security supplement of the Camp David Treaty (concerning the presence of border guards on the frontiers with Israel and Gaza) gives Egyptians the impression that Israel is unjustifiably stubborn. Sixth, the quick change in Israeli governments, and the difference between the Israeli right and left in dealing with Egypt, causes the fluctuation of bilateral relations from pacification to tension. Although current relations have reached a settled state of pacification and cooperation, any change from left to right usually spoils the relationship's foundations. Finally, repeated aggressive statements from the Israeli right, such as suggesting an attack on the High Dam or the reoccupation of the Sinai, agitate Egypt's public opinion.

Chapter Four

Manuel Hassassian and
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The Israeli-Palestinian
Peace Process Revisited

4. The Israeli-Palestinian Peace Process Revisited

Introduction

This joint Israeli-Palestinian article focuses on the critical failures of the Israeli and Palestinian leadership and their respective civil societies in advancing the Oslo process into a peace accord. The article asserts that discussing the relevance of human rights and democracy contributes toward understanding the wider picture of the ongoing conflict.

The main findings show a serious lack of reference to universal human rights standards in Arab-Israeli peace making, which in turn have negatively affected the development of democracy. Rather than looking at negotiations as a bargaining tool, in which asymmetry determines much of the outcome, a “just and lasting peace,” as is called for in UN Security Council Resolution 242, is critical to putting together any detailed peace agreement within the wider context of justice with respect to human rights principles.

This chapter is made up of five sections. The first section presents an anatomy of the failure of the Oslo process, tracing the development of the process from the beginning to the Camp David summit. The second section focuses on the Camp David summit and its aftermath, and how the lack of real leadership aggravated the situation. The third section addresses the development of the relationship between the Palestinians and the Israelis with a focus on internal division. The fourth section examines the current situation, focusing on war and peacemaking. The final section presents a conclusion and the lessons learned.

4.1. The Oslo Process

Analyzing the Oslo peace process highlights failures more than achievements. Following the Declaration of Principles signed in September 1993, a series of interim agreements were signed between Israel and the PLO during the period of 1993-1999: the May 1994 Cairo Agreement regarding the implementation of autonomy for the Gaza Strip and the West Bank city of Jericho; the September 1995 interim agreement dividing the West Bank into areas under direct Palestinian control (area A), civilian Palestinian control (area B), and Israeli control (area C, including settlements and self-defined “security zones”); the January 1997 Hebron

Protocol dividing the city between Israelis and Palestinians; the October 1998 Wye River Memorandum implementing the interim agreement of 1995; and finally the September 1999 Sharm al-Sheikh memorandum that stipulated the final status negotiations on refugees, borders, water, Jerusalem, and settlements.

After Israel's military withdrawal from less than half of the occupied territories and all of the urban areas, the Palestinian Authority (PA) under the Arafat government and the Legislative Council took jurisdiction over all civilian affairs for the cities in the West Bank and Gaza and a large part of the villages. The Palestine Liberation Organization (PLO) and the emerging PA promised to curb violence, dismantle armed infrastructures in the territories, collect illegal weapons, and end the incitement of violence. Soon, mutual recriminations about not fulfilling expectations and delays in the timetable poisoned the atmosphere. On the one hand, Israeli leaders did not see the contradiction between the continuing settlement expansion and the outcome of the permanent status negotiations that would enable Palestinians to determine their future. On the other hand, the PA, while routinely condemning the use of suicide bombings by extreme Islamic-oriented groups, did not act systematically to stop them, and Arafat did not distance himself from the perpetrators, who he called shahid ("martyr" in Arabic).

Much of the criticism at the time focused on the process itself. The idea of postponing the final outcome for a long time gave spoilers room to take the initiative away from the decision makers. Different political cultures -- one side believing in the dynamics of negotiation and the other stressing the necessity to see the "light at the end of the tunnel" -- drew the sides apart.¹ While non-governmental organizations (NGOs) and academics continued to deal with the final status issues and create creative ideas, their ability to influence the decision makers was very limited, and they were unable to coordinate a strong lobby effort.²

Israeli Prime Minister Yitzhak Rabin's assassination by Yigal Amir, a Jewish religious fanatic, brought an end to the potential agreement with Arafat. The trust building between the two leaders created the expectation that if they could come to an agreement, they could make a strong case in their societies for accepting a compromise that would address the minimal claims of each side. This dream was shattered with the election of Prime Minister Benjamin Netanyahu in 1996, but hope renewed during the 2000

¹ 1 Tamara Cofman, (ed.), *How Israelis and Palestinian Negotiate: A Cross Cultural Analysis of the Oslo Peace Process*, (Washington, DC: United States Institute of Peace Press, 2005). For the wider picture, see Raymond Cohen, *Negotiating Across Cultures, Communication in an Interdependent World*, (Washington DC, United States Institute of Peace, 1997).

² E. Kaufman, W. Salem and J. Verhoeven (eds.), *Bridging Across the Divide: Israeli-Palestinian Peacebuilding* (Boulder: Lynne Rienner Publishers, 2006).

Camp David II negotiations, when Prime Minister Ehud Barak proclaimed himself the inheritor of Rabin. Until that time, the vital Palestinian issues, such as Jerusalem and refugees, were not addressed.

The multiparty, parliamentary structure in Israel also did not help the situation, since it was difficult to secure a majority in the Israeli parliament. Because unrelated agendas and single issue parties created enormous problems in Israeli politics, it was quite clear that at the moment of truth, when the leaders were willing to sign a peace agreement, legitimatization was best conducted through a referendum. The Oslo process lacked internal legitimacy and there was a need for public validation. But perhaps the main fault of the leadership was the lack of will to confront and control the spoilers of the peace process -- the religiously motivated zealots geared at inflicting damage and pain.³ Extremists on both sides became a trump card and the secular political establishment felt, for personal and party considerations, less inclined to act swiftly in curbing their illegal activities.

On the Palestinian side, it was often mentioned that Oslo was doomed to fail for several reasons. Oslo was never an agreement between equals, explicitly granting statehood and self-determination to the Palestinians. Israeli attempts to procrastinate the implementation of the interim agreements prolonged the military occupation and settlement expansion of Gaza and the West Bank, including the annexation of the Palestinians' prime land and the building of by-pass roads for the use of the settlers and the Israel Defense Forces (IDF). As a result, Oslo did not deal with the key issues between the two sides and failed to halt settlements or end the occupation. It was an agreement that in effect allowed one side to continue to take the land that the two sides were supposed to divide. Indeed, the decade of negotiations beginning with the Madrid conference witnessed a doubling of the settler population and settlements, the implementation of plans to parcel up the West Bank into different cantons, and the consecration and strengthening of the occupation regime. Confidence building measures, such as the release of Palestinian prisoners and the sustained connection between Gaza and the West Bank, were symbolic rather than meaningful gestures.

On the Israeli side, armed resistance to the agreement, first by political Islamist movements by way of suicide bombings, shocked Israelis. Furthermore, the declaratory postures of many Israeli politicians did not alert the public about the need for "painful concessions," as later became clearer in the post-Oslo period under Ariel Sharon and Ehud Olmert's leadership.

³ Magnus Ranstorp, "The Israeli-Palestinian peace process: The strategic art of deception", in E. Newman and O. Richmond, *Challenges to Peacebuilding* (Tokyo: United Nations University Press, 2006), pp 242- 260.

Hence, trust was replaced by mistrust, and hopes were dashed. Palestinians and Israelis were profoundly disillusioned with each other's behavior in failing to meet the expectations of the peace process. The expected "peace dividends" never came, and the economic situation and normal life deteriorated. The failure to implement a structured security system paved the way for IDF violence within the occupied territories with brutal attacks on civilian targets. The threat was no longer national, but rather personal, and the "front" was no longer the border, but rather the coastal cities of Israel. Through mostly nationalistic media, the mistrust culminated into a war of images. One side's victims were presented individually by name and photo, but the casualties of the other side, if reported at all, were confined to overall figures. Stereotyping was in full swing.

In the first few years, the Oslo Accords enjoyed broad support in Israel. From 1994 to 1999, 43 percent of respondents supported the accords while 32 percent opposed them. In contrast, during the al-Aqsa Intifada, support for the agreement dropped significantly and the equation was reversed.⁴

Several critical studies and evaluations of NGO cooperation in the past have highlighted many of the current obstacles.⁵ An important ongoing concern is that the region's youth, a numerically large and actively engaged sector of society, is overrepresented among both victims and perpetrators of violent conflict. Despite this, over the years, a significant minority of young Palestinians has participated in joint activities with like-minded Israelis. Israeli civil society activists find themselves in a post nation-building phase in an established state functioning under democratic rules. Not unexpectedly, many potential peace builders today prefer individual pursuit of happiness and better living standards to the rigors of promoting intercommunity reconciliation. By contrast, Palestinians remain saddled with the task of constructing a state from scratch and a national ethos that restricts individual freedom of action. Frustration related to lack of personal advancement further alienates Palestinians and discourages interaction with Israeli counterparts, persons visibly enjoying a much higher standard of living.

⁴ The overall Israeli public opinion change has been monitored periodically first by the "Peace Index" of the Tami Steinmetz Center for Peace Research at Tel Aviv University (<http://www.tau.ac.il/peace/>); and since the Al Aqsa Intifada including the Palestinian public as well in the Y. Shamir and K. Shikaki's at the quarterly survey, feature in the Harry S Truman Institute at the Hebrew University of Jerusalem (<http://truman.huji.ac.il/polls.asp>).

⁵ M. Hassassian, "NGOs in the Context of National Struggle," Benjamin Gidron, Stanley N. Katz, Yeheskel Hasenfeld, (eds.), *Mobilizing for Peace: Conflict Resolution in Northern Ireland, Israel/Palestine, and South Africa*, (New York: Oxford University Press, 2002), pp. 130-150; E. M. Hassassian and E. Kaufman: "Israeli/Palestinian peace builders: lessons learnt", in Paul van Tongeren (ed.), *People Building Peace*, (European Center for Conflict Prevention, 1999, Utrecht), pp. 112-123; "The Role of Civil Society in the Israeli/Palestinian Peace Process, in Ma'oz M. and Nusseibeh S., *Is Oslo Alive?* (Konrad Adenauer Foundation, Jerusalem, 1999), pp. 115-139.

People-to-people programs, even when officially endorsed for a short period, never became normative. They are marginal groups in both societies, working for healing, reconciliation, and forgiveness. On the Palestinian side, public exposure was limited, participant names remained undisclosed, and meetings were often held abroad. Thus, insufficient media coverage was not the only reason for the general ignorance concerning the scope of these activities. Participants also failed to widely promote the “good news” message that concluded such activities. Peace education put an emphasis on changing textbooks. The Israelis, mostly by omission, did not relate to the Arab native population, and the Jordanian/Egyptian texts that existed before the production of new Palestinian versions portrayed Zionism, and often Jews, in a negative light. A traumatic personal experience at a checkpoint or the killing of a relative can condition a child far more than a book’s positive description of Jews as prospective good neighbors.

On the Palestinian side, there have been several restrictions to cooperation, mostly trade unions and academic organizations that are against relations not only with the government of Israel but also with social movements and mainstream NGOs. Normalization has been defined among Palestinians as the process of building open and reciprocal relations with Israel in all fields, including the political, economic, social, cultural, and educational realms. Palestinians, though, are divided in their stances vis-à-vis “normalization.” Supporters see it as a process to integrate Israel into the larger Middle East community of nations or to restructure Israel through a bottom-up peace process. Many others, however, oppose “normalization” if only because it implies a willingness to accept, and perhaps legitimize, past injustices experienced in the course of occupation. Thus, they hold that ending the occupation must be a precondition for normal relations with Israel. This anti-normalization stance has led to such Palestinian initiatives as the boycott of Israeli academics, which has brought a great deal of unwanted pressure on those Palestinians willing to cooperate across the ethnic divide.⁶ Later, the ideological impediments were aggravated by the physical barriers imposed by the Israeli military in the occupied territories. The few Israelis who believed in unilateral solidarity with the Palestinians continued their supportive activities in the absence of much needed intensive parallel work with Israeli public opinion. Still, a small minority of Palestinian activists calling for nonviolent struggle and cooperation with the Israeli peace forces continued to work throughout the entire period of the Oslo

⁶ Walid Salem, “The Anti-Normalization Discourse in the Context of Israeli-Palestinian Peacebuilding” in J. Ramoneda, P. Vilanova, W. Salem and E. Kaufman, (eds.), *Breaking the Wall*, (Barcelona: CCCB, 2005), pp 87-106.

process until present times.

With all its pitfalls, however, there were important breakthroughs during the Oslo process.⁷ It affected the psychological environment by installing faith in a peaceful resolution, as the negotiations between the Israel and the PLO started recognizing each other as legitimate. This factor is now taken as a given when former and current Likud leaders shake hands and negotiate with the once denounced “terrorist organization.” Furthermore, the Oslo process initiated the “two-state solution,” a motto that still remains important to a majority of both peoples.⁸ This call for self-determination translated into practice during the first intifada and the subsequent nineteenth Palestinian National Council (PNC) held in Algiers in 1989, stressing that the objective of the PLO was to get rid of the occupation of the West Bank, Gaza, and East Jerusalem. Furthermore, the idea that all major issues are negotiable, including the Israeli taboo on Jerusalem, made a difference as compared with the more intransigent stand previously held by both sides.

Within a wider context, and learning from experience elsewhere, human rights principles could have been an integral part of the three stages of the process. First, in the pre-negotiation phase in Norway, representatives from Israel’s Labor Party and the PLO either considered human rights language a rhetorical burden or perhaps omitted it as a result of two sides’ lack of agreement. No doubt, the negotiators took upon themselves a formidable task in devising solutions to a large number of pressing issues. The title, “Put an End to Decades of Confrontation and Conflict,” includes a general statement of adherence to human rights. However, there was little specific commitment to the improvement of such individual rights as a stimulus for progress in the process itself or as agreeable standards, whenever reference was made to “final status issues.” Human rights clauses can reduce the perceived asymmetries between groups, and language of dignity and respect is important for persecuted people who are often reluctant to confront the cost of compromise. On the losing side, violence, rejection, negatives, and boycotts are often

⁷ Ron Pundak writes in “Two States for Two People”, *Ynet, Yedioth Ahronoth* (September 14, 2008), “Facing the occupation, an absence of differentiation, Israel’s arrogance and humiliating attitude brought to a mutual attrition and did not bring the parties closer to each other. The basis of the Oslo process was a position that was expected to accompany the negotiations and the ties between the two sides, that the end game was conflict resolution and not mere management. The main Israeli political goal implies not to stand still and continuously advance to the point that the conflict will be resolved through the signing of a peace accord, as an important element for national security.”

⁸ Tami Steinmetz Center for Peace Research, *Peace Index*, (Tel Aviv University, March 2008), Prof. Ephraim Yaar and Prof. Tamar Hermann. Over time slight, gradual changes sometimes occur that eventually amount to significant changes, altering the public conceptual map. We did not find such a change, however, regarding the preferred solution. This survey, too, found overwhelming support (68 percent) for the “two states for two peoples” solution.

perceived as the only remaining source of strength. The use of a language of “entitlements” by the strong is expedient, since it may elicit from the underdog a more constructive attitude. Rather than conceding to “give up” territories in “Judea and Samaria,” the Israeli authorities should stress that Palestinians have an inherent right to a state in historic Palestine.⁹

Second, in the negotiation stage, peacemaking in protracted communal conflicts is normally a lengthy process that requires public acceptance during the interim stages. The transition from one stage to another can be facilitated by confidence building measures (CBMs), universally coined in human rights principles. Palestinians who sought “peace dividends” demanded them in terms of socio-economic rights. The Israeli evasion of responsibility for the daily needs of Palestinians living under occupation was translated by restricting the PA. Equally, most Israelis did not consider that the peace negotiation process provided them with personal or collective security, and yet the legitimate stand to respect their right to life was not formulated in such language. Palestinian suicide bombers and commanders launching rockets should have been told time and again that they were violating this non-derogatory and most important human right. On the other hand, some of these measures include that Israel desist from holding prisoners in administrative detention without trial, respect the freedom of movement within the occupied territories, refrain from house demolitions as an unacceptable punishment to the entire family, halt confiscation of property, and stop extrajudicial, targeted assassinations or “collateral damage” (excessive and disproportional use of force against innocent civilians in answer to Palestinian violence.) Both the Israeli and Palestinian authorities could have offered financial compensation for innocent victims of violence, and adhered to their own commitment to prohibit the use of torture or “moderate physical pressure” in interrogations. Human rights norms, while opening new dimensions for the duration of the negotiations, also can contribute creative ideas to resolve permanent status issues, such as Palestinian refugees, Jewish settlements, Jerusalem, and the controversy over water resources.¹⁰

Third, in the post-conflict phase, the implementation of the agreements

⁹ Mohammed Abu-Nimer and Edy Kaufman, *Bridging Conflict Transformation and Human Rights: Lessons from the Israeli/Palestinian Peace Process* (Washington DC: United States Institute of Peace Press, 2006), pp 277- 308.

¹⁰ Ibid, pg. 285. Briefly illustrated on the dispute over water, this common pool resource need no longer be seen as a finite, zero-sum resource. Though water resources are scarce, it may be possible not only to come to an agreement on joint management of the shared aquifers but also to determine general principles for water rights. Such principles could be based on equal rights to the basic water supply for all, and scaled greater payments for excess consumption. The incremental pricing policy for increased consumption will allow the biggest users to finance the cost of desalinization. (See E. Feitelson and M..Haddad et al, *Reports on the Joint Management of Shared Aquifers* (Jerusalem, Truman Institute, Hebrew University, 1994, 1995, 1996).

needs to take place. The conflict has been between not only governments but also the two societies, hence bottom-up grassroots reconciliation is a required ingredient to consolidate peace. Given the current depressive status of the Israeli-Palestinian peace process, dealing in detail with the post-conflict stage may seem impractical and idealistic. Still, the architects of the Oslo process, at a more promising time, could have started a working group planning issues of relevance towards reconciliation, and less importantly, to assess what elements should be included in “real time” reconciliation, assuming that the cherished peace could be postponed time and again.¹¹ However, the implementation of agreements, based on equal rights, would require monitoring and regulation. In cases of disagreement, there was an unfulfilled need for mediating mechanisms and procedures that should have pointed out to a shared vision and help effectively dealing with the complexities of the emerging problems during the first stages of implementation. These endeavors normally incorporate clearly designed early warning indicators and could have provided training in preventive action.

4.2. The Camp David Summit and its Aftermath

In the short period after the Camp David summit until January 2001, the prospects of peace were solely in the hands of the leadership. Ehud Barak’s impressive victory in 1999 brought renewed hopes for negotiation, and his pullout from Lebanon and insistence on moving away from a gradual piecemeal approach to a final agreement were promising.¹² The Israelis and Palestinians had different expectations preceding the Camp David summit in July 2000, and it is worth mentioning that the survival of Barak’s fragile coalition government was contingent on the success of the summit.¹³ By and large, and according to U.S. president Bill Clinton, Barak was determined to reach a comprehensive peace deal. On the other

¹¹ As an example for concrete “real time” reconciliation activities towards healing and recognition of the suffering of the Other, see the website of the *Palestinian/Israeli “Bereaved Families Forum”* (<http://www.theparentscircle.com>).

¹² We would like to express our gratitude to our research assistants Elyas Abianto and Omri Arens at the University of Maryland for their contribution to this section.

¹³ The talks are often referred to as Camp David II, since a first round of Israeli/Egyptian talks took place at the same place at the initiative of President Carter. Hanieh captures the Palestinian mentality toward Israeli politics from the Camp David Papers. “If an agreement isn’t reached, Barak will form a national unity government.” These statements were repeated to the point that a Palestinian delegate asked angrily: “Is this a summit to salvage the peace process or to rescue Barak’s government? Akram Hanieh, “The Camp David Papers” (*Journal of Palestine Studies*, 2001) p.79.

hand, the failure of the summit did not threaten Arafat, but he resisted going to Camp David. Furthermore, Barak initially wanted to pursue peace talks with Syria. This priority marginalized the Palestinian cause, and Arafat felt humiliated by the Israeli withdrawal from Lebanon in June 2000 orchestrated by Barak. Allegedly, Arafat did not want to negotiate because Barak had reneged on prior agreements, there had been no progress, and Israel was in a stronger position.¹⁴ Arafat mentioned to U.S. State Department officials that "...conditions are not yet ripe for holding a summit."¹⁵ Despite these objections, Arafat decided to participate under three conditions agreed upon with President Clinton: more preparatory talks, a U.S. guarantee of Israeli redeployment, and no "finger pointing." These three points were agreed upon regardless if the Camp David summit failed. In the end, none of the agreed upon conditions were upheld¹⁶ and Clinton's memoirs stress that "Arafat made no response in-kind."¹⁷

The hard issues of the final agreement were put on Camp David's agenda, and participants and analysts from both sides provided contending interpretations of what happened. Prime Minister Barak showed sincere intentions to compromise by addressing many of the Palestinians' expectations. He broke the Israeli taboo of negotiating over Jerusalem and accepted that it would be the capital of the two states, and offered the return of approximately 91 percent of the West Bank and added to swap 1 percent more from Israel's land. A settlement range could not be obtained at that time since the "maximum" Israeli offer at Camp David was below the "minimum" Palestinian demands regarding territory and the two sticky issues, Jerusalem and the right of return. After the publication of the Clinton parameters in late December 2000, the two sides came closer to reaching an agreement at Taba in January 2001, yet these talks collapsed. By January 2001, the two parties had lost their respective legitimacies (especially Barak's minority government) and their remaining negligible trust in each other.

The difference between the goals of the Israelis and Palestinians was epitomized by Arafat's lack of a counter proposal to advance negotiations. President Clinton expressed his frustration with Arafat's silence saying, "Israel had gone further than he had, and he wouldn't even embrace their moves as the basis for future negotiations."¹⁸ First, Barak would lose to hardliner Ariel Sharon in the next Israeli elections. Second, President-elect George W. Bush was disinclined to pursue further negotiations after

¹⁴ Hussein Agha and Robert Malley, "Camp David: Tragedy of Errors" (*The New York Review of Books*).

¹⁵ Akram Hanieh, "The Camp David Papers" (*Journal of Palestine Studies*) p.76.

¹⁶ Hussein Agha and Robert Malley, "Camp David: Tragedy of Errors", *op. cit.*

¹⁷ Bill Clinton, *My Life*, (York: Alfred A. Knopf, 2004) p. 913.

¹⁸ Clinton, *Ibid*, p. 915.

seeing the investment his predecessor made to no avail. Arafat did not indicate a counter offer, mentioning to Ben-Ami that he saw himself as a “decision maker” and not a “negotiator” -- his role being to pass judgment once the give and take was finished. In addition, the previous back channels in Stockholm did not advance adequately enough for a more ceremonial conference under international scrutiny.

Eventually, the negotiations “collapsed over the fact that the Israelis and Palestinians refused to enter into the game. . . . What was being asked of the Palestinians was far more elementary: that they put forward, at least once, their own counterproposal.”¹⁹ In addition, some of the Israeli negotiating dynamics and procedural aspects of the political interaction contributed to the failure of the talks. By presenting early territorial compromises as bottom lines, the Israelis provoked the Palestinians’ mistrust subsequently by shifting their terms in the direction of the Palestinians’ political goals. In other words, the Israelis whetted the Palestinian appetite. The Palestinians sensed that the proposal denied the viability of the Palestinian state and that the Israeli-controlled territories would effectively divide the territory into four separate cantons. Also, Israel’s eventual position on Jerusalem -- allowing Palestinian sovereignty over isolated Palestinian neighborhoods in the heart of East Jerusalem -- was viewed as creating “ghettos in the heart of Jerusalem”

The Palestinians approached settlements, borders, Jerusalem, and refugees at Camp David on the rationale of international law. Arafat viewed Israel’s approach as the “occupier’s mentality,” one based on the premise that with adequate pressure, the Palestinians would accept any deal. The Israeli rationale has little to no claim under international law rationale. While the Israelis made their concessions in terms of their needs, the Palestinians viewed themselves as the true compromisers because they conceded their rights under international law. Moreover, Barak concealed his final proposals -- the “endgame” -- until Arafat had compromised. Arafat, however, would not do so until he could see the “endgame.”

Several Palestinian declarations also adversely affected the course of the negotiations. The proposal to divide East Jerusalem in Arafat’s mind was also a compromise, since he thought the Palestinians had full entitlement to the entire city. Arafat would not settle for anything less than full sovereignty and authority over Haram al-Sharif (the two mosques located on top of the Temple Mount), and the Christian, Arab, and Armenian quarters. The Palestinians agreed during negotiations to relinquish sovereignty over the Jewish quarter including the Wailing Wall

¹⁹ Shlomo Ben Ami, interview with *Ha'aretz* on September 13, 2001.

of the Temple Mount, which were not part of Israel before 1967.²⁰

In religious terms, Arafat viewed himself as representing more than just the Palestinians. He saw himself as a leader of the Arab and Islamic world. This is reflected in a statement made to President Bill Clinton: "I am not only the leader of the Palestinian people, I am also the vice president of the Islamic Conference. I also defend the rights of Christians. I will not sell Jerusalem."²¹ Arafat's doubts about the historical facts and holiness of the Temple Mount for the Jewish people and the reiteration of an absolute right for every Palestinian refugee to return to Israel derailed any positive dynamic interaction.

The discussion of refugees was probably the most disparaging. The committee that was set up to discuss refugees was reported to have simply argued about history. The Palestinians argued that international law stipulates the right of return of all refugees. The Palestinians specifically believe this right is expressed through UN General Assembly Resolution 194. There are between five to six million Palestinian refugees, but the Palestinians never demanded the right of return of the total refugee population. The numbers discussed ranged up to 800,000. For the Palestinians, this was an enormous compromise. Nevertheless, Israel would only express sorrow not responsibility for the Palestinians, and discussed compensation through a joint effort with the international community. This international fund would also have to include compensation to Jews who left Arab countries. Israel agreed to allow several thousand refugees to return over a ten-year period through a process called family reunification.²² Time and again, Arafat remained reactive because he believed that the Americans had not planned enough for Camp David and that the process had not been thought out. In spite of the important fact that the Palestinians agreed to the principle of the pre-1967 border on the basis of equivalent territorial swaps, no substantial bargaining or sensible political initiative was offered in Camp David by the Americans, who seemed to convey Israeli ideas, making Palestinians lose confidence in the Americans as honest brokers.

Arafat's personality also sharply contrasted Barak's. Despite his inability to level with the Palestinian leader, Barak was methodical in his thinking and was willing to go further than any other previous prime minister.²³ Finally, Barak was nevertheless an arrogant interlocutor, always inclined to dictate positions rather than negotiate them.²⁴ There was even

²⁰ Robert Malley and Hussein Agha, "Camp David and After: An Exchange - A Reply to Ehud Barak" (*The New York Review of Books*).

²¹ Akram Hanieh, *op.cit.*, p.95.

²² Akram Hanieh, *op.cit.*, p.82.

²³ Dennis Ross, *The Missing Peace*, (New York: Farrar, Straus, and Giroux, 2004) p. 495.

²⁴ Shlomo Ben-Ami, *op.cit.*, p. 253.

an instance when Arafat shouted at Secretary of State Madeleine Albright because he felt like he was being treated as a slave. Disrespect and elitism would inevitably exacerbate the already tense relationship.

The most glaring reality during the summit was that Arafat and Barak never met privately. According to President Clinton, "Barak didn't want to meet alone with Arafat because he was afraid that they would fall into the old patterns where Barak did all the giving and Arafat made no response in-kind."²⁵ Arafat was perceived as someone who was "elusive, non-committal, and a master of double-talk."²⁶ President Clinton also notes Arafat's manipulative strategy to repel pressure. He mentions that throughout the summit, Arafat would ask the president, "Would you like to come to my funeral?" Such tactics of guilt contrasted Barak's forwardness. Barak put his political career on the line with the proposed concessions. Ben-Ami makes a powerful analogy to describe the distinction with Arafat's priorities. "Arafat preferred to die as a defeated hero who did not give in, like Nasser, than be slain as a man of peace like Sadat." The difference in personalities reflected in the negotiations and made it more difficult for the negotiating teams.²⁷

In its aftermath, and even following the outbreak of the cycle of violence, negotiations continued for four additional months. The process remained inconclusive, but the "parameters" offered by President Clinton -- not at Camp David but at the December meeting in Sharm al-Sheikh and vaguely approved in the subsequent month at Taba -- remain the most feasible outline for a shared solution of the conflict in the future.

4.3. The Al-Aqsa Intifada

Since Ariel Sharon's election as Israel's prime minister until his massive stroke in 2006, no contacts were kept with the Palestinian leadership. Only after his replacement by Ehud Olmert, negotiations between Israel and the moderate Palestinian president Mahmoud Abbas (Abu Mazen) went back and forth, leaving both sides full of uncertainty. Sharon's policies during his years in office accelerated the ongoing high-intensity conflict that had lasted close to four years and killed more than three thousand Palestinians

²⁵ Bill Clinton, *op.cit.*, p. 913.

²⁶ Shlomo Ben-Ami, *op.cit.*, p. 255.

²⁷ President Clinton accurately describes the effect, "Barak wanted others to wait until he decided the time was right, then, when he made his best offer, he expected it to be accepted as self-evidently a good deal. His negotiating partners wanted trust building conversations and lots of bargaining", *op. cit.*, p 912.

and more than a thousand Israelis. In a region where conspiracy theories prevail, where one can always imagine the worst from the enemy and attribute it to premeditated intentions, the interpretations of the facts that led to the al-Aqsa Intifada are diametrically opposed.²⁸

The official Israeli version is rather straightforward: this was a terrorist war preplanned and premeditated by Arafat, as a result of a strategic Palestinian decision to use violence rather than negotiations as the primary instrument of advancing the Palestinian political cause. The true roots of the war can be found in the Palestinian rejection at Camp David. Paradoxically, it was the Oslo peace process and particularly the far reaching offers at Camp David that caused the Palestinians to respond with violence, following the “precedent” of the unilateral Israeli withdrawal from Lebanon triggered by the successful Hezbollah guerrilla attacks and the controversial visit of Ariel Sharon on September 29, 2000 to the Haram al-Sharif, escorted by hundreds of Israeli security forces. Therefore, the Palestinians -- the PA, Hamas, Islamic Jihad, and Fatah -- did not oppose the occupation of the territories per se but rather the whole concept of peace through compromise.

On the other hand, the prevailing Palestinian version was that Sharon’s forced visit to the Haram al-Sharif was a premeditated effort to defy Muslim sovereignty over the holy site. It was meant to trigger an Arab popular reaction that would be severely repressed and would escalate into an armed confrontation that Israel would use to crush the PLO and its leader Arafat.

According to Arie Kacowitz, the second intifada was “either a Palestinian war of extermination (the Israeli version) or a Palestinian war of national liberation (the Palestinian version).”²⁹ He quotes Michael Walzer, considering that within each side, one could find two contending goals: first, a Palestinian war to destroy the state of Israel, as epitomized by the suicide bombing attacks by Islamists and since 2002, by some elements of the more mainstream Fatah faction (such as the al-Aqsa Brigades), directly associated with Arafat and the PA; second, a Palestinian war to create an independent state alongside Israel, ending the military occupation of the West Bank and Gaza since 1967, as illustrated by the guerrilla actions against the Israeli army in the occupied territories; third, a legitimate and just Israeli war of self-defense against Palestinian terrorism in order to secure Israel within the pre-1967 borders; and fourth, an Israeli expansionist war to keep the settlements and hold onto the

²⁸ Sari Nusseibeh and Edy Kaufman, “Roundtable, Intifada Al Aqsa” (moderated by Ziad Abu Zayiad, *Palestine-Israel Journal*, 2001).

²⁹ Kacovicz, A., “Rashomon in the Middle East: Clashing Narratives of the Israeli-Palestinian Conflict.” (Jerusalem: Hebrew University, unpublished manuscript 2003).

“liberated” (or rather occupied) biblical territories of “Greater Israel.”³⁰

Throughout the peace process, extremists on both sides kept fighting the illegitimate first and fourth types of war. If the popular eruption was aimed initially at both the corrupt and dysfunctional PA regime and Israel, it was rapidly channeled and manipulated by the PLO leadership, first to change the political status quo and improve its bargaining position in the short term (as indeed happened between Camp David II and Taba) and second to focus the resentment and anger from the most marginalized sectors of Palestinian society toward Israel. In this sense, Arafat and the PA did not do much to stop the uprising, believing that it might serve their interests. They preferred to “ride the tiger” rather than to confront terrorism and violence. It seems that the militarized uprising was not Arafat’s master plan but rather an exploitation of the violent situation. A “blank check policy” accompanied the futile post facto “plausible denial,” as attempted in the case of the *Karine A*, the ship captured in 2002 in the Red Sea found loaded with weapons.

The Palestinian uprising was not catalogued during the first weeks as a war but rather as a confrontation between largely unarmed Palestinians and armed Israeli security forces that immediately resorted to excessive and deadly use of force, fueling a further escalation of the violence. At the same time, it is equally true that members of the Palestinian security forces initiated many of these acts of violence. Moreover, since the collapse of Camp David, Arafat had reneged on the promise to prevent and curb terrorism. By April 2002, even if the PA had wanted to do so, stopping the violence completely might have had no impact on reversing the progressive degradation of internal Palestinian control as a result of Israel’s military actions. By adopting the “default option,” which increased the number of suicide bombings, the situation on the ground continued to deteriorate.³¹ At the same time, the Israeli government maneuvered to postpone the re-initiation of political negotiations “under fire.” After some hesitation, Israel waged an overall military offensive in 2002 on territories ruled by the PA and effectively reestablished a total security control, destroying the Palestinian security forces and infrastructure. It also attacked the presidential compound in Ramallah and practically kept Arafat prisoner.

While keeping a substantially weakened PA, the Israeli responsibility for the supply of basic services to the population was delegated to a subordinated body. The Israeli military exacerbated the already precarious humanitarian conditions of the Palestinian civilian population and turned

³⁰ Michael Walzer, “The Four Wars of Israel/Palestine,” *Dissent Magazine* (Fall 2002).

³¹ E. Kaufman and M. Hassassian, “Understanding our Israeli Palestinian Conflict and Searching for Its Resolution”, *op. cit.*

to extrajudicial killings of alleged militants and military incursions into Palestinian cities, towns, and villages. Likewise, it violated the rules of war by responding in disproportionate ways, which had led to the death of many innocent victims. The obsession of the official Jewish state to always act from a position of strength brought about an unusual escalation of intensified violence that precluded the negotiations that have been reopened time and again. All in all, the Israeli government was not forthcoming in lifting travel bans and restrictions and did not extend the support that the PA needed to change dramatically the correlation of forces. Hamas, albeit weakened by relentless Israeli assassinations that have deprived the faction of several of its charismatic leaders (and a few more in December 2008 with a major attack against its infrastructure and leadership in Gaza), is seen as a major player with its own capabilities and political ambitions, as well as its own contacts with external actors such as Iran and Syria.

At the civil society level, much of the established links across the divide were shattered and have not yet been reestablished. Palestinian peace groups can be criticized for their failure to advocate effectively with the PA for their constructive projects or to create public support for their work. Similar criticism applies to the mainstream of the Israeli peace camp. Nonetheless, Palestinian groups should be credited for the large amount of media and public relations work performed on issues relating to their critique of the second Intifada's militarization, suicide bombings, chaos, and violation of human rights. Whereas the expectations of Israelis for cooperation focused the dialogue on professional, educational, humanitarian, or academic topics, the expectations of Palestinians were fixed at the political level, seeking changes to their currently intolerable sociopolitical reality. The Israeli peace camp received a serious blow and a deteriorated public image, and many of its activists became disillusioned at the prospects for an agreement. Human security was no longer a marginal issue with soldiers, but was now on the home front, with civilian victims on both sides.

4.4. The Current Cycle of War and Peacemaking

As the result of a fair and transparent election, Mahmoud Abbas became president of the PA and initially provided the first reason for optimism following the death of Arafat. The task confronting Abbas has been formidable, since he inherited internal anarchy, polarization, political stagnation, and corruption compounded by the gloomy atmosphere created by the intifada's bloody five years. He intended to break away from Arafat's

legacy with the help of professionals he hoped would reform Palestinian political, security, and economic systems, and above all halt the intifada, recognizing that the militarized course played into Israel's hand.

A critical analysis leads to the conclusion that a generational replacement of leadership is necessary. Fatah's various components had always been kept together by Arafat, often through a combination of financial appeasement and a policy of divide and rule. The movement's institutions have been controlled by a combination of the old guards of Fatah with more universally appreciated professionals, such as the former World Bank economist and Prime Minister Salam Fayyad, thus denying the second and third generations any control of power. The conflict between the "old" and the "young" guards within Fatah weakened the movement and strengthened Hamas, the Palestinian opposition enjoying tremendous political importance and relevance. Hamas's importance culminated in the victorious and surprising electoral outcome for the Palestinian Legislative Council. A failed effort to create a shared Fatah-Hamas government by the Saudi royal family in 2007 ended with the dismemberment of the PA, with Fatah controlling the West Bank and Hamas controlling Gaza. Openly challenged by Hamas's coup d'état in Gaza, Abbas had little time left in power to establish control over the numerous Palestinian security services and factional militias, rebuild the shattered economy, root out corruption, impose law and order, and improve the daily life of Palestinians.

The Kadima government till 2009 has been characterized by Israel's peacemaking drive with the PA, and Israel's war against Hamas. On both accounts, however, no definite outcome has taken place. Following the fiasco of the unilateral withdrawal from Gaza and the Hamas takeover, a negotiated -- but not full -- withdrawal from the West Bank became Israel's dominant strategy. In March 2006, new Kadima Party leader Ehud Olmert declared his intention to make the separation fence a permanent Israeli border. Olmert did not conceive the idea of erecting a separation barrier but some Labor leaders suggested that Israel should seal the border demarcated close to the Green Line based on Israeli security considerations. The Likud government, -back to power in 2009- developed this last concept into a substantial change, making the establishment of a viable Palestinian state with geographical contiguity impossible.

The unfinished drawing of the West Bank border, delineated by officially declared "temporary" fences retaining around 9 to 15 percent of the territory, would not find a Palestinian partner among the post-Arafat leadership. If history could repeat itself, Kadima's unilateralism took into account that while in 1949 there was no Arab country or Palestinian leader ready to consider the armistice Green line as a final border (providing Israel 78 percent of "historic Palestine" instead of the 55 percent allocated

by the previously rejected 1947 Partition plan), forty years later, Arafat's Palestinian National Council publicly accepted the Green Line as a definite border. Now the issue was to establish new facts on the ground with the separation barrier, removing a significant chunk of the remaining 22 percent of Palestinian territory and wait patiently perhaps for another forty years until the new facts prevail. Olmert mentioned when leaving power that in negotiations with Abbas, a formula was reached to uphold the principle established with Egypt and Jordan to return 100 percent of the Palestinian territories through swaps of land and the building of a connecting territorial link between Gaza and West Bank. At the same time, the continuation of settlement expansion and the lack of zeal in dismantling illegal outposts that have been mushrooming in the West bank has reinforced the picture of creeping annexation.

For a while, the November 2007 Annapolis Peace Conference convened by U.S. Secretary of State Condoleezza Rice was seen as the only game in town. In a joint statement of principles, she said, "it has the potential for energizing the two publics and eliciting their full support for the negotiated agreement on a two-state solution. What I am proposing represents a step toward reconciliation."³² At the civil society level, additional roadblocks and checkpoints severely limit West Bank and Gaza Palestinians from meeting their counterparts in Israel while Israelis are not allowed to meet Palestinians on their own turf. As a result, most Israeli peace activities are now confined mostly to interaction with Palestinians from East Jerusalem. Ineffective, humiliating requests by Israeli NGOs for individual "single day" access permits, instead of a global campaign for pressurizing the Israeli government to guarantee an unrestricted policy for peacebuilding, has produced insignificant results. As for exceptions, some earlier joint initiatives have enjoyed temporary public support in both communities, such as the "Nusseibeh-Ayalon Accord," the Geneva Initiative, and the field actions against the occupation. However, both Palestinians and Israelis generally saw these initiatives as declaratory in nature and largely devoid of popular participation. Given that general perception, it follows that the importance of building bridges was not fully understood, appreciated, or even tacitly rejected by most government leaders by putting obstacles to such endeavors. Among mainstream Israelis, there is the growing idea of separation, or in other words, "getting rid of the Palestinians."

³² "At Annapolis, Abbas and Olmert clearly committed themselves to such negotiations in a highly visible international forum. Abbas's political standing in his own community received an important boost. Olmert's post-Annapolis statements gave indications that he understood both the importance and the implications of a two-state solution from Israel's perspective and was prepared to educate his public in that direction." Herbert C. Kelman, "Negotiating a Historic Compromise: New Opportunities in the Israeli-Palestinian Peace Process" Harvard University (manuscript 2008).

Most Israelis rationalize their violence against the Palestinians as no more than a justifiable reaction to threats to their own security. Conversely, Palestinians valorize violent activity as being legitimately responsive to a protracted, repressive occupation.³³ That such a strategy might objectively be a right or wrong choice in ending the occupation is largely beside the point. Typically, Israelis cite concrete acts of violence, such as the kidnapping of an Israeli soldier by Hamas. Palestinians insist that violence includes “structural violence,” such as the expansion of settlements and the building of the separation wall, affecting the integrity of Arab East Jerusalem. Israeli closures of Gaza crossings constrain access to health care, food supplies, employment opportunities, and decent shelter, which in turn exacerbates the suffering and deprivation of the entire population. This has resulted in premature death, reduced life expectancy, and post-traumatic stress disorders. Whereas Palestinians blame the occupation, Israelis as a whole avoid facing such unpleasant realities, preferring to attribute the cause to the “other’s” violence.

Another important factor is the impact of the peace spoilers, who abide by civil disobedience, underground violent opposition, and illegal acts of defiance to judicial rulings. Facing a debilitated peace and justice movement in both civil societies are the hyper-active, devoted fanatics and law breaking spoilers, influenced by religious predicaments and regional agendas. Jewish messianic settlers, and Palestinian Islamists, such as Hamas and Islamic Jihad, are not only claiming the entire Holy Land but also have successfully used all possible means to stop the peace process.

The twenty-three-day war in January 2009 was the deadliest confrontation in the Gaza Strip since 1967. Those in Israel who opted for military action believed that the only language the “enemy” understands was force, and the only recourse left was more violence. Overall, more than a thousand people were killed and four thousand wounded—overwhelmingly Palestinians—, between a quarter to half of them non-combatants.

Blaming one side for the recent violence would not be constructive. Instead, Israel and Hamas both need introspection and accountability. It is illegal and immoral for Israel to conduct targeted killings of individuals in populated areas, enact collective punishment, restrict basic needs of access, and cause a large number of casualties among women and children. It is also reprehensible for Hamas to target the civilian population in southern Israel over a long period of time, with the intention of causing a large number of victims.

³³ A rather surprising poll conducted by UNDP among young Palestinians seems to contradict this prevailing trend: “70 percent of Palestinian youth oppose violence to resolve conflict with Israel. Ha’aretz , April 1, 2009.

At the time of writing, both societies are deeply divided, and the opponents of peace are strengthening. In Israel, the February 2009 elections gave an absolute majority to a right-wing block comprised of Netanyahu's Likud Party, which reluctantly endorses the principle of a restricted Palestinian state. Within the Palestinian camp, there has been an ongoing crisis between Fatah and Hamas in 2006, provoked by the latter's coup d'état in Gaza, and calls for unity have remained unmet. So far, failed reconciliation attempts between Hamas and Fatah reflect their struggle for political and territorial control, seeking domestic and regional legitimacy.

The serious deterioration of the peace process has affected the democratic nature of the Israeli regime and the process of democratization in the Palestinian territories.³⁴ A few months before the endorsement of the Oslo agreement, a group of academics met to discuss the premise that democratic states tend not to fight wars against each other.³⁵ This generalization provoked several important questions: Can Israel remain a democracy given the long process of war and occupation? Can the Palestinians create a democracy under the current conditions, given the nature of the surrounding Arab regimes?³⁶ Is it easier for democracies or for authoritarian regimes to reach peace with each other?

Meanwhile, the occupation has stopped the process of the democratization in the PLO by negating the Palestinians' the full right to vote and postponing elections.³⁷ Also, the fact that the 2006 legislative elections won by Hamas were not accepted by Fatah, Israel, and the U.S.-led international community, has not helped. Not even giving the Palestinians the traditional "one-hundred days of grace" -- paradoxically this was happening when the issue of democracy was brought up by George W. Bush government as a matter of priority in the Middle East -- shows clearly double standards. The cycle of violence always blamed on the other side has repeatedly resulted in growing support to political extremist forces.

Strong leadership helped Sadat's Egypt and King Hussein's Jordan make "the peace of the brave" with their Israeli counterparts, Begin and Rabin. But the quest for a strong authoritarian leader does not easily

³⁴ The Transformation of Palestinian Civil Society and its Role in Developing Democratic Trends in the West Bank and Gaza Strip", in Ole Hoiris and Sefa Martin Yurukel, (eds), *Contrasts and Solutions in the Middle East.*, (Aarhus University Press, Denmark, 1997), pp. 183-195.

³⁵ James Lee Ray, "Does Democracy Cause Peace"? *Annual Review of Political Science*, no. 1, 1998, pp 27-46.

³⁶ See E. Kaufman, S. Abed and R. Rothstein (eds.), *Democracy, Peace and the Israeli-Palestinian Conflict* (Boulder: Lynne Rienner Publishers, 1993).

³⁷ M. Hassassian, "Democratization Process of the PLO: Ideology, Strategy and Structure". E. Kaufman, S. Abed and R. Rothstein, *op. cit.*, pp 257-285.

correlate with democratic practices. Sadat and Rabin were assassinated by domestic extremists, and the lives of two others leaders were threatened.

4.5. Conclusions: Lessons Learnt

The continued failure of the Israeli-Palestinian peace process has left all parties in a pessimistic mood. Out of despair, however, one should not embrace the wrong conclusions.³⁸ Some have now called for a “one state solution” -- in which both Palestinian Arabs and Jewish Israelis live together -- as the irreversible outcome of the untenable situation.³⁹ In response, others have clearly shown the shortcomings of such unrealistic preference, since one side would try to perpetuate their domination on the other.⁴⁰

Reaffirming the identity of both nations is extremely important for the self-determination of Israel and a future Palestinian state. Over the last fifteen years, officials have engaged, for the first time, in diplomatic/political negotiations and civil society peace building. Although peace has not yet been achieved, key concepts -- Israel/PLO negotiations, the two-state solution, Jerusalem as the capital of the two states, withdrawal from the occupied territories to the pre-1967 borders (adjusted to swaps and reciprocally agreed modifications), Palestinian right of return to Israel regulated by government policy -- are now part of most of the leaderships' positions. The aspirations of the proponents of peace have slowly percolated to the mainstream, even within former Likud leaders in the Kadima Party and within the PA. Through creative and extensive “second-track diplomacy,” consensus has been reached on nearly all the permanent status issues. The components of a possible official accord have been discussed ad nauseam, and the issue is no longer the final status but how to move from the current paralysis into pro-active, action-oriented solutions.

³⁸ W. Salem and E. Kaufman, “From diagnosis to treatment: Towards new shared principles for Israeli-Palestinian peacebuilding”, in D.J.D. Sandole, S.Byrne, I. Sandole-Staroste and J. Senehi, (eds.), *Handbook of Conflict Analysis and Resolution*, (NY, Routledge, 2009), pp. 437- 455.

³⁹ Nathan J. Brown, “Sunset for the Two-State Solution?“, *Carnegie Foreign Policy Paper* (Washington, DC: Carnegie Endowment for International Peace, May 2008).

⁴⁰ “As long as the majority on both sides rejects the joint state in favor of their own nation-state, there is hope of revitalizing the two-state solution. But above all, as soon as the cost of ethnic conflict becomes too high, Israel will be quick to put new effort into working on the idea of two states. It is the contradiction between a desired future and the current reality that keeps the option of establishing a border along the 1967 line alive.” Klein, Menachem. “One state in the Holy Land: a dream or a nightmare?” *International Spectator*, 2008(43):4, Dec, pp. 89-101.

Consequently, the creation of an independent Palestinian state, at least for a first stage, is a precondition to other more consociational forms of living. The Benelux model that triggered the wider European Union has often been given as an example in which Palestinians could come and go to Israel. Although a free flow of persons, merchandise, and jobs is critical, retaining separate sovereignty for both nations is a necessary condition for building a joint future. Jews, whose holy places are within the remaining Palestinian West Bank and East Jerusalem, could reside nearby, celebrate holidays, and reside in the West Bank while keeping their Israeli citizenship.

Weak leadership and fragmented political factions, however, have reduced the chances of a bilaterally negotiated outcome. Furthermore, Israel's disempowerment of President Abbas has led to the support and rise of forces that do not recognize the right of existence of both Israel and Palestine. In the best case scenario, the prevailing mood on both sides is to separate "we are here and they are there." This has generated a prevailing pragmatic shift from pursuing reconciliation to tacitly encouraging separation. Indeed, in important circles in the Israeli peace camp, this has become an acceptable strategy. Meanwhile, their Palestinian counterparts have become increasingly frustrated with this new approach to conflict management that postpones statehood and questions the validity of the Palestinian right to self-determination. As various recent polls demonstrate, public opinion on the one hand supports a two-state solution while at the same time supports punitive strategies. This attitude leads to significant technical and psychological shortcomings in peace work. Although peace activists have contributed to the public acceptance of a two-state solution, they have been unable to overcome, or at least diminish, calls for retaliation.

"Divide and rule" is feared by both sides, and no inner consensus can be achieved within the Israeli and Palestinian political realm. No solution can be reached by the negotiating parties without more active regional support, such as a strong push for the Arab League Peace Initiative as renewed in 2007 and an effective Quartet intervention led by a new pro-active U.S. administration. Soft power seems to be a priority for President Barack Obama and Secretary of State Hillary Clinton; hence, public diplomacy needs to be translated into an effective action. So far, Washington has been co-sharing the cost of the violent conflict, but now needs to invest all its "stick and carrots" in bringing about a resolution. Although the assumption that the United States cannot prevent a war nor impose peace is correct, it has a decisive role to play in this direction.

Furthermore, regional players, such as Turkey, Egypt and Saudi Arabia, should also help by not only persuading the Israeli and Palestinian leadership to come to an agreement but also addressing directly the

grassroots problem through the media, and by encouraging the peace-oriented organizations in playing a major role in shifting public opinion. American presidents and emissaries, for example, have been talking behind close doors to ministers and security personnel, but do not spend time addressing the general public directly and supporting the local politicians ready to advance the U.S. peace policy in the Middle East, as effectively and aggressively as the American Israeli Public Affairs Committee (AIPAC), the Jewish lobby, has promoted Israel's policies in Washington D.C. Reducing the large foreign aid to Israel may be difficult to achieve in the U.S. Congress, but there is no reason why Washington could not make the money connected to Israeli cabinet policies regarding settlements in the West Bank, and earmarking a small percentage for peace building activities by non-governmental organizations.

The election of President Obama has paved the way for the concept of change, and the Clinton Parameters are considered to be a realistic expression of the consensus found among moderates and pragmatics on both sides. A wider menu of alternative options offered immediately after the U.S. election was too optimistic, given the negative effect of the Hamas-Israel war in Gaza and the subsequent formation of a Netanyahu-led government.⁴¹ At the end of a renewed process, the application of the parameters formulation in full (or an even restricted interpretation, leaving the Old City of Jerusalem and its Holy Places as well as the detailed discussion on refugees to a later stage) must encourage local elites and public to support it. If predictable obstacles for governmental approval arise, it may be best to submit the plan to a referendum at the same time by both sides. The Syria-First option can be seen more as a ploy and a diversion to a determined effect by the new administration and the rest of the world to gradually bring the perennial core conflict to an end.

The challenges and difficulties of peace-making in a democratic setting highlight a paradox: on the one hand, the generalization that established democracies do not conduct wars against each other still holds. On the other hand, it seems that only strong (and perhaps even authoritarian) rulers are better equipped to achieve peace. More often than not, Israeli politicians have checked public opinion toward a return of all occupied territories -- or mutually agreed swaps -- without taking the lead. Weaker leaders often check public opinion and do not understand the difference between the question addressed to the individual Israeli countrymen "Are you ready to make peace, by withdrawing from the territories?" from the question "Would you support an negotiated agreement signed

⁴¹ Shai Feldman and Khalil Shikaki, "Policy Options: The Obama Administration and the Palestinian-Israeli Conflict", *Middle East Briefing*, Brandeis University, Crown Center for Middle East Studies, December 2008, no. 32.

by your government”? Likewise, individual Palestinian refugees, if asked to renounce the right of return, would answer more negatively than if they are provided “second best” options of resettlement elsewhere and compensation.

The corruptive nature of occupation stresses the importance of integrating human rights principles into the peace process, which guarantee more fair and sustained solutions rather than imposed fragile results. Absolute justice cannot be created, but it is important that a minimal sense of recognition of each other’s needs guarantees a sustained solution. Increasingly, driven by electoral objectives of personal gain, politicians have rarely engaged in peace and justice initiatives. In Israel, rather than confronting the settlers and the political forces behind them, many political leaders have deferred any decisive policy of withdrawal from the occupied territories, and ignored the long-term consequences of the transformation of their country into a bi-national state. On the Palestinian side, survival seems to be the prevailing preoccupation of the leadership. At this stage, it seems impossible that the recognition of the intrinsic relationship between peace and justice for both sides will come from a top-down initiative. Still, while the relative strength of forces provides one side with the ability to win a battle, it will never provide the ability to dictate a stable peace. Violence against civilian targets must be condemned, whether it is suicide bombing, targeted assassination, the firing of rockets, or the disproportional collateral damage of severe bombings, as a crime against humanity and a major obstacle to the peace process. By formulating claims of accepted universal principles, we can strengthen the possibility of achieving a higher level of legitimacy internationally and, hopefully, within each society as well. The acceptance of the humanity and dignity of the “other,” even at the declaratory level, can set up a more conducive atmosphere to more successful negotiations.⁴²

Obama’s appointed negotiator George Mitchell’s axiom that “there is no such thing as a conflict that can not be ended” -- with the caveat that if man-made, then it also depends on people to resolve it -- is indeed correct. Mitchell’s 2001 report, while calling for an immediate freeze on Jewish settlement expansion and a halt to suicide bombings, concluded that the long-run resolution of the Israeli-Palestinian conflict cannot materialize without achieving security and justice for both sides. Respect for human rights to all is the best guarantee for a lasting peace. Although it may be difficult for struggling democracies to make peace, once an agreement is achieved, the best insurance policy for a sustained peace is establishing democracies on both sides.

⁴² Mohammed Abu-Nimer and Edy Kaufman, *op. cit.*, p. 294.

Chapter Five

Mohammad Yaghi

The Oslo Accords:

The Text, the Intentions, and the Question
of Peace

5. The Oslo Accords: The Text, The Intentions, and the Question of Peace

Introduction

The Palestine Liberation Organization (PLO) and Israel signed the Oslo Accords in 1993 to satisfy short-term objectives. Yasser Arafat, the PLO's chief executive, endorsed the agreement because he wanted to end the PLO's isolation and remain personally relevant. He was also driven by fear of the rising new Palestinian leadership in the occupied territories. Israeli Prime Minister Yitzhak Rabin signed the accord to end the intifada, bypass the Palestinian delegation in Washington, and free Israel from the heavy cost of direct occupation of Palestinian land.

Once both parties achieved their short-term goals, the PLO and Israel resorted to their initial positions; the PLO demanded a Palestinian state over all territory occupied since 1967, and Israel continued to claim parts of that land. The history prior to the signing of the Oslo Accords shows how long and how badly Arafat wanted U.S. and Israeli recognition, yet in the end, he was denied it. Oslo was Arafat's opportunity to achieve his long sought international recognition, but it came at the expense of the Palestinians' right of self determination.

Contrary to conventional wisdom, the Oslo Accords were not based on the idea of building confidence between Palestinians and Israelis to make progress on the peace process. The Oslo Accords were undeniably in favour of Israel because they made Palestinian land disputed, and only further Palestinian compromises could create the necessary breakthrough to end the conflict. The PLO, however, had no intention of making further concessions to Israel beyond its initial acceptance of Israel on 78 percent of historic Palestine. Despite the critical roles of Hamas and Benjamin Netanyahu's government in sabotaging the peace process, the initial intentions of the PLO and Israel's Labor Party were the main reasons for the Oslo Accord's failure.

Since 1993, much has happened: the Palestinians have divided, Syria and Iran have become major players in the conflict, and the issues of Jerusalem, refugees, and security have regional dimensions that make the Oslo paradigm irrelevant.

5.1. History Matters

Yasser Arafat endeavoured to secure a seat in the peace process in 1973, when the United States and the former Soviet Union held the Geneva peace conference following the October 1973 war. At the time, the PLO had four obstacles in regard to the peace process. First, there was consensus among Israeli parties to deny the Palestinians the right of self-determination. Second, Israel and the United States considered the PLO a terrorist organization that had no place in the peace talks. Third, there was no room in the PLO's political program for negotiation; its goals were to liberate all of Palestine and ensure the refugees' right of return. Fourth, negotiation with Israel was taboo in the Arab world, especially after the Arab summit in Khartoum following the six-day war of 1967.¹

Over the years, Arafat tried to overcome these obstacles. In 1974, the PLO made the first change in its political program by introducing the notion of establishing a Palestinian Authority (PA) on any liberated land.² In 1977, the Palestinian National Council (PNC) legitimized communications with "Jewish powers in accordance with Palestinian interests." As a result, the PLO asked a number of its representatives to reach out to Israelis who favoured peace with the Palestinians. During this period, six PLO representatives involved in these secret talks were assassinated. Israel, however, had no intention of recognizing the PLO. Menachem Begin, Israel's prime minister, was quoted that even if the PLO accepted UN Security Council Resolution 242 and recognized Israel's right to exist, he would never negotiate with the organization.

In the eighties, the PLO became preoccupied with its own survival. Expelled from Lebanon following the Israeli invasion in June 1982, Arafat sent two public signals of his willingness to pursue a peaceful solution with Israel. In 1983, he broke with Syria and allied with Egypt, which at the time was isolated by the Arab states following Anwar Sadat's visit to Israel in 1977. And in 1985, Arafat signed the Amman Agreement with Jordan's King Hussein, giving Jordan the power to negotiate with Israel on the Palestinians' behalf. Despite Arafat's willingness, Israel showed little interest.

The first intifada of December 1987 came with great promise and fear for the PLO. On the one hand, the intifada revived the Palestinian question. Images of Palestinian children resisting the occupation bolstered world sympathy for the Palestinians, motivated the Arab support, and raised

¹ Following the Six Day War, Arab leaders at the September 1967 Khartoum Summit declared three «no's»: no peace with Israel, no recognition of Israel, and no reconciliation with Israel.

² In June 1974, the Palestinian National Council approved the Ten Point Program, which called for the establishment of a national authority over any piece of Palestinian land.

the cost of Israel's occupation. Jordan's strategic decision to disengage from the West Bank in 1988 boosted the Palestinian endeavour for self-determination. And the continuation of the intifada increased the voices in Israel to end the occupation. In the end, Israel's policy of collective punishment and mass arrest to end the popular movement proved futile.

On the other hand, the PLO was preoccupied with fear. For the first time, a new Palestinian leadership from the occupied territories became known to the world. The media started to focus on leaders like Faisal Husseini, Sari Nusseibeh, and Hanan Ashrawi. Despite the fact that the Fatah Central Committee (FCC) and the Fatah Revolution Council (FRC) were completely formed by the Palestinian diaspora, Arafat felt threatened and decided to approve the monthly statements of the Palestinian Unified Leadership from Tunis to claim full control on the intifada.

Hamas also caused tremendous tension for Arafat. From the outset, Hamas preferred to work alone, and composed a parallel leadership during the intifada. Hamas's popularity increased rapidly since its leadership lived, unlike Fatah's, in the Palestinian territories, and already had a well established social service network. For the first time since its inception in 1965, Fatah was facing a strong competitor that did not accept its Palestinian leadership.

The intifada, however, eased the change of the PLO's political program. Based on a letter from the Unified Palestinian Leadership, the PNC held its 19th conference in Algeria in 1988 and officially accepted the principle of the two-state solution.³

In December 1988, Arafat sent a secret letter to the U.S. administration through the Swedish government, declaring that the PLO was prepared to negotiate a comprehensive peace settlement with Israel within the international framework based on UN Resolutions 242 and 338.⁴ George Shultz, then U.S. secretary of state, allowed for dialogue with the PLO, but insisted that this was a step toward direct negotiations with Israel.⁵ Israel, however, had other plans. In January 1989, Israeli Prime Minister Yitzhak Rabin called upon the Palestinians to terminate the intifada, and promised to allow residents of the West Bank and Gaza to elect their own representatives to negotiate with Israel and administer daily life.⁶

Talks between the United States (represented by U.S. ambassador to Tunis Robert Pelletreau) and the PLO remained at low level until they

³ Mamdouh Nofal, *The Night the President Elected* (Ramallah: Dar Al Shurouq for Publishing and Distribution, 2005), p.15.

⁴ William B. Quandt, *Peace Process: American Diplomacy and the Arab-Israeli Conflict* (California: The Brookings Institute and the University of California Press, 1993), p.492.

⁵ *Ibid.*, p. 494.

⁶ Mark Tessler, *A History Of The Israeli-Palestinian Conflict* (Indiana: Indiana University Press, 1994), p.728.

were severed in June 1990, when the Palestinian Liberation Front, a group within the PLO, attempted a raid on Israel. Two months later, Arafat sided with Iraqi president Saddam Hussein during his invasion of Kuwait. He calculated that Saddam would be willing to pull out of Kuwait if Israel withdrew from the Palestinian occupied territories.

Believing it was time to reward the moderate Arab camp that joined the U.S. coalition against Iraq, Washington convened the Madrid Peace Conference in 1991. The PLO, however, was denied the right to represent the Palestinians at the conference. Israel insisted that the Palestinians be represented by the Jordanian delegation, and refused any Palestinian participation from the diaspora or from East Jerusalem.

At that time, the PLO was living in almost complete regional and international isolation. Because of Arafat's position during the Gulf War, the Arab Gulf states stopped their financial assistance to the PLO, refused to receive Arafat, and Kuwait expelled almost 400,000 Palestinians to Jordan. In addition, the Gulf countries started to financially and politically support Hamas because it was against the occupation of Kuwait.

Events soon proved that the Palestinian delegation at the Madrid Conference was unable to make decisions without PLO direction. On several occasions, Arafat ordered the delegation to come to Tunis and return to Washington only to show how much it was dependent on PLO and Arafat. Moreover, he ordered the delegation to take a hard-line stance in the negotiations when the United States was offering practical proposals to advance the Palestinian track.

For its part, Israel under Rabin's leadership became convinced of the difficulty to reach an agreement with the Palestinian delegation in Washington. The delegation insisted on a timetable for the Israeli withdrawal from the West Bank, Gaza, and eastern Jerusalem, the freeze on Israeli settlements, and the Palestinian jurisdiction over existing ones. The Palestinian team was also resolute on statehood being the acknowledged outcome of the negotiations, and on U.S. guarantees for any agreement with Israel. On the ground, the rise of Hamas's military power, the continuation of the intifada, and the increased cost of the occupation were the main Israeli concerns.

It was against this backdrop that the secret negotiations between Israel and PLO started in Oslo in early 1993, and concluded in August the same year. Arafat wanted to be relevant, needed recognition from Israel and the United States, and sought an end to the PLO's isolation, while Israel wanted to end the intifada, weaken Hamas, rid itself of the heavy financial, military, and moral cost of its occupation, and overcome the Palestinian delegation's rigid position.

5.2. A Conflicting Text

Experts used to say that the Oslo Accords were centered on building confidence between the parties to encourage progress on the conflict's core issues, namely borders, Jerusalem, settlements, refugees, and security. This argument began after the failure of the Camp David Summit in July 2000 and the eruption of the second intifada to explain what went wrong between Israel and the PLO.

But the reality is different. The Oslo Accords were established in a rush and in secrecy to satisfy the urgent needs of Israel and the PLO.⁷ This explains how a hundred-year-old conflict could be resolved over a seven-hour long phone call conversation,⁸ without third party mediation,⁹ and without the presence of legal advisors to review the documents.¹⁰

For the PLO, Oslo was the end of its isolation and a full return to the political theatre. With that achieved, the PLO wanted to consider the next steps toward self-determination. For Israel, Oslo marked the end of the first intifada, a release from the Madrid peace process, and the liberation from responsibility for Palestinians in the occupied territory. What was next for Israel depended on the Oslo text, but that was the key problem for the Palestinians:

1. The word "withdrawal" was mentioned only when it referred to Gaza and Jericho, while the word "redeployment" was used in reference to the West Bank.
2. There was no reference to the freezing of Israeli settlement activities in the West Bank and Jerusalem.
3. Establishing the Palestinian right of self-determination was not mentioned as the end game of the conflict. Instead, negotiation would lead "to a permanent settlement based on UN Security Council Resolutions 242 and 338."¹¹ The principle of land for peace, one of the Madrid Peace Conference's principles, disappeared from the text.
4. There was no definition to Jerusalem's borders.

⁷ The Oslo Accords came as a surprise to the United States and many Arab states. Dennis Ross, the U.S. envoy to Middle East peace process, recounts in his book *The Missing Peace* that he had to convince Warren Christopher, the U.S. secretary of state, to back the Oslo Accords when got informed about it from Peres in late August 1993. Mahmoud Abbas also recounts in his book *Road to Oslo* that only Egypt and Tunis knew about the secret channel in Oslo.

⁸ The Oslo Accords were finalized during a seven-hour long phone call between Mahmoud Abbas in Tunis and Shimon Peres in Stockholm.

⁹ The Norwegian role was logistical only.

¹⁰ The Oslo Accords were reviewed only by Taher Shash, an Egyptian legal advisor, the night before they were signed in initial letters in Oslo.

¹¹ The Declaration Of Principles, Article no.1.

5. There was no arbitration if the parties disagreed or failed to reach an agreement about the final status issues.
6. There was no mechanism or guarantees for implementation
7. The letters of recognition between the PLO and Israel made the PLO responsible for the security of Israeli soldiers and settlers.¹²

In short, the PLO's acceptance of the Oslo Accords turned the occupied land since 1967 into disputed territory. As such, only a compromise that was acceptable to Israel could ensure progress in the peace process. But in the hearts and minds of the Palestinians, that compromise had already occurred when they accepted to give up 78 percent of historic Palestine to Israel. That is why Arafat never explained the logic of Oslo to the Palestinians, since he believed they were entitled to all of the West Bank, East Jerusalem, and the Gaza Strip.

The text of the Oslo Accords forced the PLO to become dependent on Israel's good intentions. But unbound on the issues of settlements, territories, and the peace process, Israel was free to erect as many settlements as it wanted, to isolate Jerusalem, and to determine the size of "redeployment." Furthermore, it gave Israel the right to weigh Palestinian sovereignty and independence against its own security and interests.

Earlier than expected, the PLO and Israel disagreed on a broad range of issues. On the day of signing the agreement at the White House, the PLO found that the Declaration of Principles carried the name of "the Jordanian-Palestinian delegation" rather than the PLO. The signing ceremony was delayed until Israel and the PLO agreed on the modification.¹³

Afterwards, there was discord over the extent of withdrawal from Jericho. In the text, the area of Jericho was not defined. "Jericho" could be the city (17 square km), the region (68 Square Km), or the district (170 square km). Israel chose to withdraw from 27 square km, but the PLO insisted on withdrawal from the entire district. Rabin agreed to withdrawal from 55 square km, but failed to get government approval. The disagreement over Jericho was the reason for the diplomatic scandal in Cairo on May 4, 1994. With the entire world watching the signing ceremony of the agreement on the autonomy of Gaza and Jericho, Arafat refused to sign the Jericho map, causing tremendous distress to Egyptian president Hosni Mubarak, who since then became "reluctant to play a guiding or forward-leaning role in a negotiation."¹⁴

¹² In his letter of recognition of Israel, Yasser Arafat committed the PLO to "assume responsibility over all PLO elements and personnel in order to assure their compliance, prevent violations, and discipline violators." September 9, 1993.

¹³ Interview with Mahmoud Abbas, «Abbas reveals the details of Secret Negotiations in Oslo and Camp David,» *al-Hayat al-Jadidah*, June 3, 2008.

¹⁴ Dennis Ross, *The Missing Peace: The Inside Story of the Fight for Middle East Peace* (New York: Farrar, Straus and Giroux, 2004), p.136.

The two sides also disputed over the Jericho Crossing. Arafat wanted sovereignty over the arrival terminal. He wanted the Palestinian flag erected at the beginning of the crossing, and the arrivals to be received by Palestinian employees without the presence of Israeli security. But Israel insisted that the crossing was a security matter surmounting all other considerations. Consequently, the crossing procedure became complicated for the Palestinians since they had to be double-checked by the PA to show symbolic sovereignty, and then by the Israeli security intelligence who had the real control.

The Palestinian legislative election in Jerusalem was another point of disagreement. The number of balloting centers was limited to five post offices that could only receive 5,367 voters each on election day.¹⁵ The Carter Center for Peace, which monitored the first Palestinian election, reported that Israeli soldiers videotaped Palestinian participants in the election, spreading fears that Israel would revoke their Jerusalem identity cards, thus prohibiting them from living and working in the city. As a result, out of 120,000 registered voters, only a few thousand participated. Moreover, Israel insisted that the ballot boxes look like mailboxes to force voters to insert their ballots horizontally, rather than vertically as is the usual election method. Israel did not want any false message of who was ruling Jerusalem.¹⁶

The Interim Agreement of September 1995 (Oslo II) made the West Bank an impossible maze of intertwining Palestinian and Israeli territory. Except for East Jerusalem, which was fully controlled by Israel, the occupied territories became divided into three zones (A, B and C). In zone A, there would be complete Palestinian control. In zone B, there would be Palestinian control of civil matters, while Israel retained control over security issues. In zone C, Israel would have control over both civil and security matters, but there would be a gradual transfer based on six-month intervals. Zone C included uninhabited areas, settlements, bypass roads, and military zones. The agreement, however, did not mention the percentage of territory that Israel would transfer to the PA in each phase, and did not state how much territory would be transferred to the PA by the end of the interim agreement. The agreement included a safe passage between Gaza and the West Bank, but granted Israel the right to close it at anytime for security reasons.

The new accord granted Israel the right to withdrawal from crowded Palestinian towns and cities, while retaining most of the land. When the

¹⁵ The Palestinian Central Election Committee. Available online (<http://www.elections.ps/atemplate.aspx?id=15>).

¹⁶ Jimmy Carter, *Palestine: Peace Not Apartheid* (New York: Simon & Schuster, Limited, 2007), p.144.

Camp David negotiations started, the PA had only complete control over 19 percent of the West Bank. Although Arafat's interpretation of the Interim Agreement was that the Palestinians would have control over 90 percent of the West Bank by May 1999, Israel never had such ideas in mind. From Israel's point of view, "the interim agreement required the Israelis to turn over a minimum of 51 percent of the West Bank by the time further redeployment was completed."¹⁷

In addition, contrary to the logic that it was in Israel's interest to leave civil matters to the PA, Israel in the interim accord maintained control over Palestinian movement, travel, economy, export, import, finance, water, energy, transportation, communication, labor, and welfare issues. Israel's control of Palestinian life accompanied the "VIP system," which sponsored and nourished corruption in the PA.

The interim agreement did not give the Palestinians the sentiment of self-autonomy; instead, they felt the PA was merely an agent safeguarding Israel's security, producing disdain and hostile emotions toward the PA.

5.3. Hamas and Netanyahu Factors

The future of the Oslo Accords was not only challenged by the agreement's deficient text, but also by Palestinian and Israeli extremists vowed to terminate it. Oslo came at a time of increased popularity for Hamas. In December 1992, Israel deported 415 of the group's political and religious leaders to southern Lebanon after an Israeli soldier was kidnapped and executed. Hamas got the attention of the Palestinians, the Arabs, and the world. The UN Security Council issued Resolution 799, demanding the deportees' immediate return. Some Hamas members were convinced that Fatah had made peace with Israel primarily in order to undermine their movement.¹⁸

In February 1994, Baruch Goldstein, an extremist Israeli settler from Kiryat Arba, Hebron, killed twenty-nine Palestinians and injured a hundred in al-Masjed al-Ibrahimi (Abraham's Temple), while they were performing dawn prayers. Instead of evacuating the 400 settlers out of Hebron, Israel ordered its forces to fire on the Palestinians who were demonstrating after the terrible event, and twelve more Palestinians were killed.¹⁹

¹⁷ Ross, p. 363.

¹⁸ Azzam Tamimi, *Hamas Unwritten Chapters* (London: Hurst and Company, 2007), p.193.

¹⁹ BBC News, "Jewish settler kills 30 at holy site," February 25, 1994. Available online (http://news.bbc.co.uk/onthisday/hi/dates/stories/february/25/newsid_4167000/4167929.stm).

Hamas used the incident to launch a series of suicide attacks against Israel. Between April and November 1994, the al-Qassam Brigades, Hamas's military wing, claimed responsibility for attacks in Afula, Hadera, Tel Aviv, and Gaza's settlement of Netzarim, killing forty and injuring tens. In October the same year, Hamas kidnapped an Israeli soldier and requested a prisoner exchange, and the soldier and the kidnappers were killed in a failed Israeli operation. Despite the fact that PA security forces arrested 200 Hamas activists and provided Israel with information about the soldier's whereabouts (Bir Nabala, a town Israel considers part of Jerusalem), the incident increased tensions between Israel and the PA. Rabin was quoted telling Warren Christopher that "Arafat must choose between making peace with Israel or making peace with Hamas."²⁰

Although Palestinian security forces did not want to be seen as an Israeli puppet, the PA responded by arresting hundreds of Hamas leaders and activists in Gaza. On November 18, 1994, the Palestinian Security Services clashed with thousands of Hamas demonstrators outside the Filastin Mosque in Gaza, killed 13 and wounded about 200.²¹

Between a rock and a hard place, Arafat tried to convince Hamas leaders to stop their attacks and to participate in the first legislative and presidential elections. The PA coordinated with Israel to allow certain Hamas members to leave the West Bank and Gaza Strip to meet their leaders abroad to discuss participation in the election. But Hamas officials refused Arafat's proposal, and considered the elections "a product of the Oslo Agreement, which in turn is a Zionist project."²²

Extremists on both sides helped Benjamin Netanyahu become Israel's next prime minister. Yigal Amir, a law student at Bar-Ilan University and a right-wing radical, assassinated Yitzhak Rabin at a peace rally in Tel Aviv on November 4, 1995. Shimon Peres, Rabin's successor for six months, was preoccupied with building his own image as a strong leader. Once he got information about the Gaza hideout of Yahya Ayyash, the mastermind of a suicide bombing in Israel, he ordered his assassination instead of coordinating with the PA to arrest him. Hamas replied with a series of suicide attacks in February and March, killing sixty-one Israelis in Jerusalem, Ashqelon, and Tel Aviv. Moreover, Peres' April 1996 Operation Grapes of Wrath against Hezbollah ended with the bombing of a UN refugee safe haven in Qana for Lebanese who fled the war, killing 106 and injuring 116. As a result, Israeli Arabs did not back Peres in the next election, despite PA efforts otherwise.

²⁰ *Newsweek*, "A Bloody Prize," October 24, 1994. Available online (<http://www.newsweek.com/id/108603/page/1>).

²¹ Gal Luft, «Palestinian Military Performance and the 2000 Intifada,» *Middle East Review of International Affairs*, vol. 4, no. 4, December 2000.

²² Tamimi, p. 193.

Netanyahu's catchphrase during the June 1996 election campaign was that the Oslo Accords brought terrorism to Israel, showing his determination to abrogate the agreement. Moreover, his ad campaign showed Arafat's picture superimposed on images of exploded buses and pools of blood.

Three months after his election, Netanyahu opened an archaeological tunnel beneath al-Haram al-Sharif, the Temple Mount, igniting the first military confrontation between Palestinian security forces and Israeli soldiers. Seventy Palestinian soldiers and civilians were killed, and sixteen Israeli soldiers perished.²³

Netanyahu then insisted on renegotiating the Hebron Accord, which was established by Peres in March 1996. The new agreement of 1997 divided the city into two areas: half of the city came under PA authority, and the other half, where more than sixty thousand Palestinians lived, came under Israeli jurisdiction. Israel's military used its power to meet the needs of the settlers, who prevented Palestinian commercial activities, and forced the Palestinians to use different routes to reach their families. In March 1997, Netanyahu announced the construction of a new settlement composed of 3,500 housing units at Jabal Abu Ghneim (Har Homa), creating another crisis with the PA.

Despite the distractions from Netanyahu, the PA maintained its campaign against Hamas. Hundreds of Hamas members were arrested, including leaders such as Mahmoud Zahar, Abdul Aziz Rantisi, and even Sheikh Ahmed Yassin, Hamas' founder, was put under curfew. Nothing, however, moved Netanyahu toward peace; his coalition was composed of far right parties that considered all historic Palestine the land of Israel.

In October 1998, the United States convened the Wye River peace summit between Netanyahu and Arafat. Over eight days of negotiations, Washington pressed Netanyahu to accept the redeployment's second phase, which was due by September 1997. Netanyahu agreed to turn over 13 percent of the West Bank into A and B areas, and to release 750 prisoners. Netanyahu, however, carried out only some of his promises: over half of the released prisoners were civil criminals, and the redeployment took place only from 2 percent of zone C.

Netanyahu and his cabinet ministers viewed the Palestinian leadership as a criminal gang with no dignity or respect. At the Wye River Summit, Ariel Sharon, Israel's foreign minister, told U.S. secretary of state Madeleine Albright that "The Palestinians are a gang of thugs," adding "some of them are murderers."²⁴

²³ Adam Keller, «Netanyahu and the Palestinians,» *New Politics*, vol. 6, no. 2 (new series), Winter 1997.

²⁴ Madeleine Albright, *Madam Secretary* (New York: Miramax books, 2003), p.313.

5.4. Barak's and Arafat's Adventures

By the time Ehud Barak was elected prime minister in June 1999, the interim period had already passed, and not a single meeting was held to discuss the final status issues. Many people were optimistic about Barak since he campaigned in favour of peace and his government included the Meretz peace party. Soon, however, Barak committed three mistakes that made the Palestinians suspicious. First, he ignored the Palestinian track for nine months and focused on peace with Syria, and only when he realised he could not afford the price of peace with Syria, he turned to the Palestinians. Second, at the beginning, Barak refused to continue the second phase of redeployment, insisting that Israel should not give the Palestinians more land before reaching a final agreement. Even when he carried out Israel's obligations in response to American pressure, he refused to commit to the third phase of redeployment, as per the Interim Agreements. Moreover, he broke a promise to Arafat to turn over three villages near Jerusalem to the PA in the second phase of redeployment.²⁵ Finally, Barak insisted to hold a summit in Washington to end the Palestinian conflict, but he rejected any serious preparation for it.

The Camp David Summit was a moment of truth for both sides. Bearing in mind the summit was ill prepared and the parties were seeking solutions to the core issues of the conflict for the first time, Barak's expectations of breakthrough were unrealistically high. Arafat's expectations, on the other hand, were low, and he felt as though he was forced to attend the summit because he did not want to anger the Americans. Arafat sought guarantees from the Americans not to be blamed in case of the summit's failure, and he looked for an implementation to the third phase of redeployment.

Without any serious preparation or communication about the core issues before the summit, Barak did not understand the Palestinian red lines. First, Jerusalem, the old city in particular, for them is the heart of Palestine. To sell a final agreement to the Palestinians, Arabs, and Muslims, the PLO needed to claim that it has returned Jerusalem with its holy places to Palestinian sovereignty. Second, despite where the refugees would exercise their right of return, the Palestinians believed they deserved recognition that Israel was responsible for their plight. And third, the Palestinians considered themselves entitled to 100 percent of the West Bank and the Gaza Strip. Although there might be an exchange of land to overcome the settlements obstacle, the overall outcome had to allow the PA to claim all the land occupied after 1967.

²⁵ It is worth noting that Barak did not initially admit he made such promise to Arafat, but the later insisted he did.

Arafat thought that if Israel was willing to withdraw from all the occupied lands in Egypt, Jordan, and Lebanon, then it should be willing to do the same with the Palestinians. This however, contradicted the Oslo Accords, which makes the extent of an Israeli withdrawal subject to negotiation.

It is not difficult to understand why the Camp David Summit was doomed to fail. The Oslo Accords proposed a time period of three years to negotiate the final status issues, but the summit wanted to solve them in two weeks. Both parties had little understanding of each other's needs and where the tough decisions were. Worst, both came to the summit while the Interim Agreement was not implemented.

At Camp David, there was no discussion about the principles that would guide the outcome of a possible agreement. Rather, the negotiations proceeded in a kind of market-style back and forth. Barak started by offering 76 percent of the West Bank, and then moved to 92 percent with a 1 percent territorial exchange and full control of the Jordan Valley for 12 years.²⁶ On Jerusalem, Barak went from offering the PLO municipal control of the outer area of Jerusalem to full sovereignty for Palestinians in the Muslim and Christian quarters in the old city, and sovereignty in seven out of nine Arab neighbourhoods. Regarding al-Haram, he proposed custodianship, and on the refugees, he said there would be a satisfactory solution to both sides.²⁷

Blamed by the Americans for rejecting the Israeli offer, the Palestinians presented maps that gave Israel the right to annex only 2 percent of the West Bank. On Jerusalem, the Palestinians remained inflexible; they wanted full sovereignty over the Muslim, Christian, and Armenian quarters, and over the holy sites, except the Wailing Wall. Arafat had no intention of becoming the first Arab and Muslim leader in history to abandon al-Haram. "I can't betray my people. Do you want to come to my funeral? I'd rather die than agree to Israeli sovereignty over al-Haram al-Sharif," Arafat told Clinton.²⁸

In short, the Camp David summit failed because Barak thought the Oslo Accords gave him the right to retain parts of the occupied territories. Although the text of the Oslo Accords made the occupied land contested, Arafat was not going to compromise.

Upon his return from Camp David, Barak campaigned against the Palestinians. He claimed that "we did not succeed because we did not find a partner," adding "we exhausted every possibility to bring an end to the

²⁶ The Jordan Valley comprises 10.5 percent of the West Bank.

²⁷ Ross, p. 689.

²⁸ Charles Enderlin, *Shattered Dreams: The Failure of the Peace Process in the Middle East, 1995-2002* (New York: Other Press, 2003), p. 253.

conflict.” He also threatened, “To our neighbours, the Palestinians, I say today: We do not seek conflict. But if any of you should dare to put us to the test, we shall triumph.”²⁹ Arafat was not going to submit to Barak’s threats, and when the prime minister allowed Sharon to visit al-Haram on September 28, 2000, Arafat inflamed the Palestinians by saying, “to Jerusalem we march, martyrs by the millions.”

When the second intifada erupted, the Palestinian people were desperate. During the Oslo Accords, Israeli settlements increased by 52 percent, and the number of settlers increased by 63 percent. Israel constructed 65,000 new housing units for the settlers, demolished 578 houses in Jerusalem, cut down 83,000 trees, and opened 34 new bypass roads.³⁰

Once the intifada started, Arafat cut off security coordination with Israel, and turned a blind eye to Hamas. As a consequence, he lost control on the intifada, and months later, Fatah would be competing with Hamas in suicide bombings in Israel to preserve its popularity. Perhaps the most serious attempt to resolve the conflict was President Clinton’s proposal during his last month in office, but it came too late. Israeli polls showed Sharon was projected to win the upcoming Israeli elections, and Arafat was unable to stem the fighting. Since the odds were against Arafat, he put twenty-eight reservations on Clinton’s proposal, which was equivalent to a rejection.

Sharon’s election in March 2001 marked the end of the Oslo Accords. Sharon, Arafat’s adversary since the Lebanon War of 1982, engaged in a military campaign to destroy the PA. In March 2002, Sharon reoccupied zone A of the West Bank and surrounded Arafat in his Ramallah compound until his death. Sharon erected a separation barrier largely on Palestinian land, disengaged unilaterally from Gaza in 2005 despite the PA’s commitment to the Road Map, and considered the new Palestinian president Mahmoud Abbas as irrelevant as Arafat. It is clear that Sharon’s strategy was to impose a unilateral solution on the Palestinians without negotiation.

5.5. New Realities Require a New Approach

Had the Palestinians and Israelis, when they signed the Oslo Accords, believed that the endgame would be a product of compromise on the conflict’s final status issues, an agreement would have been concluded and the conflict would have been resolved. But Oslo was a product of an

²⁹ Ehud Barak’s statement on his return from the Camp David Summit, July 26, 2000.

³⁰ *al-Hayat al-Jadida*, March 30, 2003.

impasse for both sides. The PLO wanted to end its isolation, and Israel was looking for a proxy to fight its war against Hamas, end the intifada, and get rid of its day-to-day responsibility to the Palestinians. Once the PLO and Israel got what they wanted from the agreement, both resorted to their initial positions. Israel wanted to annex as much Palestinian land as it could, and the PLO wanted a state on all occupied land.

This explains why Israel continued to build new settlements, expand existing ones, and open new bypass roads. Israel closed PLO offices in Jerusalem, surrounded the city with Jewish settlements, and sealed it off from Palestinians. Israel showed no interest in giving the Palestinians self-autonomy, and forced them to rely more on the Israeli state. Israel was not interested in following the timeline of the agreements; the Interim Agreement was over before the second redeployment ended.

The implementation of the Oslo Accords was subject to Israeli domestic politics; the PLO had to start negotiations from scratch with every new Israeli government, and had to adapt to the temper and concerns of every new Israeli leader.

For its part, the PLO never explained the Oslo Accords to its people or prepared them for the necessary concessions. It never told the Palestinians the final settlement would be a compromise on territories, Jerusalem, and the refugees. Despite the Interim Agreement and the letters of recognition, the PLO resorted to violence on several occasions to get concessions from Israel or to alter its unilateral violation of the agreement. The PLO also created a corrupted authority that benefited from the privileges it gained through its relationship with Israel. As a result, the Palestinians did not see Oslo as a step forward to achieve prosperity, but as an investment project for a small group of Palestinians.³¹

For better or for worse, much has changed since the second intifada, making it impossible to return to the Oslo approach in solving the Israeli-Palestinian conflict. For starters, the Palestinians today are divided into two major camps -- Fatah and Hamas -- that dispute who represents the Palestinian people. The PLO under Abbas' leadership has barely been able to preserve itself in the West Bank despite enormous financial support from the international community. The PLO has lost the support of the majority of Palestinians in the West Bank and in the diaspora, and lost Gaza physically.

Hamas, on the other hand, won a landslide victory in the 2006 Palestinian legislative elections, controls Gaza, and enjoys support among Palestinians in the Diaspora. However, it is not represented in the PLO. Hamas relies on armed resistance and terrorism, and states that it would

³¹ In February 2006, the PA prosecutor reported that \$700 million to \$1 billion were wasted either because of theft or non-performance.

be willing to reach a long-term truce with Israel in place of a peace treaty that ends the conflict. Because Fatah and Hamas diverge on strategy and tactics, the contention among them will continue; even if they reach an accord, it will not last until one of them gains hegemony over Palestinian politics.

Adding to this picture is Israel's continued construction of new settlements and expansion of older ones in the West Bank, and its separation barrier largely inside the presumed borders of the future Palestinian state. Israel also empowers the radicals by imposing its economic siege on Gaza.

Moreover, Israel has made progress on security issues a precondition for compromise over permanent status issues. The contradiction between security and occupation, internecine fighting, and eight years of violence between Israelis and Palestinians make it nearly impossible for the PLO to fulfill this condition. Israel has tried this approach since the second intifada and it has not achieved any results.

Over the years, the conflict with Israel has also become tied to regional developments. The rise of Iranian power in the Middle East and Syria's effort to restore its occupied land from Israel have made Hamas and Hezbollah important players in the bigger regional game. It would be almost impossible today to achieve progress in the peace process without a kind of agreement with Iran and Syria. Therefore, the assumption on which Oslo Accords was based -- that bilateral negotiations between the PLO and Israel would lead to peace -- has become invalid. Indeed, the days when the PLO could claim to represent all Palestinians are over. It lacks both the mandate to sign an accord with Israel and the capacity to implement one.

Taking these realities into consideration, reaching peace requires establishing a new paradigm for negotiations, one in which the Arab countries together would negotiate with Israel to solve the Palestinian question as part of the wider conflict between Israel on one side, and Syria, Lebanon, and the Palestinians on the other. This would guarantee that any agreement would be comprehensive, durable, and viable with the support of key actors. Arab countries have vital interests in resolving the conflict with Israel. Iran's increased influence in the Middle East and the rising power of Hamas in Palestine and Hezbollah in Lebanon have made Arab leaders more vulnerable to domestic pressure from Islamic movements that use the conflict to advance their political ambitions.

Under this new approach, Arab countries would substitute for the weak and divided Palestinians. They would bargain collectively with Israel through the Arab League to reach a solution that includes security arrangements for all parties. An agreement on Jerusalem and refugees with all Arab states would be stronger and more durable than one reached

with just the Palestinians because of the regional dimensions of the two issues. Such an accord would put Hamas and Hezbollah on the defensive; their choices would be to torpedo the agreement and confront all Arab countries (including their allies), or live with it and transform themselves into political parties.

For its part, Israel would reap several benefits. It would obtain security arrangements that build confidence and normalization with all Arab countries. Moreover, there is no reason to assume that Israel cannot benefit from border modifications and an exchange of territories in the new negotiation approach.

Perhaps the most serious obstacle would be getting the Palestinians to sacrifice their independence and accept an Arab League trusteeship. The League, however, could reassure the Palestinians that they would have their self-determination once an agreement with Israel is achieved.

Chapter Six

Faten Ghosn

Israel and Lebanon:
A Precarious Relationship

6. Israeli and Lebanon: A Precarious Relationship

Introduction

Although Lebanon participated only in the first Arab-Israeli war in 1948, many perceive this country as a thorn in Israel's side. While Egypt and Israel were negotiating at Camp David, Lebanese, Palestinian, and other Arab guerrilla forces were launching attacks from southern Lebanon, leading Israel to invade Lebanon to set up a security zone. Thirty years later, Israel still occupies parts of Lebanon, and the attacks, while fewer, have not ceased. Despite this aggravated history, Israeli-Lebanese relations have not been static. In fact, Israel and Lebanon have had both direct and indirect negotiations, and have also signed an "understanding" which outlines the actions that can be taken by both sides within the conflict. And in 2008, Lebanon became the first neighboring Arab state to close its prisoner file with Israel.

The purpose of this four-part chapter is to critically assess the relationship between Israel and Lebanon, offer lessons learned, and provide recommendations for the future. The first section outlines the negotiations between Israel and Lebanon during the 1980s after the Israeli invasion of Lebanon, as well as the negotiations in Madrid and Washington. The second section addresses the impediments to a negotiated agreement between the two countries and focuses on the root causes for the failure to achieve peace. In particular, the chapter describes how Lebanon has never been perceived as a true partner for peace, as well as how past efforts have neglected Syria's influence on any agreement between Lebanon and Israel. The third section examines the future of the two countries by focusing on the necessary and sufficient conditions for a peace agreement. The conclusion provides some lessons learnt.

6.1. Peace Process?

Unlike Israel's attempts with Syria and Jordan, negotiations between Israel and Lebanon have been few and sporadic. The first official negotiations between Israel and Lebanon began after the Israeli invasion of Lebanon in 1982. Following the assassination of Lebanese president Bashir Gemayel, his brother Amin was elected president on September 21, 1982. Seventeen days later, a new government was formed with Shafiq al-Wazzan as prime

minister and Dr. Elie Salem as foreign minister. The primary objective of this new government was to get Israel to withdraw completely from Lebanon in accordance with UN Security Council Resolutions 425 and 509 (i.e., immediately and unconditionally).

Lebanon was concerned with the occupation, since Israel was known to create new realities on the ground and then proceed to negotiate from these new facts.¹ However, given that Lebanon was embroiled in a civil war that involved Syrian, Palestinian, and Israeli troops on its soil, Lebanon faced a daunting challenge. Nonetheless, with the United States as intermediary, discussions began to take place between Israel and Lebanon, and in May 1983, negotiating teams signed an accord that came to be known as the May 17th agreement. Although the agreement was doomed from the start, it has several important highlights. The agreement was to bring about the withdrawal of Israeli forces from Lebanon, the termination of the state of war between Israel and Lebanon, and the establishment and implementation of security arrangements.

The underlying spirit of the agreement -- the withdrawal of Israeli troops from Lebanon in general, and the capital Beirut in particular -- was in the best interest of Lebanon, but the details of the arrangement were ambiguous. In order to secure an Israeli withdrawal, the Lebanese government agreed to set up liaison offices, headed by senior government officials, in the respective territories of both countries, giving the agreement a political coloring, which some have argued was a *de facto* step of normalizing ties with Israel. Both sides also agreed to respect the sovereignty and integrity of the other. Implicitly, Lebanon was recognizing Israel's right to exist in what was considered by many Arabs as Palestinian land. In addition, the Lebanese government agreed to limit not only the type of weapons that the Lebanese Armed Forces would have in southern Lebanon, but also the numbers that could be based and stocked in the area. However, nowhere in the agreement is Israel restricted to similar types of limitations in northern Israel. In effect, Israel was asking for "sovereignty-within-sovereignty." Agreeing to such terms clearly signaled that Lebanon was the weaker party, for why would a strong country allow the security details within its boundaries be pre-determined by its neighbor?

Israel and Lebanon entered the negotiations with different outlooks of what the agreement needed to accomplish; Israel wanted a peace treaty, while Lebanon wanted a security arrangement guaranteeing Israeli withdrawal from Lebanese territory. With a peace treaty in hand, Israel was hoping to kill four birds with one stone. First, the treaty provided

¹ Elie Salem, *Violence and Diplomacy in Lebanon: Troubled Years, 1982-1988* (London: I.B. Tauris Publishers, 1995), p. 26.

Israel with a strong assurance to its domestic population that its adventure in Lebanon, while costly, brought higher benefits, such as securing Israel's northern border permanently. Second, the agreement would strike a victory for Israel in Syria's own backyard, making Israel have the upper hand in Lebanon. The Israelis used this leverage to weaken Syria's regional role and its stance on a comprehensive peace agreement between Israel and the Arab world. Under this arrangement, Lebanon would also have to ask Syria to withdraw after Israel withdrew its troops. Third, with the security arrangements and a peace treaty, southern Lebanon could no longer fall in the hands of the Palestinian Liberation Organization (PLO) and be used as a launching pad for attacks against Israel. Finally, Israel would be able to close its chapter with Lebanon.

But when Israel was unable to secure this treaty with Lebanon, and when Syria showed no sign of accepting the agreement let alone withdrawing its forces, Israel had no incentive to fulfill the agreement's promises and forgo its new Lebanese territory. Consequently, Israel immediately sent a letter to the American delegation indicating that it would not begin withdrawing from Lebanon until the Syrians and the Palestinians withdrew first, despite having raised the same issue during the negotiations, which was subsequently rejected by Lebanon.²

Syria also had a role in the agreement's failure. First and foremost, Syrian president Hafez al-Asad refused the agreement outright. When the agreement was signed, he refused to meet with the Lebanese president and foreign minister unless they were willing to abrogate the agreement first. Syria also knew that by digging in, the consensus for the agreement would begin to dwindle. President Gemayel was pressured by the Americans to find new ways to persuade President al-Asad to go along with the agreement. But as time passed, he had no luck, and many Arab states that originally backed the agreement, such as Morocco, began attacking the treaty, saying it was harmful to Lebanon's national interest. The Lebanese opposition, which was a Syrian ally, also mobilized against the agreement. Former President Sulaiman Franjieh, former Prime Minister Rashid Karami, Amal leader Nabih Berri, and the leader of the Progressive Socialist Party Walid Jumblatt formed a National Salvation Front with the objective of derailing the agreement.³ This opposition was accompanied by heavy shelling that led to widespread violence.

If the Lebanese leaders had thought that the agreement was actually going to succeed in getting Israel to withdraw, there may have not been such a staunch resistance. For the Lebanese both for and against the agreement, many believed that the treaty negotiations had been useless

² Salem, *Violence and Diplomacy in Lebanon: Troubled Years, 1982-1988*, p. 92.

³ *Ibid.*, p. 114.

since Israel was not going to withdraw until Syria did first. This sentiment not only dampened the support for the agreement but also raised doubts about whether diplomacy was the best tool to address Israel's belligerency. In fact, the failure of the May 17th agreement led to the rise of the policy of liberating Lebanon (i.e., getting Israel to withdraw from Lebanese territory) through struggle and resistance. While this policy had begun before 1983, mainly through suicide attacks by members of the Communist Party and the Syrian Socialist Nationalist Party, it was later adopted and developed by Hezbollah, a party that was non-existent before the Israeli invasion and occupation of southern Lebanon.

Therefore, the downfall of the May 17th agreement came about by fears and concerns from both Israel and Syria, and the lack of a true national consensus in war-torn Lebanon. These same issues would also cloud the next series of negotiations between Israel and Lebanon at the Madrid conference.

From the first day, negotiations began with each side's starkly different idea of what the negotiations parameters were; Israel was negotiating for a peace treaty, while Lebanon was negotiating for the implementation of UN Resolutions 425 and 509. Purely on this basis, the negotiations were expected to resemble the process of the May 17th agreement. Throughout the twenty-two months of negotiations, Israel attempted to link Syria's withdrawal from Lebanon with its own. In addition, Israel wanted Lebanon to accept that its presence in southern Lebanon was not an "occupation," thereby admitting that Hezbollah was a terrorist organization and not a resistance. Israel's tactics were interesting because their objectives were not obvious. Did Israel's negotiating team believe that the Lebanese negotiating team -- and more importantly the Lebanese government -- was going to sign on to this? Or was this a stalling tactic?

The Madrid negotiations between Israel and Lebanon were different than the other tracks. First, it revolved around Resolution 242, which called for the exchange of "land for peace" between Israel and the Arabs (mainly Jordan, Syria, and the Palestinians). Since Lebanon was not involved in the 1967 war, this resolution was not relevant. Only Resolutions 425 and 509, which called for the immediate and unconditional withdrawal of Israel, affected Lebanese interests. Second, since there were no Israeli settlements in Lebanon, the two parties had more flexibility in their negotiations. However, when the negotiations between Israel and Lebanon began, Lebanon had just exited a fifteen-year civil war with an imposed solution. A byproduct of the agreement ensured that Lebanon was placed under Syrian tutelage. Essentially, the domestic agreement "legitimized" the Syrian presence in Lebanon and linked Lebanon's domestic and foreign policy decisions to those of Syria.

As a result, the Lebanese were not as "free" to make their own

decisions during the negotiations as were other Arab states. However, the real shift and linkage of the Lebanese-Syrian negotiation tracks did not occur until the announcement of the Israeli-Palestinian agreement in Oslo. At the beginning of the Madrid conference, Lebanon and Syria received two separate invitations. Lebanon was also able to get the United States committed to the negotiations and to include Resolution 425 as part of the Madrid conference invitation. But when the Palestinians broke away from the Arab states in an attempt to sign a bilateral treaty with Israel rather than a comprehensive Arab peace treaty, Syria and Lebanon closed ranks and began to coordinate their negotiation tracks. In fact, a committee including the foreign ministers and the heads of the negotiating teams for Lebanon and Syria was set up to coordinate the negotiations. Syria was not going to allow another Arab actor to take actions that would isolate Syria and threatened its interests. This was evident when the first proposal that Lebanon put on the table was eighteen months into the negotiations and drafted in Syria.⁴ As expected, this had a huge impact on the negotiations between Israel and Lebanon. During several occasions, the Israeli negotiating team would ask the Lebanese team if they needed to go into the “other room” to get their opinion or approval from the Syrians. This changed the dynamics of the negotiations, since with little autonomy, Lebanon could not be persuasive since it had no impact or input on the proposals. Therefore, it was difficult to reach any agreement since the progress on the Lebanese track was connected to the progress on the Syrian one. Another negative aspect of coupling tracks was that the weaker party, in this case Lebanon, disappeared from the negotiation scene. This has led many to argue that while Syria handled the diplomatic side of the conflict with Israel, Lebanon was paying the heavier price by dealing with the violent struggle on the ground.⁵ The linkage of the processes, therefore, had turned into a linkage of destinies.

⁴ Jurj Bakasini, *al-Jawl'at al-d'a'i'ah : qissat al-muf'awad'at al-Lubn'an'iyah-al-Isr'a'il'iyah min Madr'id ilâ W'ashintun : mah'adir wa-wath'a'iq* (Beirut: al-Tawz'i', al-Fur'at lil-Nashr wa-al-Tawz'i', 2001), p. 99.

⁵ Sameer Franjeh. “Mafhoum Wihdat al-Mararain Bein Lubnan wa Souria.” *Istiq'âl al-dawlah al-Lubn'an'iyah wa-muf'awad'at al-sal'am al-muhtamalah : a'm' al al-Mu'tamar al-Watan'î f'î 17-18 Tishr'in al-Th'an'î 1999* (Antalya, Lubnan: al-Harakah al-Thaq'af'iyah, 2000) p. 157.

6.2. Impediments to a Negotiated Agreement

Looking back, two main obstacles impacted the peace process between Israel and Lebanon. First, Lebanon was never considered a full partner in the process, but rather a pawn to be taken out of the game when convenient. Second, Syria, a key player in any comprehensive Middle East peace agreement, and especially one for any deal in Lebanon, was left out of the negotiations, which led to the collapse of the peace process.

6.2.1. Lebanon: Not A True Partner

Throughout the negotiations, and particularly in the 1980s, Israel did not view Lebanon “as an equal negotiating partner, but as a subordinate party over which it [had] physical and political control.”⁶ As a result, Israel repeatedly has attempted to enforce a peace treaty on Lebanon in order to remove it from its conflict with Syria and the Palestinians.

During the 1980 negotiations, Israel’s priority was its security concerns on its northern border. It wanted security arrangements that guaranteed the safety of its frontiers, even if they were at the expense of Lebanese sovereignty. Given the sensitive circumstances that Lebanon was in at the time -- a country embroiled in a civil war, and a weak government with shaky and wavering legitimacy -- forcing such an agreement was bound to create further instability in the country. Therefore, it was doomed to fail from the start. Yet, that did not stop Israel from pushing Lebanon into an agreement.

As time passed, Israeli Prime Minister Menachem Begin and defense minister Ariel Sharon were divided over the war in Lebanon; Begin had begun to blame himself for the losses and mistakes while Sharon was getting more aggressive and insistent on more concessions from Lebanon in order to justify his conquest to the Israeli public.⁷ To get Lebanon to accept an agreement, Israel made several attempts at intimidation, including the threat of confessional fighting in the areas controlled by Israel, as well as the partition of the country. In fact, whenever Lebanon took a stand against an Israeli proposal, “maps of future Lebanon”⁸ were presented to the Lebanese officials.

In addition to Israeli influence, the United States pressed Lebanon

⁶ Robert Gromall *Negotiations on Troop Withdrawals From Lebanon: The May 1983 Accord* (Washington D.C.: The Institute for the Study of Diplomacy, 1992), p. 12.

⁷ Salem, *Violence and Diplomacy in Lebanon: Troubled Years, 1982-1988*, p. 72.

⁸ *Ibid.*, p. 49.

throughout the negotiations, reminding it that the country faced an Israeli occupation of not only part of the country but also Beirut if it did not make concessions. The United States believed that all of the parties would be better off with some type of agreement: it would bolster U.S. credibility in the region, and enable the United States to withdraw its marines from Lebanon; the Gemayel government would shore up its legitimacy for getting Israel to withdraw; and Israel would get peace on its northern border.⁹

Despite the failure of the May agreement, the Israeli negotiating team put forth a proposal during the second round of negotiations after Madrid that highly resembled the May 17th agreement, much to the surprise of the Lebanese negotiating team. And once again, Lebanon felt it was not being considered an equal partner in the negotiations. Israel pressed Lebanon to make concessions that went against Lebanese interests and were incapable of being implemented. For example, as mentioned above, Israel wanted Lebanon to accept its presence in southern Lebanon and to denounce Hezbollah as a terrorist organization. When Lebanon refused to accept such concessions, Israel went on the offensive inside Lebanon. After an Israeli military attack on Naameh, the Lebanese negotiating team confronted the Israeli team, maintaining that the force should not be used to get concessions at the negotiating table, and requested that the negotiations be conducted between two equal states.¹⁰

As it were, Israel and Lebanon did not share the same objectives for the negotiations in the 1980s and 1990s. While Israel needed to present its population with a secure peace treaty with its northern neighbor, Lebanon needed a security arrangement that called for the withdrawal of Israeli forces. But forcing one's adversary to sign an unbalanced agreement may not be the best strategy to secure one's objectives; Israel utilized hard bargaining tactics to get Lebanon to sign the May agreement by making Lebanon feel it had no choice, but the resulting document was an "unwise agreement."¹¹ Such agreements are bound to fail since they do not address the legitimate interests of all parties. Moreover, too many concessions from one side, in this instance the Lebanese government, make it difficult for any government to sell such an agreement. In the case of Lebanon, the government cannot afford an agreement that is seen as surrendering authority and sovereignty, particularly if Israel is perceived as dictating the security arrangements. Unlike Israel's other neighbors, Lebanon does

⁹ Gromall *Negotiations on Troop Withdrawals from Lebanon: The May 1983 Accord*, p. 12.

¹⁰ Bakasini, *al-Jawl'at al-d'a'i'ah : qissat al-muf'awad'at al-Lubn'an'iyah-al-Isr'a'il'iyah min Madr'id ila W'ashintun : mah'adir wa-wath'a'iq*, pp. 44-45.

¹¹ Roger Fisher and William Ury, *Getting to Yes: Negotiating Agreements Without Giving In* (New York: Penguin Books, 1981).

not have a strong executive leader that can pressure the population and other political actors into accepting an agreement.

6.2.2. Ignoring Syria

As former U.S. secretary of state Henry Kissinger once said, “You cannot make war in the Middle East without Egypt, and you cannot make peace without Syria.” During the 1980s and the Madrid negotiations, however, Israel pushed Lebanon into signing an agreement while purposefully keeping Syria at bay. Syria retaliated in kind by helping to derail the negotiations in both processes.

After the signing of the Egyptian-Israeli peace agreement, Syria rose quickly to fill Egypt’s vacuum to become the champion of the Arab cause. Therefore, any Lebanese decision that involved Arab issues, particularly in their dealings with Israel, had to go through Syria. So when the negotiations began between Lebanon and Israel, al-Asad was quick to make his position clear. In a message to Gemayel, the Syrian president clearly stated that if Damascus deemed the agreement pro-Israeli and threatening to Syrian interests, Syrian forces would remain in Lebanon until Israel’s upper hand was removed. Therefore, al-Asad’s conditions for supporting an Israeli-Lebanese agreement included “no concessions [from Lebanon], no violations of [Lebanese] sovereignty, and no measures that would threaten Syrian or Arab security.”¹² In other words, al-Asad did not want to be equated with the Israelis and he did not want Syria to be isolated from regional matters.

Lebanon knew that if its agreement with Israel was rejected by Syria, the treaty would have little chance of survival.¹³ Lebanon’s dilemma is that both Israel and Syria are absorbed in a struggle for regional hegemony, often asking Lebanon to carry out impossible demands. In reality, Lebanon has no freedom of choice. So when Lebanon gave in and signed the agreement, which required Lebanon to recognize Israel and allow it to dictate Lebanon’s security arrangements, Syria rallied its Lebanese allies and other Arab leaders to reject the agreement.

Both before and after the Madrid conference, Israel lobbied to untangle the peace process with the Arabs in order to negotiate individual bilateral peace agreements. Once again, Israel sought to negotiate a treaty with Lebanon separate from Syria. Israel tried to entice Lebanon away from the remaining Arab states by assuring Lebanon that Israel had no

¹² Salem *Violence and Diplomacy in Lebanon: Turbulent Years, 1982-1988*, p. 76.

¹³ *Ibid.*, p. 55.

ambitions or plans for Lebanese territory or water.¹⁴ Given that Israel had to negotiate over territory and water with its other neighbors, Lebanon seemed as an “easier” track to push forward. Once again, however, Damascus derailed the negotiations when it felt that Syrian domestic and regional interests were being threatened. When the Palestinians carried out secret negotiations that led to the first official Israeli-Palestinian bilateral agreement -- one without a Syrian role -- Damascus felt betrayed by both the Israelis and the Palestinians. First, since the Israelis and Syrians had been making progress in their negotiations, Damascus felt as if the Israelis had prioritized the Palestinian track. To add insult to injury, the Palestinians, Syria’s Arab brethren, whom al-Asad thought he had power and leverage over, negotiated their agreement without his consultation. Consequently, Syria officially coupled its track with Lebanon’s, making it impossible to get an agreement on the Lebanese front without progress with Syria.

Then in 1996, Israel announced that it was opposed to withdrawing from the Golan Heights, but was willing to “discuss an Israeli withdrawal from southern Lebanon with the Lebanese and Syrian authorities, on the basis that [Hezbollah would be dismantled].”¹⁵ This was an Israeli attempt to reach a settlement with Lebanon without first reaching a settlement with Syria or even an overall settlement. Then in 2000, Israel decided to withdraw unilaterally from Lebanon. While this move was relatively popular among Israelis at the time, many Israeli officials have second-guessed the unconditional withdrawal; given the sunk costs of the conflict, one would expect Israel to want something in return. Instead, the withdrawal was perceived by many Lebanese, as well as the Arab street, as a victory for Hezbollah and its allies in Iran and Syria, since Lebanon was able to accomplish what no other Arab country has been able to do: oust Israeli forces without making any concessions. Tensions in the south, however, continued to boil, leading to the outbreak of war in 2006.

¹⁴ Bakasini *al-Jawl'at al-d'a'i'ah : qissat al-muf'awad'at al-Lubn'an'iyah-al-Isr'a'il'iyah min Madr'id ila W'ashintun : mah'adir wa-wath'a'iq.*, p. 34.

¹⁵ Douglas Starkey, *The Limits of American Power: Prosecuting a Middle East Peace* (UK: Edward Elgar Publishing Limited, 2007), p. 96.

6.3. Future Relations: Necessary vs Sufficient Conditions for a Peace Agreement

For future negotiations to be successful between Israel and Lebanon, it is helpful to consider the necessary versus the sufficient conditions that would make a peace treaty possible between these two countries.

Necessary and sufficient conditions refer to relationships between factors and events. For the current analysis, it is pertinent to identify the factors that are sufficient -- both alone and in combination -- for a peace treaty to emerge between Israel and Lebanon. However, while these factors may ensure a peace treaty, they may not be the only factors. As for necessary conditions, these represent the essential factors for successful negotiations. That being said, while these factors are compulsory for a peace agreement, their presence may not be enough to guarantee a treaty.

Beginning with the necessary conditions, two elements are essential for a peace treaty between Israel and Lebanon: security arrangements and border demarcations.

With respect to security arrangements, several issues must be addressed. From the Israeli perspective, Israel needs a guarantee that no attacks will be launched against Israel from Lebanon. To ensure peace in northern Israel, two things must occur: the Lebanese army would need to patrol and secure the south, and Hezbollah's military wing would have to be dismantled. By doing this, the Lebanese Army would be the only institution with weapons and the monopoly to use force. Decisions of war would also be solely in the hands of the Lebanese cabinet.

On the other hand, Lebanon needs guarantees from Israel that it would not violate Lebanese sovereignty, neither to attack groups inside Lebanon, nor to carry out assassinations. To be able to secure such an agreement, Lebanon would need to deal with the question of Hezbollah's armaments. While some argue that Hezbollah has no incentive to lay down its weapons, the government may be able to convince Hezbollah's constituents, and other Lebanese who view Hezbollah as the only actor capable of defending Lebanon, of the central government's ability to defend and protect Lebanon against any aggression. Therefore, while decommissioning Hezbollah is a complicated political challenge,¹⁶ the government needs to provide the Lebanese people with a national defense strategy. This can be accomplished by strengthening the Lebanese army

¹⁶ Paul Salem, "Lebanon: Building on UN Resolution 1701," *US Senate Foreign Relations Committee Hearing*, September 13, 2006.

and possibly by incorporating Hezbollah's weapons and fighters into the army. If the government presents a viable defense strategy and Hezbollah rejects it, this would put Hezbollah's local allies, such as the Free Patriotic Movement (FPM), which is headed by Maronite leader General Michel Aoun, in an embarrassing and awkward position.

Ever since news broke out about Iran's 2003 letter to the United States,¹⁷ which discussed Iran's support for Hezbollah,¹⁸ the Shiite organization has reached out more to local political parties in order to bolster its legitimacy as a Lebanese party and to broaden its support to other sectarian communities. So while an alliance currently exists between the Shiite and Christian communities, Hezbollah, in its Memorandum of Understanding with the FPM, agreed to lay down its weapons once a national defense strategy is established.

Current discussions about a comprehensive, agreed-upon strategy have not been fruitful. There have been particular problems with members of the majority coalition who maintain that Lebanon needs to rely on the international community and international law to defend itself, and that it is too expensive to arm the Lebanese army. While these are legitimate and understandable concerns, they do not constitute a sufficient defense strategy for any country, let alone a country like Lebanon that has experienced over twenty-two years of occupation. The 2006 war also weakened the majority's argument since the UN and its several resolutions were ineffective and unable to stop the bloodshed, as the United States constantly threatened to oppose any resolution that called for a ceasefire until the "time was right." Therefore, at "the core of a viable national-defense strategy for Lebanon is a modern military that could protect the country from external aggression, defend its airspace, secure its waters, and patrol its borders."¹⁹

The second necessary element for a peace treaty is border demarcation. This will only occur if there is a solution to the disputed territories of the Shebaa farms, the town of Ghajjar, the Kferkilla hills, and the Seven villages. Except for the Seven villages, the remaining territories will not be an issue of contention between Israel and Lebanon, since Israel does not lay claim to any of them. The issue of water rights, however, is connected

¹⁷ Gregory Beals, "A missed opportunity with Iran," *Newsday* (February 19, 2006). <http://www.newsday.com/news/nationworld/world/ny-woiran194633735feb19,0,7023960.story>.

¹⁸ Guy Dinmore, "US rejects Iran's offer for talks on nuclear programme," *Financial Times* (July 15, 2003). http://www.lexisnexis.com.ezproxy1.library.arizona.edu/us/Inacademic/results/docview/docview.do?docLinkInd=true&risb=21_T5520933198&format=GNBFI&sort=BOOLEAN&startDocNo=1&resultsUrlKey=29_T5520939501&cisb=22_T5520939500&treeMax=true&treeWidth=0&csi=293847&docNo=4.

¹⁹ Bilal Saab, "Rethinking Hezbollah's Disarmament," *Middle East Policy* Vol. XV, No. 3, Fall 2008, p. 101.

to border demarcation. Since some of these towns have water reservoirs -- and Israel has a water supply deficit -- water right issues may find themselves at the forefront of such negotiations. Nonetheless, in order for a peace treaty to be signed, border demarcation must be included.

The sufficient conditions for a peace treaty between Israel and Lebanon, on the other hand, are related to Israeli-Syrian and Iranian-U.S. relations. If Israel and Syria reached an agreement, Damascus would likely reconfigure its relations with Iran and cut ties with Hezbollah to get the Golan Heights back. Syria would be expected to prevent Iranian weapon shipments to Hezbollah, which would weaken Hezbollah and redefine the Syrian-Hezbollah relationship. In that event, Syria would not allow Lebanon to remain a loose cannon, and would likely pressure Lebanon to sign a peace treaty with Israel.²⁰ In this situation, Hezbollah, which is in both parliament and the cabinet, would face external pressure to negotiate with Israel. Hezbollah, therefore, would either have to enter those negotiations and secure itself a place in a post-peace Lebanon, or face opposition from Syria and the many Lebanese factions that favor such an agreement.²¹

An increased engagement between Iran and the United States could impact the relationship between Iran and Hezbollah, which in turn would impact the relationship between Israel and Lebanon. That is, "if Iran no longer had an interest in a hot war with Israel ... [this] could change Hezbollah's strategic location."²² Several scholars, however, such as Hadi Semati and Kenneth Pollack, have emphasized the change in dynamics between Hezbollah and Iran, with the former rapidly becoming independent from its mentor.²³ They also maintain that while Iran still influences its protégé, it does not have a veto, and sometimes the interests of these two parties do not coincide.²⁴ Yet, if Iran were to lean on Hezbollah to sign a peace treaty, it is likely that many within the Lebanese community would pressure Hezbollah to sign on to an agreement between Lebanon and Israel.

²⁰ Paul Salem, "Syrian/Israeli Peace Talks and Political Deal in Lebanon: Teleconference with Carnegie Experts Marina Ottaway and Paul Salem," May 21, 2008. http://carnegieendowment.org/files/0521_transcript_lebanon_syriaIsrael.pdf.

²¹ Ibid.

²² Robert Grace and Andrew Mandelbaum, "Understanding the Iran-Hezbollah Connection," September 2006. <http://www.usip.org/resources/understanding-iran-hezbollah-connection>.

²³ Ibid.

²⁴ Ibid.

6.4. Conclusions: Lessons Learnt

In 2002, the Arabs, in an unprecedented move, endorsed the Saudi Peace Initiative at the Arab League summit in Beirut, putting forth for the first time in the history of the Arab-Israeli conflict a comprehensive peace offer that would establish normal relations between Israel and all the Arab states in return for Israel's withdrawal from territories occupied after 1967, as well as an agreed solution to the refugee problem and the establishment of a Palestinian state. The offer, however, was met with cold reception from Ariel Sharon, then prime minister of Israel, and a lack of enthusiasm and support from the Bush administration.

With the election of the new U.S. president Barack Obama, who ran on a platform that promised dialogue and openness, the new administration is expected to open a new chapter in U.S.-Middle East policies, therefore providing the peace process a new window of opportunity. Israel has also recently revealed that it is mulling a new non-aggression treaty with Lebanon.²⁵ Therefore, this would be a great opportunity for the Lebanese and Israelis to renew their talks. History, however, often repeats itself, so the parties must reflect on the lessons learnt in order to ensure that future negotiations succeed.

The most important lesson is that Lebanon be treated as a true and full partner for peace. As long as Israel views Lebanon as a pawn in its conflict with Syria and the Palestinians, there is little chance for any peace agreement to survive. The May 17th agreement, along with the Madrid negotiations, reflects this vital aspect of successful negotiations.

The Lebanese also must have a united front. The impact of the internal divisions in Lebanon cannot be denied or underestimated with any negotiations with Israel. One only needs to look back at the events during the 1980s and 1990s to understand how the lack of a coherent strategy impacted Israel's temperament and position. Also, the lack of true sovereignty -- all Lebanese decisions being in Syrian hands, especially through the linking of the negotiation tracks -- weakened Lebanon's bargaining power. As such, Lebanon must have a national defense strategy as well as a comprehensive negotiation agenda in order to be ready when the time comes for it to enter into negotiations with Israel.

Not engaging Syria and leaving it on the sidelines will only ensure that any agreement between Lebanon and Israel will be short-lived. Consequently, a fourth lesson is that Syria must be on board or it will derail any agreement. That said, while Lebanon should not link its destiny

²⁵ Barak Ravid (2008) "Israel Mulling a Non-Aggression Treaty With Lebanon." *Haaretz* October 20, 2008. <http://www.haaretz.com/hasen/spages/1029933.html>.

with that of Syria and make Syria's agenda that of Lebanon, coordination and cooperation between the two may be necessary.

Lebanon's best strategy may be to push for an Arab peace initiative. This way, Syria would be part of the negotiation process but would not dominate Lebanon's agenda. Moreover, without the broader Arab stance on the peace process, it would be easier for Israel to extract concessions from weaker parties, especially when it comes to the Lebanese and the Palestinians. In addition, this would help with Lebanon's major obstacle for a true and lasting peace with Israel: Palestinian refugees.

Lebanon's concerns with Palestinian refugees are different from those of Jordan and Syria. First, the presence of Palestinian refugees in Lebanon is tied to the memory of civil war. Both the Palestinian refugees and the Lebanese have "blood" on their hands, which has complicated their relationship and their future in Lebanon. Second, the peculiarities of Lebanese politics, demographics, and social networks complicate the presence of Palestinian refugees in times of war and peace. Any tilt in the balance of the sectarian structure in Lebanon will lead to another war. As Israel is concerned with remaining a "Jewish" state, Lebanon is also concerned with being a "balanced sectarian" state -- 50 percent Christian and 50 percent Muslim. If Lebanon were to resettle the refugees, the Christian and the Shiites would be concerned that this would tilt the balance not only toward the Muslims in general, but the Sunnis in particular. This is why the Taif Agreement rejected the settlement of the Palestinians in Lebanon. Therefore, the naturalization of the Palestinians is seen as an existentialist threat to Lebanon. Hence, a potential solution needs to be sensitive to the concerns of all the parties involved. For instance, one idea suggests that Palestinian refugees who have married Lebanese women could become naturalized citizens, while the remaining refugees are relocated to the future Palestinian state.

Chapter Seven

Radwan Ziadeh

The Israeli-Syrian Peace Negotiations:
The Track of Lost Opportunities

7. The Israeli-Syrian Peace Negotiations: The Track of Lost Opportunities

Introduction

The announcement that Turkey has brokered indirect talks between Syria and Israel has created a flurry of optimism. The mutually agreed upon announcement, which took an entire year of undeclared negotiations, has been accompanied by significant controversy inside Israel, particularly from observers who consider it an attempt by former Israeli prime minister, Ehud Olmert, to escape the corruption charges being brought against him.

From the outset, Syria's negotiation strategy has been focused primarily on obtaining a complete Israeli withdrawal from the Golan Heights to the 1967 ceasefire line. With this ultimate strategic goal in mind, one can interpret Syria's tactics and concessions on security, water, and normalization. Syrian diplomacy has resorted to "long and short" aims to attain that goal, whether through stirring up southern Lebanon, using the issue of normalization with the rest of the Arab world, or by employing Damascus-based Palestinian groups that oppose the Oslo Accords. At the same time, Syria wants to use its negotiations with Israel to improve relations with the world superpower, the United States.

In an attempt to provide the best prospects of success for Israeli-Syrian negotiations, this research primarily focuses on the lessons learned from the bilateral peace talks between Syria and Israel since the Madrid Peace Conference in 1991 until March 2000. This chapter is divided into three parts. Part I addresses the issue of the peace negotiations relating to the Golan Heights, providing a detailed account of the bilateral negotiations process and the American role in this respect. Part II discusses the deep disagreements over the extent of the Israeli withdrawal, and how Ehud Barak squandered a genuine shot at peace, especially when the world was eager to see him assume office after Benjamin Netanyahu had managed to disrupt the peace process. In part III, the study presents the lessons learned.

7.1. The Madrid Peace Process: Conflict over the Golan Heights

Serious bilateral negotiations over the Golan Heights started between Syria and Israel during the Madrid Peace Conference in 1991. In general, the conference was in line with the Syrian policy that, since 1974, has been based on accepting UN Security Council Resolutions (UNSCR) 242 and 338, and the “Land for Peace” principle. Regional developments during that period, however, worked against Syrian interests since its one-time traditional ally, the Soviet Union, collapsed, and the United States came to dominate the Middle East.

Headed by Muwaffaq al-Allaf, the Syrian delegation sat facing Yossi Ben-Aharon, his Israeli counterpart, described as the toughest hard-liner among Yitzhak Shamir’s aids. Following the opening of the conference, Ben-Aharon stated that he was “pleased that Bush did not mention the ‘territories for peace’ principle in his speech.”¹ While the Syrian position depended on UNSCRs 242 and 338 and the “Land for Peace” principle, Israelis focused on Israel’s right to exist as an inherent condition for the peace process to advance the trust-building procedures. Israel also depended on the claim that it “has already carried out its part of the UNSCR 242 when it handed over Sinai back to Egypt.” Consequently, the gap between the two sides seemed quite deep, and apart from the actual meeting itself, nothing else was accomplished.

7.2. Rabin’s “Deposit”: Withdrawal from the Golan

The Labor Party’s victory in the 1992 Israeli elections was a decisive landmark in the Madrid Process. With Yitzhak Rabin assuming office in Israel, hope for new negotiations was rejuvenated. The sixth round of talks was launched on August 24 only to end on September 24, after concluding fifteen sessions between the Syrian and Israeli delegations.

Sessions during this sixth round of negotiations were held in a “new climate,” using Rabin’s expression.² The new head of the Israeli delegation, Itamar Rabinovich, opened the session stating, “Israel accepts all sections and conditions of UNSCR 242 as a basis for the current peace

¹ *Ha’aretz*, October 31, 1991.

² *Al-Hayat*, (London), August 31, 1992. In a statement to the Israeli Radio, Rabin explained that he is keen on “highlighting the good atmosphere that permeates Washington, particularly with the Syrians”.

talks, and finds it applicable to the peace negotiations with Syria as well.”³ On August 31, 1992, the Syrians took a new step by presenting the Israelis with a six-page document. The paper had been developed in Damascus through consultations with Syrian president Hafez al-Asad, provided that it should be presented when the setting was conducive, particularly on the Israeli side. The document, later came to be known as “The Goals and Principles of the Accord between Syria and Israel,” clearly reveals Syrian flexibility, unlike what the media reported as Syria’s intransigence. By presenting a document identifying specific points of agreement and disagreement, Syria was halfway through the negotiations from a practical point of view. From there, the negotiations should have focused on the details. Although it has never been published,⁴ the Syrian Document included five sections: Palestinian rights, the Lebanese track, the Jordanian track, the comprehensive nature of the solution, and the Syrian track. The document discussed the Syrian-Israeli peace, placing conditionality on achieving such a peace, and considered tangible progress on the other tracks necessary for a “peace accord” between Syria and Israel.

The first session of the seventh round opened with Israel’s mention of the term “withdrawal” for the first time, but without any reference to the range or depth of that withdrawal.⁵ U.S. president Bill Clinton and his Secretary of State Warren Christopher were preoccupied with the Syrian track because it represented a turning point in the peace process; they saw progress on the Syrian-Israeli track as the key to the Arab-Israeli settlement, and the geopolitical realignment of the Middle East. Therefore, this track won a great deal of attention when Rabin visited the United States in March 1993. Clinton expressed his vision when he clearly told Rabin that “peace with Syria is the key to settlement.” However, Rabin saw that maintaining a parallel course between the Palestinian and Syrian tracks was equally important despite a clear advantage of dealing with Syria, where one finds “a powerful leader who is capable of making decisions; however, sealing a deal with Syria involves offering painful concessions, and al-Asad is unwilling to take the leap toward preparing the Israeli public opinion to accept it.”

After being appointed Middle East peace coordinator, Dennis Ross started shuttle visits between Damascus and Tel Aviv.⁶ Al-Asad had de-

³ Itamar Rabinovich, *The Brink of Peace: The Israeli-Syrian Negotiations*, (Princeton, N.J.: Princeton University Press, 1988) p. 57.

⁴ The Syrian and Israeli delegations reached a compromise not to leak the document to the media; see Ambassador Walid al-Moualem, “Beyond the Brink of Peace,” an unpublished article by al-Moualem who later on became the foreign minister.

⁵ Rabinovich, *The Brink of Peace*, p. 76.

⁶ Dennis Ross, *The Missing Peace: The Inside Story of the Fight for the Middle East Peace*, (New York: Farrar and Giroux, 2004) p. 107.

cided to continue with the talks despite the absence of any results.⁷ Ross met with al-Asad in Latakia, Syria, where he informed the Syrian president of the content of Rabin's message, which included an offer to withdraw from the Golan in return for meeting Israeli needs. Al-Asad indicated that it was "a useful message." Ross asked al-Asad to explain what Rabin meant by "needs." The Syrian president responded that "Rabin needs peace." He then offered a formula of "full peace in return for a full withdrawal" in response to Rabin's formula of "the depth of withdrawal would reflect the depth of peace."⁸

By mid-July 1993, Rabin's government launched an unprecedented military escalation against southern Lebanon; the seven-day "Settling the Accounts" offensive was a wide-ranging retaliation for the successive Hezbollah raids in the occupied Lebanese strip that Israel considered its security belt. Against the background of this escalation,⁹ Christopher hurried to the region in an attempt to save the military offensive from ruining the peace process and bringing the region back to an atmosphere of peace. Christopher's visit began in Israel on August 2 with Rabin, and the first chapter of the famous "Rabin Deposit" was about to begin.

Apart from Christopher and Rabin, Rabinovich and Ross attended the meeting as note-takers. While realizing American's desire to achieve progress on the Syrian track more than any other, Rabin said he would rather "start with Syria and Lebanon first, with simultaneous, but limited, progress with the Palestinians." Rabin added that he did not want to "risk making a commitment about the Golan plateau only to find out later on that al-Asad would do his part only after the Palestinians approve it."¹⁰ Addressing Christopher, he wondered, "let us assume that their demands are met; will Syria be willing to sign a peace deal with Israel based on the hypothetical assumption that its demand for full withdrawal will be met? Will they be willing to have a real peace that includes open borders and diplomatic ties? We offer tangible things; as in the Egyptian case, there are elements of peace that we should obtain prior to completing the withdrawal: embassies and open borders. We need five years to complete the withdrawal; this pertains to the security arrangements as well." Rabin added, "I should know whether the United States will be ready to install early warning stations and send troops to the Golan plateau." This was the first time that Rabin brought up the possibility of warning posts in the Golan being operated by American experts.¹¹ Rabin insisted on ab-

⁷ *Al-Hayat*, (London), July 9, 1993.

⁸ Ross, *The Missing Peace*, p. 109.

⁹ During the weeklong "Settling the Accounts" operation, the Israeli armed forces used twenty-two thousand bombs and a thousand air-to-surface missiles.

¹⁰ Ze'ev Schiff, "The Secret Pocket," *Ha'aretz*, (Tel Aviv), August 29, 1997.

¹¹ Ibid. See also Avi Shlaim, "Iron Wall," (London: Allen Lane, 2000) pp. 504-05.

solute secrecy, and that his stance was classified under “assumptions and hypotheses.” He added, “You can present this hypothesis to them, but it should be presented as your assumption.”¹² Rabin wanted Christopher to present this offer to al-Asad as an American one to test his reaction, in order to avoid engaging in commitments and pledges before having similar concessions in return.

Christopher met the Syrian president on August 4, and was quite aware that he was carrying a valuable message that might lead to a potential peace deal, particularly since the message contained what al-Asad wanted: full withdrawal from the Golan. Christopher informed al-Asad, “Rabin told me that if he would give you what you wanted, could you seriously go toward peace?” Al-Asad asked, “What does Rabin exactly mean by full withdrawal? Does he mean withdrawal to the June 4, 1967 line?” Christopher replied, “I have a commitment to a full withdrawal without designating the specific line.” Eventually, al-Asad considered this a “positive” yet insufficient step since the withdrawal lines were unclarified. So, he asked again, “Does Israel have further claims to Syrian territory in the Golan?” Christopher replied, “Not as far as I know.” The secretary of state told al-Asad that he would seek clarifications about the withdrawal line, particularly whether it was the June 4 one.

Al-Asad assured Christopher that Syria would be ready to engage in the other elements of the deal and accept the basic key formula of “full withdrawal in return for full peace.” As for the timetable, he proposed six months instead of the five years Rabin had suggested.¹³ Al-Asad also opposed normalization of Israeli-Syrian relations before Israel pulled out from the Golan. He wanted to use the expression “normal peace relations” rather than “normalization,” and he could not promise trade and tourism, although he would not hinder them. Al-Asad admitted that satisfactory security arrangements were necessary and mutually beneficial for both sides, and that water was an important part of the deal.¹⁴ Finally, Christopher asked the president to keep the minutes of this meeting classified since Rabin’s commitment to a full withdrawal from the Golan would create internal unrest for him, and that he was also very sensitive about any leaks. Al-Asad promised to do so.

¹² Rabinovich, *The Brink of Peace*, p. 104; and Ross, *The Missing Peace*, p. 111. Rabinovich overuses the word “hypothetical”; he talks of “hypothetical approach” or “hypothetical formula” and sometimes “the hypothetical question technique” which had forced one researcher to ironically say that “I am afraid that the whole negotiations could be hypothetical.” Ross, who was present at the meeting, does not make reference to the “hypothetical” nature of Rabin’s proposal as much as he indicates that Rabin set a condition that all his needs must be satisfied before he makes a commitment to withdraw.

¹³ Al-Moualem, “Beyond the Brink of Peace,” pp. 3-4.

¹⁴ Ahron Bregman and Jihan Al-Tahri, *The Fifty Years War: Israel and the Arabs*, (London : TV Books, 1999) p. 306. We depend on the Arabic version.

Convinced that his meeting with al-Asad was a “positive one,” Christopher returned to Jerusalem to inform Rabin about the reply, but Rabin considered it “disappointing.” The prime minister knew al-Asad’s desire to have an official peace offer, and since he offered the president’s main condition -- full withdrawal from the Golan -- al-Asad should have accepted Rabin’s stipulations without any “ifs” or “buts.” The only point Rabin found positive in al-Asad’s reply was the link between the negotiation tracks, although the Syrian president hinted that a deal could only be struck if there was progress with the Palestinians.¹⁵

Christopher and Ross gave al-Asad Rabin’s reply. The Syrian president listened carefully and understood the prime minister’s desire not to convey his withdrawal offer to the Syrian public, and al-Asad pledged to be utterly discrete to avoid jeopardizing Syrian national interests. He sought further explanations about the withdrawal line, but found no answer. He considered, however, Israel’s “commitment” to fully withdraw a necessary step forward. Following the Syrian reply, Rabin gave Shimon Peres the go-ahead to implement the Oslo negotiations,¹⁶ the first among many lost opportunities to reach an agreement.¹⁷

To protect a successful outcome to the negotiations, al-Asad maintained full secrecy of the Israeli “commitment” in order not to embarrass Rabin before the Israeli public. In general, it was al-Asad’s habit to keep the talks secret until he achieved his goals. He did not reveal the commitment until he used it for political ends during his negotiations with Ehud Barak, and only after the Israelis announced it first themselves.

Since Rabin wanted al-Asad to take the deal as a whole, and not in parts, the Syrians did not think that they had lost an “opportunity,” and saw the back and forth as an important and decisive step toward agreeing on the other “legs” of the agreement. Rabin’s haste to implement the Oslo Accords, however, took the Syrians by surprise, and brought the negotiations into a period of hibernation.¹⁸ Only after numerous U.S. and regional interventions did the negotiations resume.

The Syrian president met President Clinton on January 16 in Geneva to express his resentment of the Oslo Accords. Then Christopher met Rabin in Jerusalem on April 28 when the latter offered a “peace package,”

¹⁵ Rabinovich, *The Brink of Peace*, p. 106 and Dennis Ross, *The Missing Peace*, p. 111. This is an important point mentioned by Rabinovich but not by Ross who reiterated that al-Asad was ready to arrive at a deal regardless of the Palestinians, and that he was “ready, right from the start, to engage in negotiations that lead to an agreement that has to do with him, al-Asad, and that he would have never hesitated to leave the Palestinians but not the Lebanese.”

¹⁶ The meetings between PLO officials and Israeli officials, which led to the Oslo agreement on 4 December 1992, Started in few days after the opening of Madrid conference.

¹⁷ Helena Cobban, *Syria and the Peace: A Good Chance Missed*, (Carlisle, Strategic Studies Institute, US Army War College, July 7, 1997), pp. 23-25.

¹⁸ *Ibid.*, pp. 23-24.

hoping that it would be conveyed to al-Asad.¹⁹ Rabin's plan involved three stages. Stage I was a limited Israeli withdrawal, one that would not affect a single Israeli settlement, within nine months of the signing of a peace agreement. Stage II was a further withdrawal within 18 to 24 months, and Stage III involved a final withdrawal behind a line to be agreed upon.²⁰

Christopher met al-Asad and presented him with Rabin's proposal. The Syrian president inquired whether Stage III's full withdrawal referred to the 1967 line.²¹ Unable to give specifics, Christopher said that "he believes Rabin means withdrawal to the international border between Syria and Palestine as perceived in the 1923 British-French agreement." Al-Asad replied, "A peace process between Syria and Israel will not exist as long as Rabin does not make a commitment to withdraw to the June 4, 1967 line, and that all what had been accomplished within the process will be abolished because Syria will not give up an inch of its territory."²² Christopher left Damascus and went to Israel to discover the final limits of the withdrawal line. Christopher told Rabin, "al-Asad insists on the June 4 lines, and he is willing to scuttle the negotiations if he does not get that." The message was conveyed to Rabin in person who insisted that his foreign minister, Shimon Peres, not be informed of the content, saying that "it is a sensitive topic." As Rabinovich put it, Rabin felt upon hearing such a response that al-Asad was not interested in a true agreement on a give-and-take basis.

After Jordan and Israel signed the Washington Declaration of 1994, Christopher returned to the region and met with al-Asad and Rabin. Christopher asked Rabin for his reply to the Syrian question about the 1967 line. Rabin agreed to the condition, but made the withdrawal contingent on his own demands. He reminded Christopher that "going back to the June 4 line is but one out of the four-legged stipulations; the other three legs involve normalization between the two states, the memorandum of withdrawal within five years to verify and monitor that normalization is being carried out, and full security arrangements." The Israelis wanted to ensure that the Syrians would not use the returned land to launch a new assault.²³ Impressed by Rabin's positive reply, Christopher responded that "it is vital for me to be able to say that if [al-Asad] responds positively to your conditions, I can tell him things with utmost clarity, but this is not a

¹⁹ Daniel Pipes, *Syria Beyond the Peace Process*, (Washington, D. C: Washington Institute for Near East Policy, 1991) p. 75.

²⁰ Rabinovich, *The Brink of Peace*, p. 140.

²¹ Ibid., pp. 140-1; and Ross, *The Missing Peace*, p. 145.

²² Patrick Seale, "The Story of 'Rabin's Deposit,'" *Al-Hayat*, (London), November 22, 1998. The negotiations on security did not start only until Israel was committed to withdraw to the June 4 borders.

²³ Bregman and al-Tahri, *The Fifty Years War: Israel and the Arabs*, p. 307.

commitment before him.” Rabin agreed with Christopher and added that “the Israelis will not announce [the agreement] before all their demands are met.” Christopher responded, “it is in my pocket, not on the table.”²⁴

Consequently, the talks regarding the June 4 line were dubbed “the Pocket File.” Rabin wanted the talks to remain confidential to prevent criticisms and protests from those who opposed Rabin inside Israel. When Christopher met al-Asad the next day, he told the Syrian president that Rabin would commit to a full withdrawal based on the June 4 line if normalization and appropriate security arrangements were attained. He said that the commitment to withdraw would be kept as a “deposit” until an acceptable agreement on the other elements of the accord was concluded. But Christopher did not present the commitment as an American “impression,” which Christopher had understood from his meeting with Rabin. Rather, he presented it as Rabin’s “commitment.”

Clinton met al-Asad on October 27, 1994, after the Israeli-Jordanian peace signing ceremony was over. During that meeting, Clinton stressed Rabin’s full withdrawal commitment based on the June 4, 1967 line. He emphasized that this commitment was to remain an American “deposit,” and indicated that it should coincide with an agreement on issues pertaining to normalization and security arrangements.

The final phrasing of “the goals and principles of the security arrangements” was agreed upon on May 22, 1995, following a number of negotiation rounds involving the Syrian and Israeli Joint Chiefs of Staff and a series of meetings in Washington involving low-ranking military experts. The next day, “a group of points of understanding between Syria and Israel” was announced, but the two sides still agreed to keep the “deposit” confidential. The Israeli press began to criticize the security arrangements paper by calling it a “non-paper”²⁵ to emphasize the fact that it was not an official document, but a diplomatic means for both sides to push forward with the negotiations with American help. The one-page document observed and maintained a balance between the demands of both sides.²⁶

²⁴ Ze’ev Schiff, “The Secret Pocket File in the Syrian-Israeli Talks,” *Ha’aretz* (Tel Aviv), August 29, 1997. See also a literal transcript of the dialogue as provided by Ross who was present at the meeting; Ross, *The Missing Peace*, p. 147.

²⁵ Helena Cobban, *The Israeli-Syrian Peace Talks*, (Washington, D. C: United States Institute of Peace Press, 1999), p. 67.

²⁶ *Al-Hayat*, (London), November 23, 1999. See Yedioth Ahronoth, (Tel Aviv), June 29, 1995, *Ha’aretz*, (Tel Aviv), June 30, 1995. See also Helena Cobban, *The Israeli-Syrian Peace Talks*, p. 68.

7.3. Peres and “The New Middle East”

From September 1995, Peres and his team showed a willingness to employ their negotiating skills and experience to produce an agreement with the Syrians that Rabin was unsuccessful at attaining. Rabin started developing a new relationship with his rival Peres and briefed him on some of the details of the negotiations, which until then he had kept in the dark. When Peres became head decision maker, he reserved no effort and invested in achieving his dream of building “the New Middle East.”²⁷ He saw the results of the multilateral negotiations at the Madrid Conference as a true and realistic path to that new Middle East.²⁸

Peres fully supported the Israeli-Syrian track because he thought an outstanding accomplishment on the Syrian front would make him a powerful and influential leader. For the U.S. Administration, this was a welcoming development since it was anxious to have such an achievement before the upcoming presidential elections in 1996. To expedite the process, Dennis Ross met al-Asad on December 4 to explain Peres’s earnest desire to reach a deal before mid-1996.

Peres managed to restore Rabin’s commitment to fully withdraw from the Golan Heights, but under Rabin’s same conditions of “providing Syrian assurances not to intercept the water that flows from the Golan into Lake Tiberias (The Sea of Galilee) and developing joint Israeli-Syrian projects that would make the Golan an ‘open economic zone.’” Peres also wanted international funding for such endeavors. Al-Asad replied, “We never thought about stopping the flow of water from the Golan or polluting Lake Tiberias.” He asserted that Syria would have a share in the lake, but that it would not stop the flow of water even during the worst of times. However, the president refused the idea of joint projects in the Golan because the Syrian public would interpret them as occupation in a different form and a symbol of Israeli domination.²⁹ Al-Asad tried to offer a response to most of the points Peres suggested,” but was unwilling to hold a summit with Peres. Christopher returned to Israel on December 15 to inform Peres of al-Asad’s reply -- one that Peres found to be “cold.”

The Syrian president’s cautious reply emanated mainly from his frustration during the years of squandered negotiations with Rabin, who manipulated the process as he wished with his refusal to stand by his state-

²⁷ Shimon Peres with Arye Noar, *The New Middle East* (Longmead: Element Books, 1993).

²⁸ Shimon Peres, *Battling for Peace: Memories*, edited by David Landao (London: Weidenfeld and Nicolson, 1993), p. 317.

²⁹ Patrick Seale, ‘The Story of ‘Rabin’s Deposit’, *Al-Hayat*, (London), November 24, 1999. Peres was surprised to know of the commitment but he adopted it; yet Netanyahu beat him and froze everything.

ments and commitments. The first stage of the new negotiations started on the Wye Plantation in Maryland on December 27, and went on for three days, followed by three more days in January 1996. However, unlike what he previously told the Americans and Syrians, Peres wanted to hold early elections in May since he noticed that the negotiations were slowing down, and time was running out on his odds at winning the elections. This disturbed al-Asad because he earlier received promises and commitments from the American administration to the effect that Peres considered peace with Syria “more important than having Labor win the elections.”

But the new round of negotiations that were resumed by virtue of strenuous U.S. effort, particularly by Christopher, came in the wake of the first suicide bombing in Jerusalem. The U.S. administration asked for an overt and clear Syrian condemnation. Although that did not happen, the talks resumed as usual. However, with the continuation of commando operations, Peres instructed his delegation to suspend the negotiations with Syria under the pretext that Syria had not condemned the terrorist attacks that primarily sought to derail the peace process. The Syrian delegation received instructions to return to Damascus immediately. Israel then escalated its military response in southern Lebanon, leading to the Qana massacre. The United States managed to broker the April 1996 understanding, but Peres subsequently lost to Benjamin Netanyahu. Once again, another opportunity to arrive at a peace deal was lost.

7.4. Barak and The Last Chance

For the future of the peace process, the impact of the 1999 elections in Israel was similar to that when Rabin defeated Shamir because the peace process came to a complete stop on the Syrian track during Netanyahu's term. That is why Barak's victory had a great resonance within the U.S. administration, which believed that the peace process could resume again. Following a series of marathon-like communications between President Clinton and the Syrian and Israeli sides, Clinton dispatched his new Secretary of State, Madeleine Albright, to the region. She managed on December 7, 1999 to arrive at a practical formula to resume negotiations. President Clinton announced that the meeting was to be held in Washington between the Israeli Prime Minister Ehud Barak and the Syrian foreign minister Farouq al-Shara, and that negotiations would resume from where they halted in February 1996.

Negotiations resumed with the Syrian insistence on giving priority to the full Israeli withdrawal from the Golan Heights as a basis for prog-

ress over any other issues. The negotiations were held in the U.S. city of Shepherdstown, and the Syrian and Israeli delegations were accompanied by security, water, and law experts. Top confidentiality was maintained during the negotiations, and President Clinton cancelled all of his other engagements during the negotiations because he intended to “exert all efforts possible to facilitate a peace deal.”³⁰

Clinton embarked on a bilateral round of negotiations, insisting that progress was only possible once Barak emphasized Rabin’s “deposit.” Barak refused the notion and told the president that “the final stage will be determined by the deposit.” At the same time, Secretary Albright held a meeting with al-Shara, who insisted that Barak commit to the June 4 withdrawal line and that boundary demarcation teams should start working at once. Although four committees were formed (borders, security arrangements, water, and normalization), disagreements soon appeared when it came to setting the priorities of which committees should meet first. The Syrians thought any delay on the border demarcation committee would be a blow to the whole negotiations, but Barak linked the committee’s achievements to progress on security arrangements and water, particularly regarding Lake Tiberias.

The committees on normal peace relations and security arrangements met first, but when the border committee convened, the Syrian delegation found itself alone in the designated room with no Israeli counterparts. The Syrians accepted to proceed with the committees on security arrangements and normal peace relations first, out of their desire to exert the necessary effort to render the negotiations successful, as al-Shara put it.³¹ On the fourth day, however, the Israelis continued to prevent the committee on border demarcation from holding its first meeting, and Clinton had to get involved personally for the third time. Al-Shara was outraged. He demonstrated clear flexibility and consideration, and he announced that Israel would have sovereignty over the lake while Syria would have sovereignty over the whole territory. As far as the early warning system was concerned, al-Shara said that Syria would not accept any Israeli presence in Mount Hermon (Jebel al-Sheikh), but that it would accept American presence at that station for five years following the Israeli withdrawal. Ross was surprised to see al-Shara’s flexibility and openness to creative solutions, but Barak seemed unwilling to change his convictions.

Albright requested that the U.S. peace team develop a working paper that not only reflected what the Syrian-Israeli negotiations achieved prior to the 1996 suspension, but also outlined her deliberations with Barak and al-Shara in Shepherdstown as well as the informal talks during the current

³⁰ *Al-Hayat*, (London), January 4, 2000.

³¹ *Al-Hayat*, (London), January 6, 2000.

round.³² The working paper was sufficient to re-launch the negotiations through a meeting involving Clinton, al-Shara, and Barak.

The Syrians found no Israeli seriousness in dealing with the critical issue of the June 4 line, and were annoyed at the time-wasting tactics. In fact, Israel's chief negotiator, Uri Sagui, frankly stated that "it was about a two-day tactical trick, but when the Syrians found out that these committees would never meet, they expressed their outrage." Sagui added that "the Shepherdstown meeting created lack of trust among both sides," and that he did not know "why Barak has broken his promises, and whether it was due to certain tactics or a deliberate Israeli maneuver not deliver on its commitments."³³ When it became apparent that Israel was refusing to acknowledge the principle of withdrawal,³⁴ al-Shara told President Clinton, "I will have to go back and report this failure to my leadership." It was only then that the Americans sensed the deepness of the crisis.

The negotiations ended with a Syrian loss of trust in Israel and the United States. Syria felt that Israel had disavowed its withdrawal commitment, one that the United States had vouched for since 1994. Consequently, al-Asad stopped all negotiations with Israel until he obtained a written commitment from Barak regarding the June 4 line.

Clinton held meetings with Secretary Albright and the U.S. peace team, followed by separate encounters with al-Shara and Barak. The negotiations concluded on the premise that each side would present its feedback on the American working paper so the U.S. peace team could rephrase the paper in line with what was found appropriate for each side. The Syrians were surprised to see Israel's amendments published in *Ha'aretz* daily with a reference to new "agreed upon" international borders that were not compatible with the June 4 line. In reaction, Syria published its own amendments of the American paper in the Lebanese daily *al-Safir*. Syria's amendments focused primarily on the full withdrawal from occupied Syrian territory to the June 4 line, and the dismantling of settlements.³⁵ The *al-Safir* article also mentioned that an Israeli-Syrian peace deal would only occur if there were also an agreement with Lebanon, and a just solution for the Palestinian refugees.

After the failure of the Shepherdstown negotiations, Clinton suggested that he and al-Asad hold a summit in Geneva on March 26. Barak provided Clinton with a full written text to be used in his talks with al-

³² *Al-Hayat*, (London), January 7, 2000.

³³ Charles Enderlin, *Le Rêve Brisé, Histoire de l'Echec du Processus de Paix au Proche-Orient 1995 – 2002*, (Paris: Fayard, 2002) pp. 141-42. See also "Interview with Uri Sagui" in *Yedioth Ahronoth*, (Tel Aviv), September 24, 2004.

³⁴ Talal Salman, "A Report from Damascus: Negotiations from within" in *As Safir*, (Beirut), January 19, 2000.

³⁵ See *Al-Thawra Daily*, (Damascus), January 14, 2000.

Asad. Barak said that “it will be acceptable that the president improvises general statements to start the talk, but describing Israel’s needs should be recited *ad verbatim*.”³⁶

The new Israeli offer proposed a withdrawal from all but 10 percent of the occupied territory. Israel would hold a 400 meter-wide strip alongside the northeast portion of Lake Tiberias, and an eighty-yard wide strip alongside the eastern bank of the Jordan River. In addition, Israel presented a package of other detail-related positions, such as having a limited Israeli presence (seven soldiers for five years) in Mount Hermon (Jebel al-Sheikh), and that the withdrawal could take place within two and a half years rather than three. Since Barak was clear that these terms were not flexible, al-Asad would have to accept the deal as is. Clinton accepted Barak’s argument, and he did not dispatch Albright to Syria in order to prepare for the summit, despite the fact that she insisted on doing so to protect the president against the possibility of failure. Barak, however, stood his ground, and only Clinton presented these points to al-Asad.

Convinced that he was coming to seal a peace agreement, al-Asad headed to Geneva to meet Clinton for the third time, and brought a large number of negotiation experts.³⁷ Within only a few minutes of presenting the Israeli offer, Clinton read the phrase: “The Israelis are ready to withdraw to agreed-upon borderlines.” Al-Asad, startled, asked, “What agreed-upon borderlines? Is it not about the June 4, 1967 lines?” Clinton replied, “let me finish . . . Israel will maintain sovereignty along the shores of Lake Tiberias and a strip of land . . .” Al-Asad immediately interrupted, stating, “the Israelis do not want peace; that is why there is no need to continue.”³⁸

After the meeting, al-Shara proposed to release a joint statement, since he feared that Syria would be held responsible for the failure of the summit. Clinton called Barak and relayed al-Shara’s proposal, but Barak refused.³⁹ In reality, Barak squandered a true opportunity to make peace with Syria during the Shepherdstown negotiations.⁴⁰

³⁶ Dennis Ross, *The Missing Peace*, p. 586.

³⁷ *Al-Hayat*, (London), March 26, 2000.

³⁸ Interview with Riad Dawoudie, Damascus, March 10, 2004.

³⁹ See “A Detailed Report from Damascus about the Geneva Summit” *As Safir*, (Beirut), April 28, 2000.

⁴⁰ Interview with Elan Mizrahi, former vice-president of the Israeli Mossad, *Ma’arev*, (Tel Aviv), March 30, 2003, Akifa Alidar, *Ha’aretz*, (Tel Aviv), August 12, 2003, Ze’ev Schiff, Dennis Ross, *Ha’aretz*, (Tel Aviv), April 30, 2004, and interview with Dennis Ross in *Yedioth Ahronoth*, (Tel Aviv), July 2, 2004. Clayton E. Swisher, *The Truth about Camp David*, (New York: Nation Books,

7.5. Lessons Learnt

Following an all-out Israeli invasion of the West Bank and blockade of the Gaza Strip in 2002, the Middle East entered a new era of detachment from the 1991 Madrid Peace Conference. The international agreements that were signed at that conference no longer maintain the same immunity, making it difficult to observe and protect such agreements by international actors. The Syrian-American relationship entered an unprecedented era of threat and intimidation, particularly following the American and British invasion of Iraq in March 2003. The political discourse in Damascus acquired a higher tone as Sharon continued his invasion of Palestinian cities while disregarding statements made by the U.S. officials who demanded an immediate end to the occupation. Al-Asad found no justification to talk about peace in view of the “massacres” that Sharon was committing against the Palestinian people on a daily basis.⁴¹

Syrian claims to the Golan Heights were overlooked in President George W. Bush’s Road Map, since it never mentioned Syria at all. In October 2003, Israel launched a raid targeting an abandoned camp of the People’s Front for the Liberation of Palestine -- the General Command at Ein al-Saheb near Damascus⁴² -- in a clear breach of the Disengagement Agreement that Syria and Israel signed in 1974. Although there was no human or material damage, the Israeli message was clear: Israel wanted the liberty to hunt down Palestinian organizations it characterizes as “terrorist” wherever they were. Likewise, Israel claimed that Damascus had a role in the commando attacks inside Israel. The supportive U.S. position regarding the Israeli raids greatly disappointed Damascus, since Syria was unsuccessful at pushing for an international resolution condemning the Israeli violation of Syrian airspace.⁴³

The prospects of a future Israeli-Syrian peace are linked more to the international and regional climate than to internal desires within Israel and Syria. A conducive environment primarily depends on the availability of U.S. and international efforts, but also European and Arab endeavors. The situation calls upon Syria to address internal and external chal-

⁴¹ *Al-Safir*, (Beirut), May 8, 2002.

⁴² See Ze’ev Schiff, “Against Allowing the Confrontation to Overspill” *Ha’aretz*, (Tel Aviv), October 10, 2003. Felicity Barringer, “The Mideast Turmoil: United Nations: Syria offers a resolution to condemn the Israeli raid”, *The New York Times*, October 6, 2003. Robert Fisk, “Israel’s attack is a lethal step towards war in the Middle East,” *The Independent*, October 6, 2003. Richard W. Murphy, “Raid against Syria sets regrettable precedent,” Council on Foreign Relations, October 8, 2003.

⁴³ U.S. President Bush officially declared, “We would have done the same thing,” *Al-Hayat*, (London), October 8, 2003. Fred Goldstein, “Bush hails Israel: Attack on Syria,” *Workers World News-paper*, October 16, 2003.

lenges to convince the United States of its sincere and earnest desire for peace. Washington also needs to persuade Israel that it has a real interest in peace. Without these developments, war remains a viable option from a theoretical perspective, but it is very unlikely practically and realistically. Therefore, the “No-peace, No-war” choice that Damascus has embraced for decades should remain Syria’s strategic stance unless internal or external challenges appear to negate such an option and gear it towards peace or war.

Syria and Israel have engaged in difficult negotiations for ten years. While these negotiations have not produced a peace agreement, they have laid down the broad foundations for a deal and clearly settled many of the details for both sides. As such, it is a matter of taking the political decision to accept each other’s requirements and paying the price in order to make them happen. Both sides must also not neglect public diplomacy. Syria has never addressed the issue of Israel’s public opinion. Although this was understandable for internal regime considerations and the sensitivity of the issue on the Arab level, failing to recognize the profound disagreements within the Israeli community would further complicate a future attempt at a peace agreement.

Syria and Israel also need to recognize that certain components of the peace deal are final and non-negotiable. Israel must accept that Syria will never agree to anything less than a full withdrawal to the June 4, 1967 line, and that any tampering with this issue and suggesting various political and geographical alternatives will only increase Syria’s lack of confidence in the Israeli side. In return, Syria must satisfy Israel’s demands on security, water, and normalization.

The inter-relatedness of the negotiation tracks is also a key issue. There will be little progress without a solution based on the Land-for-Peace principle. The Israeli side must realize that without true progress on the Palestinian track, it will be difficult for Syrian decision makers to arrive at a peace treaty. This is not only attributed to ideological and pan-Arab considerations, but also to internal Syrian sensitivities that pertain to the regime’s image on internal and external levels.

Finally, Syria has to change the way it conducts the negotiations during the next stage, particularly when it comes to opening up to Syrian civil society and leaving space to discuss the matter publicly. Such an approach would help arrive at a sustainable and popularly acceptable agreement - not one that is imposed from abroad according to the conditionality of international will. This will not come about without the Syrian regime’s engagement in a true democratization process, leading to the principle of the peaceful rotation of power. Such a development would endow the agreement with sustainability, instead of internal animosity

Conclusion

Hassan Barari

A Paradigm shift?

Conclusion

As discussed throughout the book, the Middle East peace process is perhaps the world's most intractable dilemma. Every attempt to reach a solution has been foiled by one side or the other, and Israel's continued settlement activities are creating facts on the ground that cast doubt on the plausibility, viability, and likelihood of the two-state paradigm.

The parameters of a successful solution - likely to be similar to those Bill Clinton put forth in December 2000 - are more or less known by all players, but the conflict continues nonetheless. One of the primary reasons for its continuation is the lack of leadership. As history has proven, few leaders have been able to break from their domestic constraints to make the critical concessions necessary for peace.

All Israeli premiers since 1995, for instance, have been focused primarily on political survival, making it difficult for Israeli leaders to take the necessary political risks. And if it were not for Anwar Sadat's bold visit to Jerusalem, an Egyptian-Israeli peace would have been unthinkable, and Israeli politics would never have changed. Likewise, it took Yitzhak Rabin and King Hussein's transcendence of all internal constraints to seal the Israeli-Jordanian peace treaty. Today, unfortunately, there are no such leaders.

Since the beginning, all sides have relied on a third-party intervention; American blessing and mediation have proven crucial for the successful conclusion of any sustainable peace in the region. Therefore, the involvement of the United States in Middle East peacemaking is a prerequisite for success. America's long history of support for Israel should convince Israelis that they need the United States to assure them and mitigate the possible consequences of peace.

U.S. involvement, however, has not always been positive. Many argue that the American role in the peace process, especially during the eight-year George W. Bush administration, has been part of the problem. Several experts contend that the Clinton administration's peace team was sympathetic to Israeli interests and failed to put pressure on Israel when needed.¹ For the Americans to be taken seriously by all sides, Washington needs to follow an even-handed approach, rather than an Israel-first or hands-off approach that characterized the Bush administration. President Barack Obama is apparently aware of Washington's credibility gap in the Middle East, as alluded in his June 2009 speech in Cairo where he assured the "Muslim World" of his administration's commitment to a genuine and comprehensive Arab-Israeli peace. Central to his approach

¹ Interview with Aaron David Miller, Washington, D.C. September 20, 2008.

are the implementation of the two-state paradigm and a freeze on Israeli settlement activities.

Of all factors, time is perhaps the most influential - and the most ignored - element of the peace process. A Palestinian state needs to be established immediately, since this is the only viable way to demarcate the border between Israel and Palestine. Israel's continuing settlement policy undermines the two-state solution, and President Obama was right to demand a complete freeze of all settlement activities.

The incremental approach to the peace process has also outlived its usefulness. Despite early successes, this approach has not helped the process of reconciliation. The Oslo approach, which meant to give impetus to the whole peace process and enable the two sides to prepare their people for a final solution, ultimately backfired. Radicals from both sides rejected the idea of peace and were given ample time to derail the peace process and destroy confidence among the parties.

In essence, a paradigm shift is needed. The region cannot bear another piecemeal failure, and it would be preferable if all parties "leapfrogged" immediately to the final status. Leaders are necessary to achieve this, ones who are capable and willing to make the necessary tradeoffs. Difficult as it may be, without certain concessions, peace is a remote possibility. Peacemakers also need to design a strategy that addresses the preeminence of Israeli domestic politics.

Although the Palestinian problem is at the core of the issue, the utility of a comprehensive and sustainable peace with other regional actors cannot be ignored. The Arabs proposed a daring initiative in 2002 that is still waiting for an Israeli response. Not only can the Arab Peace Initiative give impetus to peace, it can also weaken the negative influence of Iran and Syria. The United States can create a stake for Tehran and Damascus in a potential peace, in exchange for a moderation in their recalcitrant positions and backing of radicals dedicated to derailing the peace process. This is especially important since Syria and Iran can be enduring nuisances when ignored, provoked, or mistreated.

Addressing the role of non-state actors and the division among Palestinians is also critical. The ascendance of Hamas has triggered much internal Palestinian bickering, and has exposed the fissures and instability of the Palestinian system. Much hinges on how the Palestinians handle their internal differences in the face of Obama's new approach and the rise of a right wing government in Israel.

In sum, a more inclusive diplomatic strategy is necessary for regional peace. Although unconsummated success is not beyond reach, a peace deal hinges on America's willingness to adopt a collective approach that handles all the issues and all the regional players, and does not leave anything, or anyone, out in the cold.