

## New Nuances

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### ABOUT THE AUTHORS



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**T**hough it has escaped the attention of the media, the Clinton Administration seems to have decided on a Middle East policy that does not rule out U.S. recognition of a unilateral declaration of Palestinian statehood. The articulation of this policy has come subtly, emerging not from the direct comments of the president himself, but from the carefully parsed statements of administration figures ranging from the first lady to the vice president. But it is real nonetheless and potentially risky.

This latest nuance also represents a historic change in America's diplomatic posture. After the Arabs lost the West Bank and Gaza to Israel in 1967, the assumption of postwar diplomacy was that Israel would trade "land for peace" with the former rulers of the territories, Jordan and Egypt, respectively. Palestinians only entered the stage in 1978, when they were offered -- and rejected -- "autonomy" in the Camp David accords. In 1982, the abortive Reagan plan categorically declared that "peace cannot be achieved by the formation of an independent Palestinian state in [the] territories."

> The late 1980's saw a shift. The second Reagan administration, the Dukakis campaign (including then foreign-policy advisor Madeleine Albright), and the Bush White House all declared that they "did not support" Palestinian statehood and would oppose its unilateral declaration. However, they all said they would agree to any outcome negotiated by the parties.

On the eve of the 1991 Madrid peace conference, Secretary of State James Baker affirmed that "it continues to be U.S. policy that we do not support an independent Palestinian state." According to press reports, he made the same promise in a letter to the Israeli government. In 1993, the Oslo breakthrough led to U.S. relations with the PLO but not, at first, to any change in policy on Palestinian statehood. In congressional testimony in February 1994, Secretary of State Warren Christopher repeated that "the United States does not support a Palestinian state."

> But that was the last time a senior U.S. official enunciated U.S. non-support for Palestinian statehood. Since then, U.S. officials have avoided any comment on "final status" issues, lest the U.S. position "prejudice the outcome of negotiations." In effect Washington was inching away from its previous position. Israel never protested, however, apparently satisfied with Washington's tacit commitment to recognize only an agreed outcome of negotiation, effectively giving the Israelis a veto.

> Now that, too, has apparently changed. Four sets of comments by senior administration officials in May suggest that the administration may evince a strong preference for an agreed solution but that U.S. policy no longer rules out recognizing a unilateral declaration. And, in diplomacy, what's not rules out is generally "ruled in."

On May 7, First Lady Hillary Rodham Clinton advocated the eventual establishment of a Palestinian "state" because it would be "in the long-term interests of the Middle East." Though she is not a foreign policy spokesperson, her words certainly carry some weight. Interestingly, there was no official reaction. While the White House spokesman noted that Mrs. Clinton was not speaking for the administration, neither he nor any other U.S. official took issue with the substance of her remarks.

> On May 18, during the annual convention of the American Israel Public Affairs Committee, Assistant Secretary of State for Near Eastern Affairs Martin Indyk was asked publicly whether the United States would recognize a unilateral declaration of Palestinian statehood if Arafat were to make one in May 1999, the expiration date of Oslo's interim period. Indyk replied:

"Unilateral declarations are not helpful to the process. These issues are issues that the parties agreed would be dealt with in the final status negotiations. That's the way the parties should deal with them. We will insist that they do that. And what's important now is to get those final status negotiations going, so that these kinds of issues can be resolved there."

While Indyk's remarks did firmly restate U.S. preference (even "insistence") for a negotiated solution, it was also not a definitive "no." Later that same evening, Vice President Al Gore also spoke to AIPAC, emphasizing the U.S. preference, not policy:

"Let me make clear our position, which has not changed. First, the question of the status of the West Bank and Gaza is an extremely complex issue, which Israel and the Palestinians have agreed should be discussed and resolved by direct negotiations. Second, this issue, like the others reserved for permanent status talks, can only be settled through negotiations between Israel and the Palestinians. Finally, it is our view that unilateral actions and statements by the parties concerning these issues are not helpful to the environment necessary for making peace."

So far, the potential for U.S. recognition could only be deduced by reading between the lines of the Gore and Indyk comments. At the May 28 White House briefing, however, presidential spokesman Michael McCurry brought the issue into the open. Queried about U.S. policy toward a unilateral declaration of Palestinian statehood, he replied that the United States would "most likely not join it." When a reporter asked McCurry to explain whether his comment meant "there's a possibility we would recognize the state," McCurry did not say "no." Rather, he described such a declaration only as "contrary to the process that the two parties have divined for themselves" and as a "step that would move in the wrong direction." Pressed again for a "flat out" response, McCurry declined, saying, "It's a moot point because there's no pending declaration."

> Given that no corrections, elaborations, or retractions have been issued, this series of statements must be considered official U.S. policy. This new policy could be summed up as follows: The United States strongly prefers a negotiated outcome of final status issues between Israel and the Palestinians and will work to achieve that goal. However, if the two sides do not reach agreement by May 1999 and the Palestinians issue a unilateral declaration of statehood over Israeli objections, the U.S. may or may not recognize that state.

If this is indeed de facto policy, the question is: Why? It could be that the United States has made a strategic shift -- that it has changed its view of the desirability of Palestinian statehood. Or the shift could be merely tactical: The U.S. view regarding statehood has not changed, but the administration believes its new formulation helps the peace process, either by compensating Arafat for accepting the American plan on "further redeployments" or by giving the

U.S. leverage over Israel.

> Finally, the new language could represent a nod to the inevitable. With Israeli leaders publicly debating the merits of statehood, U.S. officials may have concluded that, in some form, it is an idea whose time has come. And, given Arab and European leaders' criticism of Washington's "lack of credibility" in Middle East policy, the administration may believe it would suffer acute embarrassment if Israel ultimately accepted the concept of Palestinian statehood before the U.S. did.

Whatever its rationale, this new policy is unduly risky. Seven years ago the U.S. decision to prohibit open PLO participation in Madrid was correct because it affirmed that Israel was where the Palestinians should seek redress of their claims; Oslo was the eventual result. Today, as the parties approach final status, the same logic applies.

Washington's policy on statehood will help determine whether Arafat's diplomacy is channeled toward accommodation with Israel (and, not improbably, a negotiated agreement to establish a Palestinian state) or toward confronting Israel with a *fait accompli*. Opening the door to recognition only makes unilateralism more likely. Why promote brinkmanship without a compelling reason?

> For now, the Israeli political class is focused on the imminent decision on a "further redeployment" on the West Bank. Netanyahu has reportedly asked the administration for a side letter committing itself to not recognize a unilateral declaration of statehood, but this hasn't been the centerpiece of the current negotiations.

One person who undoubtedly has noticed is Yasir Arafat. The U.S. position on statehood may not be the decisive factor in Arafat's calculus, but it is certainly important. At the least, the U.S.'s public posture will be critical to providing Washington with the cover to play its vital "honest broker" role in the months leading up to May 1999. That is when deft diplomacy almost surely will be needed either to reach an Israeli-Palestinian final status accord or, more likely, some form of agreement to extend Oslo's interim period.

> All it would take to fix the problem is one sentence from the White House: The United States will recognize any agreed outcome of Israeli-Palestinian negotiations and only an agreed outcome of negotiations. But that is a statement the administration has so far, for some unknown reason, declined to make. ❖

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