Shifting Sands

by Robert Satloff **(/experts/robert-satloff)**

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Articles & Testimony

Just days after America's two most powerful men -- the President and the Vice President -- celebrated Israel's fiftieth anniversary in special ceremonies in Washington and Jerusalem, America's two most powerful women -- the First Lady and the Secretary of State -- offered a very different coda to Israel's jubilee. Speaking at the close of London peace talks on May 5, Madeleine Albright issued a "conditional invitation" to Israel and the Palestinian Authority to participate in a White House summit meeting to launch the last phase of Israeli-Palestinian negotiations. She did so knowing that, while the Palestinians already accepted the U.S. conditions, Israel was unlikely to do the same. The practical implication of her move was to press Israel to endorse "American ideas" on a West Bank "further redeployment" (a.k.a "FRD," diplo-speak for "territorial withdrawal") that the Israeli cabinet had been resisting for months. While the administration rejected the imagery, virtually every observer, from Israel's racy tabloids to the venerable New York Times, termed her gambit an "ultimatum."

Then, just twenty-four hours later, Hillary Rodham Clinton uttered words never heard before in public from a White House occupant: She told a group of Arab and Israeli schoolchildren that it would be in the "long term interests of the Middle East for Palestine to be a state." While only conspiracy theorists believe that the timing of these shots across Israel's bow was more than coincidental, the cumulative effect of these two events is almost enough to make Yasser Arafat a feminist.

For two countries linked by shared values and common interests, the issuance of ultimata is a regrettable but time-honored tradition in U.S.-Israel relations. History shows that virtually every Israeli prime minister -- Labor and Likud -- had at least one showdown with the United States. For David Ben Gurion, it was Dwight Eisenhower's order to quit Sinai in 1956; for Menachem Begin, who had more than his share, perhaps the most mano-a-mano face-off was Ronald Reagan's 1982 demand to stop the shelling of Beirut; even the late Yitzhak Rabin, serving his first term in the mid-1970s, suffered a "reassessment" of U.S.-Israeli ties when Henry Kissinger, then negotiating a Sinai disengagement agreement with Egypt, insisted upon a deeper territorial withdrawal than Israel thought was necessary. As was the case in each of these episodes, history also shows that Israel's leaders often -- but certainly not always -- blink first.

In the current crisis, Benjamin Netanyahu has so far bucked that trend and both sides seem to have dug in their heels. In London, Albright conceded that "it is obviously up to Israel to decide what its security requirements are" but

then went on to rule out any "watering down" of her proposals. For his part, Netanyahu has repeatedly vented against "dictates" and staked his credibility on rejecting the magic number -- 13.1 percent -- that Washington has divined for an FRD. However, the Israeli prime minister's words have been calibrated so as not to cause irreparable harm to his relationship with the White House, which he still wants (and needs) to play a central role in Israeli-Palestinian mediation. Indeed, chances are at least 50-50 that some artful compromise will be found that finesses the difference between the U.S. and Israeli positions and permits the Washington summit to proceed in late May.

Should that occur, most friends of the U.S.-Israel relationship will heave a sigh of relief and speedily consign this contretemps to an historical footnote. Some will even note that the overall package is a pretty good deal for Israel's Likud-led government: a much smaller redeployment than some Labor Party negotiators had led Arafat to expect; a vague agreement to fudge, at least for now, on the explosive issue of still another redeployment due later this summer; the convening (or re-convening, to be precise) of "final status" talks that Netanyahu has been advocating for more than a year as the solution to the Israeli-Palestinian impasse.

But in emphasizing the trees of any putative agreement instead of the forest in which they are found, these observers would be myopic. When the dust settles, the details of such an accord will matter much less than the shifts in U.S. policy -- and changes in the Oslo Accords themselves -- that the Clinton administration has sanctioned in order to achieve it. Arafat, who has always kept his eye on the big picture and the long run, almost certainly understood this. Hence, his willingness to sign on to "American ideas" that do require from him some significant tactical concessions.

There are, in fact, four major implications of the U.S. ultimatum that will almost surely outlive the current imbroglio. They concern four principles -- assurance, conditionality, sequence, and precedent -- and each has an impact on the credibility of the negotiating process and of the U.S. role in it.

Assurance: For more than 20 years, the United States has periodically assuaged Israeli anxieties about the peace process by providing written promises of how Washington would conduct its diplomacy as it tries to balance the seemingly contradictory roles of ally to one party (Israel) and honest broker to all. These documents are the product of laborious negotiation and, once agreed to, acquire a biblical sacredness and invite talmudic interpretation.

In January 1997, Secretary of State Warren Christopher provided just such a letter to the Netanyahu Government. The letter followed Israel's agreement to withdraw from most of Hebron and its assent to a U.S.-authored document called the "note for the record," which was designed as a road-map for future implementation of the Oslo accords. According to that letter (and as other official correspondence confirmed), the U.S. government held that the determination of the size and scope of Oslo's FRDs was solely an "Israeli responsibility" -- that is, a unilateral act, for which the prior agreement of the Palestinians (and, for that matter, the Americans) is not necessary. The current U.S. approach -- articulating firm U.S. "bridging proposals" on what would constitute a "credible" redeployment -- is a clear departure from that earlier pledge. As such, it cannot but throw into doubt the credibility of other U.S. assurances, past and future.

Conditionality: Few would contest the notion that Arafat's entry ticket into the Oslo accords was his unconditional commitment not only to renounce terrorism but to fight it, as enshrined in the original letters of Israel-PLO mutual recognition he exchanged with Yitzhak Rabin. Indeed, whenever the Palestinian Authority repeats its incantation that even one-hundred percent effort cannot guarantee one-hundred percent results, it tacitly affirms its obligation to use all its power, all the time, to prevent terrorism and punish terrorists. In a fine August 1997 address, Secretary of State Albright personally embraced this idea, calling security the "sine qua non" of the peace process.

The London ultimatum, however, changes this equation to "further redeployments are the sine qua non of the peace process." That is because the "American ideas" reportedly include an array of improvements in Palestinian security operations -- from increased cooperation with Israel to U.S. supervision of the PA's "revolving door" prisons -- to

which Arafat has agreed but which are not being implemented (and for which the U.S. is not, at the moment, pressing) because of the U.S.-Israel disagreement over FRDs. Effectively, therefore, the U.S. position permits the Palestinians to link improvements in their security effort to Israeli withdrawal, rendering conditional the one Palestinian promise that was supposed to be absolute.

Sequence: Timing, it is said, is everything, and the Oslo Accords are no exception. Here, the specific dates by which certain obligations were to have been fulfilled are less important than the sequence in which they were to be implemented. Oslo is very clear: Final status talks and the process of FRDs should proceed simultaneously, not sequentially. In fact, according to the accords, final status talks should have been well up and running before Israel was required to make even its first redeployment.

Somehow, over the last two years, this basic element of the Oslo Accords got turned on its head, with most media erroneously reporting that the redeployments should be concluded before final status talks could start. By its actions in London -- conditioning the "launching" of "accelerated permanent status negotiations" on Israel's agreement to implement redeployments -- the U.S. government seems to have endorsed this rewriting of the Oslo timetable. (Only in the world of Middle East diplomacy can the adjective "accelerated" be attached to a set of negotiations whose resumption is more than a year overdue and whose conclusion is less than a year away!)

Precedent: Perhaps the most lasting implication of the London showdown between Albright and Netanyahu will be the precedent it sets for future negotiations, both the final status talks with the Palestinians and eventual discussions with the Syrians over the Golan Heights. Precedents, of course, are made to be broken, but this is one that Arafat, as well as Hafiz al-Asad, will be keen to maintain: On an issue of marginal importance to U.S. strategic interests, but one that, for whatever reason, the Israeli government deemed was central to its own strategic interests (i.e., whether Israel withdraws from nine percent, eleven percent, or 13 percent of West Bank territory in the interim period of the Oslo process), the United States is willing to align itself publicly with the Arab party and to threaten Israel with a "reexamination" of the U.S. role in the peace process. While this does not mean that Washington will adopt the same policy when weightier issues, such as Jerusalem, are on the table, there is no certainty that it won't.

That is what makes Mrs. Clinton's comments on a Palestinian state, along with the lame White House post-event spin effort, so disconcerting. Of all the items on the agenda of Israeli-Palestinian final status talks, Palestinian statehood is the one about which the United States has had the least ambiguous position. Check the record of U.S. policy, and you will find positions on sensitive issues like the legal status of Jerusalem and Israeli settlements that are far closer to Arab views than Israel's. Even when the administration is bound by law to adopt a position -- such as the recognition of Jerusalem required by a 1995 statute passed into law without Clinton's signature -- the administration has demurred. Indeed, one of the most remarkable achievements of the U.S.-Israeli relationship over the past 30 years has been to contain the fallout from differences over these core issues.

But, on Palestinian statehood, the U.S. and Israel have long seen eye to eye, with Washington consistently taking its view from Jerusalem. Even in the post-Oslo era, when press guidance has been to duck answers to final status questions so as not to "prejudice the outcome of negotiations," the issue of statehood has sometimes been an exception. For example, in February 1994, five months after the signing of the original Israel-PLO Declaration of Principles, Secretary of State Christopher said the following to the House Foreign Affairs Committee: "Certainly, the United States does not support a Palestinian state.... Certainly, I think the responsible officials of Israel ... are the best judge as to whether or not the steps they've taken are the right ones for Israel. We're helping them [the Israeli leaders] to achieve the results that they want to achieve. I think that's the proper role for the United States in this situation. We do not certainly support a Palestinian state, as we never have" [emphasis added]. In trying to contain the damage from Mrs. Clinton's remarks, White House spokespeople said she was speaking for herself, not the administration. No one, however, cited longstanding U.S. policy on the issue. And, given how far Washington has come from fulfilling

Christopher's definition for "the proper role" for the United States in the peace process, it is not surprising that no one in the White House cited the words of Madeleine Albright's predecessor either. ❖

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