

U.S. Policy and the Peace Process:

What (If Anything) Is to Be Done?

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Brief Analysis

Six months after the signing of the Hebron protocol and the U.S.-negotiated Note for the Record, it is clear that the negotiating process is at an impasse. While the Hebron violence has subsided and the two sides have returned to the bargaining table just this week, this is clearly the result of forceful threats issued by Israeli Defense Minister Mordechai and Prime Minister Netanyahu, reinforced by U.S. diplomats. The renewal of diplomacy in response to a specific threat means this is likely to be just a pause in the ongoing game brinkmanship that has now, in effect, become the peace process.

How we got here. There are four main reasons why the process that had so much promise six months ago has deteriorated to the current state:

1) The nature of the process:

- The current stalemate reflects the legacy of the myth of the Labor Government's dual promise, i.e., to the Israeli people, that Oslo is a test of Palestinian behavior that could be stopped should Palestinians fail to live up to their commitments; to the Palestinians, that independent statehood in virtually all the West Bank and Gaza was the expected outcome should they fulfill their obligations.
- The impasse reflects the oncoming set of final status negotiations. Every act taken now must be viewed as positioning for those talks.
- The deadlock is what emerges when Labor and Likud are closer to each other on final status issues than any Israeli government would be to the PLO. In this context, a period of brinkmanship focused on the interim issues, while jockeying for an eventual final status discussion, is preferable to Arafat than final status talks themselves.

2) The Palestinian Authority's use of violence: Arafat has amended Clausewitz's dictum to the effect that street violence, demonstrations, green lights to Hamas operations, etc., are politics by other means. What the Palestinians repudiated at Oslo has now become "legitimate" once again.

3) Tactical errors by the Israeli government, compounded by the emphasis on domestic politics in Israel the past six

months. These include errors of omission (e.g., lack of consultation with Washington on key ideas, like "early final status" and "Allon-plus") and acts of commission (like the tunnel episode and Har Homa, both of which were legally permissible but not politically wise). A Likud-led government operates under a handicap in Washington. There is a natural affinity between U.S. policymakers and the Labor party and a working presumption that the Likud is opposed to the peace process. Given the special burden of proof under which a Likud government operates, it becomes even more important for ideas originating in Jerusalem to be "cooked" in Washington. For some reason, that has not been the case, and a lot of good ideas have been spoiled because of it.

4) Mixed signals from Washington since Netanyahu's election. This started with Warren Christopher's early statement—later retracted—about the U.S. "adapting" to a new situation. The last six months have witnessed a curious reticence to underscore the importance of the Hebron accord and the Note for the Record, the first U.S.-drafted, documents since Oslo. Recently, there have been a series of signals that could not but give the Palestinians the impression that the U.S. had no significant quarrel with the way they were doing business, private demarches notwithstanding. Secretary of State Albright's comments in San Francisco, suggesting that the Israeli government may have "decided to ignore" its Oslo commitments without any similar accusation regarding the Palestinians, is a recent case-in-point.

Where do we go from here? There are essentially nine possible courses of action:

- Disengage, a sub-text of which is to wait for the Netanyahu government to implode;
- A variation of option one, waiting for the next big crisis to intervene (i.e., terrorism or the second redeployment)
- A major U.S. initiative "to shake things up;"
- A variation of option three, i.e., a major initiative that includes significant pressure on both parties;
- Focus on the Syria-Lebanon track as a way of exerting pressure on the Palestinian-Israeli track;
- Continued incremental diplomacy—i.e., "speak softly and carry no stick;"
- Incrementalism with a bit more pressure on Arafat;
- Incrementalism with a bit of public pressure on Netanyahu; and
- Incrementalism with a bit of public pressure on both, i.e., "speak softly and carry two small sticks."

Numbers 1 through 5 are unlikely, for either political or practical reasons. Number 6 is the current policy, which is not working adequately. Therefore, it stands to reason that numbers 7 through 9 (or a mixture thereof) might hold the key to breaking the current standstill in the peace process. Given the way policy is determined, the last option is probably the most likely. In that case, it should be pursued the following way. First, the U.S. should concentrate on incrementalism, focusing on what is outstanding from the Oslo process, while leaving open the possibility of a linkage to early final status talks. Second, the U.S. should emphasize "doing the doable," even in a temporary fashion, e.g., safe passages. Third, the U.S. should continue to work to create an environment for progress, meaning that the U.S. should always be one step behind the parties in terms of suggesting new compromises, but one step ahead of them in seeing them fulfill the obligations they have already accepted. Lastly, the U.S. must be more vigilant in critiquing violations of the core Oslo bargain, especially the use of violence.

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From a historical perspective, the Oslo peace process is a work in progress. While it certainly would not be prudent to "do nothing" to fix the current difficulties, now is also not the time to launch a new, major U.S. initiative. It is important to recall that the peace process remains in place and that it has been extraordinarily successful in transforming the landscape of the Middle East. There has not been a full-scale Arab-Israeli war in the past 15 years, although there were four Arab-Israeli wars during 1948-1981. This fact alone suggests that the emerging Middle East is adopting the language of peace not only to end the conflict, but to pursue peace as an end in itself.

Historical background: There have been many periods of U.S. activism in the region, but not all periods of activism have produced tangible results. First, activism has paid off when diplomatic or military events produced a set of unique circumstances which offered an opportunity for the U.S. to build bridges between the Arabs and the Israelis. An example of this was the period of Kissinger's shuttle diplomacy after the 1973 War, which laid the foundation for the eventual Egyptian-Israeli peace treaty. Second, activism was appropriate when Washington determined that the status quo was no longer acceptable. For instance, the U.S. intervened in 1970 to help reach an end the Egyptian-Israeli War of Attrition which had escalated to the point where it looked like another major conflict was about to erupt.

Future Options: In the current environment, the U.S. has a crucial role to play in easing tensions between Israel and the Palestinians in the midst of what might be called "pre-final status" talks. However, it would be a tremendous mistake for Washington to intervene at this point to impose a solution on the parties, as some in the U.S. are arguing. Instead, the U.S. must find a middle way: the most productive role will be to look for opportunities to take small steps to rebuild trust, recognizing that the parties are not quite ready for broad strides. In addition, the U.S. should recognize the importance of giving the parties some room to sort out the internal divisions with which they are both wrestling. The position of the U.S. now should be the position it has held in the past: nursing the process along, keeping in touch with both parties, ensuring that channels of communication are open at all times and making sure the "search for common ground" does not stall for lack of our effort.

This Special Policy Forum Report was prepared by Stuart Frisch.

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