

Pre-Negotiations and Political Realities Frame Israeli-Palestinian Talks

Aug 14, 2013



Brief Analysis

Preliminary negotiations and changing political realities have catalyzed the opening of new talks, but even a two-state agreement would not guarantee an imminent end to the conflict.

For the four decades that the United States has been involved, a rhythm has emerged in the start, success, and failure of Arab-Israeli negotiations. More than two dozen mediators, including presidents and secretaries of state, have dedicated immense amounts of time while enduring myriad disappointments. A close reading of Secretary of State John Kerry's July 30 remarks on the Israeli-Palestinian peace process, which unfolded the latest negotiations, shows that key lessons from past talks have been applied.

BENEFITS OF PRE-NEGOTIATIONS

Kerry did not state any preconditions for entering the talks, making no mention of highly contested final-status issues such as borders, economic development, Jerusalem, prerogatives of a Palestinian state, refugees, security, or settlements. These omissions mean that during pre-negotiations, Kerry and his team convinced Palestinians and Israelis to drop sensitive preconditions as terms of reference for the talks. If past experience is any guide, public discussion of these issues will create potholes along the negotiating road. During previous talks, Israeli, Arab, and other media often speculated and invented, claiming that what they wrote was authentic because it came from "reliable" -- but inevitably anonymous -- sources. Kerry addressed this problem emphatically, stating, "I will be the only one, by agreement, authorized to comment publicly on the talks, in consultation, obviously, with the parties. That means that no one should consider any reports, articles...or even rumors reliable unless they come directly from me, and I guarantee you they won't."

Pre-negotiations have other benefits as well. They inform points of view and create moments of mutual understanding, even if not agreement. Redlines may be explored and redefined, and differences on proposed negotiating procedures and substantive matters narrowed. Confidence-building measures may be used to soften hard edges: in the latest pre-negotiations, Israel promised to release Palestinian prisoners, Arab states endorsed the idea of land swaps, and Washington reassured Israel that its security concerns pertaining to Palestinian statehood and beyond would be addressed regardless of the outcome of the talks. Pre-negotiations can also produce early drafts of eventual agreements. In the current case, the preliminary stage established a common political horizon: writing a framework agreement that leads to a two-state solution.

Clarifying talks have facilitated past Arab-Israeli agreements. During secret meetings with former national security advisor Henry Kissinger before the 1973 October War, his Egyptian counterpart told him that President Anwar Sadat was prepared to negotiate with Israel in phases. Kissinger employed this suggestion of phased diplomacy when he

took up the negotiating baton in earnest after the war. According to recently released documents from the Israel State Archives, when Foreign Minister Moshe Dayan met secretly in Morocco with Egyptian vice president Hassan Tuhami in September 1977 to discuss the nature (but not the detail) of an agreement, Prime Minister Menachem Begin and Sadat had already conducted penetrating discussions through Romania the month prior. Thus, the two leaders had taken the measure of each other weeks before Sadat's November trip to Jerusalem. Later, in advance of the September 1978 Camp David meetings, intrepid American diplomat Roy Atherton made multiple trips to the region to narrow differences. And the first drafts of the Camp David Accords were hammered out by two State Department officials before the historic summit, following meetings between the Egyptian and Israeli foreign ministers and Secretary Cyrus Vance in England the previous month.

Similarly, before setting the stage for the 1991 Madrid peace conference, Secretary of State James Baker travelled to the region nine times to garner participation and support from Israel and surrounding Arab states. Yet there was much less preparation and pre-negotiation prior to the 2000 Camp David talks.

Today, a close review of the "Palestine Papers" (released in 2011 by the *Guardian* and Aljazeera) shows that over the past several years, virtually all final-status issues have been discussed in enormous detail during various secret Israeli-Palestinian meetings in Ramallah, Jerusalem, and elsewhere. Moreover, top Palestinian and Israeli negotiators Saeb Erekat and Tzipi Livni have come to know each other well.

Yet while pre-negotiations are necessary for success, they do not guarantee it. Like Kerry, former secretaries Condoleezza Rice and Hillary Clinton made six trips to the region before Israeli-Palestinian talks commenced in Washington in 2007 and 2010, respectively, but those lengthy preparations did not ignite prolonged negotiations or achieve an agreement.

POLITICAL REALITIES

Arab-Israeli negotiations tend to begin when leaders calculate that their national interests (and, to some degree, their personal political interests) can be advanced. Negotiations are seen as a means of attaining finite objectives: ensuring sovereignty, securing territorial integrity, and enhancing a self-defined long-term future. Incentives sustain negotiations, stimulate agreements, ensure military and/or financial aid, provide for security guarantees, and allow for political recognition.

Leaders also enter negotiations because they want to curry favor with the prime mediator (in this case the United States), avoid being blamed for obstructionism, and/or ensure that core concepts will not be emasculated (e.g., Palestinians being forced by a surrogate negotiator to give up core principles such as the desire to return to pre-1967 Israel). After the Camp David Accords were signed in 1978, Jordan (which did not participate in the talks) was angry because Sadat had told Carter that he would negotiate on Amman's behalf. In 1991, Israel did not want the United States stampeding it into an international conference where Arab states might gang up on it. At the time, one of Prime Minister Yitzhak Shamir's motivations for agreeing to attend the Madrid Conference was to ensure that Israel would be able to speak for itself and not have to negotiate with the Palestine Liberation Organization. And like Prime Ministers Yitzhak Rabin and Begin before him, Shamir entered Arab-Israeli negotiations in part to sustain or improve relations with Washington. Today, one of Prime Minister Binyamin Netanyahu's main incentives for resuming talks may have been to secure U.S. assurances of unrestrained support in weakening Iran.

The politics of the moment also determine if talks will start, stop, or fail. When President Obama and Netanyahu started their new terms in office in January, the frostiness that was so much a part of their previous relations began to dissipate, opening a window for intensive pre-negotiations. And as Rabin did twenty years ago when he signed the Oslo Accords with Yasser Arafat, Netanyahu entered the new talks in part to address growing domestic concerns about the growth of Islamic radicalism in the region and the potential establishment "of an additional Iranian-

sponsored terrorist state on Israel's borders." Both Netanyahu and Palestinian president Mahmoud Abbas want to prevent the deleterious effects that Iran, radical groups, and growing sectarian strife can have on Israel, Jordan, and a Palestinian state in the making.

Political realities also help explain why the September 2010 talks failed while the new talks seem to have a better chance of succeeding, despite remarkable similarities between Kerry's July 30 opening statement and former secretary Clinton's invitation to meet three years ago. At the time, the Palestinians were more eager to upgrade their political status at the UN than negotiate with Israel, while the Obama administration's already full Middle Eastern plate (e.g., winding down the wars in Iraq and Afghanistan) could not take the weight of intense talks. Israel had its own reasons for delay. With Gilad Shalit still a hostage and Israeli civilians under constant rocket fire, Hamas was seen as a strategic threat that had to be crippled economically and physically. And with Arab uprisings unfolding in early 2011 and the Iranian nuclear impasse seemingly coming to a head, Israel had multiple regional reasons not to place resolution of the Palestinian issue at the top of its strategic agenda. Moreover, the Israeli public was not demanding negotiations as it had in spring 2000 regarding withdrawal from Lebanon. Most Israelis also believed that President Obama was not a terribly good friend to their country, particularly after his June 2009 Cairo speech.

CONCLUSION

Since the early 1970s, the United States has been the primary trusted mediator, financier, and guarantor of agreements, and it is once again the lead choreographer. Yet when it comes to Arab-Israeli negotiations, no certain conclusions can be drawn in advance; historically, diplomacy in the region has often produced unexpected outcomes. Some negotiations have been suspended when leaders are unwilling to make necessary compromises or are forced to leave office, or when the mediator loses interest. And even if an agreement is reached, there is no guarantee that a two-state solution will end the conflict. (Read more about the history and political background behind the two-state concept. (<http://www.washingtoninstitute.org/policy-analysis/view/political-views-of-a-two-state-solution>))

As for the current talks, there are at least two reasons to be skeptical. First, a Palestinian state would require financial assistance to survive economically into the foreseeable future, and with assistance would come pressures to conform to donor attitudes. Could such a state ever be free of external influences? Past experience shows that borders in the Middle East are often only suggestions.

Second, a two-state agreement would be transactional, including precisely stated demarcations and privileges, and perhaps eventually a treaty declaring that conflict is ended and all claims dropped. But for the conflict to truly be over, public attitudes and behavior must be transformed as well. Accordingly, expectations regarding the two-state framework's potential impact on the conflict should be lowered, at least for a generation. Time can allow patience to trump skepticism and transactions to become transformations. Yet even that is not guaranteed without the requisite political and public will.

Kenneth Stein is the coauthor of Making Peace Among Arabs and Israelis (1991) and the author of Heroic Diplomacy: Sadat, Kissinger, Carter, Begin, and the Quest for Arab-Israeli Peace (1999). He teaches Middle Eastern history and politics at Emory University. ❖

RECOMMENDED

Unpacking the UAE F-35 Negotiations

Feb 15, 2022



Grant Rumley

(/policy-analysis/unpacking-uae-f-35-negotiations)



ARTICLES & TESTIMONY

How to Make Russia Pay in Ukraine: Study Syria

Feb 15, 2022



Anna Borshchevskaya

(/policy-analysis/how-make-russia-pay-ukraine-study-syria)



BRIEF ANALYSIS

Bennett's Bahrain Visit Further Invigorates Israel-Gulf Diplomacy

Feb 14, 2022



Simon Henderson

(/policy-analysis/bennetts-bahrain-visit-further-invigorates-israel-gulf-diplomacy)

TOPICS

Arab-Israeli Relations (/policy-analysis/arab-israeli-relations)

Peace Process (/policy-analysis/peace-process)

REGIONS & COUNTRIES

Israel (/policy-analysis/israel)

Palestinians (/policy-analysis/palestinians)