

Back to the Palestinian Track: Prospects for the Clinton-Arafat Meeting

by [David Schenker \(/experts/david-schenker\)](/experts/david-schenker), [Robert Satloff \(/experts/robert-satloff\)](/experts/robert-satloff)

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ABOUT THE AUTHORS



[David Schenker \(/experts/david-schenker\)](/experts/david-schenker)

David Schenker is the Taube Senior Fellow at The Washington Institute and director of the Program on Arab Politics. He is the former Assistant Secretary of State for Near Eastern Affairs.



[Robert Satloff \(/experts/robert-satloff\)](/experts/robert-satloff)

Robert Satloff is executive director of The Washington Institute, a post he assumed in January 1993.



Brief Analysis

Palestinian Authority (PA) president Yasir Arafat meets President Bill Clinton today strengthened by the death of Syria's Hafiz al-Asad, whose funeral Arafat attended Tuesday. An Arafat buoyed and more confident by the death of his longtime nemesis adds a new wrinkle to an already complex game of brinkmanship that constitutes the Israeli-Palestinian dual-track negotiations on interim issues and permanent status.

Context Hafiz al-Asad's death is good news for Arafat on several fronts. First, Asad's demise removes from the scene the leading Arab critic of Arafat's Oslo-based strategy of incremental gains through negotiations and the leading purveyor (along with Iran) of state-sponsored terrorism against the peace process. Second, the probability that presumptive president Bashar al-Asad will need to consolidate his domestic support means that the Syrian-Israeli peace process will be even less likely to proceed than before. This new reality effectively derails Israeli prime minister Ehud Barak's strategy of forcing Syria and the Palestinians to compete against each other for Israel's attention and America's mediating interest.

For both Arafat and Barak, the clock is ticking--toward September 13, which Arafat has stipulated as the date-certain for a unilateral declaration of independence, and toward the more amorphous but no-less-real deadline by which the tottering Israeli government crashes in on Barak. The change in Syria leaves Arafat in a relatively better position than his Israeli counterpart, which will surely manifest itself in the complex set of negotiations that moved to Washington's Bolling and Andrews Air Forces Bases this week.

The Talks The Washington talks are about two sets of separate but linked issues--the outstanding "interim" issues left over the Oslo II, Wye, and Sharm al-Shaykh accords and the "permanent status accords."

The most contentious issues of the former revolve around releases of Palestinian prisoners--especially those "with

blood on their hands"--and the third further redeployment (FRD) of the Israeli military in the West Bank. According to Oslo II (as amended by later accords) by June 23, Israeli is supposed to be in control of only Jerusalem, settlements, and specified military zones. To avoid an early political showdown at home, however, Barak is keen to fold any redeployment--perhaps even the Abu Dis transfer announced but shelved a month ago--into the territorial concession in "permanent status" talks. As a result, he has begun to wave in Arafat's face a commitment that then-Prime Minister Binyamin Netanyahu received from the U.S. government to the effect that withdrawal from as little as 1 percent of the territories would fulfill the third FRD requirement. On this issue, the Palestinians are so far holding their ground, demanding that the letter of earlier agreements be implemented before they commit to any wider agreements in permanent status talks.

The permanent status talks have themselves transformed into something called the "framework" talks, discussions about a detailed "declaration of principles" that would outline but not dot the i's and cross the t's on all aspects of a final arrangement. Considerable fog has emerged as to whether this would indeed be an agreement providing solutions, at least in principle, to all issues (including Jerusalem) and would therefore constitute an "end of the conflict" accord between the two sides, or whether it would be something less. Recently, Barak has hinted at the latter. That has provoked a storm of protest from the Palestinians, but their protests ring hollow. It is a strong Palestinian interest not to reach closure on all items on the permanent status agenda, for that would require unprecedented, historic concessions that no Palestinian leader has--in public at least--been willing to countenance.

Indeed, despite the Clinton administration's oft-stated position that the necessity for a historic compromise means that neither side can achieve all its goals in these talks, the publicly enunciated Palestinian negotiating position has remained essentially unchanged over the life of the Oslo accords. As senior Palestinian negotiator Hassan Asfour recently said, "We have nothing new to add. There is no more flexibility. We were the party which made a historical concession in 1993 and not the Israelis."

Nevertheless, a close look suggests there may be at least some nuance in some of the Palestinians positions. Several weeks ago, Gaza Intelligence Chief Muhammad Dahlan reportedly held a closed-door meeting with representatives of local refugee camps and is said to have told them that refugees residing in the PA would not be eligible to return to Israel in a permanent status accord. If true, this would suggest that the Palestinian leadership is departing from its long-held position on an unconditional and total "right of return." On the issue of borders, it is interesting to note that Muhammad Rashid, PA economic czar and close confidant of Arafat, addressed a session of the cabinet with Arafat in attendance earlier this month and reportedly reminded the gathering that it was Egypt's Gamal Abdel Nasser and Jordan's King Hussein who "lost" the West Bank and Gaza, not the Palestinians. The implication of his statement was that Palestinians needn't have a historical chip on their shoulder to regain 100 percent of what they were not responsible for losing. That analysis has not so far translated into any policy prescriptions beyond a willingness to entertain land transfers--some of pre-1967 Israel in exchange for Israeli annexation for some of the West Bank; this idea was proposed in informal Palestinian-Israeli talks in the past but so far has been rejected by Barak. In general, therefore, these hints at moderation do not yet add up to real compromise.

Political Constraints One reason the Palestinian bargaining posture has remained so firm is that Palestinian public opinion is, on virtually all issues, even more maximalist than the negotiators themselves often seem to be. And although Arafat is the unquestioned leader of an authoritarian proto-state, he is still subject to some internal constraints in his negotiations with the Israelis. Here, Jerusalem may prove the most difficult final status issue for Arafat, for polling data suggests that anything less than total Palestinian sovereignty over eastern Jerusalem--including the Old City--will constitute an unacceptable outcome to a large majority of Palestinians. To a lesser extent, and depending on the overall nature of the agreement, Arafat may also encounter stiff opposition to making concessions on refugees and borders. The primary advocates for the refugees, however, do not reside in the PA and

are largely underrepresented in the Palestine Liberation Organization (PLO), and hence this constituency will likely be only a peripheral factor in Arafat's decision making.

Within the PA itself, Arafat's Fatah and its armed Tanzim (which was largely responsible for the May shootout with Israeli soldiers) are emerging as the primary constraints on any possible negotiating flexibility. Although beholden to Arafat, the Tanzim often follows a more extreme line, and Arafat has sometimes tried to circumvent this grassroots base of his popular support. Following the postponement of the statehood declaration in May 1999, for example, Fatah was the leading proponent of the demand that Arafat stick to his pledge to declare Palestinian statehood on September 13, 2000, regardless of the consequences. The Islamists and leftists, while oftentimes critical of the PA leader, do not at this point appear to constitute significant pressure on Arafat.

Conclusion For all three peace process principals--Arafat, Barak, and Clinton--the clock is ticking, but in the wake of Asad's death, it may be ticking fastest for Barak and Clinton. For a moment, at least, Arafat may want to take some time to test how much the other two truly want a deal and are willing to pay (or exert pressure) for it. Hence, his negotiators' suspension yesterday of talks on interim issues. The brinksman par excellence, Arafat plays this game better than virtually any other Middle East player. But, as the Asad legacy shows, there are risks involved in waiting for a better deal. In his talks with Arafat at the White House, the president's task is to restore the balance to Arafat's calculus of risk and gain and to impress upon the Palestinian leader that "achieving a historic compromise" does not simply mean a willingness to negotiate the modalities and timing of Israel's withdrawal to the 1967 borders.

David Schenker is a research fellow, and Robert Satloff is executive director, at The Washington Institute.

Policy #264

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