

# Israel and Palestine: A Precarious Partnership

*Adam Garfinkle*

FOR MANY OF those following the travails of the Israeli–Palestinian relationship since last summer, the rush of words, bullets, and images has been nearly overwhelming. How did three days of violence in September nearly destroy three years of effort to make peace? How is it that despite an early October summit in Washington and solemn promises by all sides to get on with business, it took until January 15, 1997, to reach agreement over the town of Hebron? And how is it that this agreement, so widely hailed as transformative for the Likud government in Israel and hence for the Israeli–Palestinian relationship, has been followed ever since by one bitter dispute after another?

It is not a pretty story. It has few heroes. To understand it, we had best return to basics.

## **The Autonomy Partnership Explained**

The key term of the diplomatic art in discussing the post-Oslo Israeli–Palestinian relationship is “partnership,” a word that can mean so many things that it might be thought, in practice, to mean nothing. In this case, however, “partnership” has a sound and specific definition: The willingness of the Israeli government and the Palestinian Authority (PA), at the pinnacle of political leadership, to suffer political attack at the hands of their most problematic domestic constituencies for the overall sake of developing Israeli–Palestinian relations toward relative normalcy, if not eventual peace.

Why agree to so suffer? It has nothing to do with love, still less to do with religion. It is instead characteristic of the politics of cold embrace:

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Partnership, in the sense meant here, is the result of a mutual conclusion that working together is the only way to escape an intolerable status quo for something possibly better. It does not require altruism, only the expectation that each partner will pursue its own interest. The degree of overlap of these interests alone bears the major burden of what is generally, if misleadingly, called “trust.”

In the Israeli–Palestinian case, that intolerable status quo was the result of a dialectic of violence occasioned by protracted occupation and seemingly endless *intifada*, and the basic bond of partnership that emerged from that dialectic involved trading one instrumentality and one basic principle each. That trade was this: The Palestinians foreswore the use of violence as bargaining leverage, and accepted explicitly the legitimacy of Israel’s existence as a Jewish state; Israel foreswore the annexation or permanent military occupation of the bulk of the non-Israeli land west of the Jordan River, and accepted that the Arabs living there had not only human and residency rights, but political rights as well.

Popular presumptions notwithstanding, this trade, reached in Oslo in August 1993, did not represent peace. It amounted only to a mutual recognition of the problem: the clashing claims of two peoples to own all of a single land. Important as that was, it was a far cry from agreeing on the solution to the problem. But even this step was daunting, not least because to move ahead meant marginalizing extremists on both sides and institutionalizing a pattern of reciprocal moderation at the highest political levels. In other words, each leadership had to manage simultaneously the relationships with its partner and with its most problematic domestic opposition—not easy to do under the best of circumstances, and neither side faced the best of circumstances.

Moreover, this obligation was not at the outset—and is still not today—completely symmetrical. One reason is that the trade described above requires Israel to give the tangible for the intangible—land for promises. Another is that Israel is at the same time so much more powerful and yet so much more vulnerable psychologically than the Palestinians. And yet another is that Yasir Arafat does not operate the Palestinian side of the equation within a real cabinet system or a real democracy. But the essential dynamics of partnership have been roughly comparable, and they compose the essential logic of an interim settlement: that one does what one can because it is not possible to do more but not desirable to do less.

It follows that for partnership to work, each side has to give the other a certain benefit of the doubt in its tending to domestic difficulties because, if it does not, its partner may well disappear—politically or

literally. But neither side can allow too much leeway because then its own domestic opposition may become a limiting factor. These limits have meant in practice that certain promises made in Oslo I and Oslo II were not honored in full or on time or at all, by either side. Until June 1996, with the sitting of a Likud-led government in Israel, each was able to tolerate the other's breaches as long as the spirit of the partnership endured, and as long as particular breaches did not burst the bounds of domestic political digestion. This required a politician's savvy for seeing the circumstances of the other, and for the bulk of the period since summer 1993 it has also required a working personal relationship between the head of the Palestinian Authority and the prime minister of Israel.

### Rough Riding

It took time for these balances and relationships to become workable, and they have never worked perfectly. In its earlier phases the limits of the Oslo partnership were breached by Yasir Arafat. Though his own domestic problems were serious, Arafat learned too slowly to appreciate the Labor government's domestic political circumstances. He was too sly and too slow in dealing with his extremist Islamist opposition, and he off-loaded the high price of Palestinian political adjustment to autonomy onto Israel in the form of terror and trauma. As a result, Yitzhak Rabin skirted the edge of the political chasm throughout most of 1994 and in the months of 1995 before he was murdered. But Shimon Peres, it may be said, learned too fast, giving Arafat more of the benefit of doubt than was wise; as a result, he fell into irredeemable political trouble at home.

The combination of Arafat's slowness and Peres's speed led to the growing impression in Israel that Arafat was insincere about partnership, that he was indirectly using his oppositions' violent acts to acquire political leverage—that he was, in essence, double-talking and double-dealing. If he was to keep his promises against the temptations of backsliding, he would have to be *made* to keep them; as Rabin used to say at tense moments in 1994, "Let them sweat." Most Israeli Jews simply lacked confidence that Peres, so intimately bound up with the process, possessed the necessary verve to do this.

This calculus, at once strategic and emotional, is what brought Benjamin Netanyahu to power. Although Netanyahu rose to the head of the Likud by opposing Oslo, and although he assembled his political coalition along similar ideological lines, he had campaigned promising not to destroy the Israeli-Palestinian partnership but to recalibrate and

restore it—in essence, to make Arafat take more of his own political heat and cause less for Israel. Given this mixed pedigree, no one could be sure at first who the “real” Netanyahu was: anti-Oslo ideologue, or skillful political operative and diplomatic pragmatist.

This uncertainty deeply affected the Israeli–Palestinian relationship. Arafat had thought Peres would win election. After the February–March 1995 bombings, he had finally moved strongly against Hamas in preparation for the next stage in the peace process, a success illustrated by the fact that there were no suicide bombings—and greatly advanced Israeli–PA security and police cooperation—between mid-March 1995 and the May 29, 1996 Israeli election. All of this came too late to save the Labor government, but it made Arafat more of a reliable partner than he had heretofore been. This created both irony and paradox.

The irony was that the more ideological elements in the Likud, as well as its coalition partners farther to the right, had already concluded that Arafat was not and never would be a real partner. Although Netanyahu still held open the prospect of fixing autonomy, others whom he brought into the government were less interested in fixing autonomy than they were in unmasking it for the dangerous charade that, in their view, it was. Arafat’s “good behavior” and genuine intentions for peace became definitionally “impossible” for them; meanwhile, at his first and all subsequent briefings by Israeli Military Intelligence and the General Security Services, Prime Minister Netanyahu was told that Israel could not assure the personal security of Israelis without PA cooperation. This, obviously, put the new prime minister in a very tough spot.

The paradox was that although Arafat had become the partner-in-waiting to Netanyahu that he had never been to Rabin, Netanyahu found himself having to respond less to Arafat than to the Israeli opposition to Oslo ensconced within his own cabinet. With Arafat needing to go faster in the peace process to justify to the Palestinian “street” the steps he had taken against his political opposition, he suddenly found himself with an Israeli interlocutor in Netanyahu wanting to go slower, and half of Netanyahu’s cabinet wanting to go nowhere at all—or even backwards.

Netanyahu’s election and sudden downshifting of the peace process threw Arafat for a loop, but Arafat had made matters worse for himself by exaggerating the expected outcome of the peace process, proclaiming repeatedly that an independent Palestinian state with its capital in “holy Jerusalem” was imminent. He did this partly to justify his concessions, partly to bury his opposition by romantically, but irresponsibly, outbidding it. Having thus stepped into the street (without adequate regard for traffic), Arafat and his lieutenants panicked and made additional

mistakes when Netanyahu hit the brakes. They threatened a return to violence, mocked the very idea of partnership by allowing public squares to be named after murderers like bomb-making “Engineer” Yahya Ayyash, and otherwise betrayed sentiments inconsistent with their promises.

Netanyahu’s electoral mandate was to improve the peace process by asking more from the Palestinians and giving less to them; given the Palestinian Authority’s very uneven track record and most Israelis’ reaction to it, this made much political and diplomatic sense. But such was not the policy. Instead, thanks partly to the disjunction between the prime minister and his own coalition partners, the new government *demand*ed more of Arafat even as it denied his achievements, and it gave in return not *little* but *nothing*. Deliberately trying to diminish Arafat’s status and Palestinian expectations, it practiced a combination of thumb-in-the-eye and keep-’em-waiting diplomacy deeply destructive of fragile Israeli–Palestinian ties.

As to the thumb-in-the-eye, opening a new door to the tunnel along Herod’s road on the evening of September 23, 1996, was in itself innocuous, and Arab claims about what it suggested—structurally undermining al-Aqsa mosque to rebuild Solomon’s Temple—were absurd. But the way it was done, furtively and unilaterally, fit a pattern of high-handed condescension. A few weeks earlier, in cover of darkness, the government had lifted a crane over the wall of the old city to demolish a building being used without proper license as a Palestinian day-care center—this just days after Arafat agreed to shut down two technically illegal PA offices in east Jerusalem. Thus was a Palestinian concession followed by an Israeli indignity, which was taken by the Palestinians, again, as a deliberate humiliation. Netanyahu’s refusal to meet with Arafat, followed by his doing so belatedly, coldly, and without substantive results, was part of the pattern, as was keeping Arafat’s helicopter in the air for 40 minutes before allowing it to land in Ramallah. Infrastructure Minister Ariel Sharon also ostentatiously announced the expansion of Israeli settlements and a land-eating, road-building program in the West Bank clearly aimed at segmenting the land into enclaves.

Meanwhile, the Netanyahu government was achingly slow to decide anything concerning the negotiations with the Palestinians. The government dithered for months about what to do with respect to Hebron. It also procrastinated over establishing a common agenda with the Palestinian Authority for the further implementation of the Oslo II interim accord, and after that agenda was finally established in August—just before the September 4, 1996, Arafat–Netanyahu meeting—almost

nothing of substance was discussed, let alone agreed upon, before the tunnel episode broke forth 20 days later. Netanyahu had also claimed movement in easing the economic closure of the territories by issuing more Palestinian work permits, but in fact no such permits were issued as of September 24, and the Palestinian economy deteriorated even further. Moreover, the government's first diplomatic initiative was aimed toward Lebanon and Syria—the “Lebanon-first” gambit—an exercise that, whatever its chances for success, held the advantage from the government's point of view that it did not involve Arafat or Palestinians.

All this can be laid squarely at the feet of the prime minister, who insisted that he alone make the key decisions—and then proceeded to not make them. It is hard to find much fault with Arafat's complaint: “With Netanyahu everything begins and ends with a meeting. They have been reviewing the redeployment in Hebron for several months, and they are prepared to continue this review several more months, and years. But when it comes to everything that has to do with settlement, they learned everything with lightning-like speed.”<sup>1</sup>

Part of the reason for the behavior of the new Israeli government was the inexperience of its leadership, and part was Netanyahu's hesitation to oppose those key members of his government who viscerally opposed giving the Palestinians anything beyond what they already had. But a certain logic of the new government's decision process under these circumstances also contributed to the Israeli posture. To move forward with negotiations with the Palestinians, the prime minister needed either an existing basic consensus or a post hoc one over a chosen policy, and this he lacked. But to move forward incrementally with expanding existing settlements or opening tunnel doors, all he needed to do was say “yes” to a few special pleaders and constituents—including, increasingly, foreign Jews bearing both lots of money and decidedly right-wing views. And he did say yes, a little too often.

### **The September Violence**

In the roughly 100 days between the installation of the new Israeli government on June 18 and the tunnel crisis of September 24, a sharp political deterioration came into play in the Israeli–Palestinian partnership.<sup>2</sup> Although part of the problem flowed from Palestinian missteps that confirmed the Likud's least charitable assumptions about Arafat's motives, the greater part flowed from Netanyahu's failure to implement his own stated plan. The result was that Netanyahu's behavior did to Arafat what Arafat's behavior had earlier done to Rabin and then Peres: exceed the limits of domestic political tolerance. The difference is that

Arafat stands to lose not an election or cabinet support, but rather somewhere between middling and complete control over Palestinian reality and, as with Rabin, even his life. In explaining the September riots, this distinction is not trivial.

Netanyahu's first 100 days undermined the accumulated benefits of partnership built up since summer 1993; rather than understanding the other's domestic circumstances, both sides tended increasingly to conflate their partner and its extremist opposition, to wit: They behave the same, so they must *be* the same—Netanyahu and Sharon as far as the PA was concerned, Arafat and Hamas as far as Likud was concerned. Thus the Likud government initially saw in the violence of September 24–26 a deliberate incitement to violence on Arafat's part—a fundamental repudiation of partnership. It would not admit that its own behavior contributed to the violence. And the Palestinians saw Israel's opening of the tunnel door, amid its failure to negotiate seriously with them, as a repudiation of partnership as well. They, too, would not admit that their own behavior also had contributed to the violence.

These jaundiced perceptions were worsened by a series of mutual insults based largely on cultural ignorance. Thus Avigdor Kahalani, Israel's Internal Security Minister from the Third Way (*Derekh HaShli-sheet*) party, claimed that opening the second tunnel door near the Via Dolorosa and the Arab market would be good for Arab merchants. This was the equivalent of accusing prominent Arabs of selling their dignity for a pottage of red lentils—a metaphor that even secularists like Kahalani and Netanyahu understand. As for the Palestinian leadership, the outrageous claims about Israeli intentions in opening the tunnel door—claims that it, but not others both less sophisticated and farther afield, knew to be untrue—struck a tender historical nerve in Israel. As the prime minister himself noted, for well over a thousand years, murderous pogroms against Jews have been preceded by precisely such outrageous lies based on the supposed “religious” transgressions of the “willful” Jews.<sup>3</sup>

These insults in turn stoked the exaggerations and half-truths that were hurled about as the dust settled and the fresh graves, Palestinian and Israeli, were filled. Many Israeli officials became surer than ever that Arafat had intended violence when he called for demonstrations and had ordered his police to shoot at Israeli soldiers. The evidence from the variable pattern of interaction between the Palestinian police and the Israeli military from place to place suggested instead that the reaction of many undertrained and inexperienced Palestinian police was a function of the chaotic logic of the moment. Nor did they consider the possibility that Arafat might have called for demonstrations because he

knew they were coming anyway and thought it better to lead and try to control them than to let them run amok and end up aiming their wrath at him.

At the same time, Palestinian officials came quickly to believe that the tunnel caper was no error of judgment, but another deliberate humiliation to undermine PA authority, this time at the most symbolically sensitive of spots, the Haram al-Sharaf in the Old City of Jerusalem. Nor did they believe that Israel's use of tanks and helicopter gunships was a proportional response to events. They called what happened a "massacre" and they believed it, even though Israel's use of force was extraordinarily restrained under the circumstances. Had orders been given to Israeli soldiers to fire indiscriminately, hundreds and perhaps even thousands of Palestinians would have been killed, not six dozen.

What happened, in short, was that the margin of error for small sins that once existed was virtually eliminated, and every act, whether done in malice or not, was now interpreted in the worst light. Believing in one's own recently and incompletely abandoned biases turns out to be very easy, especially when indulging them helps with one's most problematic domestic constituency. The press focussed on Arafat's gains, and they were real: The tunnel door "thumbing" offered Arafat a golden opportunity to reverse his sinking fortunes. It furnished, in essence, a pretext—clear enough from the fact that Arafat had tried and failed a few weeks earlier to generate mass demonstrations by calling for a general strike and a massing at the al-Aqsa mosque. The international uproar over the Likud election victory had also encouraged Arafat to believe that in any showdown "world opinion" would favor the Palestinian case and act as a means of pressure against Israel. Surely Arafat was playing the game of tactical tit-for-tat all along; why else would he have smiled at a reporter during the summer and said of Netanyahu: "He makes a lot of mistakes."<sup>4</sup>

Equally clear were Arafat's motives in calling for demonstrations: to create a cost for Israeli foot-dragging and, as important, to deflect onto Israel the growing Palestinian displeasure with the PA. What had not worked in August and in early September was ready to work by late September. With the temperature of the Palestinian "street" rapidly rising, the shock of the tunnel door opening in Jerusalem allowed Arafat to dwarf local displeasure with the PA's many sins (nepotism, corruption, police brutality, press intimidation and censorship, and general administrative incompetence), to join ranks with and rhetorically lead the entire Arab and Muslim world, and to show Netanyahu that even the



*mukhtar* of Gaza, as Arafat's detractors sometimes called him, could exact a political price for demeaning him.

But the violence helped Netanyahu, too—not with the Israeli electorate or with world opinion, but with the brawling Likud princes in his own cabinet. His uncompromising rhetorical and robust military response to the rioting shut them up sufficiently to allow him to be more flexible for awhile. The broader context mattered, too: It had also become soberingly clear to all concerned that Arafat did have an answer of sorts to those propounding the anti-Oslo approach within the Israeli government, and it was an approach that promised to take both sides, kicking and screaming, into the abyss. That abyss had a specific definition: the reversal of key trades achieved thus far in the peace process, that of ending the military government along with the intifada, and that of ending Israel's direct control over the Palestinian population and the PA's assuming it. No one, not even those professing to be anti-Oslo, was prepared to recommend reversal.

The fact that the violence helped both Arafat and Netanyahu politically is, of course, precisely what was wrong with it. The peace process requires a willingness to take political heat for the sake of partnership, not a willingness to set partnership aflame for the sake of domestic political ease. This being the case, the task at hand for the Washington summit of October 1–2, 1996, was clear: Prevent the Israelis from assuming that the Palestinians were bent on using violence, hence repudiating their basic commitment; and prevent the Palestinians from assuming that Israel was bent on avoiding good faith negotiations, hence repudiating its basic commitment.

Fixing matters also meant restoring partnership in the sense of getting each side to be realistic about the domestic political limits of the other. This did not mean giving *carte blanche* for all misdeeds, the latter being simply out of the question for Israelis who had watched in horror as the Palestinian police turned their guns on Israeli soldiers. Producing any trust at all was bound to be difficult, but this, it seems, more than anything else was the achievement of the summit—especially the three-hour Arafat–Netanyahu tête-à-tête on Wednesday night, October 2. The pleadings of Jordan's King Hussein also seem to have done some good: They galvanized Netanyahu's fears that he might have jeopardized Israel's most important Arab relationship—that with Jordan.

Netanyahu's changed demeanor showed in his October 2 *Nightline* interview, in which he made statements about Arafat and the PLO that he had never even come close to making before: recognizing the Palestinians as a people and the PLO and Arafat as their only negotiating

address, and stating that the interests of Israeli and Palestinian children were intertwined.<sup>5</sup> Netanyahu also soon walked back his initial comments about Arafat's motives. As a result of that meeting, Netanyahu said, there was a basis for trust with Arafat, and he declared his belief that, just as he had not intended the tunnel door opening as incitement to violence, neither had Arafat given orders to shoot or likewise intend violence. Arafat and Netanyahu were able to admit to one another a lapse of judgment; if indeed, as Netanyahu later said, the ice was broken in Washington, that mutual admission was the ice-breaker.

Beyond Netanyahu's own apparent change of heart—which one Israeli commentator chose to ridicule by titling a newspaper column “Bibi is in Love”—change was also reflected elsewhere on the right of the Israeli political spectrum. For example, the *Jerusalem Post*, the pro-Likud English-language daily, editorialized in October that the essence and point of the peace process—that Israel should not rule over the Palestinians—must be preserved, a very different tune from what that newspaper had advised editorially a year before. It remains a mystery why it should take noxious acts of violence to clarify the obvious, but in this case exactly that, once again, is what seems to have happened.

### Down From the Summit

The peace process was in Netanyahu's hands after the Washington summit. Despite Arafat's tactical feints, he really had no place to go and knew it. It was understandable for a young Palestinian villager to say, as did Tha'ir Rawajbi, “The return of Arafat and the Palestinian Authority was a result of all the stone throwing of the *intifada*, so the same means can make Netanyahu flexible.”<sup>6</sup> But Arafat understood that if there were renewed violence, the first thing the Israeli military would do was neutralize and disarm the Palestinian police, and then nothing would stand between Arafat and multifaceted rage among the Palestinian population. There cannot be another *intifada* under current conditions, there can be only a small war; and it is a war the Palestinians cannot win.

Netanyahu, on the other hand, had choices, one of which was to openly join the ideologues in his cabinet and repudiate the peace process. But the collateral price of such a choice would be stiff: the probable end of all of Israel's public relationships with the Arab states; the end of the economic expansion afforded by integration into the world economy and the direct private investment that has come with it; and a deep deterioration in Israel's relationship with the United States. Such a choice was always unlikely, but at the time it did not seem much

less likely than a wholesale jettisoning of Likud's "Whole Land of Israel" (*Eretz Yisrael HaShlaymah*) ideology, the acknowledgment of the principle of "land for peace," or the acceptance of any sort of Palestinian sovereignty west of the Jordan River.

Rather, it seemed more likely that Netanyahu would stumble into the de facto repudiation of Oslo without meaning to, hoping beyond hope that there was some third way between embrace and repudiation. Netanyahu might sincerely pledge restoration, but then find it impossible to achieve with his current cabinet. As he did before the September violence, he might have woven a pattern of promising, delaying, renegeing, and backtracking—a kind of diplomatic Micawberism—that would have stimulated more Palestinian violence whether Arafat wished it or not. Such a process would have soon put Arafat and the PA in the impossible position of choosing between war with Israel and war with its own people. In other words, a third way "by default" made of cheerful but vague Israeli rhetoric followed by equivocation and indecision would, many feared, sooner or later turn out to be repudiation in effect.

As of mid-autumn 1996, this seemed the most likely future, for the rays of hope produced by the Washington summit were soon enveloped in clouds. It was still not clear what Netanyahu really believed about the possibility, or desirability, of peace with the Palestinians. Was he really the pragmatist and leader his devotees said he was, or was he a nationalist ideologue playing for time in an effort to ease the gamut of internal and external pressures built up around him? As was the case before the September violence, some evidence pointed one way, some another.

Netanyahu soon stopped his aides from claiming the Washington summit an Israeli "victory" and from accusing Arafat of sins for which they had no evidence. He also soon stopped talk of moving the Israeli army into the major Palestinian cities to disarm 30,000 Palestinian police. He also quickly withdrew Israeli tanks from forward positions, issued work permits to Palestinian laborers, and countenanced Arafat's visit to Israeli president Ezer Weizman in Caesarea. The government also took steps to bring the issue of settlements into the prime minister's office. Here the policy was moderate—no new settlements and no expropriation of private Arab land in those cases where the government chose to allow natural growth in existing settlements. But the way Netanyahu needed to couch these decisions—so as not to provoke allies to his right—made it seem to the world at large, and to the Palestinians, that Israel was being *more* aggressive on the issue of settlements.

Aside from allowing such an impression over settlements policy, Netanyahu did nothing to still talk among the Likud faithful that the

September violence was “Shimon Peres’s chickens come home to roost”—as though the policies of his own government had had nothing to do with it. Moreover, his October 7 proposal before the Knesset that, after the Hebron redeployment, Israel wished to move directly to final status issues, suggested an effort to freeze all further movement on the ground, for if final status positions proved too far apart to enable a working negotiation—a good bet given the positions of the sides—then there would be no further Israeli territorial withdrawal, and the Palestinians would be left far short of their declared minimum satisfaction from the process. As Arafat saw it, Netanyahu aimed to renege on Israel’s Oslo II commitment: to complete three withdrawals from the West Bank during the interim phase, well before the scheduled conclusion of final status negotiations on May 4, 1999. This prospect, in turn, prompted Arafat to threaten in late November a unilateral declaration of an independent state the moment the interim period was over, a suggestion described by Israel as a breach of the Oslo accords.

Arafat made other threats, too. He claimed that the tunnel door should still be closed because it was the “al-Burak” area of the Haram al-Sharaf, and therefore holy to Muslims. Also inflammatory was his October 9 statement that he could not prevent a new *intifada* from breaking out, which suggested he might not try, which in turn contradicted earlier promises to both Netanyahu and Weizman. So too were his orders for Palestinian drivers to shut down a road near the Israeli settlement of Nitzanim in Gaza, and his fomenting a sit-in at Hebron University on December 9.

All of this, however, amounted to preliminary jockeying over the negotiation of Israel’s redeployment from Hebron—the key aim set forth at the Washington summit. It was in the course of that very nearly maddening negotiation that much of what had been uncertain since mid-June about Netanyahu’s approach, and its potential for a “fit” with Palestinian interests, finally became somewhat clearer.

### Oslo III

Nearly all observers expected an imminent Israeli–Palestinian accord over Hebron in the wake of the Washington summit, but that agreement was not reached until January 15, 1997—fully three and a half months later. And it was not reached without backbreaking negotiating labors and a series of wrenching crises that caused countless sleepless nights in Washington, Jerusalem, Gaza, Amman, and Cairo. When it was reached, moreover, its contents bespoke such a thorough repackaging of the Oslo process that some observers have called it Oslo III, and rightly

so. What started out as an attempt to nail down an accord over Hebron, the last of the West Bank towns under direct Israeli military control, ended up as a reconstruction of the entire Oslo process within a new political context—namely, that occasioned by the Netanyahu government.

Netanyahu started out with a strong hand. Elected by 56 percent of the Jewish vote to fix autonomy, he could have engaged a leverage-short Yasir Arafat to good effect from the start. Instead, as we have seen, Netanyahu ignored Arafat and misjudged his maneuvering room—errors that helped create the September violence. When Arafat was on his best behavior, before the tunnel incident, he gained only scorn; when he was at his worst, gambling with incitement and violence, he got Netanyahu's attention in a big way. Before, Arafat had requested meetings and a "personal relationship"; afterwards, it was Netanyahu who called for them. Before, it was Arafat who insisted on a Hebron deal; afterwards, it was Netanyahu.

Thus did Netanyahu turn a strong hand into a weak one, alienating domestic allies, Washington, Cairo, and Amman all along the way. The pressures that built up, as much internal as external, put him in a box: He needed an accord to relieve the pressures, but the pressures themselves aided the Palestinian position. Arafat deployed that advantage to broaden the negotiation and to lock Israel into as many of the implied commitments of the previous Labor government as possible.

Despite the many ambient difficulties described above, from mid-October through early January there were ample signs that both sides wanted an agreement—including the exemplary way that both Israel and the PA handled the Noam Friedman shooting incident in the Hebron market on January 1. Moreover, the United States stood ready to help, smaller problems were falling aside one after the other, and it seemed that only a few ruffled egos, some peculiar personality dynamics, and a couple of details stood in the way of completion. But Arafat kept stringing the negotiations out. Then, just as the Hebron package itself was completed in mid-December, Arafat upped the ante, insisting on getting Israeli and American commitments concerning the implementation of the remainder of Oslo II—particularly the three territorial withdrawals specified therein—before he would sign a Hebron deal.

Arafat thus deliberately caused a last-minute crisis—his hallmark—by overloading the negotiation. It was a rational undertaking, for Arafat knew that as soon as he signed any agreement with the Likud government—thus in effect legitimizing it—most of his leverage would evaporate. He might get more from Israel through such a ploy, and if not, he could always back down, as he had many times before. In the effort Arafat seemed to exaggerate the role of international opinion and pres-

sure on Israel, especially U.S. pressure. It is not clear how long Arafat would have strung out the Hebron negotiation, but it is clear that had U.S. diplomats not gone out of their way to indicate that they blamed Arafat, not Israel, for the delay, he might be delaying still. That, and King Hussein's providing a convenient means for Arafat to break away from obdurate Egyptian advice, eventually did the trick.

But it took so long that, by the time the agreement was signed, a good deal had changed. Naturally enough, Israel resisted Arafat's attempt to cook the diplomatic process in advance. The Israelis replied, in essence, that if the Palestinians deigned to overload the negotiation with demands about timetables that went far beyond Hebron itself, then Israel could do the same: hence Netanyahu's riposte, to extend the timetable for the withdrawals until 1999, to be considered *with*—not *before*—the deadline for final status negotiations. Aluf Ben, writing in *Ha'aretz* in late December, saw the prime minister's thinking taking shape:

Netanyahu—who rode to power on the back of his opposition to the Oslo agreements—sees them today as a multifaceted political asset: the unclear wording, which he believes was designed to hide Rabin's and Peres's intentions toward the withdrawal from the public, is today enabling him to proceed in a reverse direction from that of his predecessors without violating the agreements. . . . In order to settle the contradiction between his public obligation to honor the agreements and the political goal of freezing them, Netanyahu will try to obtain Arafat's agreement to a new outline.<sup>7</sup>

Netanyahu, Ben argued, would agree to continue the peace process after Hebron if Arafat would agree to move directly to final status negotiations, the lure being hints of Israeli acceptance of a semi-sovereign Palestinian state. If Arafat accepted and final status talks failed anyway, then Israel would not have to withdraw from any additional lands. If he refused, and no agreement on Hebron was reached, then Israel would not have to withdraw from any additional lands either.

And indeed, on December 20, Senior Policy Adviser David Bar-Illan had dropped the lure into the water. The guardian of ideological rectitude within Prime Minister Netanyahu's inner circle told the *Jerusalem Post* that a Palestinian state with limited sovereignty—including demilitarization—was something Israel might be able to accept, especially since partition was already a fact of life. Pressed on the matter Bar-Illan said: "The notion of 'Greater Israel' is no longer possible," and speaking directly of the prime minister's view, he said: "I think in general he is no longer (in favor of) a whole-land-of-Israel movement. I don't think he feels that there is any chance of the Land of Israel remaining completely under the exclusive rule of Israel."<sup>8</sup> All observers agreed that Bar-Illan was not just speaking off-the-cuff, nor just for himself.

As it turned out, both Arafat's and Netanyahu's attempts to reshape Oslo succeeded only in part. The agreement affirmed the continuation of an 18-month interim phase; it called for three Israeli withdrawals within that period; and it reaffirmed the commitment to recommence final status talks. The sides compromised on the pace of Israeli withdrawals, stretching them out toward the termination of final status talks beyond the Oslo II dates, but not as far as May 1999. The Palestinians accepted the principle of reciprocity and recommitted themselves to what amounts to a series of confidence-building measures. A series of smaller understandings left over from Oslo II—matters that the sides would have been wise to have tackled last summer—were reached as well.

For those who like to keep "score" on such matters, Arafat won the first round of diplomatic maneuver with Netanyahu. The agreement did give Netanyahu some of what he had been demanding all along: "reciprocity" was promised in the U.S. note, the so-called "road map" for future progress. But even if this reciprocity is really enforceable given the inherent asymmetry in Israeli-Palestinian exchanges—and likely it is not—it was Arafat who defined the scope of the agenda, and who got the United States to do much of his heavy lifting for him, both successes symbolized by the midnight and wee-hours negotiating marathons that Arafat was able to impose on Netanyahu and the haggard, ruffled special Middle East coordinator, Dennis Ross, from the U.S. State Department. Had Netanyahu gone ahead with the Hebron negotiation in the summer, or even after his September 4 meeting with Arafat, Israel probably could have gotten more or less the same deal it got on January 15, and the Palestinians would not have had occasion to raise the issue of "after Hebron," of the three withdrawals.

But this misses the essence of the matter. The Hebron agreement kept the peace process from terminal atrophy, but it did not solve the problems posed by the transition from interim to final status negotiations. Some of those problems were inherent from the start, others were generated by the shift in Israeli positions occasioned by the new Likud government, and still others have been generated by Arafat's highly flammable behavior since mid-February. The Hebron accord reached no understanding on either the *scope* of Israeli withdrawals or the political context within which they are to be undertaken—a crucial matter to which we return below. And it was still unknown whether Netanyahu intended to use the language of the Oslo accords to advance, or to freeze, the peace process in the face of Arafat's efforts to bend that process as far as possible in his own direction.

## The New Likud?

Most early analyses of the Hebron accord assumed the former of Netanyahu. They saw as its main consequence a “new Likud.” Having started its internal intellectual reform after the Rabin assassination, the Likud as a whole was widely described as having made an uncomfortable peace, but a peace just the same, not yet with the Arabs but with the concept of compromise. Through the signature of its party leader to the Hebron accord, the Likud was said to be on board with the re-partition of Palestine, with the idea of “land for peace,” and with the notion that Arab sovereignty is inevitable in some portion of the territory between the Jordan River and the Mediterranean Sea. For a party that only recently (between the 1990 Persian Gulf War and the 1994 Jordan peace treaty) came to terms with giving up hope of making much of the *east* bank of the Jordan part of Israel, this would have been quite a major development—had it really been true.

It is a fetching story; it conjures the popular “Nixon going to China” phenomenon, the notion that only the right-wing can carry a country into a new era of peace with an old adversary. Even Arafat himself is said to have remarked with the Hebron accord that he had now made peace with all Israel, not just half of it. And it is certainly the case that some Likud stalwarts—Ze’ev Binyamin Begin, who resigned from the cabinet, and Yitzhak Shamir, who criticized Netanyahu bitterly—believe the tale of the “new Likud” to be true. Certainly, too, among the settler movement Netanyahu is no longer trusted, and amid the fringe of that movement he is openly called a traitor.

That said, it was not obvious with the Hebron accord that Netanyahu was a dove in hawk’s clothing, or that his anti-Oslo rhetoric was just a political ploy to get elected prime minister.<sup>9</sup> Although Netanyahu as politician knew that three-fourths of the Israeli electorate approved of his having signed the Hebron accord (the half that is Labor and the half of the half that is moderate-Likud), Netanyahu as political thinker, as his father’s son, and as nationalist patriot, still said things that accorded far better with the 25 percent who mostly loathed him—and he still says them. All in all, it is a peculiar thing that has been going on here: Netanyahu denies neither what he has done nor what he believes—he merely denies that the two are incompatible. The upshot is that Netanyahu, along with many of his associates, are in what may be called an experimental period; they are thinking through novel definitions of sovereignty and, from the perspective of their ideological inheritance, pondering several sets of square pegs and round holes.

How the experiment will end, though, is still not clear; and events



have the power to shape it. Certainly, January 15 was too soon to conclude that Netanyahu and the Likud Party he leads are necessarily wedded to the notion of “land for peace,” or that they accept the rise of Arab sovereignty over part of the land. In a November 22 interview with *Ha'aretz*, Netanyahu expounded at length on the dangers of “handing parts of Judea, Samaria, and Gaza over to a foreign state with foreign sovereignty.” Direct rule or annexation of all of the land is not possible, Netanyahu admitted, but he concluded that “it will be possible to reach broad-based agreement on a solution that will leave the Palestinians a considerable measure of independence, *while leaving the overall authority, particularly in the field of security, in our hands.*”<sup>10</sup> [author’s emphasis] Overall authority—read sovereignty—is to remain in Israel’s hands. On February 25, too—*after* the Hebron agreement—the prime minister repeated his rejection of the establishment of a fully sovereign Palestinian state in an interview with David Frost: “I think that the creation of full-fledged Palestinian self-determination, with no limitations on its powers, would be an obstacle to peace, not a solution.”<sup>11</sup>

Be that as it may, it is Netanyahu’s belief, also stated in the November 22 interview, that the mainstream Labor and mainstream Likud views of a final settlement are not that far apart. And in this he was right. In late November, Labor and Likud Knesset members began meeting, with their party leaders’ blessing, to hammer out a consensus position on final status. Just before the Hebron agreement was signed, they succeeded, and just after it they released the document to public view. Some matters are still not fully agreed, but there is enough of a common framework to think of the document as a beginning for a national unity government, which Netanyahu may turn to if final status negotiations ever reach the heavy breathing stage—or possibly before that, to head off a government crisis. It is then, with final status decisions yet to be made, that what appear to be contradictions in Netanyahu’s head must get sorted out.

### **Back on the Track to Stalemate**

Either way—but especially if Netanyahu adopts the traditional Likud ideological form as tough choices draw near—if he elects to use Oslo’s language to freeze the Oslo process, then the Hebron deal will be seen as having done little more than put Israel and the PA back on the track to the ultimate stalemate. Let us try to look ahead, into the murk.

If Netanyahu and the Likud ever come to genuinely accept “land for peace” and Arab sovereignty in parts of Judea, Samaria, and Gaza, then moving to a successful final settlement with the PA will not be entirely

out of the question. But if Netanyahu's notion of "limited Arab sovereignty" more resembles the autonomy "for the people" and not "for the land" formula of Menachem Begin and Yitzhak Shamir, then a successful negotiation is virtually impossible to imagine. Which will it be? As Netanyahu's own words suggest, no one knows yet, perhaps not even Netanyahu himself. The test lies ahead, either during the 18-month sequence of three Israeli redeployments in the West Bank, or amid an earlier move to final status talks, should such an effort be undertaken for fear of the total collapse of Oslo's interim phase strategy. Such a collapse is by no means a remote prospect.

As noted, Israel and the PA compromised on the pace of Israeli withdrawals, but not on their nature. This is a story with a pedigree. When Oslo II was being negotiated, the PA insisted that these withdrawals be negotiated. Israel refused, saying that because these were military-based decisions, Israel would make these judgments unilaterally. Arafat gave in. That is why Oslo II speaks of withdrawal from "specified" and not from "agreed" locations. It was generally understood at the time, however, that when the three withdrawals were finished, the Palestinians would control 85 percent to 90 percent of the West Bank.

Some observers have not properly understood why Yitzhak Rabin elected to withdraw from so much land during the interim phase, before final status talks were scheduled to end. Would this not yield Israel's most significant bargaining asset—land—prematurely? Some have even called the notion "crazy."<sup>12</sup> It was not crazy at all. As became clear in his final speech to the Knesset, where Rabin outlined in detail the probable new borders of Israel, the end of the territorial phase of the interim agreement coincided with what Rabin and his generals believed was necessary for Israeli security. If, as Rabin probably expected, final status talks stalled or failed, Israel would then be in a position unilaterally to annex the territories it deemed crucial. (In Israeli political terms, this consisted of a blend of Moshe Dayan's mid-1970s proposal of unilateralism, and Yigal Allon's late 1960s proposal of territorial division.) Israel could then say to Arafat about the rest, "Take it or leave it," it being understood that the balance of power would greatly favor Israel should Arafat demur and elect instead to pursue a contest of probes, irritations, or confrontations.

The Likud, on the other hand, has a less well formed but clearly less expansive notion of what may become semi-sovereign Palestinian land. Netanyahu, in explaining the implications of the Hebron agreement to the cabinet, the Knesset, and the press, hastened to say that he would employ a liberal definition of a "military location"; he suggested that no

more than half of the area, perhaps less, would end up under Palestinian control come summer 1998, when the third withdrawal beginning in March of that year will have been completed. The Palestinians immediately protested this, but Dennis Ross affirmed Netanyahu's insistence that the withdrawals were not to be negotiated, but to be undertaken on the basis of Israel's security needs and judgments alone.

This represented a serious kink in the road ahead, map or no map. Joined to a continuing crisis of confidence between Arafat and Netanyahu was a key dissensus over the emerging territorial definition of a final settlement. These two problems feed each other; Rabin and Arafat came to a level of trust partly because they shared a general conception of the final territorial configuration, and sharing that conception bolstered the level of trust. Between Arafat and Netanyahu, there is much less trust and little sharing of where the process is leading. This is why it was clear from the outset that what were to be *de jure* unilateral Israeli decisions about withdrawal would be *de facto* negotiations—as we saw in mid-March over Israel's first 9 percent withdrawal decision, which was summarily rejected by the PA. Short of inciting violence, Palestinian leverage over Israel's withdrawal decisions was and remains limited. And yet, it was just as clear that the repeated Palestinian recourse to violence would quickly end any "evolution" toward a "new Likud" and perhaps destroy the peace process altogether. Indeed, this was the general trajectory of events between mid-March and mid-April that culled together the Har Homa controversy, Israel's rejected first withdrawal proposal, the outbreak of moderate Palestinian violence, and, most foreboding, the suspension by the PA of Palestinian-Israeli security cooperation. Depending on how this and future arguments are ultimately handled, final status talks will be either impossible or very, very difficult. Those are the only possibilities, which is why rushing final status talks forward, as many have suggested as a way out of the impasse, is hardly without serious risk.

It was also inevitable that when the next dose of trouble came along, the United States would be deeply involved in trying to carry the two sides past it. The absence of trust and a rudimentary shared notion of the outcome requires that the United States patch in the difference at least until something changes politically to allow the parties to come to agreement on their own. This is why the heavy U.S. involvement in the Hebron accord—to the point of offering side letters that are virtual guarantees of U.S. action—was both necessary for success, and a step backwards in the process.

But a step backwards is better than falling down flat in any direction. So is a mature, textured stalemate better than a hollow, impoverished

one; and so is almost any kind of stalemate preferable to almost any kind of war. Those are the choices that the Israeli–Palestinian dilemma offers to the present generation and to the U.S. diplomats trying to protect the gains made thus far from retrogression. This may sadden the ebullient personalities among us, but it really should not; after all, these choices are the best the two peoples have had yet. And, with any luck at all, even better choices lie ahead, despite the cloudy times that are with us now. But that depends on both sides keeping up their end of the essential Israeli–Palestinian partnership bargain. Despite several missteps and indiscretions, the Israeli government has kept its side: Virtually all Palestinians in the West Bank and Gaza are free of Israel’s military occupation, and even the Likud accepts the inevitability of two governments, if not two states, west of the Jordan River, thus reaffirming that the Palestinians there have political rights. But the Palestinian Authority has not changed the PLO covenant, nor, clearly, has it truthfully and conclusively renounced violence as leverage. Until it does, the peace process cannot travel much farther—nor should it.

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*This essay has benefited from many discussions with my colleague Harvey Sicherman, president of the Foreign Policy Research Institute. Although not responsible for any of my errors, he is responsible for a number of the pithier expressions herein. My thanks to him for their loan.*

## Notes

1. Arafat quoted in *Yediot Aharonot*, September 29, 1996, p. 1.
2. This section parallels a part of chapter 7 in Adam Garfinkle, *Politics and Society in Modern Israel: Myths and Realities* (Armonk, N.Y.: M. E. Sharpe, 1997).
3. Netanyahu quoted in the *New York Times*, September 30, 1996, p. A6.
4. Arafat quoted in the *Wall Street Journal*, February 14, 1997, p. 1.
5. “The Arab–Israeli Summit,” *Nightline* transcript, *ABC News*, October 2, 1996, p. 2.
6. Rawajbi quoted in the *New York Times*, September 30, 1996, p. A6.
7. Aluf Ben, “Netanyahu’s Strategy,” *Ha’arets*, December 26, 1996, p. A2.
8. David Makovsky, “Bar-Illan: We may be able to accept a limited Palestinian state,” *Jerusalem Post*, December 20, 1996, pp. 1, 7. Although the *Post* initially translated the phrase from Hebrew as Greater Israel, the more accurate translation of *Eretz Yisrael HaShlaymah* is “the whole land of Israel.”
9. I said as much in print at the time: See “A Short Step on a Long Road to Peace,” *Newsday*, January 16, 1997.
10. Netanyahu quoted in *Ha’arets*, November 22, 1996, page B3.
11. “Israeli Prime Minister Benjamin Netanyahu Talking with David Frost” (transcript), *Federal News Service*, Washington, D.C., February 28, 1997.
12. Charles Krauthammer, “The Road From Hebron,” *Weekly Standard*, February 3, 1997, p. 21.