

Israel-Syria Negotiations: An Opportunity for Regional Strategic Change?

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The year 2008 was marked by renewed activity along the Israeli-Syrian negotiations track, due to a change in Israel's approach. In preceding years Syrian president Bashar al-Asad repeatedly stated his goal to renew negotiations with Israel, but Israel showed no interest. After Ehud Olmert assumed his position as acting prime minister once Prime Minister Sharon was incapacitated and even after he won the elections in March 2006 and established a coalition government, the policy he chose was at its core a policy of continuation. As such, he preferred to manage relations with the Palestinians by means of unilateral steps while giving a cold shoulder to the Syrians who continued to propose a renewal of negotiations.

The Changed Approach

Israel's policy change stemmed from developments in the Lebanese-Syrian arena and in the Gaza Strip. On the one hand, it became clear in both areas that the unilateral approach, even if it includes unilateral withdrawals and what is taken in Israel as gestures towards the other side, does not create a stable situation. This strengthened the notion that Israel cannot withdraw from territory it controls and hope it does not serve as a base for attacks against Israel without handing it over to a party committed to and capable of preventing violence and controlling the area. On the other hand it became clear that while Israel seemingly enjoyed strong deterrence and therefore

quiet along the Golan Heights, and while Hizbollah's provocations on the Lebanese border were at a controlled and tolerable level, the neglect of the Lebanese-Syrian front over time was in fact dangerous. The adversary on the other side has continued to arm itself and build better capabilities against Israel's civilian population, and ultimately these capabilities will manifest themselves unless the root causes of the conflict are dealt with.

Public dissatisfaction with how the Second Lebanon War was conducted and with its consequences heightened concerns about escalation on this front. It was assessed that the IDF's inadequate performance eroded Israel's deterrence with regard to Syria as well as Hizbollah, which therefore increased the possibility that Syria would try to launch a military move on the Golan Heights. President Asad strengthened this assessment with a string of statements in which he offered Israel one of two choices: resume negotiations and conclude a peace treaty with Syria, or confront a Syrian effort to "liberate" the Golan Heights by force.¹ All of these made it necessary to reconsider the correct way to stabilize Israel's northern border.

Another outcome of the Second Lebanon War was sharper Israeli focus on the Iranian threat and the role of Syria and Lebanon in that threat. In Israeli eyes the Second Lebanon War did not look like another round in the series of violent confrontations between Israel and factions in Lebanon, rather like the first round of a war between Iran and Israel waged by Iran's proxy – Hizbollah. This view obligated Israel to examine whether it was possible to deal with the Iranian threat in the arena close to Israel. The reality of the Iranian nuclear program strengthens this approach, specifically because of the time factor. If there is a way to disarm the Iranian time bomb or at least minimize its effectiveness via measures in the area close to Israel, it is preferable to do so before Iran has nuclear weapons and expands its hegemonic aspirations in the Middle East.

The concern following the war about erosion of Israel's deterrence on its northern front waned once it became clear that Syria had no intention of launching a military confrontation with Israel. Moreover, the behavior of Hizbollah and Syria indicated that despite the problems experienced by the IDF and the weaknesses that came to light in the war, overall the war strengthened Israel's deterrence on this front. This first emerged vis-à-vis Lebanon both in statements made by Hizbollah secretary-general Hassan

Nasrallah whereby had he known what kind of damage Lebanon would incur from the IDF's response, Hizbollah would not have tried to kidnap the soldiers, and in the quiet maintained on the Lebanese border since the war. As to Syria, the war actually dramatized Syria's military weakness and the price it might be required to pay in a war with Israel. Thus Syria has focused since then primarily on building its ability to extort steep prices from Israel and on defensive capabilities in order to deter Israel from initiating military moves against it. This balance of deterrence is apparent from Syria's lack of response to the reported attack on the secret nuclear reactor that was in advanced stages of construction in northern Syria, and in the Syrian attempt to downplay the significance of this attack in order to absolve it of the obligation to respond. Furthermore, Syria did not react to covert operations in its territory that suggest alleged Israeli involvement, such as the assassination of Hizbollah senior leader Imad Mughniyeh in Damascus. The absence of a violent response on the part of Hizbollah and Syria to Operation Cast Lead in the Gaza Strip also testifies to Israel's deterrence with regard to these players. Concern remains, however, about a flare-up of the Lebanese arena in some scenarios because Hizbollah may still react to Mughniyeh's assassination, and because developments in the Iranian arena and primarily an attack on Iranian nuclear installation by the United States or Israel can generate a Hizbollah response against Israel.

These developments spurred the renewal of negotiations between Syria and Israel. From Israel's perspective, the importance of attaining a peace agreement with Syria has grown because it serves to weaken the Iranian-Syrian-Hizbollah-Hamas axis by removing Syria from the constellation. On the other hand, Syria could then claim, both externally and internally, that Israel had finally succumbed to Syrian demands to renew negotiations because it was worried about Syria as a result of its failure in the Second Lebanon War, whereas from Israel's perspective it was easier to enter negotiations with Syria feeling it had rebuilt its deterrent capabilities rather than from a position of weakness. It has also been claimed that Prime Minister Olmert's decision to renew the negotiations with Syria stemmed from internal political considerations, in particular his desire to rehabilitate his status, which was badly damaged during the Second Lebanon War. This is a questionable thesis, as the change in Olmert's stance occurred

when he was already recovering somewhat from his political nadir. The negotiations were held through the mediation of Turkey, which at first relayed messages from one side to the other and afterwards organized talks to cultivate relations between the two sides, which sent delegations to Ankara. These talks were also conducted by means of messages relayed by the Turks, but the proximity of the delegations enabled a more efficient negotiations process. The negotiations were interrupted by the fighting in the Gaza Strip and were not renewed afterwards, as Israel was occupied with its election campaign and the elections themselves.

The International Response

The regional and international environment was less supportive of Israel's efforts. To the United States and to some extent also West European parties such as France, Israel, by renewing negotiations, was giving Syria a "free ride" and undermining the pressure on it to change its conduct on several issues. The first of these was its involvement in Lebanon's internal affairs, and in particular the suspicion that Syria was involved in the Hariri assassination and a long list of other political assassinations in Lebanon. The second was its serving as a support base for Sunnis fighting the United States in Iraq while using Syria as a logistical and financial rear and as a route for jihadist volunteers into Iraq.

Regionally too there was little support for a renewal of negotiations with Syria. Pragmatists in the Arab world are angry at Syria for its conduct in Lebanon and its alignment on the Iran-Syria-Hizbollah axis and do not want to relieve the pressure on it. In Lebanon, there are particular worries that Syria-Israel negotiations could end with both sides reaching a settlement at Lebanon's expense. Furthermore, the Arab world attributes greater importance to progress on the Israeli-Palestinian track and is concerned that conferring preferential status on the Syrian issue might harm the Palestinians' prospects.

Reservations by the United States are an important inhibiting factor. The negotiations between Israel and Syria are distinctive in that their main objective, from both sides' point of view, is not mutual relations, rather relations with a third party. From Israel's perspective, the chief goal is to weaken the radical axis that includes Iran and Hizbollah. From Syria's

perspective, the return of the Golan Heights is an important but less urgent goal: the chief goal is improved relations with the West and in particular the United States. Syria knows it is paying a steep price for its alliance with Iran, yet this same relationship may threaten the regime in the long term when it is no longer enough to mitigate Syria's chief problem – its problematic questionable economic future as a result of the depletion of its oil reserves. Because of this, Syria is not prepared for direct negotiations with Israel, unless the United States is also in the room.² For Israel too there is great importance to the American participation in the negotiations, because only the United States can compensate Israel for the strategic price it will have to pay in withdrawing from the Golan Heights. The refusal of the United States to be involved in the negotiations to date has not allowed the opening of direct and intensive negotiations and quicker progress.

In the internal political arena, the United States and Israel are both in a transition phase. President Obama's administration is in the protracted process of settling in, which in the United States is particularly long because the political system is such that a new administration replaces all personnel holding senior positions. In Israel, the results of the February 2009 elections may greatly affect the Israeli-Syrian track. Thus it will probably be necessary to wait until the middle of 2009 for these two main players to fully define their stances on the Syrian track. On the American side, the central question is what priority the administration will assign these negotiations.

Even at this early stage, it is fairly clear that the approach of Obama's administration to Syria will differ from its predecessor's. The administration will likely adopt an approach of dialogue with Syria that will resemble the recommendations of the Baker-Hamilton report of December 2006. Israeli negotiations with Syria with American participation are in keeping with this approach, and therefore presumably in the course of 2009 the United States will reverse its role, and instead of impeding the negotiations with Syria, will encourage and strive to advance them.

The extent of the Obama administration's proactive stance will largely depend on its priorities. One question is where the Arab-Israeli conflict is in the big picture of American priorities compared with issues of greater urgency, such as the economic crisis, Iraq, Afghanistan and Iran, American

relations with Russia, and more. Obama, already in his first remarks in office, made clear the importance he attributes to dealing with the Israeli-Palestinian issue and the Arab-Israeli conflict in general, and two factors in particular suggest that relatively high priority will be assigned to the Arab-Israeli conflict. The first is apparently the general approach among Obama's team that in the Middle East, everything is connected. This understanding also punctuated the Baker-Hamilton report, and its practical significance is that America's status in the Middle East and ability to realize its critical interests in regions far from Israel, such as Iraq and the Persian Gulf and perhaps even with regard to the war on global Islamic terrorism, require America to deal with the Arab-Israeli conflict. The second factor is the reentrance into the picture of key people who were previously involved in the peace process and are now in senior positions in the new administration. Senator George Mitchell was appointed the president's special envoy in resolving the Arab-Israeli conflict. General James Jones, the new national security advisor, already in his previous posting developed the concept of a comprehensive approach to solving America's problems in the Middle East, whereby processes involving Israel play a part in negotiations.

A second question is which track will be assigned higher priority – Palestinian or Syrian. The new administration may give preference to the Syrian track because chances for success are higher, whereas the Palestinians track seems mired in a dead end. On the other hand, it seems that the personal preference of many people in the administration and perhaps of Obama himself is the Palestinian track, because they feel its resolution is more important and will have a greater impact on the Middle East and the Islamic world in general than the Syrian track.

The Israeli Factor

The renewal of talks with Syria in 2008 prompted a strong public debate in Israel, because it was clear that negotiations that would end with an agreement would commit Israel to give up the Golan Heights. Those opposed argued that the Golan Heights are an important strategic asset and that evacuating the residents from the area would be too high and traumatic a price for the Israeli public. The benefit Israel was likely to get from such an agreement was not at all commensurate with its cost because Syria would

not want – and would not be able – to sever its strategic ties with Iran and Hizbollah, and the Golan Heights are in any case peaceful because Israel's deterrence with regard to Syria is still effective. Within Israeli government circles, however, there is steadfast support for renewing negotiations with Syria, and the push for progress along the Syrian channel is particularly strong in the defense establishment.³ The underlying strategic philosophy is that negotiations with Syria and an agreement with it are an effective way of weakening the Iranian threat and stabilizing the situation with regard to Lebanon.

Experience in the peace process suggests that despite the great significance of the United States as supporter and facilitator of successful negotiations, the first prerequisite for progress is the desire of the two sides and their strategic decisions, which is also influenced of course by the American stance. Thus, the decisive factor as to the future of negotiations is likely the nature of Israel's coalition government. Any government established will have to decide whether to continue the negotiations with Syria and the negotiations with the Palestinians over a permanent settlement, and given the difficulty of conducting intensive negotiations, let alone implementing the agreements on two tracks simultaneously, how much weight to assign to each track. Syria is not making negotiations conditional on progress on the Palestinian track, and therefore in this sense it may be possible to prefer negotiations with Syria and slow down or freeze the negotiations with the Palestinians over a permanent settlement.

Because of the right wing nature of his coalition government, Netanyahu will not have a lot of freedom to maneuver on the Syrian issue, and he will find it difficult to continue the negotiations. Given the need to avoid friction with the new American administration, it may be that Netanyahu will actually give precedence to the Syrian negotiations, because this will allow him to postpone the pressures to give meaningful content to the Israeli-Palestinian negotiations in which he will likely be unwilling or unable to make progress. However, it is also highly doubtful that he will be able to conduct effective negotiations with Syria in light of the expected opposition of his coalition partners and within his own party. Yet if he nevertheless decides to do so and the negotiations end successfully, he will find it easier to pass the agreement generated by the negotiations

in the Knesset and also in a plebiscite, because the opposition will support an agreement and Likud almost certainly will split into factions for and against the agreement.

Paradoxically, it may be that Netanyahu will find it easier to conduct some political process on the Palestinian track than along the Syrian one, because there are no possible partial agreements in the Syrian track. Negotiations with Syria can take place only if there is basic willingness on the Israeli side to withdraw fully from the Golan Heights. In the Palestinian track, it is possible to conceive of scenarios in which, lacking options, the Palestinians will continue some sort of political process with Israel even in the absence of real negotiations over a final permanent settlement. This was likely the background to post-elections statements by Netanyahu associates whereby it was necessary to advance a partial agreement with Syria – Israeli withdrawal from parts of the Golan Heights in return for a non-belligerence agreement with Syria. This is an attempt to create a type of partial agreement, yet it is likely to fail given the rigid Syrian stance of refusal to discuss anything that is less than a full arrangement.

Regional Ramifications

Iran is aware that the price required of Syria, in exchange for an agreement that would restore the Golan Heights to Syrian sovereignty, is the severing of Syria's strategic ties with Iran, and therefore it is likely that Iran will labor to deter Syria from continuing the negotiations with Israel and certainly from concluding it successfully. However, it will try to ensure that these steps do not harm its future relations with Syria since given Iran's diplomatic isolation, these relations are important to it. This means that beyond the attempts to convince Syria not to pursue a peace agreement, Iran will apparently not take any sanctions against Syria. Iran can take indirect steps such as fomenting trouble in the Lebanese or Palestinian arena in order to create conditions that might hinder Israeli-Syrian negotiations.

Negotiations between Syria and Israel would also affect the Israeli-Lebanese system. On the one hand, Iran is liable to take advantage of this arena to undercut the negotiations. On the other hand, Syria itself would almost certainly work on behalf of restraint in Lebanon, and it is even possible that when the negotiations reach the stage of direct negotiations,

Lebanon might also join in.⁴ This signals a change in approach as Syria, in previous negotiation stages, made negotiations with Lebanon conditional on the success of the negotiations with Syria. For its part, Syria will strive to take advantage of the negotiations with Israel and the renewal of the dialogue with the United States to strengthen its hold on Lebanon. This is liable to be a stumbling block in the course of the negotiations because the United States and the Europeans will not be willing to sell out Lebanon even if the strategic profits of driving a wedge between Syria and Iran are clear.

The negotiations with Syria and then Lebanon, and in particular if there is real progress towards an agreement, will pressure Hizbollah to weigh the implications for its own interests and its room for maneuvering. Hizbollah might seek to sabotage the negotiations because it will conclude that they might harm its own interests and its Iranian patron. On the other hand, Hizbollah's dependence on Syrian supply lines behooves it to tread lightly. Overall, it seems that negotiations will be an additional constraint making it difficult for Hizbollah to renew friction with Israel. The organization will likely focus on an attempt to influence Syria in a way that will not harm its own interests, and on thinking about the ways in which it can continue to retain its political power even in a reality of peace agreements.

An interesting question is if and how the global economic crisis might affect negotiations with Syria. If the crisis lasts, Israel will find it more difficult to bear the cost of implementing a possible agreement with Syria that would almost certainly entail withdrawal from the entire Golan Heights and require evacuating the residents, moving military installations, and constructing capabilities, particularly intelligence-related, that would offset the loss of the Golan Heights. The United States will find it difficult to assist Israel to the extent required in these areas. For its part, Syria may be disappointed by the limited willingness of America and the West in general to come to its economic aid as the result of an agreement with Israel.

Nonetheless, 2009 presents a window of opportunity for renewing direct negotiations with Syria and arriving at an agreement. Taking advantage of this opportunity will depend largely on internal developments in Israel. If pursued, it will have a great impact on the situation Israel faces with regard

to Iran and Lebanon. If it is not used, it might create increased tensions on Israel's northern front. Furthermore, Israeli decisions in this area will also affect the Israeli-Palestinian track. If Israel assigns high priority to the Syrian track, it is unreasonable to think that it will be able to make real progress simultaneously in negotiations over a permanent arrangement with the Palestinians, though it will still be possible to arrive at limited understandings and agreements in different areas with them. This fact will be an additional consideration in the Israeli decision about its conduct with regard to Syria.

Notes

- 1 See President Asad's speech before the Journalists Union given in Damascus on August 15, 2006, <http://www.sana.sy/eng/21/2006/08/15/57835.htm>; Ze'ev Schiff, "The Light in the Threats of War," *Haaretz*, June 7, 2007; Uzi Benziman, "You and the Coming War," *Haaretz*, December 13, 2006.
- 2 So, for example, in an interview given by Asad to the *Washington Post* on December 23, 2008, he clarified that Syria has two conditions for renewing direct negotiations: a promise that Israel will withdraw fully from the Golan Heights and American participation in the talks, <http://www.washingtonpost.com/wp-yn/content/article/2008/12/23/AR2008122301998.html?sub=new>.
- 3 "In 2000 the commander of the Northern Command, Ashkenazi, supported a retreat from the Golan Heights given an agreement with Syria. Apparently, he has not changed his mind." Amir Oren, "The Golan has a Price," *Haaretz*, February 16, 2007.
- 4 At a press conference called by Syrian president Bashar al-Asad with French president Sarkozy in Paris on September 3, 2008, he stated that he had come to an agreement with Lebanese president Suleiman with regard to Lebanon joining the talks at the stage of the direct negotiations, <http://www.nrg.co.il/online/1/ART1/782/722.html>.