



The Oslo Peace Process: A Twenty Five Years Perspective

edited by **Ephraim Lavie, Yael Ronen,**
and **Henri Fishman**

Carmel, 2019

724 pages [in Hebrew]

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This edited volume seeks to help Israeli readers understand the historic attempt of the Oslo process to resolve the Israeli-Palestinian conflict, and to analyze the reasons for its failure. The editors, and Prof. Shimon Shamir in his preface, insist on the importance of this effort, so that if and when the parties return to serious negotiations, they will be able to learn lessons from the failure and achieve a more successful result. Based on this analysis, the book also presents concrete proposals for what most of its authors regard as a desirable solution.

Shamir does a good job in the preface of summarizing the ideas of the entire book. In an afterward, Joel Singer, the legal advisor to the Israel delegation at the Oslo talks, describes the arrangements for the Palestinian Authority self-administration in the West Bank and the Gaza Strip in the framework of the Oslo process. The other 32 articles in the book, some of which were written specifically for the book and some of which were previously published, are grouped under eight headings: “The Attempts

to Settle the Israeli-Palestinian Conflict”; “The Policy and Leadership Failure at Oslo”; “Responses in Israel to the Oslo Accords”; “Legal Aspects”; “Processes in the Negotiations for a Permanent Settlement”; “The Negotiations for a Permanent Agreement from the Perspective of the Negotiation Leaders”; “Has the Oslo Vision Reached its End?” and “A Look to the Future.”

A large majority of the essays in the book repeat the familiar mantras of the Zionist left from various perspectives (the articles are written well, though buttressed by sources from the same ideological camp). They attribute the Oslo failure to a list of (sometimes contradictory) factors. The leading explanation is the lack of a strategic decision on both sides to agree to divide the land, followed by the way the negotiations were conducted (most of the criticism is directed to the principle that “nothing is agreed until everything is agreed,” which prevented real progress on the ground); the lack of prior agreement on the framework for a permanent settlement (an agreed political horizon), which in turn motivated the parties to establish facts on the ground; the lack of an agreed ethical code and legal basis for discussing and handling complaints by the parties; and on the other hand, the attempt to force the parties, especially the Palestinians, to reach agreement on a framework for a permanent settlement before the conditions were ripe for acceptance of the concessions that this will require.

Both parties are accused of not taking sufficient steps to implement the agreement and bolster peaceful values among their respective publics. Israel, especially during the period of Prime Ministers Barak and Netanyahu, is castigated for continuing construction in Judea and Samaria in full force, and for refusing to carry out the third withdrawal in order to avoid carrying out the agreement, thereby undermining Palestinian trust in the process. The Palestinians are accused of failing in their war against terrorism, and of encouraging terrorist attacks, especially during the second

intifada, thereby undermining Israeli trust in them and in the process itself. An attempt is made in some of the articles supportive of Oslo to attribute Palestinian terrorism to the massacre in the Tomb of the Patriarchs; it is asserted that there were no terrorist attacks before the massacre. The facts, however, are completely different. Between the signing of the agreement on September 13, 1993 and the massacre on February 25, 1994, the Palestinians committed 23 deadly attacks in which 29 Israelis were murdered.

The articles also attempt to highlight the advantages of the Oslo process and the situation it created. The Oslo process is portrayed in this context as a historic effort to establish Israel's borders on the basis of the 1967 lines (Rabin, of course, opposed this, but it appears that this is how the Israeli team at Oslo understood the process). It is argued that Oslo led to acceptance of the principle of a peaceful solution of the conflict; political backing to the principle of a Palestinian state alongside Israel; mutual recognition (an expression of the failure to understand the Palestinian position); the alleged positive effects on relations with Jordan and Egypt, and with other countries; and the improvement, as the writers see it, in the security situation until and after the second intifada resulting from security cooperation with the Palestinians (this argument is also highly problematic).

What is true in this context is that the interim situation of the Oslo process, which was not designed to last indefinitely, became the reality for the parties. An entire generation has known no other reality. There is no doubt, as stated by the authors of several of the articles, that the arrangements established in the Oslo Accords were not designed to serve as a basis for a prolonged interim situation that is in effect a permanent state of affairs. This created lacunae and major contradictions that led to conflicts and frustration, with the threat of further conflicts.

The book also contains a small number of articles that express different opinions (by Efraim Karsh, Alan Baker, Tal Becker, and Shmuel Even). These articles highlight the lack of political wisdom in the Oslo process, which saved the PLO and Arafat from decline and oblivion following their support for Iraq in the 1991 Gulf War, and sought to achieve a settlement with an enemy that had not changed its basic attitude (as Karsh put it, peace is made with enemies who have seen the light). The sole article to express a more complete view of the depth of the problem, and which does not absolve the Palestinians of the need to truly change, is the one written by Amal Jamal. His article, however, contains many abstruse terms, which make it difficult to read. In my opinion, his is the most interesting article, and the one that comes closest to understanding the roots of the conflict.

All in all, the book reflects the problems that researchers and politicians dealing with relations with the Palestinians in general, and the Oslo Accords in particular, face in trying to contend with these issues. It appears to be very difficult, indeed, almost impossible, for anyone engaging in this effort to separate scholarly insights from political views. The analysis therefore often appears to be based not only on facts, but also on hopes and aspirations, and on mistaken beliefs, interpretations, and mantras.

None of the writers who were involved in the process accept any responsibility for the failure. None of them say, "I was wrong," or "We made a major mistake in understanding the views of the Palestinian side and the extent of its commitment to a narrative that denies the very existence of the Jewish people and its right to a state in the Land of Israel, and that, even after the Accords, regards the struggle against Zionism as a right and duty of every Palestinian, including the use of terrorism and violence, if necessary." Most of the writers believe that everyone is at fault, above all the Israeli leadership. While the Israeli group that created

the process and the agreements indeed made mistakes, the basic assumption that there is a Palestinian partner for a permanent settlement is not questioned, while the statement by Prime Minister Barak after the Camp David summit that there is no partner is severely criticized.

Even though all of the writers agree that the Oslo process failed, the book does not attempt to probe seriously why it failed, or what should be done now, and instead presents to its readers the familiar themes of the Israeli Zionist left. The impression from the book is that its authors believe that anyone who thinks differently represents either a dangerous religious-end-of-days-messianic trend liable to bring disaster on rational political Zionism, or is entrenched in an outmoded concept of security that perpetuates a dangerous status quo, which will almost certainly lead to disaster.

According to most of the writers, the way to escape these dire straits is for Zionism to abjure any claim to the territories over which Israel gained control in 1967 (nowhere in the book does the term “Judea and Samaria” appear; only the “West Bank”—even though UN Resolution 181 refers to these areas as Judea and Samaria, and even though these areas are the core of the Jewish people’s heritage in the Land of Israel). From the book’s perspective, Area C is not a disputed area, as Israel contends; it is territory promised to the Palestinians at Oslo, which is to be the basis of the Palestinian state. In essence, the authors believe that the failure of Oslo is that it did not establish such a state, because founding this state quickly is the most important national goal of Israel and the Palestinians, and the problem is that the leadership on both sides, particularly the Israeli leadership, has not acted according to this principle.

The Palestinians and the current Palestinian Authority (PA) are portrayed as a viable partner for a settlement, and are consequently depicted as a Western-like society with which any agreement will be fulfilled as written. Palestinian terrorism is mentioned occasionally, usually while belittling its importance and without any

thorough analysis of its motives and origins. It is almost always presented as a method of action that the Palestinians had to adopt because Israel did not fulfill its agreements. The ongoing incitement by the Palestinians and their habit of paying salaries to terrorists is mentioned only once. The book generally depicts the Palestinians as people whose sole desire is a state within the 1967 borders (not lines, as they actually were) with East Jerusalem as its capital (the question of Jerusalem and the Holy Basin is also discussed very little in the book), with agreed territorial exchanges and a solution for the problem of the refugees based on the right of return.

The demand for return of the refugees is cast as a difficult problem, and the writers ask the Palestinians not to insist on it, but several of them express understanding for this demand, and one author even regards it as the equivalent of Israel’s demand that the Palestinians recognize Israel as the nation state of the Jewish people. He argues that the two sides should simultaneously concede these demands in order to make it possible to reach a settlement in which the other Palestinian demands will be fully granted in a manner that will solve the 1967 problems, while postponing the 1948 problems for the future. The view of most of the writers in the book is that the apparent alternative among those who do not agree with them is one state, probably a binational state, that will be either an apartheid state or not a Jewish state (there are some—As’ad Ghanem and Dan Bavly—who recommend this), and will jeopardize the rational Zionist vision. They adhere to these views even though the actual likelihood of this happening is negligible, and only a few people imagine Israeli control of the territories currently under Palestinian control (the Gaza Strip and Areas A and B under PA control).

The feasible option of continuing the status quo with gradual improvements is portrayed in the book as extremely dangerous, but is not seriously analyzed (except for Yair Hirschfeld,

who realizes its importance, but immediately recommends adopting the proposals of the other articles). They take this position even though this option more or less reflects Rabin's vision for a permanent settlement, and even though it enables Israel to reduce to a very large extent its involvement in the control over the Palestinians. It provides the Palestinians with self-rule and a higher quality of life than that enjoyed by their Arab neighbors, while postponing the discussion of their demands and expectations that are unacceptable to Israel, based on de facto Palestinian acceptance of concessions that they are incapable and unwilling to make de jure. The need for such an analysis is clear, because it appears that the two sides are unable to agree on any other option. Despite the argument that this situation cannot persist for long, it has already existed for nearly 25 years, notwithstanding the threats made intermittently by various groups and a number of unilateral efforts to make a substantial change in it. It is, in fact, the only way to utilize the time to prepare people and generate readiness for a future settlement.

The book suffers from additional lapses. First, it almost completely ignores the essence of the Oslo process as a trial period. Within a short time, it became obvious that the Palestinians were incapable of meeting the terms of the trial period, and did not want to do so (the Hamas takeover in the Gaza Strip was conclusive evidence of the Palestinian failure in this test). This was the reason why Israel refrained from surrendering additional territories to PA control and had to change its security policy in the field (the security separation fence, roadblocks, armed incursions into Area A, arrests, and more). Disregard of the dismal results of the test leads many of the writers to recommend returning to it under even more dangerous conditions, and forming a Palestinian state without the Palestinians making the slightest change in their actions. It is implausibly assumed that a more substantial response to their demands will induce a transformation that will enable them

to run an orderly country that will not become a failed state or one controlled by extremist groups, and which will live in harmony with Israel.

In many cases, the writers give the impression that had Rabin not been assassinated, he would have led the process toward a settlement that in their opinion he intended, i.e., a two-state solution. There is no factual basis whatsoever for this hypothesis. In the October 1995 Knesset debate about the Oslo II Accord, Rabin explained that in his concept of the permanent settlement, the Palestinian entity would be less than a state, a united Jerusalem would be the capital of Israel, and the Jordan Valley, in the broadest sense of the term, would be Israel's eastern security border. Note that the Oslo Accords contained no commitment to establish a Palestinian state, let alone one along the 1967 lines. The article by Alan Baker, who was a legal advisor on the negotiation team, does a good job of illustrating this point. Rabin remained very suspicious of the Palestinians and Arafat, and his view of future relations with the Palestinians reflected constant hesitation. In actuality, at first Rabin did not consider the narrative of the Palestinian view in depth (he later tried to correct this mistake), erred by not involving professional staff (military, intelligence, and legal personnel) in the process from the beginning, and committed a political error by proceeding with the agreement without broad political support.

In the book it is argued that Israel erred by making security demands a condition for a permanent settlement, because security-military thinking is shortsighted. It is contended that the demand for defensible borders is excessive, and that the border should be based on the 1967 borders/lines. The writers dismiss the argument that defensible borders are required in order to make it difficult for what happened in the Gaza Strip after the disengagement from recurring in Judea and Samaria. They ignore the necessity of preventing the penetration of Iran and radical groups into

areas of crucial importance to Israel—the center of the Land of Israel—given the instability in the region and the growing influence of these elements. The writers who do mention this problem, especially Omer Tzanani, believe that the settlement itself will convince the Palestinians to provide security, because the more their requests are granted, the more they will have to lose. Were the settlement to be accompanied by Palestinian recognition of Israel as the nation state of the Jewish people, there would have been some kind of logic in this way of thinking, but the prevailing view in the book is that this demand should be conceded. It is therefore difficult to understand exactly on what the writers rely.

The issue of recognition of Israel as the nation state of the Jewish people, a theme pervading the book, is addressed directly in two of the articles (by Tal Becker and Matti Steinberg). Steinberg notes that already in 1977, Begin stated that Israel was not seeking such recognition of its right to exist. Steinberg therefore regards the demand for recognition as problematic. In practice, during Netanyahu's term as prime minister (Steinberg presents a comprehensive and mainly accurate review of the evolution of the Israeli demand in this context), Israel did not demand that the Palestinians recognize the right of the Jewish people to its own nation state in the Land of Israel, but merely recognition of the fact that Israel is the nation state of the Jewish people. Contrary to what is stated in a number of places in the book (Steinberg is correct on this point), Israel made this demand a condition for a settlement, not a condition for beginning negotiations. The Obama administration recognized the justice of this demand (President Obama's speech at the Jerusalem Binyanei Haumah Convention Center in March 2013). For his part, Secretary of State John Kerry made it clear that the second principle of his peace plan is to ensure the fulfillment of the vision of Resolution 181, whereby there will be two states, one Jewish and the other Arab, with mutual

recognition between them, and with equal rights for all their citizens. In my opinion, the formula proposed by Kerry is inadequate from Israel's perspective (according to Steinberg, it is designed to bypass the Israeli demand, and I am inclined to agree with this interpretation), but it was completely unacceptable to the Palestinians, and they therefore rejected the entire plan. Abu Mazen did not answer Obama directly, but he made it clear in his speech in Ramallah upon his return from Washington that the Palestinians were adhering to the promise and the covenant, and that there would be no concession on the deposit—Palestinian codes that signify a commitment to achieving sovereignty in all of Palestine and a refusal to recognize Israel as the Jewish nation state. Steinberg and other writers state that Israel did not make this demand of Egypt and Jordan, and regard this as evidence of the negative intentions behind the presentation of the demand. They ignore the enormous difference between the cases; Egypt and Jordan have no demands regarding Israel's territory. The entire Palestinian narrative, however, negates Israel's existence as the nation state of the Jewish people, and affirms the commitment to Palestinian sovereignty in the entire territory of Palestine. Without recognition of Israel as the nation state of the Jewish people, therefore, a stable and permanent peace between the two sides cannot be achieved.

The book boasts an impressive list of contributors, and includes several of the people who were involved in the process and played key roles in it (Pundak and Hirshfeld, for example), but it is quite one-sided. In the absence of any explanation of how the writers were selected, it is unclear why the book contains no articles written by residents in the Jewish communities in Judea and Samaria, those who led the negotiations with the Palestinians on behalf of the Likud governments (Yitzhak Molcho, for example), prominent Likud members and officeholders in the Likud governments (Yaakov Amidror, for example), or on the other

hand, people who are clearly left wing, such as leaders of the organizations campaigning for an immediate end to Israeli rule in Judea and Samaria (although their opinions are mentioned in the book). In particular, the absence of those who changed their opinion over the years, such as Moshe “Bogie” Ya’alon and Yuval Steinitz, stands out. Instead, the book contains three articles by Omer Tzanani that more or less repeat the same message.

The book occasionally contains information that is definitely of interest (most of it not new), and provides an excellent opportunity to understand the thinking on the Zionist left, which regards disengagement from the

Palestinians, an end to Israeli control of Judea and Samaria, and establishment of a Palestinian state as quickly as possible—while postponing the discussion of 1948 problems until the future—as essential measures for ensuring the ability of Zionism to realize its destiny.

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