

Twenty Years since the Oslo Accords: Lessons for Israel

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Introduction

The Oslo Accords are a series of agreements signed between Israel and the Palestine Liberation Organization and the Palestinian Authority (“the Palestinians”) in the 1990s. The most prominent among them is the “Declaration of Principles on Interim Self-Government Arrangements” (the “Oslo Accords” or “Oslo I Accords”), which was signed in Washington on September 13, 1993.¹ This agreement shaped the entire subsequent process, with additional agreements signed in its wake, including the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip (the “Oslo II Accords”), which was signed on September 28, 1995.²

The Oslo Accords aroused much hope in Israel that the Palestinian Authority would become a stable demilitarized entity that would maintain peaceful relations with Israel. This development would ensure Israel’s existence as a Jewish democratic state, and the region could usher in the era of a new Middle East.³ At the same time, then-Prime Minister Yitzhak Rabin and then-Foreign Minister Shimon Peres dismissed the possibility that the Oslo Accords would lead to an independent Palestinian state, the division of Jerusalem, and Israel’s relinquishing of control over the Jordan Valley as part of a permanent settlement – as was demanded by the Palestinians. The opposition in Israel, led by Benjamin Netanyahu, and senior officials in Military Intelligence did not share the expectations of Rabin and Peres, and warned that these hopes were not grounded in reality.⁴ Intelligence assessments held that the Palestinians were determined in a permanent agreement to establish an independent state, with East Jerusalem as its capital, and would not consent to any

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concession in an interim agreement that would endanger this outcome. Rabin and Peres dismissed these assessments, claiming that Intelligence had a prior record of failed assessments regarding war and peace.⁵

The Oslo process was halted with the Taba summit in January 2001. In point of fact, the Oslo process did not lead to a permanent settlement. It led to a crisis of expectations and to the blood-soaked al-Aqsa intifada, launched by the Palestinians, and it left Israel's strategic situation in a worse position than it was before the process began. In Israel's eyes the Oslo Accords are technically still in effect from a legal and political viewpoint, but they have been implemented only partially, and the Palestinians are working to achieve recognition of an independent state, though not by means of negotiations with Israel. For its part, Israel withdrew unilaterally from the Gaza Strip, which since 2007 has been ruled by Hamas, an organization that is not a partner to the agreements. Since 2001 the political process between Israel and the Palestinians has continued intermittently, and various attempts to advance it – to date, unsuccessful – have been made.⁶

This article presents an analysis of Israel's conduct during the Oslo process under the Rabin and Peres governments (January 1993-June 1996)⁷ from a strategic-administrative perspective, and draws conclusions that can serve as lessons for the future. The article does not offer a full explanation as to why the process failed, and it does not assign responsibility for the result between the Palestinians and Israel. From an Israeli point of view, even if the Palestinians are deemed largely responsible for the failure, or if from the beginning there was too large a gap between the positions to allow for successful negotiations, the question is how Israel became involved in the process, and how it managed its role while the process was underway. While numerous books have been written about Oslo by those involved in the process, there is no report by any government official on questions such as how Israel's objectives in the process were defined, what strategy it used to achieve them, what the decision making processes were, whether the Oslo Accords were a calculated risk or a gamble, how risks were managed in the process, how Israel contended with crises, how it attempted to contain the damage, and related issues. This article is designed to provoke some thought about these questions.

Israel's Engagement in the Oslo Process: Key Issues

Covert Negotiating Tracks

The Oslo process began with the establishment of a covert track in Oslo in January 1993.⁸ Then-Deputy Prime Minister Yossi Beilin stated: "I knew that if I told Peres about this, he would be required to update Rabin, and I feared that Rabin would demand that the process be stopped before it began."⁹ During the negotiations, Beilin was in Oslo, assisted by Yair Hirschfeld and Ron Pundak, and he did not report to his superiors until he had the draft of an agreement in hand.¹⁰ Although they were senior academics imbued with a mission, the Oslo team was not experienced in negotiating and lacked a professional mechanism. This was in contrast to the official negotiating team, which as a continuation of the Madrid Peace Conference of November 1991 was at work at that time in Washington under Elyakim Rubinstein, with the support of governmental planning institutions and intelligence. In addition, it appears that the Oslo team's understanding of the projected outcome of the process did not match that of Prime Minister Rabin, as will be clarified below. Nevertheless, in May 1993, Rabin recognized the Oslo track as an official covert negotiating track. The team in Oslo was reinforced by a number of establishment figures, headed by Foreign Ministry director general Uri Savir. In effect, this signaled the completed transfer of operational control of negotiations with the Palestinians from the Prime Minister's Office to the Foreign Ministry until the end of the Oslo process.

In advance of the negotiations on the permanent status agreement, once again there was a covert negotiating track with a similar makeup (Beilin, Hirschfeld, and Pundak). On October 31, 1995, before official negotiations began, the team formulated the "Abu Mazen-Beilin understandings" on the principles for a permanent settlement, even though Prime Minister Rabin had presented a completely different position to the Knesset on October 5, 1995. Rabin was murdered before these understandings were presented to him. In 2000, US President Clinton attempted to adopt these understandings as a basis for negotiations on a permanent settlement at the Camp David summit, but Prime Minister Barak refused.¹¹

In general, it seems that these covert tracks weakened the official negotiations by helping the Palestinians and elements outside of Israel identify loopholes, internal disputes, and room for flexibility in Israel's positions, and they apparently convinced the Palestinians that they could receive more by circumventing the official negotiations. It appears

that Rabin was aware of this risk, but that after deliberating, he decided to pursue the Oslo track nonetheless.¹²

Time Pressure

The idea that time was working against Israel took hold under the Rabin government, in contrast to the approach taken by the previous Prime Minister, Yitzhak Shamir, who was in no hurry. The Palestinian approach during the entire process exemplified *sabr* (“patience,” in Arabic) and *sumud* (steadfastness), especially about the Palestinians’ “right” to the land.

The decision to pursue the Oslo negotiating track reflected Rabin’s sense of time pressure. During the election campaign the Prime Minister had promised that he would reach an agreement with the Palestinians within six to nine months from the date he became prime minister, which occurred in July 1992. In May-June 1993, after failing to fulfill his promise to the electorate and becoming “fed up with the Washington track,”¹³ he adopted the understandings reached in Oslo. Ultimately this shortcut proved to be a dead end.¹⁴ Along with a sense of political time pressure, Rabin, much like most of Israel’s leaders who followed, sensed he was pressed for time due to two principal strategic reasons:

- a. Pressure because of the “demographic hourglass”: as Rabin emphasized in the Knesset on October 5, 1995, the rapid growth rate of the Palestinian population was perceived as a threat to Israel’s future as a democratic Jewish state.¹⁵
- b. Pressure lest the historic window of opportunity opened at the Madrid Conference in 1991, which involved massive domestic, regional, and international pressure on Israel’s leaders to make progress, close. In addition, an agreement with the Palestinians was considered the key to progress in the political process with Arab countries, and indeed, in October 1994 a peace treaty was signed between Israel and Jordan. There was also the burden of security control and the moral burden of control over the Palestinian population, and the fear of an outbreak of violence among the Palestinians if the diplomatic window of opportunity were to close.

The Palestinian Negotiators

Prime Minister Rabin’s decision to adopt understandings reached through the covert track in Oslo obligated him to recognize the PLO and consider

it the negotiating partner, rather than the representatives of residents of the territories with whom Israel had held negotiations in Washington. This had far reaching strategic consequences. While the PLO had worked behind the scenes in negotiations in Washington with representatives of the territories, Israel's recognition of the PLO as "the representative of the Palestinian people"¹⁶ expanded the number of Palestinians represented in the negotiations from some 2.2 million residents of the territories to all the Palestinians in the world, at that time more than 5.5 million. It also expanded the framework for negotiations, from "issues of 1967" to "issues of 1948." The negotiations expanded from issues of withdrawal from the territories captured in June 1967 and the status of the Palestinian Authority, which were the main concern of residents of the territories and the international community, to issues concerning the heart of the Israeli-Palestinian conflict, starting with the establishment of the State of Israel in 1948. These issues were primarily the PLO's broad interpretation of the "right of return" on the basis of UN General Assembly Resolution 194 of 1948 (an issue of interest to the Palestinian refugees in the diaspora); the Palestinians' unwillingness to view the permanent agreement as an end to the conflict, and the Palestinians' lack of recognition of Israel as a Jewish state. This led to fears in Israel that the PLO had not abandoned the dream of "Greater Palestine" and was thus no different from Hamas.

Israel's recognition of the PLO led to US recognition of the organization, with both countries thereby strengthening the organization when it was at its weakest. In the early 1990s, the PLO was perceived as a terrorist organization that supported Saddam Hussein in the 1991 Gulf War and was beset by a financial crisis that threatened its existence. It appears that Israel failed to leverage this strategic advantage into obtaining a better agreement. At that time, Israel was able to be patient, and could have continued discussions with representatives of residents of the territories through the official channel in Washington and strengthened the leaders in the territories, whose status had improved after the first intifada. In choosing the PLO, it should have obtained a much better agreement than was obtained in Oslo, and it should have reached an early agreement with the PLO on the "issues of 1948" before discussing the "issues of 1967," or not signed any agreement at all.

An Inferior Negotiating Strategy

The Israeli negotiating strategy that led to the Oslo Accords was based on a “from beginning to end” mindset. In other words, the idea was to advance in negotiations step by step toward an unknown future with the expectation that these steps would create a new situation that would lead to a better future. Rabin adopted this strategy on the assumption, which proved erroneous, that it left Israel in control of the process and its results.¹⁷ The Palestinian strategy, in contrast, was based on a “from end to beginning” mindset, that is, marking the ultimate goals of the process and refraining from making any agreement that could interfere with their achievement. Consequently, the Palestinians agreed in Oslo to compromise on the interim phase (which was interpreted as a major success by the Israeli negotiators), but on condition that all subjects remain open until the discussion on the final stage, which began in 1996. Thus, for example, the Palestinians “compromised” on leaving East Jerusalem under Israeli control in the interim phase, but adhered consistently to their position that East Jerusalem be transferred to them in the final stage.

In the Oslo II agreement Israel continued to pursue a “beginning to end” strategy. Although the accord was detailed down to the number of pistols the Palestinian police could have in each Palestinian town, Israel refrained from agreeing from the outset as to the exact geographical boundaries of the IDF’s redeployment at the end of the interim period, and agreed only to the time element of three phases for withdrawal, and reserved this difficult dispute for the future. These two strategies converged under the Barak government (1991-2001), as even in a “beginning to end” strategy, decisions on a permanent agreement must ultimately be made. At that point, all the issues rose to the fore, and in full force.

Multi-stage architecture: The “beginning to end” mindset was reflected in the phased architecture of the negotiations. The idea was adopted by the architects of Oslo on the basis of the model of Palestinian autonomy in the 1978 Camp David Accords with Egypt, whereby the negotiations would be conducted in the first stage for an interim agreement, and in the second stage, for a permanent agreement. With the Oslo Accords, it was decided to have a preliminary stage of negotiations for the interim agreement, decided largely in the Cairo Agreement of May 1994, which allowed the PLO’s entry into the Gaza Strip and Jericho and the formation

of the Palestinian Authority. The date that the Cairo Agreement was signed was designated the beginning of the five-year interim period; at the end of this period the permanent agreement was supposed to take effect. In practice, the negotiations were divided into additional sub-stages, so the parties were conducting negotiations almost continuously for eight years.

A lack of symmetry: The principles of the agreement had a conspicuous lack of symmetry in what the parties exchanged in the sub-stages, even before the discussion on the permanent status agreement. While Israel agreed as early as the sub-stages to gradually and permanently withdraw from the territories (its main asset in the negotiations on the final stage), the Palestinians were not required to cede anything or make any permanent agreement on the substantive issues¹⁸ before the negotiations on a permanent settlement. Thus, the Israeli strategy eroded a number of future bargaining chips and left the Palestinians with all their options open.

The “settlement paradox”: There was an internal contradiction in the Oslo Accords between Israel’s agreement to withdraw the IDF in phases from a significant part of the territories in the interim stage and its insistence on leaving all the settlements in place. As a result, implementation of the Oslo Accords led to the settlements’ being encircled by hostile Palestinian areas (for example, Netzarim in the Gaza Strip) and to attacks on Israelis on the roads and within settlements. This impeded implementation of the Oslo II Accords. The root of this problem was a logical fallacy in copying the idea of stages from the autonomy model of the 1978 Camp David Accords. Camp David dealt with administrative autonomy for the population, and not with Palestinian control over the land and security.

Arafat’s limited ability to keep the agreement: This was an additional risk that was not taken into account in advance and did not receive sufficient attention, at least until 1996. Arafat, as a revolutionary leader, did not know how to establish and run a self-government authority, and he found it difficult to clash with opposition organizations over disarming them, which was necessary not only for Israel’s security, but also for the security of the Palestinian Authority, as became apparent in 2007 with the Hamas takeover in Gaza.

Great Expectations and Major Unresolved Disputes

The signing of the Oslo Accords in September 1993 was made possible by the parties' agreement to postpone the negotiations on the major issues in dispute to the final stage, and by the wording of the agreement in a way that allowed each party to see in it what it wished. The Oslo Accords ostensibly created reconciliation; in fact, they left the major disputes between Israel and the Palestinians on several issues in place until the final stage.

Territory: Article I of the Oslo Accords states that the interim agreement will lead to a permanent settlement based on UN Security Council Resolutions 242 and 338. However, the two sides interpreted this differently. To the Palestinians, the agreement meant that Israel would return to the 1967 borders. Prime Minister Rabin, however, declared in the Knesset in October 1995, "We will not return to the lines of June 4, 1967," and "we will establish blocs of settlements – if only there were others like this, like Gush Katif, in Judea and Samaria as well." On the issue of the Jordan Valley, Rabin stated that "the security border for protecting the State of Israel will be located in the Jordan Valley, in the most expansive sense of this term."¹⁹ Rabin believed that Israel would withdraw from only 50-70 percent of the total area of the West Bank.²⁰ Ultimately, during negotiations on the permanent agreement in 2000-1, the Barak government accepted the Clinton proposal on the establishment of an independent Palestinian state on the Gaza Strip territory and 94 percent of the West Bank and an additional 3 percent (of the total West Bank area) in a land swap with territory from within the Green Line.²¹ The Palestinians did not agree. The Palestinians subsequently deferred an offer by Prime Minister Olmert to Abu Mazen in August 2008, that included what they understood as an Israeli withdrawal from 93.2 percent from the West Bank and an additional 5.3 percent of land from within the Green Line.²²

In retrospect, it is not possible to determine whether a permanent agreement could have been obtained in 1993 under these conditions or even under conditions more favorable to Israel. Nevertheless, it seems that with hindsight, Rabin would not have chosen the Oslo track²³ and a strategy that significantly hurt Israel's prospects of obtaining a better agreement, since the assets that were left for Barak for negotiations were fewer than those available to Rabin.

A Palestinian state: Arafat determined that there would be a Palestinian state within the 1967 borders, starting in May 1999 (the planned end of

the Oslo process). In contrast, Peres stated emphatically in November 1993 that there would be no Palestinian state,²⁴ and Rabin declared in the Knesset in October 1995, “We want this to be an entity that is less than a state and that will independently manage the lives of the Palestinians under its authority.”²⁵ Yair Hirschfeld recounts that with the start of the unofficial covert negotiations in Oslo in January 1993, he realized that the agreement would lead to two states, but that this is not how Foreign Minister Peres and Prime Minister Rabin understood it. According to Hirschfeld, it took Peres another four years to realize this.²⁶ Ron Pundak has noted that until 1998, Peres thought that there would be tripartite control of the West Bank – by Israel, Jordan, and the Palestinians.²⁷ This issue reveals the large gap between the way the architects of Oslo understood the agreement and the understanding of the leaders who were supposed to implement it. The position of Israel’s leaders then, namely, that it was possible to reach a peace agreement with the Palestinians without establishing an independent Palestinian state, is puzzling (particularly to senior Intelligence officials), particularly because the Oslo Accords were based on transferring land to Palestinian control (which was different from the original idea of autonomy). Had Israel agreed in Rabin’s time to the principle of an independent Palestinian state under the permanent agreement, perhaps it might have received more substantive concessions in return. Later, once the Palestinians were in control of a large portion of the area and the population of the territories, the establishment of a Palestinian state was no longer a bargaining chip for Israel, rather a self-understood component of any future permanent agreement.

Jerusalem: Arafat declared that East Jerusalem would be the capital of an independent Palestine and that the Palestinians would not cede one inch of its territory.²⁸ Prime Minister Rabin stressed that “Jerusalem, complete and united, is not negotiable.”²⁹ This contravened his commitment at Oslo to discuss the status of the city in the permanent agreement. In discussion under Barak on a permanent agreement, the Israeli team agreed to divide the sovereignty over Jerusalem between the two states, along with establishment of a special regime over the Holy Basin. This was rejected by the Palestinians.³⁰

The “right of return”: In the negotiations in Washington in 1993, this issue was considered a loose end that could be resolved in the multilateral negotiations,³¹ perhaps with a token number of Palestinians who would return to Israel in the framework of family reunification and agreed-on

financial compensation. Yet for the PLO, which faithfully represented the Palestinians of the diaspora as well as the territories, the “right of return” was a key issue. The gap between the positions was revealed in the negotiations for a permanent settlement in 2000, when the Palestinians rejected the compromise proposed by President Clinton, in which Israel would concede the issue of sovereignty over the Temple Mount and the Palestinians would concede the “right of return.”³²

PLO failure to recognize Israel as a Jewish state: In the Oslo process Israel recognized the PLO as per its self-definition, namely, “the representative of the Palestinian people,” while the PLO did not recognize Israel as a Jewish democratic state, as per its self-definition. Israel merely accepted the PLO’s recognition of Israel’s “right to exist in peace and security.”³³ This position was made clearer when in 2009 Abu Mazen refused Prime Minister Netanyahu’s demand to recognize Israel as a Jewish state. This position was apparently intended to protect what the PLO deemed were the interests of Palestinians who were Israeli citizens but nonetheless part of the Palestinian people and the principle of the “right of return.”

It is not clear how Israel expected to succeed in bridging the deep gaps between the positions in the final stage, given that in the interim stage, it was transferring to Palestinian control a significant portion of the territories, which were supposed to be its main bargaining chip in the negotiations for a permanent settlement. Moreover, Israel’s efforts to close the gaps were not reciprocated. The Palestinians clung to their positions even when Israel’s leaders met them halfway and retreated from fundamental positions while crossing ostensible red lines (table 1). The main tradeoff agreed to by the Palestinians in discussions on the permanent settlement was a land swap (2-3 percent of Judea and Samaria)³⁴ at a ratio of 1:1, which would allow Israel to leave settlement blocs and Jewish neighborhoods in East Jerusalem in place. Thus while Israel withdrew from many positions – a dynamic common to many negotiations – there was no reciprocal dynamic by the Palestinians.

Negotiations and Implementation of Agreements despite Terrorism

Violence proved to be part of the Palestinian strategy and was intended to exert pressure on Israel. After the Oslo Accords, Arafat refrained from disarming opposition elements, which carried out terrorist attacks in Israel.³⁵ On October 7, 2000, in an interview with CNN, Nabil Shaath explained the Palestinian position: “The choice is not between

Table 1. Changes in Israel's position on permanent agreement issues, approaching the Palestinian position

Issue	Prime Minister Shamir (1991)	Prime Minister Rabin (1992-1995)	Prime Minister Barak (1999-2001)	Prime Minister Olmert (2006-2009)	PLO heads Arafat (1993) and Abu Mazen (2009)
Negotiating partner	Representatives of residents of Judea, Samaria, and the Gaza Strip	PLO (Arafat)	PLO (Arafat)	PLO (Abu Mazen)	Israel
Status of Palestinian entity	Administrative council (without a parliament)	Self-government ("less than a state")	Independent state	Independent state	Independent state
Percentage of Palestinian territory in Judea and Samaria	All territories under Israeli control, with Palestinian self-government	50-70 percent	94 + 3 percent (including swapped land from within the Green Line)	93.2 + 5.3 percent (including swapped land from within the Green Line)	100 percent (including swapped land)
Jordan Valley	Under Israeli control, with Palestinian self-government	Under full Israeli security control	Under Palestinian sovereignty, after a prolonged period of Israeli security control	Under Palestinian sovereignty	Under Palestinian sovereignty
Gaza Strip	Under Israeli control, with Palestinian self-government	Gush Katif in Israeli hands	Under Palestinian sovereignty	Under Palestinian sovereignty	Under Palestinian sovereignty
Jerusalem	United under Israeli sovereignty	United under Israeli sovereignty	Divided between the two states; special regime over the Holy Basin	Divided between the two states, with Temple Mount under international sovereignty	Capital of two states, with Temple Mount under Palestinian sovereignty
"Right of return" to Israeli territory	No right of return to Israel and the territories	Return to Palestinian territory only	Limited number, according to Israeli considerations	Less than 20,000 refugees	"Right of return" for all refugees and their descendants

negotiations and combat: you can have negotiations and fighting at the same time . . . the Palestinian people fight with weapons, with jihad, with an intifada, and with suicide actions . . . and it is destined always to fight and negotiate at the same time.”³⁶ In addition, the Palestinians continued to preach hostility in schools and the media, which reduced the Israeli public’s trust in them.

Public Opinion

An important element in the ability to reach and implement an agreement is broad domestic support, and this was not obtained during the Oslo process, which was conducted in secret and took Israeli citizens by surprise. However, it was not just that public opinion was not well prepared for the signing of the accords; even after the agreement was signed, the country’s leaders were not able to enlist public confidence in the move. Public legitimacy for the interim agreement (Oslo II) was even lower.³⁷ The outline of the permanent settlement approved by the Barak government did not have sufficient support in the Knesset, and did not reach a vote. In both cases, Israel’s leaders apparently overly expected that the dynamic would do the job, as happened with the peace treaty with Egypt.

Assessment

The concise story of the design and management of the Oslo process is as follows: Israel acted, inter alia, out of a sense that time was pressing, which led it to adopt points of agreement that were formulated by the Israeli team with Arafat’s representatives in covert negotiations in Oslo. In designing the Oslo Accords and during the process under Rabin, Israel adopted a strategy based on progress “from the beginning to the end.” This is how it ensued that Israel withdrew in stages from territories in Judea, Samaria, and the Gaza Strip as early as the interim period without receiving anything substantive in return, and that by the time of the deliberations on the permanent agreement Israel had few remaining bargaining chips. Although the Barak government displayed a great deal of flexibility – far beyond what was envisioned by Rabin and Peres when the Oslo Accords were signed – the gaps between the positions were not bridged, the desired permanent settlement was not obtained, and the Palestinians launched the al-Aqsa intifada.

This article has not discussed all the reasons that the Oslo process failed, but it appears that the design and implementation of the agreement played a large part. It appears that one of the main reasons for the failure was the large gaps in the positions of the two sides, which were apparently concealed in the Oslo Accords and exploded in the negotiations on a permanent status agreement. If this was the case, then not only did the Oslo Accords not bring peace between Israel and the Palestinians closer; they apparently pushed it farther away by raising expectations that were dashed within seven years. The bigger problem is not the shortcomings of the Oslo Accords, but the decisions to implement them over the years while ignoring the gaps between the positions of the parties, which became clearer before and during the negotiations on a permanent status agreement. It seems that already when the wide gaps emerged and the implementation of the “Gaza and Jericho first” agreement had not yet proven itself, it would have been better for Israel to refrain from signing and implementing the Oslo II Accords, which dealt with an Israeli withdrawal from the heart of the territories of Judea and Samaria, until clear understandings were obtained on the continuation and end of the process. Table 2 summarizes Israel’s conduct in the Oslo process negotiations, in contrast to that of the Palestinians.

Twenty years after the accords, it is clear that the process is irreversible. Since then, territories have been handed over, some of Israel’s bargaining chips have been eroded, the Palestinians have become divided, the Middle East has changed beyond recognition, and the internal instability in some of the states has increased the uncertainty even in the short term. However, at least in the present geo-political reality, it would appear that the most reasonable model for a possible agreement in the future with the Palestinians (in the West Bank) is not far from what was agreed to by the Barak government.

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Lessons for Israel

In the realm of strategy, Israel should adopt “end to beginning” thinking (think before you act). It should set realistic goals for the conclusion of the negotiations, even if they are broad, in order to allow room to maneuver during the negotiations. After the “from beginning to end” strategy had

Table 2. Israeli and Palestinian engagement in the Oslo process under the Rabin and Peres governments

Issue	Israel	Palestinians
Clarity of objectives and goals in the negotiations	Low; large gap between positions of designers of Oslo and the leadership regarding the goals of the accords	High
Negotiating strategy	To advance in the negotiations in stages ("from beginning to end" mindset)	Final goals defined from the outset and striving to meet them ("from end to beginning" mindset)
Dimension of time	Acting from a sense that time is pressing, pressure for short term achievements	Patience, long term view, steadfastness. There was no pressure to seize an historic opportunity in 2000.
Sensitivity to international pressure	High	Low
Professionalism in negotiations	Low	High
Control of negotiating channels	Little; covert channels established	Great
Achievement of objectives in relation to initial expectations of leaders	Negligible	Partial

already been implemented in the Oslo process, and not successfully, it was much less possible to use a "from end to beginning" strategy, but it would appear that this was still the preferred strategy. In this context, it is better to prefer a permanent settlement implemented in stages (such as the peace agreement with Egypt) than an agreement with negotiations in stages, such as in the Oslo Accords.

If Israel nonetheless strives for an interim agreement, such as the establishment of a Palestinian state within provisional borders, it is better for most of the disputes concerning the permanent agreement to be resolved already in the negotiations on the interim agreement. This would include disputes concerning issues from 1948 and security issues, such as the ban on heavy weapons in the Palestinian state, disarmament of opposition elements, aerial rights for the air force, the presence of

intelligence bases in Judea and Samaria, and so on. As few substantive issues as possible should be left to the final stage, among them: final demarcation of the border and arrangements for control of the Holy Basin in Jerusalem.

If the working assumption is that no permanent settlement will be reached in the coming years and Israel is interested in leaving open the possibility of a two-state solution, it would be better to leave the status quo as it is: not to undertake a unilateral withdrawal due to the high risks it entails,³⁸ but also not to undertake irreversible changes beyond the separation fence. For the purposes of Israel's policy in practice and on the future declarative level as well, Israel can plot a minimum border for Judea and Samaria in the final stage (e.g., a separation fence) without actually carrying out a unilateral withdrawal. The issue of the Jordan Valley would remain open. This policy would clarify to Israel's citizens, to the Palestinians, and to the international community the scope of the discussion on the permanent borders from Israel's point of view, and would define Israel's policy on the settlements. For example, expansion of settlements in Judea and Samaria would occur west of the separation fence, with security and routine life in the settlements outside the fence assured until their future is determined in the final agreement, if and when it is achieved. The absence of such a policy caused a building freeze for ten months (from November 2009 through September 2010) even in communities inside the separation fence.

In the realm of negotiations management and implementation of agreements, it is better to sign only an unambiguous agreement that is clear to both parties and that can be implemented, or not to sign any agreement at all. If large gaps are revealed at the stage of implementation of the agreement, it is better to freeze it, since attempting to implement a bad agreement is a greater error than signing it. In addition:

- a. Israel should not conduct political negotiations when there is violence, terrorism, or incitement, unless convinced that the Palestinians are doing everything in their power to prevent it. In the meantime, it must insist on implementation of all Palestinian security commitments (including confiscation of weapons from the

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- opposition) and on a cessation of incitement in the Palestinian media and schools.
- b. Although Israel is not bound by the positions that were presented in contacts that did not lead to agreements, it would be better for Israel to guard against the erosion of positions in various contacts with the United States, the European Union, and others, even during discussions on hypothetical proposals. Any agreement on Israeli withdrawal could become the opening position in future negotiations.
 - c. Negotiations should be conducted only by skilled and highly experienced negotiating teams (including businesspeople, who are experienced in negotiations by nature of their profession). There should be a professional negotiation administration, one authority for all channels of negotiations, and a supervisory body. Multiple parallel negotiating channels should be discouraged, and in particular, channels concealed from the prime minister should not be allowed. However, secret contacts by the prime minister can be used to achieve a breakthrough.
 - d. Agreements that generate great expectations on both sides when there is insufficient certainty of achieving them should be avoided, since there is a heavy price to pay for a crisis of expectations. Similarly, Israel must take into account in advance the risks of implementing the agreement, manage these risks, and examine ways of reducing them. At the same time, the agreement should stipulate what Israel's rights will be in the event that the Palestinians do not keep their security commitments. Israel should not advance to the next stage as long as the previous stage has not been fully implemented.
 - e. Any significant decision on the permanent agreement, in the Knesset or a national referendum, should be decided by a majority of over 60 percent.

Notes

- 1 Oslo I Accord, Knesset website, <http://www.knesset.gov.il/process/asp/event.asp?id=37>.
- 2 Oslo II Accord, Knesset website, http://www.knesset.gov.il/process/asp/event_frame.asp?id=42.
- 3 Prime Minister Rabin stated: "There is a chance that we will have good neighborly relations, an end to the bereavement that has visited our homes, an end to wars. I call upon all members of the house to give us an opportunity to get the most out of this great chance. Members of the

- Knesset, let the sun rise" (Knesset minutes of September 21, 1993). Foreign Minister Peres: "We will bring all our children a new Middle East"; Minister Yossi Sarid: "The Middle East in another year will be completely new"; Minister Aloni: "I feel as I did on November 29, 1947. . . We knew that we were heading toward great days"; Deputy Foreign Minister Beilin: "We can reach a comprehensive peace agreement in the Middle East within a number of months, not years." Source: Wikiquotes, in Hebrew, http://he.wikiquote.org/wiki/%D7%94%D7%A1%D7%9B%D7%9E%D7%99_%D7%90%D7%95%D7%A1%D7%9C%D7%95.
- 4 Major General (ret.) Yaakov Amidror, who served as head of the Research Division in Military Intelligence, stated: "There was a sense of serious frustration because it was immediately clear that some of what was written in the agreement would not take place in the reality of the Middle East, and we passed this assessment on to the Defense Minister (Rabin) immediately." E. Berkovitch, "Interview with Amidror," *Yediot Ahronot*, April 24, 1998.
 - 5 Peres, for example, stated: "If Intelligence had been alerted to our discussions in Oslo, we would still not have an agreement today," *Yediot Ahronot*, January 17, 1995.
 - 6 For example the Roadmap of June 2002; the Annapolis process, launched in November 2007; Olmert's proposal to Abu Mazen in November 2008; and renewal of the contacts under US auspices in July 2013, now underway.
 - 7 Events from a later period that are mentioned are intended to demonstrate results of the Oslo Accords in relation to the expectations of Rabin and Peres and to offer a comprehensive perspective on the political process.
 - 8 During the Oslo process, negotiations were carried out on a number of channels that were not always coordinated. One was the official channel, the second was the covert channel, and the third was the hidden channel, that is, a channel whose establishment and content even Prime Minister Rabin did not know about in real time.
 - 9 Yossi Beilin, *Touching Peace* (Tel Aviv: Miskal, 1997).
 - 10 Website of Yossi Beilin, abstract of *Touching Peace*, <http://www.beilin.org.il/item.asp?id=64>.
 - 11 Yossi Beilin, "Beilin-Abu Mazen with Full Responsibility," *Haaretz*, November 2001, on the website of Yossi Beilin, <http://www.beilin.org.il/item.asp?id=129>.
 - 12 Rabin decided to adopt the Oslo channel in May 1993, but on June 8, he changed his mind and described the contacts as a danger to the peace process. On June 10, he changed his mind again, and gave his blessing to the channel. Eyal Ben, "Arafat Asset for Israel," *Ynet*, September 12, 2003, <http://www.ynet.co.il/articles/0,7340,L-2753716,00.html>.
 - 13 Uri Savir, from an online abstract of his book, *The Process* (Tel Aviv: Yediot Ahronot, 1998), http://simania.co.il/bookdetails.php?item_id=975.
 - 14 There are those who believe that the agreement was doomed to failure from the outset and those who believe that the process went wrong because

- Israel's leaders later made errors along the way. Ron Pundak, "From Oslo to Taba: The Process That Went Wrong," Publication No. 89, Leonard Davis Institute for International Relations, October 2001.
- 15 The strategic time pressure because of the "demographic threat" also appears in the reasons given by the Sharon government for the disengagement from the Gaza Strip in 2005 and the reasons given by the Olmert government to justify the convergence plan in the West Bank in 2007. Sharon's approach was shaped in part by his meeting in 2004 with Professor Arnon Soffer, the "prophet of doom of demography." See Nir Hasson, "This is How Demography Becomes a Pain in the Rear," *Haaretz*, June 20, 2013.
 - 16 Letter by Rabin to Arafat, as part of the exchange of letters between the two leaders on September 9, 1993, through the Norwegian foreign minister, in advance of the signing of Oslo I. Israel Ministry of Foreign Affairs website, <http://www.mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/israel-plo%20recognition%20-%20exchange%20of%20letters%20betwe.aspx>.
 - 17 Rabin to the Knesset: "All the issues related to the permanent agreement are reserved for negotiation, which will commence two years after the date stipulated in the agreement, reserving the freedom for the government of Israel to define its positions as to the nature of the permanent agreement. In other words, the Declaration of Principles leaves all the options open in this area." See the minutes of the 13th Knesset, September 21, 1993.
 - 18 Such as the status of the Palestinian entity (state), Jerusalem, the "right of return," the settlements, the permanent borders, permanent security arrangements, air traffic rights, control of border crossings, foreign relations, economic, water, and environmental relations, and an end to the conflict.
 - 19 Announcement by Prime Minister Yitzhak Rabin in the Knesset plenum, on approval of the Israeli-Palestinian agreement on the West Bank and Gaza Strip, October 5, 1995, http://www.knesset.gov.il/rabin/heb/Rab_RabinSpeech6.htm.
 - 20 Comments by Rabin in internal discussions, according to Eitan Haber, who was head of the Prime Minister's Office under Rabin. See Akiva Eldar, "Rabin's Settlement, Sharon's Doctrine," *Haaretz*, November 4, 2005. These numbers match Rabin's description of the "map of the permanent settlement" in his announcement to the Knesset on October 5, 1995.
 - 21 Ari Shavit, "The Day Peace Died," *Haaretz*, September 14, 2001. In the article, Shlomo Ben Ami describes, on the basis of his diaries, the negotiations for a permanent settlement during Prime Minister Barak's tenure, <http://www.7th-day.co.il/mehumot/hayom.htm>.
 - 22 "Summary of Olmert's 'Package' Offer to Abu Mazen," *al-Jazeera*, is based on information by Saeb Erakat, head of the Palestinian negotiation team, on September 9, 2008, <http://transparency.aljazeera.net/files/4736.pdf>.
 - 23 Eitan Haber said that he was certain Rabin would not have been prepared to hear of territorial concessions of 94-96 percent of the West Bank, as proposed in the Clinton parameters and brought by Ehud Barak for

- government approval in late 2000. Eldar, "Rabin's Settlement, Sharon's Doctrine."
- 24 Comments by Peres in the Knesset to MK Moshe Katsav, November 17, 1993. "Are you deaf? I say to you: There will be no Palestinian state," Wikiquotes, in Hebrew, <http://he.wikiquote.org/wiki>.
- 25 See note 19.
- 26 Lecture by Yair Hirschfeld, "The Oslo Process between Israel and the Palestinians," Academic Channel, University of Haifa, recorded on August 9, 2010, <http://actv.haifa.ac.il/programs/Item.aspx?it=1954>.
- 27 Ariella Ringel Hoffman, "Peres' Political Blindness Led to a Miss in Oslo Process," *Yediot Ahronot*, July 12, 2013.
- 28 S. Gabai, "The Palestinians Will Not Give Up One Inch of Jerusalem," *Maariv*, September 2, 1993.
- 29 Minutes of the 13th Knesset of September 21, 1993 on the government's announcement regarding the Declaration of Principles on the interim agreement of self-government and the exchange of letters with the PLO.
- 30 See note 21.
- 31 In the multilateral negotiations, for the purposes of balance, Israel claimed rights for "Jewish refugees" from Arab countries. This claim is not relevant in direct negotiations with the PLO.
- 32 Knesset Research and Information Center, "The 'Clinton Parameters' and the Saudi Initiative for a Solution to the Israeli-Arab Conflict," September 11, 2002, Knesset website, <http://www.knesset.gov.il/mmm/data/pdf/m00398.pdf>.
- 33 Arafat's recognition of Israel did not originate with the Oslo Accords. In his speech to the United Nations in December 1988, Arafat invited the people of Israel to make peace, and called for a resolution to the conflict on the basis of resolutions 242 and 338. In a press conference afterwards, he added that it was the right of all the parties to the conflict, including the state of Palestine and Israel, to live in peace and security, and he announced an end to terrorist activity.
- 34 See note 21.
- 35 September 1996 saw the incident with the opening of the Western Wall tunnel, and Palestinian security forces opened fire on IDF soldiers. In March 1997, Arafat gave a green light to opposition groups to carry out terrorist attacks. On September 29, 2000, the Palestinians launched the al-Aqsa intifada.
- 36 The full text of the Barak government's white paper on violation of the agreements by the Palestinian Authority/PLO, <http://israelvisit.co.il/BehindTheNews/Hebrew/WhitePaper.htm>.
- 37 The agreement was approved in the Knesset, with 61 in favor, 50 against, 8 abstentions, and 1 absence. Oslo II was approved with 61 in favor and 59 against (according to the Knesset website). In other words, the agreement was approved thanks to the votes of Arab MKs (who supported the PLO),

that is, without a Jewish majority, and also with the support of Alex Goldfarb and Gonen Segev, who were elected to the Knesset on the Tzomet Party list and teamed up with the Rabin government.

- 38 The risks of a unilateral withdrawal include, first, uncertainty regarding the reality that will be in the West Bank after the withdrawal, including the possibility of a Hamas takeover or security chaos, which could allow the entry of additional hostile elements or the stationing of foreign forces that will not act in accordance with Israel's interests. Second, unlike in the Gaza Strip, Israel will not withdraw to the 1967 lines, and therefore, will not receive Palestinian, Arab, or international recognition. Third, the unilateral move exacted a heavy price domestically. Fourth, this would impinge on Israel's bargaining power and cause a decline in Israel's deterrent capability. See Shmuel Even, "Israel's Strategy of Unilateral Withdrawal," *Strategic Assessment* 12, no. 1 (2009): 29-45.