



The Failure of the Oslo Process: Inherently Flawed or Flawed Implementation?

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Executive Summary:

Liberals argued that the Oslo process collapsed because it was not implemented properly; especially the failure to implement economic integration and build mutual trust. In contrast, from a Realist perspective, it is argued below that the Oslo process was flawed from the outset. Israel and the Palestinians were ripe for negotiations but not for conflict resolution because the parties remained too far apart on core issues. No amount of trust could overcome this problem. Attempts at integration actually made matters worse by increasing friction. The key to conflict management is not integration but physical and political separation.

Introduction

Since the collapse of the Oslo process in 2000, a debate has raged as to what went wrong. Much of this debate has been a "blame game" designed to determine whether Israel or the Palestinians were more culpable. Instead, it is worth asking whether the Oslo process failed because it was not implemented properly or because it was inherently flawed. The answers given to this question usually depend on the intellectual approach of the respondent.

According to a Liberal approach, the failure to reach a permanent status agreement was a failure of implementation – the parties lacked the necessary will and skill to bring the process to a successful conclusion. However, according to the Realist approach adopted here, the failure of the Oslo process was primarily due to constraints that were inherent in the process. The Liberal processes designed to secure conflict resolution were over-burdened. Rather than helping to resolve the conflict, they exacerbated it.

Liberalism and Failure of Negotiations

According to Liberalism, the key to conflict resolution lies in mutual recognition of national rights, development of mutual trust and economic integration of both societies. From this perspective, the agreement on mutual recognition between Israel and the PLO, signed in September 1993, signaled that the Israeli-Palestinian conflict was ripe for a negotiated resolution because it ended the "zero-sum" nature of the conflict. But to actually reach a detailed settlement, Liberals argued that mutual trust between negotiators, such as was said to exist during the secret Oslo talks in 1993, was necessary. In addition, economic integration, symbolized by the 1994 Paris Accords and Peres' plan for a "New Middle East" was supposed to generate mutual economic gains that would create a reservoir of support for the peace process and hence for the major compromises required on permanent status issues.

When the Oslo process collapsed, Liberals, such as Yossi Beilin and Ron Pundak, argued that it was due to a failure to properly implement the Liberal model to which they adhered. First, there was a loss of trust due to the "autistic" negotiation style of Israeli and Palestinian leaders. Israel's tough negotiating style and the expansion of settlements, especially under Barak, are said to have undermined Palestinian trust. The US is also blamed for undermining Palestinian trust by siding with Israel in the negotiations and for not pressuring Israel enough to reach an agreement. Meanwhile, Arafat is blamed for undermining Israelis' trust for allowing incitement and terrorism to continue. Second, Israel's policy of closures is blamed for preventing the Palestinians economy from growing, thereby reducing Palestinian support for the peace process.

Realism and the Failure of the Oslo Process

From a Realist perspective, the key to successfully managing ethno-national conflict is the physical and political separation of ethno-national groups, not mutual trust and economic integration. The prevention of conflict depends on the balance of power and on the interests of the parties concerned. Thus, it was shifts in the balance of power wrought by the first Palestinian uprising (Intifada) which began in December 1987, the 1991 Gulf War and the end of the Cold War that gave Israel and the Palestinians parties a strong interest in negotiations. However "ripeness" for negotiations is not the same as ripeness for conflict resolution. Although both Israel and the PLO were ripe for negotiations, there remained large gaps between how they conceived a permanent settlement, particularly regarding the issue of Palestinian refugees which challenges the idea of "separation" that lies at the heart of Realism.

On the one hand, there was overwhelming Israeli opposition to a "right of return" for Palestinian refugees and the immigration to Israel of any more than a few thousand Palestinian refugees in practice. Jewish Israelis perceive the "right of return" as a serious threat to their core consensus political value – the existence of Israel as a Jewish (in demographic terms) state. It is also a matter of personal and national security. Most Israeli Jews (and Israeli Arabs for that matter) believe that Israelis and Palestinians cannot live peacefully side by side in a single state.

On the other hand, the Palestinians continued to demand at least recognition of the "right of return" for the refugees and their descendents. Even if they were prepared to make some compromises regarding implementation, this position implied that Israel's existence as a Jewish state was subordinate to the right of Palestinian refugees to

choose their ultimate place of abode. This created the impression that the long-term aim of the Palestinians remained the removal of Israel, only now in demographic terms.

Indeed, Palestinian leader Faisal Husseini, considered a moderate, effectively endorsed this position in one of his final public statements before he died. In any case, in January 2001, Arafat rejected the Clinton Parameters for a Permanent Settlement. In direct contradiction to the Framework, Arafat demanded an explicit "right of return," while opposing an international force in the Jordan Valley and refusing any compromise regarding the Temple Mount.

In fact, the attempt to negotiate compromises on such core identity/symbolic issues prior to clear signs of ripeness among the public, allowed Palestinian rejectionists to mobilize the public to violence. Thus, it was Sharon's visit to the Temple Mount that provided the opportunity for the initiation and incitement of violence. Indeed, the Palestinians named the round of violence that began in September 2000 as "The Al Aqsa Intifada."

Integration and the Disintegration of Support for the Oslo Process

In contrast to the Liberal prescription of integration, the parties would have been better off following a strategy of separation. Open borders empowered "spoilers." It allowed the settlers to build up and strengthen their position in the Territories. It made the task of removing them physically difficult as they could always return with relative ease. Meanwhile, integration enhanced terrorists' ability to attack Israeli targets and erode the credibility of the peace process. Integration also made the Palestinian economy a hostage of terrorism. Overall, integration increased friction.

Liberals like Ron Pundak argued that the Oslo process need not have been a hostage to terrorism had Israel, especially Yitzhak Rabin, not resorted to the "unnecessary" policy of closures. However, the terrorist threat and the policy dilemma it produced for Israel cannot be dismissed. Terrorism can demoralize the public and thus threaten the state with implosion, a threat recognized as increasingly real in the 1990s even by Rabin who had previously dismissed terrorism as a strategic nuisance.

The domestic pressure on Rabin to respond to terrorism was thus of real strategic importance. If Rabin would have simply ignored the violence, he would contribute to demoralization, and probably the fall of his government and its replacement with a more right-wing coalition. Any offensive action would clearly lead to a deterioration in the peace process. That left a defensive action, such as closure, as the only viable alternative. Moreover, subsequently the tactical-defensive value of separation in the battle against terrorism became evident as the construction of separation barrier helped to reduce Israeli casualties following the collapse of the Oslo process. Thus, the problem was not too much separation, but too little.

The Implications of the Threat Environment

For Realists, one cause of regional stability and cooperation is the presence of a common threat. For example, in Western Europe, the common Soviet threat was an important factor that facilitated cooperation and integration between the former

adversaries. Shimon Peres thought that the threat of Islamic fundamentalism could provide such a common enemy for Israelis and the secular Palestinian leadership. However, the PA's relationship with the Islamic opposition was ambivalent. Its preference was for cooption not confrontation. Thus, the lack of a common threat represented an *a priori* barrier to conflict resolution.

Even when "moderate" Arab states in the region did recognize a common interest with Israel in combating the "radicals," this translated into a commitment to regional conflict management rather than conflict resolution. Pro-American Arab states support the peace process as a means for conflict management; however that does not mean that they are willing to pressure the Palestinians to reach an agreement on the core issues. In fact, Egypt actually played a negative role by discouraging the Palestinians from making compromises regarding Jerusalem prior to Camp David. Arab states feared that actively supporting compromises on symbolic permanent status issues would expose them to great domestic criticism, which could threaten their regimes' internal stability. In addition, most Arab states viewed Shimon Peres' vision of a "New Middle East," which was suggested as a common good, as highly undesirable and even threatening, despite the real prospect of material gains.

Realism and the US Role

Finally, it was argued that the US should have been more forceful in imposing a solution. However, the US cannot impose an Israeli-Palestinian peace because the balance of motivations favors the local parties. The exact details of any permanent settlement are not of great concern to the US, so long as stability is achieved in the context of a pro-US balance of power in the region. In contrast, for the local protagonists, vital interests are deemed to be at stake in core questions such as borders, refugees and Jerusalem. The locals have a greater interest in the details and are thus prepared to pay a higher price in terms of defiance than a superpower has an interest in bearing. Thus despite the promise of billions of dollars in aid, the Clinton Administration failed to get the Palestinians to accept its framework for a permanent status agreement in December 2000.

Looking Ahead

Since 2000, the price of the conflict has risen greatly for both Israelis and Palestinians. Against this background, there are some indications, as of early 2008, that Israel and the Palestinians might be ripe for some sort of Framework Agreement on Permanent Status issues, albeit with delayed implementation. However, as in 1993, even if there is ripeness for an agreement, this does not necessarily translate into ripeness for actual conflict resolution.

Israeli Liberals argue that Abbas and Salim Fayad are credible partners and that the Geneva Permanent Status draft agreement reached by prominent Israelis and Palestinians in 2003 represents the basis for conflict resolution. Yet, the Palestinians have failed at state building. President Abbas' writ does not even run through most of the West Bank, let alone Gaza, which was taken over by Hamas in June 2007. Since 2000, the regional situation has also deteriorated. Radical forces such as Iran, Hizballah and Syria are in a stronger position to wreck the chances of peace than they were before. In addition, there seems to be a shift in the rhetoric of moderate

Palestinian and Israeli Arab leaders against the idea of recognizing the right of the Jewish people to statehood. This is of practical significance concerning the explosive issue of Palestinian refugees, over which there appears to still be a very great divide.

Instead of trying again for a comprehensive agreement, the best strategy may be to focus on implementing the more modest goal of conflict management, while helping to construct the underlying conditions for future conflict resolution, or at least keeping the door open for conflict resolution. According to one line of Realist thinking adopted here, this means promoting political and physical separation between Israel and the Palestinians as the basis for partition and a two state solution, even without a detailed formal permanent status agreement.

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