

Conflict Resolution, Secret Diplomacy And Middle East Peace Making

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On a regular visit to Tunisia in February 1988 to meet with the PLO leadership, I realized that the PLO was unsure of how to deal with the uprising (Intifada), which had erupted in December 1987 in the West Bank and the Gaza Strip. Some PLO leaders thought that the uprising was destined to produce a Palestinian state within six months; others were concerned that it might die without achieving any of its objectives; they, therefore, were looking for ways to translate the sacrifices of the Palestinian children into concrete political gains on the ground before it gets too late. Meanwhile, few high ranking leaders felt uneasy about the leadership of the Intifada because the newly emerging young leaders in the Occupied Territories were undermining the power base and political influence of the traditional PLO leadership within and outside Palestine.

In light of my knowledge of the American and Israeli policies, I was convinced that the Israelis will not negotiate from a position of weakness, and, therefore, no Palestinian state was in the making at the time. After a second trip to Tunisia in June of the same year and much thinking and reflection, I decided that the Intifada had created an opportunity for a possible dialogue between the US government and the PLO. Knowing that US officials would not talk to me directly, I called William Quandt, whom I had known and admired for years as a leading American intellectual and an honest man; we made an appointment to meet later in the week. After explaining to him the situation in Tunisia and my idea, I suggested that he and I work as one team to try to convince the US administration to open a dialogue with the PLO, but he was very skeptical; he said that the Reagan administration did not trust the PLO and had no reason to talk to it at the time. Unwilling to take no for an answer, I suggested that we meet after a week; adding that one of the helpful things I learned in the US is "sleep on it" and asked him to think about the suggestion further. He agreed.

One day before I went to see Quandt in his office at the Brookings Institution, King Hussein of Jordan declared that he had decided to disengage from the West Bank, and to abandon whatever responsibility he had had toward the occupied territories and its population. Quandt thought that the King's announcement had made the PLO the only party representing the Palestinian people, and, therefore, left the US government with no one else to talk to regarding the future of the Occupied Territories. As a consequence, the chances that the US administration might recognize the PLO and open a dialogue with it had improved tremendously. So, I suggested that he writes what he thinks are the US conditions for recognizing the PLO, and I would write what I think are the PLO conditions for accepting the US conditions for dialogue. Quandt suggested instead that each one of us writes what he thinks are the conditions of both parties; we agreed and made an appointment to meet in few days to compare notes and plan our next step. When we met, each one made few

modifications to the other's statement and he immediately called one of his old colleagues at the State Department and made an appointment to go see him the next day.

After having his meeting at the State Department, Quandt called me to say that they were enthusiastic and thought that the time was right to pursue such an idea. The next day, Quandt's contact at the State Department called to say that George Schultz, then US Secretary of State, had agreed to pursue the proposal and formed a committee of four of his close advisors to handle communications, and that they had chosen the version I had prepared as a basis for negotiations. And so, the process had started and it was my turn to fly to Tunisia to try to convince the PLO leadership to accept the document I prepared and presented through Quandt to the US State Department.

In Tunis, Arafat asked me over breakfast not to tell anyone of the nature of my mission before we had a chance to go over it with Mahmoud Abbas (Abu Mazin). But when it was time for three of us to meet later that evening, I found myself facing the entire PLO Executive Committee, with whom I had met more than once before. And without delay, I explained my idea to them and presented my proposal, saying that the initiative was mine and no other party has anything to do with it and, therefore, it was up to them to ask me to continue or abandon the effort. However, I told them that I believe there was another way to try to translate the sacrifices of our children in Palestine into concrete political gains. I also told them that I had an American partner and that Chairman Arafat knows his name and it was up to him to reveal it to them. And while surveying the faces around the table, I noticed that Arafat had invited Mr. Khalid El Hassan to attend the meeting, though he was not at the time a member of the Executive Committee; Khalid El Hassan was known for his views favoring dialogue with the US, and therefore, his invitation was a definitive sign that Arafat liked the proposal and was trying to strengthen the forces in its favor.

After some deliberations, and since no strong objections were raised, Arafat named a subcommittee that included Khalid El Hassan to meet with me and study the document in details and make the necessary recommendations. But after the committee completed its task, and after holding a series of meetings with all PLO leaders who really counted at the time, Arafat, who promised to see me immediately after finishing our work, did everything possible, including making two trips to neighboring countries, to avoid meeting with me; he wanted to have the chance to claim credit for the outcome if the effort succeeded, and be able to disclaim any responsibility if it failed. Because of my enthusiasm, and due to the encouragement of others, it took me four days to realize that fact. As a consequence, I made reservations to leave immediately and told his office to send a car to take me to the airport the next morning. When one of his advisors came to my hotel to accompany me, I gave him a letter addressed to Arafat, in which I wrote: "I know the reasons why you are trying to avoid seeing me, and I understand your concerns; however I will proceed on the assumption that you approve my mission and accept the document produced by the committee unless I hear from him otherwise." And by so doing, I took the hard decision that Arafat had refused to take on behalf of the Palestinian people. My task in Tunisia was not easy, but before I returned to Washington, I had received the green light to go ahead and try to get US approval of what was agreed upon in Tunis.

The process started in July 1988, and by the middle of September, agreement had been reached, and it was for Schultz to make the announcement and for the PLO to respond positively to it. But Schultz hesitated; he set more than one date to make the announcement and canceled it at the last minute: he in fact began to play a dirty game that almost killed the initiative. It was the Swedes' intervention that saved the initiative, only after Schultz had made it less substantive and less helpful to making Middle East peace possible. As an example, Schultz refused to grant Arafat visa to enter the United States in November to address the UN General Assembly and explain the Palestinian position and peaceful intentions, forcing the UN to vote almost unanimously to hold a special session in Geneva and give Arafat a platform to address the international assembly and the world public opinion.

Later in early 1988, I was told that Schultz was furious to learn that the initiative was mine and mine alone, and that the PLO did not learn of it till after it was presented to his advisors at the State Department by Quandt. In fact, the PLO learned of the initiative only after Schultz and President Reagan had accepted it in principle and authorized State Department officials to pursue the matter. Unwilling to recognize this fact, Schultz wrote in his memoirs that I was sent to him by Arafat; he also, I believe intentionally, misspelled my name in his book, which reflects his bad intentions. (For more details about this process, the reader is advised to read my book, "The US-PLO Dialogue," to be found on my website: www.yazour.com)

A little story, that only very few people know of, might give a clear picture of how Schultz operated and how faithful he was to his friends and the cause of Middle East peace. Schultz, during his tenure as head of Brown and Root, had made several friends and had had business associates and even business partners in the Arab world. Brown and Root is one of the world's largest pipelines and construction companies that have had operations in the Arabian Gulf states since the early 1950s. Because of Schultz association with the Middle East and its leaders, Arab officials and businessmen felt good when he was chosen to be America's Secretary of State. After Schultz was confirmed by congress, his closest Palestinian business partner requested a meeting with him and told Schultz that he would be bringing along two Palestinian intellectuals to explain the Palestinian position and present a peace plan for resolving the Arab-Israeli conflict. However, one day before the meeting was supposed to be held, the Palestinians were told that Schultz would meet with them in another building, not in the State Department. But when the Palestinians arrived at the designated place, they were met by a low ranking State Department official in the garage of the building; he told them that the Secretary is unable to meet them and that he is authorized to listen to whatever they had to say.

During the 1980s, I participated in few dialogue groups and several secret meeting with prominent Israelis and American Jews seeking a peaceful resolution to the Arab-Israeli conflict. Despite the fact that no group or meeting was able to arrive at a solution, I gained a valuable experience that was helpful in writing my book, "Conflict Resolution and Ethnicity," which was the first book to try to develop a theory of conflict resolution; the book is being used as a text book by several American and non-American universities and can be viewed on my website. One of the major lessons I had learned and tried to implement in drafting the document for the US-PLO dialogue was that the so-called confidence building measures

are more likely to complicate the problem at hand rather than facilitate its resolution; measures taken unilaterally by the one party could create new facts on the ground and thus erect new obstacles that harden feelings on both sides.

Therefore, the first and most important confidence building measure to be taken is to outline the outcome of the peace process in concrete terms, or to define the final station along the way to resolving the conflict. If such an outcome is defined in clear terms and accepted by the major antagonists, it is more likely to create a great deal of mutual trust and make things easy; in fact, it is more likely to make both parties eager to reach the final destination as soon as possible in order to avoid being overtaken by events they may not be able to control. The second most important step is to convince both parties to concentrate on what I call, "the positive objectives" they aspire for, and forget the "the negative ones" they wish to deny their antagonists. The positive objectives are defined as those sought by each party and seen as detrimental to its survival; the negative ones are usually those which each party likes to prevent its antagonists from achieving. But the negative objectives of one party often represent the bulk of the positive objectives of the other party, and vice versa. So if one party, as the Israelis continue to do, insists on denying the other its legitimate rights, no solution would be found and conflict would continue for decades or even centuries with the human and material cost rising everyday. For example, if the Israelis continue to deny the Palestinians their legitimate rights of statehood and secure borders, and refuse to put an end to occupation and dismantle the Jewish settlements in the West Bank and restore the rights of the Palestinian refugees as defined by the UN, then nothing would be left of the Palestinian national goals. The Israeli leadership, going back to Moshe Dayan in 1967, as explained by Henry Siegman who served as president of the American Jewish Congress for several years, has agreed not to accept any solution that does not give Israel total military and economic and political control over the West Bank. After Israel had occupied the West Bank and the Gaza Strip in June 1967, Dayan was quoted saying, "the solution is what we have on the ground and therefore, the question is not how to reach a solution, but how to live without a solution." Henry Siegman's article was published in the London Review of Books and can be found on my website under "readers contribution."

When mutual trust is absent and the will to negotiate is weak, it would be hard for antagonists to negotiate directly and produce tangible results. In such a situation, a third party intervention would be needed to provide a degree of trust that is lacking, which can only be provided through guaranteeing protection and fairness for the weaker party. A third party, therefore, has to have the power to influence the respective positions of the antagonists, particularly the stronger party; it must also be perceived as credible and to have a track record of being honest and fair. The failure of the Israeli-Palestinian negotiations in the past is due in large part to American blind support of Israel and its backing of almost all Israeli policies in contradiction of international law. The American team that was supposed to mediate between the Israeli government and the PLO for example, was composed of American Jews committed to the radical and expansionist Israeli policies; no Arab-American or non-Jewish American was included.

In addition, all parties that have an interest in the outcome of negotiations must be included in the process; no party should be excluded regardless of its position and long term intentions. Claims that certain parties support terrorism or practice terrorism or represent

obstacles to peace and therefore, must be excluded, are almost always excuses to discount the grievances of such parties, ignore their interests, and demonize their convictions and followers. Even if such parties are part of the problem, they are, at the very same time, part of the solution; no lasting peace and peaceful coexistence is possible without addressing the grievances of all parties concerned in a satisfactory manner. The Darfur negotiations in Sudan are a good example of such a problem; it has proven that when certain parties are ignored or excluded or decide not to join the peace process due to a perception of unfairness, negotiations has almost always failed and bloodshed has continued to claim the lives of more innocent people. Therefore, peace in the Middle East cannot be established, be long-lasting and facilitate peaceful coexistence between Arabs and Jews unless parties like Syria, Hezbollah and Hamas are included or their positions are taken seriously and grievances addressed honestly and fairly.

For conflicting parties to make peace there is no need that they understand each other and sympathize with one another. People have been making business deals throughout history without being neighbors or know each other's cultures or history or share dreams or even speak the same language. Knowing each other is more likely to make negotiations easier, but not necessarily faster or more successful. All that is needed for negotiations to succeed is fairness and guarantees that no party will cheat or try to undermine the other's position while negotiations are being conducted. However, when the core issues of conflict are value-related, such as national sovereignty and security, solutions are hard to come by easily, and mutual trust will need to be nurtured long after peace had been established. In contrast, when the core issues of conflict are interest-related, such as borders and water resources and the like, solutions are easier to find and mutual trust could be built in short periods of time.

When trust is lacking and one or more of the respective parties' leadership is weak and lacks the will to negotiate because of public sentiment, secret diplomacy becomes imperative to peace making. Political dialogue conducted in secrecy could play an important role in clarifying respective positions, seek mutual understandings and explore chances and new venues for peace. For example, throughout the more than 60 years of Arab-Israeli conflict, neither the Israeli leadership, nor the Palestinian leadership has presented the other with a concrete peace plan. The political leadership on each side of the aisle has always felt that the maximum it could offer would not be acceptable to the other, and that such concessions would certainly undermine its popularity and could cause its political demise. Meanwhile, the successive US administrations have failed to see the dangers inherent in being biased, siding with Israel and ignoring the rights and grievances of the Palestinian people. And by insisting on being the sole mediator and arbiter, US policymakers have marginalized all other regional and international powers, including the United Nations and the European Union and Russia and China that could have helped facilitate negotiations and provide guarantees for the weaker party. In fact, American bias toward Israel and blind support of its policies has fed despair and encouraged radicalism throughout the entire Arab and Muslim worlds.

Several weeks ago, President Bush and his Secretary of State expressed willingness to support the establishment of a Palestinian state in Palestine, and showed eagerness to work hard to find a lasting solution to the Palestinian-Israeli conflict. Nonetheless, the Bush

administration does not seem to have a plan to achieve peace, or even a set of concrete ideas to help both parties overcome the obstacles that hindered progress in the past. In fact, the Bush administration has failed so far to assemble a team of experts to produce the kind of ideas needed to bridge the gaps between the positions of the parties concerned; it also have set no schedule for concluding negotiations and producing a final settlement. Instead, the administration has urged both Israelis and Palestinians to negotiate a declaration of principles that could pave the way for substantive negotiations to deal with the thorny issues of the conflict. While the Israelis have expressed preference for a general statement that commits them to negotiate all outstanding issues, the Palestinians insist on a detailed outline for a final settlement and a timetable for concluding negotiations.

The American approach is a good recipe for having a successful conference, but not a concrete and satisfactory outcome; a successful conference does not guarantee a successful settlement. In 1985, I was approached by a distinguished German intellectual who promoted such an approach; his goal, however, was much modest than that of Bush; he aimed at producing a mutually acceptable statement of principles to govern future Israeli-Palestinian negotiations. For such a statement to be produced, a team of three members was formed: Dr. Rudolf Hilf, an advisor to the Chancellor of Bavaria who conceived the idea, Mr. David Shaham, then director of the Center for Middle East Peace in Tel Aviv, and I (Mohamed Rabie). Members of the team had to work hard for four consecutive years before a consensus could be reached and a statement of principle produced; it was called "The Minimum Consensus". While Mr. Shaham kept shuttling between Munich and Tel Aviv negotiating with his own people, I kept shuttling between Washington, Munich and Tunisia negotiating with the PLO leadership. When we finally produced a statement, 13 Israeli politicians, and 13 Palestinian politicians and intellectuals, and 5 distinguished Americans, and about 20 distinguished Europeans and Russians were convened in Vienna in July 1989 to endorse the statement. In light of this experience, it is doubtful that the current Israeli-Palestinian negotiations could produce something that approaches what each party hopes for in time; a more substantive statement to be presented to the proposed conference for endorsement.

In addition, almost no one in the Arab world seem to trust President Bush; Arabs seem to think that Bush's current move is intended to contain the damage his policies has caused America's reputation in the world, and to divert the attention of the Arab public opinion away from Iraq and the catastrophe the American invasion had created there. Some Arabs in fact seem to think, and not without good reasons, that the American effort in meant first and for most to get more Arab states to normalize relations with Israel without getting anything meaningful in return; an Israeli commitment to implement UN resolutions and accept the Land for Peace," which are considered prerequisites to negotiating a political settlement and achieving peace.

The core issues of the conflict are; the final borders of the Palestinian state; the future of the Jewish settlements in the West Bank; the final status of Jerusalem; and the Palestinian refugees' right of return to their towns and villages from which they were forcefully evicted 60 years ago. In 1947 when violent conflict erupted between Jews and Arabs in Palestine, Arabs held more than 90% of the land of Palestine; yet the UN Partition Plan of 1947, which called for the creation of two state, one Arab, and one Jewish, had allocated 49% of the land

to the Arabs and 51% to the Jews. But when the well trained and equipped military forces of the Jewish terrorist gangs and the newly created Jewish state overwhelmed the weak Palestinian resistance and the enfeeble Arab forces that came to protect them, the Israeli forces had captured 78% of the land of Palestine, leaving 22% only for the Palestinians (the West Bank and the Gaza Strip); less than half what had been allocated to them by the UN Partition Plan. Therefore, it would be utterly unfair and totally unreasonable to ask Palestinians to give more land to Israel and allow it to confiscate an extra portion of the tiny piece left to them, especially in light of the fact that almost 4 million Palestinians live now in those territories and more than 6 million others would have the right to settle in that land once a Palestinian state is established. Nevertheless, Palestinians have agreed in principle to swap land with Israel in the range of 3% of the West Bank area in order to allow the Jewish state to annex the largest cluster of Jewish settlements bordering the green line that separates Israel from the Occupied Palestinian Territories. This compromise offered by the Palestinian leadership should help resolve, not only the issue of the borders of the future Palestinian state but also the Jewish settlements issue; the rest of the settlements would be dismantled, and the land they occupy would be returned to its rightful Palestinian owners.

As for the status of Jerusalem, Israelis and active Zionists and the American media have claimed and continue to claim that Palestinians want to divide the holy city. This claim is false; it is actually as far from the truth as earth from the sun. Palestinians, in fact, do not want to even divide Palestine; they prefer to have open borders so Palestinians could cross the imaginary line for work, education, entertainment and tourism; and Israelis could cross the same line to invest and shop in Palestine. What Palestinians are asking for is simple: the division of sovereignty over Jerusalem in order to return the Muslim and Christian holy places to Arab sovereignty and make East Jerusalem the capital of their state. Maintaining Jewish sovereignty over Muslim and Christian holy places would not be acceptable to any Arab or Muslim state, not even to one single committed Muslim anywhere in the world. A political settlement that fails to take this fact into consideration would never succeed; it would only lead to more radicalism, suicide bombings, and heightened enmity toward the Jewish state and its American backers and collaborators.

Since Jerusalem need not be divided, it could borrow from America some of the arrangements that govern the city of Washington DC. The American Congress has refused to grant Washington a state status like other territories; and, therefore, it continued to place the capital under its control. Nevertheless, the residents of Washington have continued to elect their own mayor and city council to run the daily affairs of the city away from the watchful eyes of congress. A unified Jerusalem could as well have its own administration to manage all non-political and non-judicial affairs of the city, leaving politics for politicians and laws for legislators.

The right of return, declared by the UN in 1947, is where Palestinians are able to offer Israelis a meaningful compromise; but only as part of a comprehensive settlement to resolve the Arab-Israeli conflict in its entirety and make peace a reality in the region. But for a mutually acceptable compromise, there is a need for creativity and creative minds that understand the value-related nature of the conflict. A creative compromise of this nature would contain at least four major components:

1. Israeli acceptance of the refugees' right of return in principle, and a commitment to repatriate a number of Palestinians that would not threaten the Jewish character of the Israeli state. For example, if Israel accepts to repatriate all Palestinians born on or before the 15th of May 1948, the day the state of Israel was declared, with their wives and children who are under 22 years of age, a wild guess would put the number at a maximum of 100,000. And if those people were to be repatriated over a 5 year period, Israel would be required to accommodate about 20,000 newcomers each year; a very small number for Israel or any other state of its size and wealth. However, many of the old people would certainly die waiting for their turn to return, and many of the young would pass the 22 years threshold. Moreover, I believe that between one third and one half of those approved for repatriation would probably go to Israel for a short period only to obtain citizenship rights and then depart to where they have already settled and established roots in the West or in other Arab countries, especially in Jordan and the oil producing ones.
2. Setting an international fund of not less than \$250 billion to compensate all refugees for property lost and pain endured during the last 60 years, as well as governments that host Palestinian refugees. This figure might sound large to some observers, but for sure it is less than the rent accrued to Palestinians since 1948 due to the confiscation by Israel of their homes and land and orchards and water resources and other properties; it is also less than half of what the United States has so far spent on the war in Iraq. The estimated 900,000 Palestinians who were forced to flee their homes, villages and cities in 1948, and were denied a secured existence in their homeland, are estimated to have reached 4 million people. Assuming that each individual would receive \$50,000, then the total amount needed to compensate everyone would be about \$200 billion; the other \$50 billion would be paid as compensation to Arab states hosting the refugees, especially Jordan, Lebanon, Syria and Egypt, and to encourage them to settle some refugees in their countries. Israel and all Western states would be asked to contribute, with the United State contributing not less than half of the funds. If the United States is able to pay some \$500 billion to destroy Iraq, it certainly can pay \$250 billion to rebuild Palestine. In fact, no matter how much the United States pay to achieve Middle East peace, it will be less than what it would have to pay over the next 10 years to support Israel, Egypt, the Palestinian Authority, fight terrorism and contain fanaticism in the region.
3. All Western states would also be asked to accept some of the Palestinian refugees and help settle them in their countries, particularly the United States, Canada, Australia, the European Union and the Scandinavian states, as well as Arab states hosting the refugees and Arab Gulf states employing many of them. This provision could lead to having more than one half of all refugees settled outside Palestine.
4. All Palestinian, regardless of their place of birth and place of residence and the nationality of their fathers and mothers and citizenship status, would automatically acquire the right to return to the Palestinian state once established, and would be granted Palestinian citizenship and passports.

The successive Israeli and American administrations have thought that time was on their side. And, therefore, they resisted all calls for serious and honest negotiations; meanwhile, they continued to build and expand Jewish settlement in the Palestinian Occupied Territories as well as in the occupied Golan Heights. But in light of rising fundamentalism

and extremism in most Arab and Muslim countries as well as in Israel, it has become evident to all people who have eyes to see and ears to hear that time is not on anyone's side; it is neither on the Israeli side, nor on the American side, nor on the Arab side, nor on the side of liberals and peace loving peoples of the world.

Any plan to settle such a conflict cannot succeed unless it has an implementation mechanism. My proposal regarding this point is to send a sizable UN force to help the Palestinian Authority build its state institutions, keep law and order, protect the security of both Israeli and Palestinian borders and oversee the implementation of the provisions of the settlement, especially the dismantling of Jewish settlements in the West Bank. In addition, there would be a need for an international committee of arbiters to settle all disputes that might arise during the implementation stage.

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