

CHAPTER 2

DISTINGUISHED SPEAKER ADDRESS: LESSONS OF
MEDIATION: IS PEACE STILL POSSIBLE IN THE
MIDDLE EAST?

AMBASSADOR DENNIS B. ROSS *
REPORTED BY SUSAN TACON **

[Editor's note: Although every other session of the San Juan meetings was recorded, for some unknown reason this session was not, and Ambassador Ross spoke extemporaneously. Thus, we cannot provide the text of his presentation. Susan Tacon reported on his address for *The Chronicle*, and this is an extended version of that report.]

Ambassador Ross spoke on the “Lessons of Mediation: Is Peace Still Possible in the Middle East?” At the time of the address, the events of the preceding week had rendered his topic exceptionally timely. He began by noting that the Middle East conflict was now akin to the situation in 1993, when the first Gulf War was ending and a peace process beginning. The handshake at the White House in 1990 that culminated in the Oslo accords was followed by the rejection by Yasser Arafat of a peace settlement in 2000 and the second intifada.

But there are critical differences in the current push for peace. The Quartet (the United States, the European Union, Russia, and the United Nations) has issued a Declaration of Intent, referred to as the “Road Map.” Some guiding principles are now explicit and the process contemplates a 3-year time frame—now, only 2 years remain because of the delay between drafting and release. Further, there is now a formal entity, the Palestinian Authority, representing the Palestinian people. However, the Road Map leaves to

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negotiations many contentious issues, including the borders of nations and the powers and capital of a Palestinian state.

Mr. Ross indicated that the grim situation on the ground today and the lack of faith in each party that the other truly seeks peace render negotiations extremely tough. He elaborated on these issues in turn.

In 2000, the Israeli government was the most liberal in recent history and offered previously unimaginable concessions. Even former Prime Minister Rabin's widow, a peace activist, criticized the scope of the deal Prime Minister Barak was prepared to sign. Then-President Clinton's peace plan included 100 percent of Gaza and 95–97 percent of the West Bank, a capital for the Palestinian state in Arab East Jerusalem, independent borders with Egypt and Jordan, and unlimited right of return of refugees to the new Palestinian state. When Arafat turned down that deal, the Israelis concluded that he would never accept any settlement. The ensuing violence of the second intifada confirmed their view that Arafat fundamentally rejected Israel's right to exist. In the period up to the point Prime Minister Sharon took office, 48 Israelis and 350 Palestinians had been killed; the corresponding figures now stand at 780 and 2,500.

The Palestinians likewise perceived that Israel was no partner for peace. The Oslo accords were supposed to end the occupation, but the presence of Israeli troops was cemented. Israel was regarded as responding with excessive force and imposing collective punishment. To the Palestinians, this was evidence they were regarded as subhuman. And all the time, the continued Israeli settlement activity convinced the Palestinians that Israel had no intention of giving up control of the disputed territory. Arafat, in rejecting the Clinton peace plan, portrayed the deal as creating Palestinian Bantustans, that is, small islands without contiguity. He denied that Arab East Jerusalem was offered as the Palestinian state capital and that there were independent borders with Egypt and Jordan. Each of these points was simply false. Further, while he noted that the right of return of Palestinian refugees was restricted to the Palestinian state, he failed to disclose that a \$30 billion fund was to be set aside to compensate those refugees. The result was a mythology perpetuated and developed that the Clinton deal was unfair.

To move both parties from this stalemate required both sides to be exhausted by the current situation. Mr. Ross asserted that is the case today. Sharon now sees the connection between the intifada and the disastrous state of the Israeli economy. He is using new

words, including the term “occupation.” In his recent address to the Likud Party, he referred, in Hebrew, to the occupation of 3.5 million Palestinians as “not good for us, for them, or for the economy.” At present, 1.8 million Palestinians are being fed by the international community, and the per capita income of Israelis has dropped by \$3,000 in 3 years.

On the Palestinian side, there is a desire for a prime minister who is “home grown” and an authentic representative to provide a sense of hope in a disastrous situation. The Israeli crackdown in response to the suicide bombings has brought the Palestinian areas to a standstill: people and goods cannot move freely. Over 70 percent live below the poverty line. The Palestinian economy, which had its best year in 2000, is now in the worst state. Over 50 percent of the people are being fed by the international community where there had previously been self-sufficiency. Some 580 schools are closed and Arafat continues to offer only tired slogans.

In contrast, Prime Minister Abu Mazen¹ gave his first speech in Arabic to the Palestinian Assembly, bluntly denouncing terror for moral and religious reasons. He stated that “terror takes our just cause and destroys it.” In effect, Abu Mazen cast the terrorists as enemies of the Palestinians and described terror as an obstacle to the creation of a Palestinian state. He noted the suffering of the Jewish people in history and asserted that only the Palestinian Authority, not the militias, should be armed.

Both Sharon’s speech and that of Abu Mazen were characterized by Mr. Ross as having crossed thresholds critical to the peace process. However, while there may be convergence of the parties on stopping war, that is different from being able to say yes to the conditions for peace. Other factors do offer some reason to hope. One is Iraq, where President Bush demonstrated America’s military capability and determination. Another lies in the Arab world, which has claimed to embrace the Palestinian cause, but the Arab regimes have failed to offer more than verbal support to the Palestinians. Furthermore, media coverage, notably by Al Jezeera, has angered Arab populations, which have increasingly directed their rage against their own regimes. This has created leverage for Bush in respect to those Arab regimes who now want the Palestinian issue resolved.

¹Since this article was written, Abu Mazen has resigned and has been replaced by Ahmed Qureia. This change may illustrate Ambassador Ross’s fears regarding the Road Map and the influence of Arafat.

While this context has provided the impetus to restart the peace process, Mr. Ross cautioned that many difficulties remain. First is the continued presence of Arafat. In essence, Abu Mazen's success is Arafat's failure. Mr. Ross noted the personalization by Arafat of the Palestinian situation. Arafat has frequently met with Mr. Ross over the years. In those meetings, Arafat always spoke of "his cause," "his money." To Arafat, every casualty is regarded as a martyr for his cause. Mr. Ross emphasized that Arafat will not easily give up control of the Palestinian cause. For example, in contrast to Abu Mazen, Arafat denigrated Sharon's speech (noted above) as nothing new.

Notwithstanding the appointment of Abu Mazen's choice as security minister, Arafat retains control of a number of security forces, as well as the media. Thus, it can be expected that Arafat will seek to undermine Abu Mazen, whose authority can only be built through concrete achievements, such as a lifting of the Israeli siege and the resumption of a more normal life for the Palestinian population. Arab leaders, although unlikely to criticize Arafat publicly, must pressure him to stop frustrating the peace process. Also critical are the continued operations of the militias like Islamic Jihad and Hamas. In the 1990s, Hamas declared 10 cease-fires. What is needed is a truce, not more cease-fires during which the militias rearm. Mr. Ross indicated that the Palestinian Authority must make real efforts to stop militia operations. He added that, in the past, it was apparent when the Palestinian Authority was making such efforts and when it was not.

Second, on Israel's part, there is the prospect of settler demonstrations, which will increase when the process of dismantling settlements is started. At present, there are 10 to 12 outposts that are largely unpopulated, and their dismantling should be the first step in this direction. Sharon must judge the extent and timing of this effort. However, if the Palestinians come to be seen as a true partner in the peace process, 80 percent of the Israeli populace will support the dismantling of settlements. For Abu Mazen, the settlements are a political issue, an area where he must show progress. For the Israelis, they go to the heart of the historical view of Israel and its "land." Cease-fires from Hamas and the other militias are not enough; there must be actual dismantling of the terrorist organizations before Sharon can reach agreement on a secure border. According to Mr. Ross, the parties may well be "out of sync" in their steps toward peace; this dissonance may present a serious obstacle to success.

The third area noted as a potential stumbling block is the nature of the Road Map itself. This document is a guide or point of departure, not a blueprint. The Quartet is not responsible for implementing any of the steps, and the parties themselves differ on the meaning of those 52 paragraphs. Each paragraph has multiple points of dispute. Both parties have serious difficulties with portions of the Road Map: the Israelis use the term “reservations,” the Palestinians “refinements.” They must reconcile their differing views as to what is expected. The parties need on-the-ground assistance, the hard work of diplomacy, in that debate. For example, there is disagreement as to whether the number of outposts is 80 or 20. There are no definitions or criteria to measure success in arresting terrorists and ending the terror.

Fourth, the Palestinian Authority must ease into greater control over the territory that is to become the Palestinian state. There are significant differences, for example, in what is realistic to achieve in Gaza versus the West Bank. Although there are repeated attacks with crude missiles launched from Gaza into Israel, there have been no terrorist attacks from there. And, the existence of the security fence renders that the appropriate place to start lifting Israeli checkpoints. At present, a trip that should be 20 minutes in duration takes 5 to 6 hours because of the checkpoints. Thereafter, the process could be repeated in select areas of the West Bank.

The challenge is for each to do what is possible. The risk is that the enemies of the peace process will seek to negate those efforts. But the test is whether credible efforts are being expended at each stage. Abu Mazen needs the help of Israel and of the Arab states to create for him an umbrella of legitimacy, to underscore that recourse to terror frustrates the Palestinian cause. Both parties need help to ensure each means the same thing as they proceed through the negotiating process.

Mr. Ross then dealt with what he termed “lessons” to be learned from the past if this peace initiative is to be successful. The basic tenet is that a settlement cannot be negotiated “at the table” without changing the environment outside the talks; that must be the parties’ focus. Mr. Ross affirmed the emphasis on accountability, as articulated by Bush. In the past, accountability for one’s commitments has been absent.

Second, in previous efforts, the Israelis and Palestinians have agreed to a code of conduct at the negotiating table. What is essential, however, is a code of conduct to govern the parties’ behavior beyond the negotiating table. The parties have to commit

to refraining from steps taken “in the environment” that made agreement and implementation more difficult.

Third, there is a pressing need to create a different relationship between both publics. People-to-people programs are essential. Peace cannot be imposed in a “top down” fashion by intellectuals and other elites. There must be a grassroots coming together in place of stereotypes and demonizing of Israelis and Palestinians.

Fourth, the leadership must create an environment for compromise in which the public is prepared to accept the necessary concessions each side must make. Mr. Ross stressed Sharon’s public statements that occupation cannot continue and the land must be divided. Sharon has thereby destroyed the Likud ideology of Eretz Israel. Arafat was never prepared to inform the Palestinian people that a peace could not be achieved without concessions by them as well. When Arafat rejected the peace deal (outlined earlier), Clinton described Arafat as having failed in the moment of truth. The Palestinians have sought the active engagement of the United States in the peace process. American involvement must require the Palestinians to condition their people for the compromises that peace necessitates. There should be established tests for measuring progress. Such tests were not, but should have been, imposed on Arafat and must now be part of the peace process.

Fifth, Mr. Ross addressed the appropriate role for the United States in going forward. American involvement is necessary to break the cycle of anger and revenge and, in that sense, the Road Map is critical. However, the Palestinians and Israelis must cross the threshold of peace together. Only they can truly deal with the core issues that go to the heart of self-definition and identity. The parties jointly need to believe in, invest in, and defend their agreement. The United States should not be responsible for generating ideas to resolve these fundamental issues. Mr. Ross argued that the Americans are properly involved in getting the peace process underway, in returning the parties to the core questions. But then the United States must hold back to permit the parties to negotiate their own peace. The Israelis and Palestinians are now painfully aware that the alternative to peace is not viable and brings only death and poverty.

Unfortunately, in the Middle East, time is measured in blood. Mr. Ross concluded that, in the long term, he was optimistic about the peace process. In the near term, he remained cautiously realistic.

Mr. Ross then responded to questions from the floor. The first queried Arafat's ability to distort the proposed peace deal in 2000 in his communications with the Palestinian people and whether Arafat would likewise be able to frustrate the current peace process. Mr. Ross responded that Arafat is regarded as an icon by the Palestinians. Palestinian poet Mahmoud Dahwish referred to the Palestinians as a people "expelled from history," and Arafat succeeded in giving them a history, and he also succeeded in putting the Palestinian cause on the world map. Thus, the Palestinians would be expected to accept Arafat's (inaccurate) version of the deal. Further, the Americans were hampered in responding since Barak did not wish the United States to make public the concessions he was prepared to make once Arafat rejected the plan. Arafat monopolized the media; he had a consistent message for the Palestinians, and his credibility with them exceeded that of the Americans and the Israelis. Today, Arafat's popularity levels have declined to the 20 percent to 30 percent range. However, he continues to be seen as an icon and has the capacity to frustrate the peace process. For example, while Abu Mazen has committed to stopping the incitement to terrorist acts, Arafat's control of the media resulted in newspapers' glorifying as a martyr the female teenager who recently carried out a suicide bombing. To prevent a repetition of Arafat's negative influence, it is critical that Arab regimes support Abu Mazen and exert pressure on Arafat.

The next question raised the usual technique of conditional concessions and asked how an incremental process could work within this common negotiating context. Mr. Ross agreed that this presented a fundamental problem. The answer was that each side must develop a stake in the other wherein each gives limited commitments which are achieved. It is critical that each side confront the opponents of peace on its own side. For example, Abu Mazen is seeking to "delegitimize" terror, to act against terrorists when information is received, and to stop demonizing Israelis. Sharon must face down his own constituency—the ideology of the Likud Party—with respect to occupation and Eretz Israel.

Finally, Mr. Ross was asked about the utility of imposing an outside trusteeship on the region for an extended period of time. He noted that such a proposal is understandable, even logical, but he was emphatic that such a solution is unworkable. The greatest failing to achieving peace on the Palestinian side is Arafat's adoption of "victimhood," not just as a condition, but as a strategy. As a

victim, one need not learn from the past and one cannot be held responsible. Trusteeship is a vehicle that blunts accountability. For the reasons given earlier, accountability for commitments is critical to the peace process. Further, to put a trusteeship in place requires a military force. The United States refuses to agree to that role and no other country will or can so act. Thus, trusteeship as a solution is an illusion, not an option. Mr. Ross opined that, if diplomacy fails at this point, the likely outcome will be unilateralism on the part of Israel. He suggested that Israel, facing problematic demographics in the region, would opt for unilateral separation through the erection of a fence between the parties. That fence would reach into areas of the West Bank and create a new reality, which would exist as a “way station” along the road to a new peace process to be initiated many years down the road.