Secrecy and “Two-Level Games” in the Oslo Accord:
What the Primary Sources Tell Us

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Abstract
The publication of memoirs by most of the central participants in negotiations leading to the 1993 Israeli-PLO Oslo accord presents an opportunity to reassess their motives for entering the negotiation process and their reasons for electing to keep the talks secret. Among other insights, the first-hand accounts provide empirical evidence of “two-level games” during the negotiations. The article highlights the utility of Robert Putnam’s concepts in understanding the negotiations in Oslo and to the failure to implement final-status talks as envisioned in the accord.

Keywords
Bargaining, Israel, negotiation, Oslo Accord, Palestine Liberation Organization (PLO), secrecy, two-level games, win-set

Ahmed Qurie’s recent book, From Oslo to Jerusalem, adds an important perspective to primary accounts of negotiation of the Oslo Accord between Israel and the Palestine Liberation Organization (PLO). Qurie, better known as Abu Ala, was Palestinian prime minister from 2003–2006, but was the PLO’s financial director when he led its delegation at the secret talks in Norway that produced the 1993 agreement on mutual recognition and the PLO’s return to the Gaza Strip and Jericho. His book complements previously-published accounts by his Israeli counterpart at the talks, Uri Savir (The Process); by the initiator of the secret talks, Israel’s then-Deputy-Foreign-Minister Yossi Beilin (Touching Peace); by Mahmoud Abbas, better known as Abu Mazen (currently president of the Palestinian Authority) who directed the talks from PLO headquarters in Tunisia (Through Secret

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Beyond indicating a strong market for revelations concerning once-secret talks, the abundance of accounts reflects the fact that these memoirs are political documents written to justify their authors’ actions, particularly given the criticism (much of it unduly harsh) directed at the accord and its architects. Beilin and Savir’s considerations of the lessons of the Oslo experience were also written in the shadow of Rabin’s assassination and his Labor party’s 1996 electoral loss. Despite the element of self-justification, the memoirs yield insights into the motives for the talks, the reasons for and the effects of their secrecy, and the pervasive influence of domestic/internal political considerations on the accord itself, as well as on its stymied implementation. The memoirs by Qurie and Savir, the delegation heads at the talks, relate more details of the negotiation process, while in Beilin’s account the larger political context is integrated and the lessons of the experience are more deliberately plumbed. Qurie and Savir’s accounts also describe the interpersonal, emotional aspects of bargaining between professional diplomats from adversary nations.

This article considers some of the insights on offer, with particular attention to the effects of what Robert Putnam (1988) has described as “two-level games,” in which bargaining at the international level is influenced by the domestic-level “win-set” or set of possible agreements that can be ratified by relevant domestic institutions or constituencies. The participants’ memoirs generally provide clearer illustrations of how two-level games affected the bargaining process, the Israeli centered content of the accords, and their implementation difficulties, than does the secondary literature on Oslo.

What do the primary accounts help us understand about the period from the origins of the Oslo talks in 1992 to the Labor party’s 1996 defeat and the failure to actualize the accord’s larger vision? Regarding each side’s interest in initiating talks there is considerable consensus. Two questions regarding motives are involved: Why did the PLO seek direct negotiations with Israel? And why did Israel agree to direct talks with the PLO, rather than with the ostensibly non-PLO Palestinians who were participating in bilateral and multilateral talks in Washington pursuant to the Madrid conference that followed the 1991 Gulf war?

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1) Yair Hirschfeld, a private citizen active in Labor party politics who originally represented Israel in the talks, also wrote a book in Hebrew analyzing the accord (Hirschfeld 2000).

2) Excerpts from the Palestinian side’s notes on the successive rounds of negotiations are included in Qurie and Abbas’s books. Despite overlap between the included documents, the perspectives in the two Palestinian accounts complement the more narrative offerings from Savir and Beilin (whose books also deal with the 1993–1996 post-accord period).
Regarding the first question, Qurie notes that the regional implications of the Gulf war, during which the PLO leadership alienated Kuwait and Saudi Arabia and forfeited their patronage, were potentially disastrous for the PLO, putting it at risk of financial collapse and making recognition from the United States and Israel a matter of self-preservation. Israel was withholding recognition of the PLO in order to deny it legitimacy, and had persuaded the U.S. to do likewise. Despite the gains in national self-confidence achieved during the late-1980s uprising (intifada) in the Gaza Strip and West Bank, the PLO had to accept the humiliation of having Israel and the U.S. veto its participation in the Washington talks except via a joint Palestinian-Jordanian delegation in which no PLO members were allowed. In Gaza and the West Bank, the PLO was losing support to Hamas, which Israel, in a classic case of “blowback,” had helped empower as a PLO rival in the 1980s. According to Savir (1999: 14), Qurie told him at their first meeting: “The situation in the occupied territories is desperate, politically and economically. Time is running out.”

Qurie (2006: 293) states the PLO’s pre-Oslo situation succinctly: “The Palestinian national movement faced deadlock…. The doors of many capitals that were vital for the PLO’s survival were closed.” For Beilin (1999: 67), on hearing reports from his non-governmental colleague Yair Hirschfeld’s first meeting with Qurie,

It was clear that the PLO was feeling pressure, that it couldn’t reconcile itself to the fact that it was playing no part in the [Washington] talks, that it was in danger of losing its primacy over Hamas. A settlement with Israel in which PLO-Tunis had a major role to play, including a foothold in Gaza, could constitute a lifeline and, specifically, a way of bypassing some of the obstacles that had emerged in Washington.

On the Israeli side, “The Oslo track… had the purpose of preventing the domination by Hamas of the whole Palestinian state” (Beilin 1999: 270). Rabin and Peres also perceived “the threat posed by Iranian fundamentalism and the proliferation of nonconventional weapons in the hands of fanatic governments such as in Iraq or even terrorists,” which prompted the two Israeli leaders “to start building new coalitions” (Savir 1999: 312). Moreover, the PLO was signaling its willingness to make concessions in secret, direct talks, while directing the Palestinian representatives in the public process in Washington to take intransigent positions. Savir (1999: 27) assesses: “Arafat was signaling us that only in Oslo, only in direct talks with the PLO, only with [Qurie] and his colleagues would it be possible to move forward.” According to Peres (1995: 284), “The reports from Oslo indicated that the PLO was in serious difficulties, both financial and political, and the time was therefore right for Israel to clinch a deal with the organization.”

If Israeli interest in the PLO was in large part generated by Palestinians’ internal politics, PLO leaders also saw the Labor party’s ascent as an opportunity.
Israel's previous government, headed by the Likud party, had participated only reluctantly in the Madrid conference, and Prime Minister Shamir, as he later admitted, was disinterested in having the talks make progress. During the 1992 campaign, by contrast, Rabin had promised a peace agreement within nine months. Beilin (1999: 84) notes that Rabin always considered himself a man of his word and regretted not fulfilling his campaign pledge. Peres (1995: 281), noting Rabin's increasing interest in a deal with the PLO by mid-1993, comments: “The time had come for us to make good on our campaign commitments.”

Why the Talks Were Secret

Given that key PLO officials such as Arafat and Abbas sought direct talks with Israel, and given that some in Israel's cabinet, notably Beilin and Peres, also thought talks with the PLO worthwhile, why were negotiations necessarily secret? The reasons stemmed from internal politics, international relations, bargaining considerations, and prospects for productive communication.

Each leadership's internal political constraints favored secrecy. Hard-line nationalist rivals of the PLO and of the Labor party would gain political capital from any gesture according legitimacy or concessions to the national adversary. Qurie (2006: 296) notes: “Secrecy was a precondition for the eventual success of the negotiations. Both sides realized this fact from the beginning. Opponents of the talks on both sides would otherwise have been in a position to undermine them at any stage.” Even before elections brought Labor back to power in mid-1992, Beilin concluded that “if there were no secret track between us and the Palestinians, nothing would happen” (1999: 52).

On the Israeli side, private contacts with the PLO were illegal at the time of Labor's victory. After this law was repealed in early 1993, Labor's platform still opposed contacts with the PLO, and Rabin, during most of his first year in office, was still committed to talking exclusively with Palestinians from the West Bank and Gaza, even though that group took orders from the PLO (Peres 1995: 280). Alternatively, Rabin preferred Syria as a partner, rather than the PLO, which he, like most Israelis, had long distrusted. Open talks with the PLO could cause a decline in public support and the collapse of Rabin's fragile parliamentary majority. Peres (1995: 280) reports advocating to Rabin in mid-1992 that Israel talk with the PLO, but Rabin rejected it on the assumption that the indigenous Palestinian leadership would gain the stature to negotiate independently and that it was impossible to negotiate with Arafat. When Rabin acknowledged the lack of progress in Washington and saw reports from Oslo of PLO flexibility, he became interested in possible contacts with PLO, but insisted on secrecy in order to insulate his government from any negative fallout from failed talks with Israel's long-time enemy. In view of his own leadership's disinclination to initiate talks with
the PLO, Beilin kept the initial contact hidden: “I knew that if I reported [the Oslo channel] to my superiors it would not get off the ground at all” (Beilin 1999: 62).

The PLO also faced political resistance to compromise with Israel and contacts with Israelis took place in a shadow of violence against any PLO officials who advocated such talks. Abbas (1995: 111) observes: “Any Palestinian leader who wants to embark on secret negotiations with the Israelis will face violent Arab and Palestinian opposition.” Such meetings required a deniable cover, provided for the Oslo talks by a non-governmental organization linked to Norway’s government. Norway’s Foreign Ministry committed itself to ensuring secrecy and security and also paid for the expenses of the project – an important consideration since the talks had no other official backing.

Considerations relating to the United States further inhibited Israeli leaders from talking openly with the PLO. U.S. administrations had suspended contacts with the PLO in accord with Israeli policy, and had sponsored the Washington talks from which the PLO was excluded. The PLO hoped that a prospective agreement with Israel would benefit from international ownership and “Marshall Plan” funding from the U.S. Each party believed it in the interest of its relations with the U.S. to secretly arrange for the U.S. to take credit for any accord they reached.

Official talks also confer de facto recognition on the adversary. Recognition was itself a subject of negotiation that Israel was unwilling to freely concede. Secrecy enabled Israel to avoid recognizing the PLO without gaining anything in return. If the talks were discovered, Israel’s representatives could be disavowed by the government.

Beyond its political advantages, secrecy also provided a tranquil environment for talks outside the media glare. Beilin (1999: 268–269) comments:

> Whereas in centuries past it may have been possible to conduct official political negotiations without blanket coverage on the part of the press, today’s decision-makers are obliged to conduct two parallel lines of talks: one purely for the benefit of the media . . . and one aimed at getting results.

Secrecy reduces incentives for negotiators to grandstand and speak mainly for the benefit of domestic audiences. It also helps insulate talks against flare-ups in the conflict environment: whereas the Palestinian participants were forced to walk out from the public talks in Washington in a show of outrage over Israel’s deportation of Hamas officials to Lebanon, the incident did not interrupt the incipient

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3) This history was particularly vivid for Peres and for Norway’s Foreign Ministry, since it was Norway’s deputy foreign minister who sought in 1983 to set up a meeting between Peres and PLO diplomat Issam Sartawi. On the way to the meeting, Sartawi was assassinated by a group that had split from the PLO. Peres (1995: 190–191) recounts this event and Qurei (2006: 52) invokes Sartawi at the beginning of his discussion of the Oslo channel.
Oslo talks (Peres 1995: 284). According to Savir (1999: 41): “Secrecy proved to be a vital condition for the success of our endeavor… Ensuring privacy for creative and collaborative thinking, even during periods of great tension in the talks, makes an enormous difference to the quality of the agreements they produce.”

Privacy and informality in secret talks allow freer exchange of ideas than could be had in public ones. Eliminating diplomatic protocol creates more opportunity for interpersonal exchanges and rapport-building among negotiators, as happened in Norway.

In these regards, asking whether secrecy was helpful for conflict resolution in the case of the Oslo Accord is a purely hypothetical question. There could have been no negotiation without it, since neither Israel nor the PLO would have chosen to negotiate openly and since there was no third-party pressure to do so.

**Explaining the Outcome in Two-level Terms**

While secret talks are better protected against fluctuations in the diplomatic environment, secrecy may intensify the effects of two-level games wherein negotiators calculate not only the advantages of an agreement with the adversary across the table (Level-I bargaining), but also the likelihood that a prospective agreement can gain approval from key domestic institutions or constituencies (Level-II bargaining). The win-set includes agreements that can satisfy both sides’ Level I and II constraints (Putnam 1988: 437).

An example of how Level-II bargaining influenced Israel’s win-set was the exclusion of Jerusalem from any agreement. As Savir (1999: 72) reports: “Anything having to do with Jerusalem hit a nerve and could do nothing to promote ratification of the agreement… or its acceptance by Israeli public opinion.” On the other hand, Peres (1995: 285) stressed to Rabin that the “Gaza first” concept “was most definitely in the interest of Israel: an overwhelming majority of Israelis wanted to get out of the teeming, terror-ridden Gaza Strip.” Peres implies here that Israel’s Level-I bargaining stance (“the interest of Israel”) derived directly from considerations of public support.

Level-II considerations were also pervasive in Oslo on the Palestinian side: The PLO required approval for an agreement from the Palestine National Council, and would have to contend with internal opposition from a potential spoiler, Hamas. Arafat, arguing for autonomy in more of the West Bank, conveyed to Israel through Norway’s Foreign Minister Johan Holst that Arafat would find it impossible to convince “his people” to accept the Israeli offer. Arafat “would be confronted,” Holst said, “with an impossible sales problem” (Peres 1995: 287).

Putnam notes that “In purely distributive Level-I bargaining, negotiators have an incentive to understate their own win-sets” (1988: 452). The Oslo memoirs are replete with examples of each side’s negotiators raising concerns about Level-II
ratification and contending that concessions at Level I were therefore required. In Putnam's terms, this tactic deliberately calls attention to narrowness of one's own win-set in order to make distributional gains. In Oslo, Savir (1999: 34) reports, Qurie told him “countless times, ‘If you obtain from Arafat, or from me, agreements that the public deems unfair, they will not hold.’” Savir adds: “I never knew how much he really meant that and how much he said it for tactical gain. . . . The Palestinians always treated our claim about the deep division in Israeli society as a ploy to weaken their resolve.”

While tending not to understand other’s internal constraints well, and to discount them, each side’s representatives pressed the other to deal with them because the Level-II alternatives were worse. Near the end of the talks, for example, Holst reported, Arafat “made an impassioned reference to the deteriorating living conditions in Gaza. . . . He said that delay could mean both Israel and the PLO losing control” (Peres 1995: 296). However, Israeli officials seem to have regarded Arafat as a strongman who could impose the terms of the accord on “his people” and Arafat apparently encouraged this belief so as to make the PLO appear a more attractive partner. PLO negotiators thus had less room to manipulate their win-sets: Claiming too many Level-II constraints would undermine their efforts to entice Israel into recognizing the PLO as a negotiation partner that could offer concessions, but also implement the agreement, imposing it, if necessary, on Palestinian spoilers. Israel, besides its military, diplomatic, and economic advantages, could better manipulate its Level-II win-set in the Oslo bargaining and, Putnam (1988: 440) notes, “The relative size of the respective Level II win-sets will affect the distribution of the joint gains from the international bargain.”

Level-II constraints on the Israeli side excluded Level-I agreement at Oslo on a Palestinian state. As Peres (1995: 304) notes: “In Israel people feared an independent Palestinian state.” Nor would Israel permit resolution of the refugee question or the removal of Jewish settlements because, according to Peres (1995: 278), “The West Bank . . . is home to 120,000 Jewish settlers. . . . Any attempt to remove them forcibly would create an irreparable split within the nation.” Further, no Palestinian control of a contiguous majority of the West Bank with an official connection to Jerusalem was possible because permanent borders were so politically divisive an issue for Israelis that “It had become effectively impossible to conceive of borderlines that could be acceptable to a solid majority of Israeli opinion, let alone the Palestinians” (Peres 1995: 278).

Palestinians’ Level-II bargaining, however, required tangible Israeli concessions on these same issues; any agreement that omitted these elements would lose the necessary public support. Given the lack of overlap between the parties’ win-sets, the agreed-on solution was to try to get more overlap by a second phase of the

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4 Peres later rejected the terms of the secretly negotiated Beilin-Abu Mazen understandings on final-status issues because “Israelis will not be willing to give up the Jordan Valley” (Beilin 2007).
negotiations – the final-status talks, which were to be concluded by 1999. Any compromise in this second phase required Israel to widen its win-set on the most contentious issues during the interim period, since it would be obliged to make the most concessions in final-status talks.

The Oslo Accord can thus be construed as a product of a two-phase, two-level game in which possibilities for a permanent agreement mainly depended on Israel’s widening its Level-II win-set in the interim period. But neither side’s Level-II win-set ever widened, mainly because both leaderships neglected the other side’s Level-II bargaining as well as their own. As Beilin, Savir, Peres, and Qurie all lament, the politicians behind Oslo tended to assume that their side’s public opinion would support the agreement even without a concerted sales effort on behalf of the accord (e.g., Beilin 1999: 88, 102). Early on, Savir (1999: 21) recalls, Hirschfeld had stressed the “need to promote reconciliation actively between our two peoples, a ‘peace propaganda plan’ … We agreed, in principle, to engage our peoples in the effort of reconciliation. As it turned out, we didn’t always follow through on that resolution and later had cause to regret it.” Beilin (1999: 68) notes that the “issue of marketing the product” came up often during the talks and was always repressed, “only to pop up again.”

Ultimately, public opinion was not as prepared as it should have been for the result of a top-down process of elite-pacting. Secrecy, which was essential to the Oslo agreement and continued to be used afterward (such as in negotiations in Stockholm that resulted in the never-ratified 1995 document known as the Beilin-Abu Mazen Understanding), may well have meant fewer opportunities to prepare the public. The insularity of secret negotiations, while functional from the point of view of privacy and continuity, may have also made it easier to ignore the marketing tasks that the participants knew were required. Lack of marketing led to public disillusionment, based in part on the unjustified and impression that the accord was a full-fledged peace agreement, rather than what it more resembled: a pre-negotiation agreement that had essentially created an agenda for negotiating the core issues.

Two-level games may feature more prominently in secret than in open negotiations since the parties have fewer means to obtain pre-approval of an agreement (such as via a referendum) or to gather information that allows them to assess the other side’s claims about its win-set. And, with secrecy, neither side can demand that the other gain Level-II approval before entering negotiations. Whether or not negotiators have the power to influence a win-set, they may exploit its leverage during negotiations (Putnam 1988: 440) since there is uncertainty about the other side’s actual win-set.

The memoirs also indicate how oriented the parties were toward approval from the United States. Savir (1999: 4) notes that “The United States was being courted by almost every country in the area.” He recalls (1999: 83) that during negotiations, “Qurie said to me, ‘You’ll give the key to the United States to us, and we’ll
open the door to the Arab world for you.” The Israeli government viewed U.S. reaction to the agreement as “a critical test . . . of the basic trust between Israel and the United States” (Savir 1999: 66). Peres, anxious not to alienate the U.S., advocated having the Oslo Accord signed in Washington “as the crowning achievement of a long-term U.S. diplomatic effort” (Peres 1995: 297). The extent to which the accord was influenced by negotiators’ concerns over the U.S. reaction points to a “three-level game” whose win-sets include, in addition to those with the negotiation counterpart and among domestic interest groups, a deal that will be endorsed by an actual or potential state patron. To the extent that the Palestinian side was influenced by concerns over ratification by the Palestine National Council and refugee communities, the number of levels in the game could be expanded further.

Secrecy and Negotiators’ Emotions

The memoirs also indicate how secrecy can intensify the interpersonal elements of negotiation. Privacy affords more opportunity to know one’s negotiation counterparts, with whom one may be cloistered for days at a time. Moreover, holding talks in a foreign country like Norway may accentuate commonalities among negotiators from a region like the Middle East. Savir and Qurie’s accounts make evident that the relationships in Oslo were emotionally charged. The sessions, which went on for up to 50 hours at a stretch, had

great intensity . . . The confrontations were often brutal, the crises close to shattering. Sometimes the tension broke in near-hysterical laughter; sometimes we pushed each other almost to the point of rage. The emotional outbursts in those sessions buffeted us between hatred and empathy (Savir 1999: 31).

Readers may infer from the memoirs that, besides isolation and the intense pressure of secret talks, the negotiators’ emotional experience may in part have reflected frustration at being agents for positions in which they did not wholly believe. Qurie, for example, implies that his near-resignation at the lowest moment of the talks stemmed from Arafat’s orders to demand a list of concessions that Qurie anticipated the Israelis would not accept. Qurie’s personal position on mutual recognition also differed from that which he says he was obliged to take on Arafat’s behalf: “Within myself, I was still rather reluctant to accept the idea of mutual

5 An additional complexity applies to Israeli bargaining over security issues: An agreement can be approved by Israel’s parliament by a majority of the Jewish members, or by a majority of the combined Jewish and Arab members. Legally, the necessary majority on security matters is the latter, but politically it is the former. An ethnically hierarchical democracy may thus have win-set requirements beyond simple ratification at Level II.
recognition, because my view was that the least we should accept in return for
Israel's recognition should be an independent Palestinian state” (Qurie 2006:
262).

Qurie (2006: 150) also quotes Savir making a remarkable statement as they
walked in a forest near Oslo on a break during their second day of negotiating
together:

Do you know, Abu Ala, every time I have been on a mission on Israel's behalf outside the country, I
have felt ashamed of representing a state that is occupying the territory of others. I want the country
to which I belong, and of which I am proud, to bring an end to the shame of occupation, and to live
at peace with its neighbours. I wish to live in a democratic country that respects others and is
respected by them.6

Thus, while Savir felt ashamed about the occupation, he also engaged in hard-
bargaining toward an agreement that would perpetuate that occupation, at least
during the years-long interim period, with no certainty of ending it in the final-
status talks – which, now 15 years after Oslo, have yet to occur. Although Savir
certainly hoped that an accord would eventually end Israel's occupation, he could
not be sure that it would. Indeed, Palestinians at Oslo voiced concerns to Savir
that an agreement should not legitimize ongoing occupation (for example, by
Israel's retaining Jewish settlements in the West Bank and overall responsibility
for the security of Israelis in the area), concerns that were apparently justifi-
d.

The memoirs raise the possibility that Savir and Qurie's ambivalence about
their own roles in the talks – i.e., arguing forcefully for positions about which
they may have had doubts – contributed to the talks' high emotional pitch. A sort
of “emotional two-level game” may have taken place wherein negotiators’ emo-
tions are affected by the pressures of political constraints on their respective sides
that stem from the interplay of Level-I and Level-II bargaining.

Secrecy also makes personal judgments by trusted negotiators more important
for political leaders back home. Savir (1999: 33) reports the typically dispassion-
ate negotiator Joel Singer, a trusted former Defense Ministry lawyer whom Peres
and Rabin had sent to Oslo, exclaiming to Peres: “Shimon, if we don’t come to an
agreement with these people, we’re asses!” Secrecy also streamlined the negotia-
tion process by removing layers of bureaucracy between negotiators and decision-
makers. Once the Oslo talks became official on both sides, they were concluded
very quickly.7

6) Savir's account mentions (1999: 19) that the two exchanged information about their families and
careers on the walk, but not the statement quoted by Qurie. Qurie would not have written notes while
Savir was talking, so it may be that Savir was misquoted. It seems unlikely, though, that Qurie would
invent the sentiment behind Savir's statement. He adds (2006: 150) that it "aroused in me feelings of
appreciation and respect" for Savir.

7) Oslo was an example not of unofficial, track-two diplomacy but of "semi-official talks" that included
considerable official Israeli oversight in the first five rounds, and were thereafter upgraded to secret, fully-
official talks. (Lieberfeld [2007] includes a typology of negotiation initiatives in intractable conflicts.).
Distributive and Integrative Approaches

While the negotiators in Oslo agree that personal relationships in informal talks were preferable to greater formality, it is best not to overstate the influence of such relationships on the process and outcomes. As Qurie (2006: 295) indicates, distributive bargaining was more characteristic of the talks than was integrative bargaining:

Our negotiating tactics were faced by an equally determined bargaining style on the part of the Israelis, who naturally tried to maximize their gains at the expense of the Palestinians. We attempted to move away from this zero-sum mentality, replacing it with a strategy of identifying measures which would bring benefit to both sides. . . . The record of the Oslo negotiations shows a mixture of these two tactical approaches.

Indeed, it is hard to point to any concrete elements of the accord that resulted from personal ties or trust, or to a part of the process in which these factors were decisive. Savir’s (1999: 11) account makes clear that pragmatic considerations predominated, particularly when the talks became official, even as their organizers sought “a process of free thinking, not traditional hard-nosed bargaining.” For Qurie (2006: 296–297):

The balance of power drastically favoured Israel and worked against the Palestinians. This was reflected in the behaviour of the Israeli negotiators on all issues and at every stage. . . . We derived our power from the justice of our case, as opposed to the Israelis, who sought to define what was just on the basis of their power.

A tactic that Israel used at tense points during negotiations was to threaten to abandon the PLO track in favor of the Syrian one. Through the Norwegian intermediaries Peres told the PLO “that Israel might yet go for a quick deal with Syria instead of concluding the accord with the PLO. . . . Israel would not want to leap forward on both tracks simultaneously; it would have to choose one or the other” (Peres 1995: 299; see also Peres 1995: 296; and Savir 1999: 50). Had negotiations not been secret, Israel could not have made this threat, since Syria would have refuted it. The PLO, having no alternative partner, again lost leverage with Israel.

Conclusions

The central issue of the accord, and in the conflict itself, is mutual recognition of national rights, and recognition was a key problem in nearly every aspect of the talks. Israel “demanded that the Palestinians accept Israel not just as a fact of life but as a legitimate political construct.” It would not, however, “recognize [Palestinians’] national rights because that means assenting to a state” (Savir 1999: 47, 69). For Qurie and the PLO, recognizing Israel unconditionally in its present borders, and with no restrictions on settlements in the West Bank and Gaza, was
to legitimize Israeli military occupation. Ultimately, the PLO conceded the issue as a step toward the goal of statehood and as “a strategy defensive of Palestinian interests” (Qurie 2006: 295). The asymmetric commitments in the letters of recognition signed by Israel and the PLO reflected the skewed power relations between the parties. According to Singer (1994), “We wrote out ourselves what they had to say.”

Many disputes in Oslo stemmed from “the Palestinians’ desire to extend the ambit of self-government so that it would inexorably lead to full sovereignty, and the Israelis’ concern to limit it so that the permanent status of the territories would not be prejudiced by the terms of the interim agreement” (Peres 1995: 289). But restricting Palestinian sovereignty meant that Israel had a weaker partner when it came to implementing the accord. In addition, having shut the Israeli military out of the secret talks, Rabin may have compensated by allowing security experts to dominate the implementation phase, so that day-to-day security issues overshadowed efforts to change political and economic relations (Savir 1999: 81–82).

Arafat, for his part, was so oblivious to Israeli public opinion that he arrived in Gaza from exile carrying smuggled weapons in his vehicle, seemingly to endorse, in a speech in Johannesburg, a strategic truce followed by further military efforts against Israel. Israeli opponents of the agreement trumpeted these gross blunders. Ultimately, gaining recognition at Level I was the PLO’s first priority; Arafat apparently believed he could somehow succeed at Level-II bargaining and sideline Hamas even though, as an exile group, the PLO was out of touch with local political conditions and its organizational culture was anti-democratic.

In view of the phased approach characterizing the Declaration of Principles, it is odd that Peres (1995: 305) told U.S. Secretary of State Christopher regarding Oslo that the choice had been to make a great leap forward or to remain bogged down, and quoted to him “Churchill’s line about not crossing a chasm in two steps.” Peres then contrasted this approach with a phased, step-by-step approach that he believed was the preferred way to deal with Syria. But if the chasm in question was ending the Israeli-Palestinian conflict, Peres did hope to cross in two steps. The ambiguity and reversibility built into the accord provided more possibilities for spoilers, including Hamas and Israel’s radical settlers, to sabotage it through violence. It is in any case unclear why one should expect Israel’s Level-II constraints that excluded from Oslo negotiation over Jerusalem, settlements, statehood, borders, and refugees to have diminished within a few years to the point where there was sufficient win-set overlap to make final-status talks possible.

Rabin and Peres, along with Arafat, probably hesitated to do post-Oslo public-relations work, since discussing the need for concessions by one’s own side would have intensified attacks from domestic rivals. Yet by insisting that the sacrifices implied by the accord were in the national interest, the leaders might have better sustained the public support that was critical for a final-status agreement.
Despite the retrospective appearance of inevitability, an Israeli-PLO accord was not foreordained: Ripe conditions do not necessarily yield an agreement. The memoirs, particularly Beilin’s, indicate better than do other sources how contingent Oslo was on pro-active recognition and seizure of opportunities, as well as on some fortuitous accidents.8

Nor was the failure to implement the accord inevitable: In particular, the U.S. could have used its considerable leverage more effectively. It is a truism that Israelis and Palestinians have to settle their own differences, but this is no excuse for disengagement by U.S. administrations. In fact, the history of the Arab-Israeli conflict can be interpreted as showing that focused U.S. involvement and resource commitment is needed for any lasting peace. During negotiations Qurie voiced the unfounded hope that “the Americans would be prepared to contribute troops” toward implementation (Peres 1995: 292). Beilin (1999: 77) comments: “The Americans did not take up the role which we had envisaged for them.” The PLO’s idea of international trusteeship for Gaza was dropped, international participation in implementation remained minimal, and the accord became an essentially bilateral affair with the U.S. taking a merely reactive role and, as the accord’s designers feared, little responsibility for its implementation.

The memoirs by the Oslo participants differ in emphasis, but broadly tend to confirm one another’s accounts. They document the motives for and effects of secrecy in the talks and enhance understanding of multi-level games in the negotiation process.

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8) Among the accidents was the formation of a peace-oriented government in Israel in 1992, due to a new 1.5 percent threshold for representation that split the right-wing vote and prevented the Tehiyya party from attaining a parliamentary seat (which would have allowed the Likud’s Shamir, instead of Rabin, to form a government). A further contingency was Rabin’s reluctant appointment of Peres as foreign minister and his allowing Beilin to serve as Peres’s deputy. Absent such outcomes, Oslo would clearly not have occurred.


