

Some Determinants of the Oslo Breakthrough

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Abstract. The breakthrough character of the Oslo agreement is attributed to the mutual recognition between the State of Israel and the PLO and the opening of direct negotiations between them. The parties were induced to go to Oslo and negotiate an agreement there by macro-level forces evolving over some time: Long-term changes, going back to the 1967 War, and short-term strategic and domestic-political considerations, resulting from the Gulf War and the end of the Cold War, created new interests that persuaded them of the necessity of negotiating a compromise; and unofficial interactions between the two sides over the course of two decades persuaded them of the possibility of doing so. Once the parties decided to negotiate, the micro-process provided by Oslo, with its peculiar mixture of track-one and track-two elements, contributed to the success of the negotiations. Key elements included secrecy, the setting, the status of the initial participants, the nature of the third party, and the nature of the mediation process. Finally, what made the accord viable were some of its main substantive features, including the exchange of letters of mutual recognition, the distinction between the interim and the final stage, and the territorial base and early empowerment of the Palestinian Authority.

Key words: Gulf War, deniability, Palestinianization of the Arab–Israeli conflict, sense of possibility, successive approximations in commitment and reassurance, third-party facilitation, track-two diplomacy, two-state solution, working trust, Oslo, Israel, PLO, negotiation, mediation.

Despite some of the asymmetries, ambiguities, and contradictions of the Oslo agreement, it represents a fundamental breakthrough in the Israeli–Palestinian conflict. That breakthrough derives from the mutual recognition and opening of direct negotiations between the State of Israel and the Palestine Liberation Organization (PLO) – the bodies that symbolize and legitimize the two sides’ nationhood – and the early empowerment of a territorially based Palestinian Authority. Even if the peace process initiated by the Oslo accord was to collapse – a possibility that cannot be ruled out at the time of writing (July 1997) – the accord has fundamentally changed the character of the conflict. The fact that the two sides have recognized each other’s national identity and

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acknowledged each other's legitimacy is in itself a new reality that cannot be erased. In this sense, at least, the Oslo accord marks a major turning point in Israeli-Palestinian relations.

This paper examines some of the factors that made this breakthrough agreement possible. It will deal briefly with three questions: (1) What are the macro-level forces that induced the parties to go to Oslo and negotiate an agreement there? (2) What are some of the micro-processes that contributed to the success of the Oslo negotiations? (3) What are some of the key substantive features of the agreement itself that made it viable?

Macro-level Forces

At the macro-level, one can distinguish long-term and short-term interests that persuaded the parties of the *necessity* of reaching an agreement, and developments in the relationship between the parties that persuaded them of the *possibility* of doing so.

The long-term interests that ultimately led to the Oslo accord can be traced to the consequences of the 1967 War. That war created a new geopolitical and strategic situation in the Middle East, which set into motion a slowly and gradually evolving process of change in the perception of interests in relation to realities on all sides. This process can be described as the Palestinianization (or re-Palestinianization) of the Arab-Israeli conflict for the Arab states, for the Palestinians themselves, and for Israel (cf. Kelman, 1988).

On the part of the Arab states, an important consequence of the 1967 War was a gradual disengagement from the conflict with Israel. The confrontation states with Israel – each in its own way and at its own pace, depending on its internal political dynamics – concluded that continuation of the conflict no longer served their interests and became increasingly willing to leave it to the Palestinians. This process of disengagement was epitomized by President Sadat's trip to Jerusalem in 1977, the Camp David agreement in 1978, and the Egyptian-Israeli treaty in 1979 – signed by Egypt despite great costs in its relations with the rest of the Arab world. Both Jordan and Syria, for different reasons, were considerably more constrained in their ability to withdraw from the conflict and leave it to the Palestinians, but they too were seeking accommodation with Israel. Jordan felt unable to act on this preference until after Israel and the PLO had signed the Oslo accord, but it was clearly waiting for the opportunity. Syria has not yet found the right conditions for signing a peace treaty with Israel (and allowing Lebanon to follow suit), but it has not rejected such a move provided that it finds the constellation of political forces to be favorable from its point of view.

For the Palestinian themselves, the 1967 War led to Palestinianization of the conflict in the sense that, once again, they took possession of it. Between 1948 and 1967, Palestinian nationalism had been relatively dormant and the struggle for Palestine had been left in the hands of the Arab states. One of the consequences of the 1967 War was a re-emergence of Palestinian nationalism. Many Palestinians, observing the military failures of the Arab states, concluded that they could not rely on them to liberate Palestine and decided to take over their own struggle. The occupation by Israel of the West Bank and Gaza – the only parts of Palestine that had been left in Arab hands in 1948 – created an additional grievance, which strengthened nationalist sentiments. The Palestinian national movement went through different phases. It started with a focus on armed struggle, which was effective in placing the Palestinian cause on the international agenda but did not hold much promise for achieving the movement's goals. The mainstream of the movement gradually shifted from reliance on the armed struggle to the search for a political solution. In doing so, it moved away from maximalist positions toward the acceptance of some form of two-state solution.

The PLO, under the leadership of Yasser Arafat, gradually came to adopt the idea of a Palestinian state in the West Bank and Gaza, alongside of Israel, as its political goal. This view clearly came to dominate the field when it was declared as the political objective of the *intifada* – the Palestinian uprising in the occupied territories, which began in December 1987. The *intifada* can be seen as the culmination of the Palestinianization process: With the onset of the uprising, the Palestinians on the ground became the vanguard of the struggle. The conflict was now being pursued not only under the leadership of the Palestinian national movement, but on Palestinian soil itself.

From the point of view of Israel, the conflict became Palestinianized after 1967 in the sense that it went back to its origins as a conflict between Arabs and Jews in Palestine. When Israel occupied the remaining parts of Palestine in 1967, it internalized the conflict. The core of Israel's conflict with the Arabs gradually changed from an interstate dispute to a dispute within Israel's own borders (i.e., within the borders of the land that was now under Israeli control). For the nationalist right and a vibrant new messianist movement among religious Zionists, the occupation of the rest of Palestine presented an opportunity to achieve the greater (or "complete") Israel to which they were ideologically committed. For many other Israelis, however, it became increasingly evident that incorporating the occupied territories, with their large and growing Palestinian population, into Israel would force their country to choose between maintaining its Jewish character (by denying citizenship to the Palestinians) or maintaining its democratic character (by extending citizenship to the Palestinians). For those who recognized this dilemma, the

occupation represented a different kind of opportunity than the one seen by the nationalist and religious right: Israel now had control over land that it could trade for peace with the Palestinians and the Arab states. The Egyptian–Israeli peace treaty greatly enhanced Israelis' sense that it was indeed *possible* to achieve a peaceful solution. The *intifada*, in turn, enhanced their sense that a peaceful accommodation with the Palestinians was *necessary*, because the status quo was becoming less and less tenable and it became clear to Israelis that they were dealing with a national movement that could not be suppressed.

In sum, the Palestinianization of the conflict in the different senses that I have described created, among significant elements on all sides, strong interests in finding a suitable compromise that would allow them to put an end to the Arab–Israeli conflict. Furthermore, a dominant solution to the conflict gradually emerged: a historic compromise in the form of some version of a two-state solution. Such a solution came to be widely perceived as fair, just, and feasible. In effect, the parties and the rest of the world rediscovered the partition solution, which had been vigorously but unsuccessfully pursued before 1948. It is interesting to note, in this connection, that the revival of Palestinian nationalism in the wake of the 1967 War contributed significantly to making this solution possible. As long as the conflict was viewed as a Pan-Arab issue or as a localist issue, it was difficult to find a workable compromise. In Pan-Arab terms, an acceptable solution required the dismantlement of Israel. In Palestinian localist terms, an acceptable solution required regaining the particular homes that the Palestinian refugees had lost. Once the conflict was framed in Palestinian nationalist terms, however, a compromise entailing the establishment of a Palestinian state in part of Palestine became a viable option – an option that was not available in the pre-nationalist phase of the struggle.

Starting in 1967, then, the formula for a historic compromise began to take shape. It was based on mutual recognition between the two nations – accepting each other's right to national self-determination in the form of a political state within the land they both claimed and both inhabited. Although it became increasingly clear to many Israelis and Palestinians that the compromise served their respective interests, the political obstacles to committing to such a solution remained severe. The opposition to the compromise within the two societies was powerful and was able to appeal to widespread fears within the general population that acceptance of such a compromise might jeopardize their national existence. It was only when short-term interests reinforced these long-term interests that the leadership on both sides was ready to commit itself to the Oslo accord.

The short-term factors that played a major role in persuading both sides of the necessity of negotiating an agreement can be traced primarily to the end of

the Cold War and the aftermath of the Gulf War. These events created strategic and domestic-political interests on both sides that pushed the leadership to the negotiating table and to the search for a workable approach to moving the negotiations forward.

The end of the Cold War and, particularly, the events of the Gulf War left both the PLO and Israel in a weakened position. As a consequence of its support of Iraq during the Gulf War, the PLO found itself politically isolated and financially cut off, with the previously thriving Palestinian community in Kuwait heavily decimated. In less dramatic ways, Israel too found itself strategically and psychologically weakened. With the end of the Cold War, Israel's potential role as a "strategic asset" for the United States in the Middle East became less significant. This became particularly apparent during the Gulf War, when the United States not only entered into an active military alliance with the major Arab states in the region, but actually asked Israel to exclude itself from military operations. As a result, at a time when Israel was subjected to missile attacks from Iraq, it had to rely on the United States for its defense. The inability to act in its own defense represented a departure from Israel's historical emphasis on military self-sufficiency, and – along with the doubts about the US-Israeli strategic relationship in the post-Cold War era – it heightened Israelis' sense of vulnerability and dependence on the United States.

Under the circumstances, both the PLO and Israel were highly susceptible to pressures from the United States. The United States, for its part, was eager to promote negotiations between Israel and its Arab adversaries in order to consolidate its dominant role in the Middle East in the wake of the Gulf War, to demonstrate its ability to affect events in the region, and to help validate the Arab leaders' decision to join the United States in a military action against another Arab state. Secretary of State James Baker was energetic and effective in pressuring all of the parties to enter negotiations within the framework that he constructed. For PLO Chairman Yasser Arafat, this meant accepting an indirect (though clearly decisive) role for the PLO at the negotiating table. For Israeli Prime Minister Shamir it meant entering negotiations that he clearly did not want to pursue. In short, US vigorous engagement in promoting a peace process at a time when both the PLO and Israel were susceptible to pressure succeeded in bringing the parties to the Madrid Conference in 1991 and to the subsequent negotiations – both the bilateral talks in Washington and the multilateral talks – that emerged from Madrid. However, the very pressures that propelled the parties to the table lessened their commitment to the process once they arrived at the table and contributed to the failure of the Washington talks to develop momentum (cf. Kelman, 1992).

The election in June of 1992 of a Labor-led government headed by Prime Minister Yitzhak Rabin created a new situation, with both sides now having a genuine interest in negotiating seriously. An important factor that contributed to Shamir's electoral defeat was the perception of the Israeli public that he was not prepared to move in the negotiations (as indeed be confirmed after the elections) and that he was allowing the US-Israeli relationship to deteriorate. Rabin was elected with a mandate to move forward in the peace process – although with the understanding that he would do so cautiously. Rabin gradually came to the realization that the Washington talks were stalled, largely because the Palestinian negotiators around the table did not have the authority to make the difficult decisions that were required. Reluctantly, he concluded that only direct negotiations with the PLO would move the process forward. It was a conclusion that was difficult for him to reach; he had consistently rejected the PLO as a negotiating partner in the past. But once he became convinced that the PLO was the only address for serious negotiations, he committed himself fully to pursuing that course.

One of the considerations that influenced Rabin was the growing strength of Hamas and the realization that, if he failed to negotiate an agreement with the PLO, the alternative he would have to confront would most likely be Hamas rather than West Bank-Gaza leaders more malleable than the PLO. Similarly, Arafat was influenced by the realization that the alternative he would have to confront, if he failed to reach an agreement with Rabin, was a Likud government headed by Benjamin Netanyahu. Both leaders felt a strong sense of urgency to achieve an agreement, not only because failure to do so would radicalize the situation, but also because their own political survival depended on delivering an agreement. Both were consummate pragmatists, who were prepared to overlook ideological dogma as long as their fundamental concerns – Israeli security for Rabin and ultimate Palestinian statehood for Arafat – were addressed. And both were cognizant of the fact that they needed each other to achieve the agreement that both desperately needed.

Thus, by 1993, the short-term strategic and domestic-political interests of the two sides and their top leaders came together with the long-term interests that had been evolving since 1967 to underscore the necessity of negotiating a historic compromise that would most likely take the ultimate form of a two-state solution. But, before being prepared to sign an agreement, the parties had to be convinced not only that such an agreement was necessary, but also that it was possible. That is, they had to be persuaded that there was a genuine readiness on the other side to make the necessary concessions – that there was a reasonable probability that negotiations would yield an acceptable agreement that would not jeopardize their own national existence.

This sense of possibility evolved out of interactions between the two sides that took place over a period of more than two decades – largely, though not entirely, at the unofficial level, involving politically engaged and often politically influential members of the two societies. Such interactions were accelerated after the onset of the *intifada* and produced the cadres, the ideas, and the political atmosphere required for productive negotiations (cf. Kelman, 1995). The interactions over the years contributed to the gradual development within the two political communities of experience in productive communication with the other side; of a degree of working trust – i.e., trust that the other side is genuinely committed, largely out of its own interest, to finding an accommodation; of an understanding of the other's concerns and constraints; of a language that minimizes threat and humiliation; and of a general sense of possibility – a sense that there is a way out of the conflict, to use I. William Zartman's formulation. These developments laid the groundwork for the breakthrough at Oslo: When the convergence of long-term and short-term interests on the two sides created the necessity and the political readiness for negotiations – when they created, in other words, the ripe moment – the people, the ideas, and the habits to take advantage of the ripe moment were readily at hand.

Micro-processes at Oslo

Once the parties were persuaded that it was necessary and possible to negotiate an agreement between the State of Israel and the PLO, what made Oslo an acceptable and desirable venue for hammering out this agreement? What were some of the micro-processes that contributed to the success of the Oslo negotiations at that particular moment in the peace process? Overall, what gave Oslo its special strength, in my view, was its peculiar – largely unplanned – mixture of track-one and track-two elements. The Oslo process was not a classical track-two operation. Officials on both sides were involved almost from the beginning, but – on the Israeli side – they used academics to permit relatively noncommittal exploration. Basically, Oslo can be described as an official – or at least officially sanctioned – process, which made effective use of certain track-two elements. I shall describe five such elements: secrecy, the setting, the status of the initial participants, the nature of the third party, and the nature of the mediation process.

Secrecy

Secrecy was essential to the Oslo process. It enabled the participants to engage in the kind of noncommittal exploration that is the hallmark of problem-

solving workshops and related track-two efforts. Widespread consultation within each community would probably have prematurely blocked consideration of certain options that ultimately helped to make an agreement possible. Opening the process to the media would probably have frozen the parties' positions to those to which they had committed themselves publicly. Secrecy, therefore, was a vital part of the process, which allowed the negotiators to engage in open-ended exploration of different options, to check back with the relevant decision makers between meetings, to make adjustments and trade-offs over time, and to avoid the premature rejection of options and hardening of positions. However, though secrecy was essential to this phase of the peace process, it also had serious drawbacks for the process as a whole. It limited the top leadership's opportunity to prepare, not only the general public, but even important elites, for the agreement that ultimately emerged from Oslo. Groups and individuals whose input and support would have strengthened the agreement were kept out of the process. Their exclusion may well have contributed to the negotiation of the Oslo accord, but it also created impediments to its public acceptance and its subsequent implementation.

Setting

The remoteness and isolation of the setting and the informal and relaxed atmosphere in which the talks were conducted also contributed to their success. They provided a context in which participants felt free to listen to each other, to enter each other's perspective, to re-examine difficult issues over time, and to develop a mutually reassuring language. The development of a personal relationship and the humanization of the other that such a setting makes possible do not in any way dispense with the difficult political issues that must be negotiated and resolved at their own level. What they do is to enable the parties to access each other's needs, fears, and constraints, and to engage in a joint process of creative problem solving to resolve the political issues in ways that are responsive to both sides' concerns.

Status of the Initial Participants

During the early phase of the Oslo talks, there was some asymmetry between the two sides. The Israeli participants were academics with no official standing, although they were in close touch with a high official in the Foreign Ministry and authorized by him to pursue the contact. The Palestinians, on the other hand, were from the beginning represented by a PLO official, albeit one whose portfolio was economic affairs rather than political negotiations. Thus, on both sides, there was a combination of official authorization and deniability – although they differed in the balance between these two ele-

ments. The element of deniability was crucial to the enterprise, because it allowed the parties to explore the range of possible agreements without prior commitment and at relatively low risk. The arrangement also gave them the opportunity to test each other's credibility before officially committing themselves to the process.

Nature of the Third Party

The Norwegian third party was in itself an interesting mixture of official and unofficial elements. The Norwegian Institute for Applied Social Science (FAFO), a non-governmental organization which has done demographic and economic research in the West Bank and Gaza, played a central role in the process – providing contacts, logistical support, and various forms of facilitation. However, there were close links – including family connections – between FAFO and the Norwegian Foreign Ministry, and there was no question in the minds of the participants that the Foreign Ministry was behind the effort. Indeed, the late Johan Jorgen Holst, the Foreign Minister at the time, personally hosted and facilitated the meetings. But, though the Norwegian government was effectively the third party in the Oslo talks, it was an official third party of a very different kind than the United States has been in the Middle East. The Norwegian Foreign Ministry had much to offer to the parties that only an official third party can provide: the authority of a government, ready access to the top leadership on both sides, and extensive resources (including airplanes to bring participants to and from the meetings). But, it did not have the kind of “clout” that the United States has in the Middle East. Unlike the United States, it did not have interests of its own to pursue in the region, other than the interest in serving as a peacemaker and being perceived as such (which is not unlike the interests that most unofficial third parties have). Moreover, the Norwegian government had good relations with both sides, with a long history of support for Israel and a more recent history of strong support for the Palestinian cause and contribution to Palestinian empowerment. At the particular stage of the peace process, the Norwegian government was a far more appropriate third party than the United States would have been. The dominance of US interests and the US concern with its own visibility would have been detrimental to a process that requires privacy and informality, enabling the parties to explore, to test, and to take each other's measure. It is not a coincidence that in the Oslo process – as in the initial stages of the Egyptian-Israeli peace process – the United States was deliberately excluded, to be brought in only at the end. The United States has vital contributions to make as a third party, but the Oslo process required the kind of mediation that a small state, highly respected and not burdened by interests of its own, is best equipped to offer.

Nature of the Mediation Process

The Norwegian third party saw itself as playing a strictly facilitative role in the process. Facilitation, in this case, did not mean process facilitation, in the sense that the track-two community uses this term. The third party made no attempt to structure or guide the discussion between the Israeli and Palestinian representatives. What it did was to provide a cover for the talks, an appropriate setting, and all the necessary logistical support. To a limited degree, it also provided substantive facilitation in the form of occasional help in drafting documents and passing messages between Israeli and Palestinian decision makers. When it seemed useful, for example, Johan Holst could pick up the phone and speak directly to his official counterparts on one or the other side. The facilitative style of mediation contributed to an agreement that more fully reflected the needs and concerns of the two sides and to which they had a sense of commitment.

In sum, these elements of the Oslo talks provided a useful context for (1) non-committal exploration of possible options under conditions of deniability and hence minimal risk; (2) development of new ideas that the participants could bring back to their respective leaderships; (3) testing the seriousness of the other side; and (4) building of a working trust between the two sides. These steps are very similar to what we try to accomplish in problem-solving workshops – our unofficial efforts in conflict resolution – except that in the Oslo talks the links to the official process were more direct and more immediate. The Oslo talks were ideally suited to what I have described

... as a process of successive approximations, in which the parties initiate communication at a level and in a context that represents a relatively low degree of commitment (in terms of official status, implied recognition, and expected outcome) and gradually move toward official negotiations, culminating in a binding agreement. The relatively low degree of initial commitment should enable parties to accept a correspondingly lower degree of reassurance as the condition for talking with one another. This formula would make it possible, then, for each party to offer a degree of reassurance sufficient to draw the other into communication without endangering its own position. Gradually, if the communication is carried out in a problem-solving mode, it should facilitate both the emergence of new ideas and the development of mutual trust, allowing the parties to offer each other increasingly greater degrees of reassurance and encouragement. At some point, these should be sufficient to enable them to enter into official negotiations, designed to produce formal mutual recognition as the final outcome. Thus, I am envisaging a process of communication that may enable the parties to move toward the recognition that each

needs from the other but is afraid to give to the other by successive approximations, in which levels of reassurance are continually calibrated to correspond to levels of commitment (Kelman, 1982: 67–68).

Substantive Features of the Oslo Accord

In conclusion, let me summarize the main substantive features of the Oslo accord that made it possible for the two parties to agree to it and that lent it its breakthrough character.

In my view, the most important feature of the Oslo accord was the exchange of letters of mutual recognition between the PLO and the State of Israel. In recognizing the PLO and agreeing to negotiate with it, Israel acknowledged Palestinian nationhood and the unity of the Palestinian people – both inside and outside of the occupied territories. Since the PLO embodies the concept of a Palestinian state, Israel's recognition of the PLO strongly implied the legitimacy of such a state, although it did not explicitly commit itself to its establishment. The PLO's recognition of Israel did not represent an equally dramatic breakthrough, because the Palestine National Council had in effect already accepted the legitimacy of Israel and endorsed a two-state solution at its 1988 meeting in Algiers. In the Oslo accord, however, this recognition was more explicit, formal, and direct. It provided the key to acceptance of Israel's legitimacy in the Middle East and to its integration in the region. Thus, the mutual recognition of 1993 represented a fundamental shift in the relationship between the two peoples. Acknowledging each other's legitimacy was a significant affirmation of the other's national existence, which the two sides had systematically denied to each other throughout the history of their conflict. It is this conceptual breakthrough that is irreversible, even if the current peace process were to collapse.

What made it possible for Israel to accept this accord was the distinction between the interim and the final stage. Although the logic of the accord clearly implied the establishment of an independent Palestinian state, the Israeli decision makers were not ready to commit themselves at the outset to such an outcome. They wanted a gradual process, which would demonstrate to the Israeli public – and indeed to themselves – that relinquishing control to the Palestinians did not threaten Israel's security. Moreover, they wanted a way out if the security situation deteriorated badly. It is my belief, however, that the Israeli leadership understood that the logical outcome of the process to which they were committing themselves was some form of Palestinian state.

For the Palestinians, an agreement that did not guarantee an independent Palestinian state at the end of the interim period – their minimum requirement for an acceptable outcome – was highly risky. They had to place a great deal of trust in the dynamics of the negotiation process, which Arafat seemed prepared to do. What made it possible for him to accept the risk were two features of the Oslo accord: the territorial base and the early empowerment of the Palestinian Authority. The inclusion of Jericho, along with Gaza, in the initial territories to be placed under Palestinian control was critical from a Palestinian point of view, because it established a foothold for Palestinian self-rule in the West Bank. Early empowerment assured the Palestinian leadership that they could immediately begin the process of establishing control and building pre-state institutions. The territorial base and early empowerment, along with Israel's recognition of the PLO – which has stood for the concept of a Palestinian state – significantly strengthened the logic of a Palestinian state as the endpoint of the process, even though it did not assure this outcome. Time will tell whether Arafat's trust in the process and gamble in its logic will pay off.

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