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Towards Annapolis: Is U.S. Policy Changing on Israel's Rights in a Peace Settlement?

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- After being sworn into office in 2001, the Bush administration informed the Israeli government that the Clinton proposals "were off the table." The Bush Letter of April 14, 2004, received by Israel as a *quid pro quo* for the [Gaza](#) Disengagement, introduced new elements into the Israeli-Palestinian peace process that completely superseded the Clinton proposals.
- Prime Minister Sharon explained the significance of the Bush Letter to the Knesset on April 22, 2004: "There is American recognition that in any permanent status arrangement, there will be no return to the '67 borders. This recognition is to be expressed in two ways: understanding that the facts that have been established in the large settlement blocs are such that they do not permit a withdrawal to the '67 borders and implementation of the term 'defensible borders.'"
- There is a serious question about the exact standing of the Bush Letter on the eve of Annapolis. Secretary of State Rice stated on November 13, 2007: "I believe that most Israelis are ready to leave most of the - nearly all of the West Bank, just as they were ready to leave Gaza for the sake of peace." Yet all serious public opinion polls actually show strong Israeli support for retaining strategic areas of the West Bank, like the Jordan Valley.
- It has been frequently stated, particularly in Washington, that, "We all know what the final outcome of an Israeli-Palestinian peace settlement will look like," an assertion usually followed by some reference to the Clinton proposals and the talks at Taba. Such statements try to introduce inevitability into the expected parameters of a peace settlement, even though they are based on a whole series of failed negotiating attempts seven years ago that cannot possibly bind the State of Israel, and completely ignore the fact of opposition by the General Staff of the Israel Defense Forces to the Clinton proposals as endangering Israel's security.
- It is critical for Israeli diplomacy to protect the Bush Letter against those who seek to undercut and replace it with a new set of Israeli-Palestinian documents. Israelis have learned from their experience with Gaza what can happen to their most vital security interests if they are not safeguarded at the same time that far-reaching territorial concessions are made.

The Changing Purpose of the Annapolis Meeting

It still needs to be explained why the Bush administration decided to launch the Annapolis Peace Conference when so many seasoned observers doubt that it is possible to make any real diplomatic progress between Israel and the Palestinians at this time. The question is even more compelling when the risks of diplomatic failure are measured against the chances of real diplomatic success.

President Bush originally planted the seeds of the Annapolis Conference on July 16, 2007, when he announced that he was calling for convening "an international meeting" that would "review the progress that has been made toward building Palestinian institutions." The meeting was supposed to deal with Palestinian political reform. Finally, Bush proposed that the planned Middle Eastern meeting would "provide diplomatic support for the parties in their bilateral discussions and negotiations."¹ The idea was that the international community would assist the Palestinians in multiple areas to help advance the creation of a Palestinian state.

Since that time, however, the whole idea of the Annapolis meeting changed completely. The focus of diplomacy shifted to the issuance of an agreed Joint Statement by Israel and the Palestinians that would begin to outline, in greater detail than before, the contours of a future Palestinian state by detailing aspects of its borders, the nature of a solution to the [Jerusalem](#) issue, and the future of Palestinian refugees. Perhaps it was thought that dramatic Israeli concessions in the Joint Statement would induce pro-Western Arab states, like [Saudi Arabia](#), to attend the planned peace conference even at the level of foreign minister. What would follow the peace conference would be intense, bilateral negotiations between Israel and the Palestinians based on the Joint Statement so that the foundations of a Palestinian state could be established within a little over a year.

This newer and more ambitious agenda for Annapolis has run into serious problems on the eve of the meeting. First, from drafts of the Joint Statement that were leaked to *Ha'aretz*, it is clear that the Palestinians are only willing to talk about "the two-state solution," but refuse to adopt proposed Israeli language that would add that Israel is the "homeland for the Jewish people and Palestine is the homeland for the Palestinian people." Second, it also appears that the idea of detailing the parameters of a peace settlement by touching on the most contentious "core issues" of Jerusalem, borders, security, and refugees has been dropped entirely. Clearly, the diplomatic gaps between the parties on these critical issues were unbridgeable at this time.

The Bush Letter vs. the Clinton Proposals

Given these difficulties, one of the options for the U.S. has been to put down its own paper about what would constitute a fair peace settlement in lieu of the Joint Statement. President Bill Clinton did exactly the same thing in January 2001, when his efforts to broker an Israeli-Palestinian peace settlement failed. After being sworn into office, the Bush administration informed the newly formed Israeli government of Ariel Sharon that the Clinton proposals "were off the table." Moreover, the Bush administration introduced new elements into the Israeli-Palestinian peace process that completely superseded the Clinton proposals.

On April 14, 2004, Prime Minister Sharon presented his Gaza Disengagement plan to President Bush and received as a *quid pro quo* a presidential letter with a set of U.S. guarantees about the shape of a future Israeli-Palestinian peace settlement. Sharon appeared before the Knesset on April 22, 2004, and explained the significance of the Bush Letter:

There is American recognition that in any permanent status arrangement, there will be no return to the '67 borders. This recognition is to be expressed in two ways: understanding that the facts that have been established in the large settlement blocs are such that they do not permit a withdrawal to the '67 borders and implementation of the term "defensible borders."

The Bush administration did not specifically insist that any additional territory added to Israel would require a land swap whereby Israel forfeits its own previous territory in order to obtain defensible borders. A year later, Sharon detailed his concept of "defensible borders" to *Ha'aretz* on April 24, 2005, emphasizing that the

Jordan Valley was of supreme military importance.

The Bush Letter did not intend to impose the outlines of a peace settlement in lieu of future Israeli-Palestinian negotiations. However, it laid out an updated vision of the U.S. position on a final peace settlement if the U.S. were actually asked to provide these details by the parties, especially if negotiations stalemated. The Bush Letter, moreover, did not represent a sharp break with past U.S. policy; it was fully consistent with UN Security Council Resolution 242. Former President Ronald Reagan used the language of "defensible borders" in September 1982 and it was adopted by former Secretary of State Warren Christopher in January 1997 in his letter of assurances to former Israeli Prime Minister Benjamin Netanyahu.

There is a serious question about the exact standing of the Bush Letter on the eve of Annapolis. Buried in the address by Secretary of State Condoleezza Rice at the United Jewish Communities General Assembly in Nashville on November 13, 2007, was a surprising sentence: "I believe that most Israelis are ready to leave most of the - nearly all of the West Bank, just as they were ready to leave Gaza for the sake of peace."² It is doubtful that Rice was reflecting on the results of any serious Israeli public opinion poll, which actually show strong Israeli support for retaining strategic areas of the West Bank, like the Jordan Valley. And given Israel's bitter experience from unilaterally leaving the Gaza Strip, it is difficult to draw analogies from Israeli positions on Gaza prior to the August 2005 disengagement and Israeli positions, at present, toward withdrawal from the West Bank. It is likely that she carefully chose her language as a trial balloon, couching a new possible U.S. position on borders as a general statement about Israeli public opinion.

Having decided to convene the Annapolis meeting, the Bush administration is under enormous pressure to make sure it succeeds. The situation that has been created provides the Arab states with enormous leverage over Washington to revise its positions on the core issues in order to obtain their attendance at a high enough level. Even if the U.S. does not issue its own statement in lieu of the Joint Statement, a revised U.S. position could come in the form of a presidential address or even private communications from Washington to Arab capitals that erode the Bush Letter and empty it of much of its original content.

Do We All Really Know What a Final Peace Settlement Will Look Like?

There have been other pressures on the Bush administration to abandon the Bush Letter, as well, from many parts of the foreign policy community. In the last few years, it has been frequently stated in high-level academic conferences as well as by pundits that, "We all know what the final outcome of an Israeli-Palestinian peace settlement will look like," and this assertion is usually followed by some reference to the Clinton proposals and the follow-up talks at Taba.³ The power of this idea cannot be overstated, particularly within the confines of the Capitol Beltway in Washington.

Such statements try to introduce inevitability into the expected parameters of a peace settlement, even though they are based on a whole series of failed negotiating attempts seven years ago that cannot possibly bind the State of Israel. Moreover, those taking this position completely ignore the fact that the Clinton proposals were viewed by the General Staff of the Israel Defense Forces in 2000 as too far reaching and endangering Israel's security, and their position was presented, at the time, by Chief of Staff Lt.-Gen. Shaul Mofaz.⁴ Moreover, among the Palestinians, the current head of the negotiating team, Abu Ala, stated back in 2001 that even after further Israeli concessions at Taba, beyond the Clinton proposals, the extent of Israeli flexibility was inadequate and that never before had there been "a clearer gap between the two sides."

Nonetheless, this theme that the Israeli-Palestinian conflict could be easily solved seems to have permeated some of the elites who have responsibility for the peace process at present. Speaking at the Saban Forum in Jerusalem on November 4, 2007, the Quartet Envoy, former Prime Minister Tony Blair, revealed a similar view to those who believe the outcome of negotiations is already known, when he said:

Truthfully, if you took any group of well-educated Israelis or Palestinians and said to them, describe on two sheets of paper the rough solution to the core final status issues - territory, right of

return, Jerusalem - they could probably do it roughly along the same contours of a solution.⁵

The Bush administration recognizes that even if after Annapolis, Israel and the Palestinians reach the outlines of a permanent status government, Mahmoud Abbas, the [Palestinian Authority](#) leader, is too weak to implement it. For that reason, many in Israel call a document of this sort "a shelf agreement," that can only be taken down and used when conditions permit. But how can Israel commit itself to any future borders when the situation in the entire region is so uncertain in the years ahead, since no one can predict what will be the situation in [Iraq](#) and whether an empowered [Iran](#) will emerge that is armed with nuclear weapons.

At present, it is critical for Israeli diplomacy to protect the Bush Letter and provide countervailing arguments against those who seek to undercut and replace it with a new set of Israeli-Palestinian documents. Israelis have learned from their experience with Gaza what can happen to their most vital security interests if they are not safeguarded at the same time that far-reaching territorial concessions are made. The Philadelphi Corridor, between Palestinian Gaza and Egyptian Sinai, has become an open thoroughfare for smuggling massive amounts of weapons and trained terrorist operatives. An Israeli pullout from the Jordan Valley separating the West Bank from Jordan, would yield similar results, but on a much larger scale and undermine Jordanian stability, as well.

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Notes

1 "President Bush Discusses the Middle East," The White House, President George W. Bush, July 2007, <http://www.whitehouse.gov/news/releases/2007/07/20070716-7.html>

2 Secretary of State Condoleezza Rice, "Address to Delegates at the United Jewish Communities (UJC) General Assembly," U.S. Department of State, November 13, 2007, <http://www.state.gov/secretary/rm/2007/11/95103.htm>

3 "U.S. Grand Strategy in the Middle East," Council on Foreign Relations, June 5, 2003, http://www.cfr.org/publication/6046/us_grand_strategy_in_the_middle_east.html; Jackson Diehl, "The Deal on the Table," *Washington Post*, October 22, 2007, <http://www.washingtonpost.com/wp-dyn/content/article/2007/10/21/AR2007102101370.html>; Bernard Avishai and Sam Bahour, "Making the Inevitable Happen," *Los Angeles Times*, November 18, 2007, <http://www.latimes.com/news/opinion/la-op-avishai18nov18,0,7447082.story?track=rss>.

4 *Yediot Ahronot*, December 29, 2006.

5 "Keynote Address by Quartet Representative Tony Blair," Saban Forum 2007, Brookings Institution, November 4, 2007, http://www.brookings.edu/~media/Files/events/2007/1103_middle_east/1104_blair_keynote.pdf

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