

History of Track Two Peace Negotiations: Interview with Hussein Agha

ABSTRACT

The article records my interview with Track Two Palestinian peace negotiator Hussein Agha. We discussed his own involvement in the peace process; the Oslo Accords; the Stockholm channel; the Beilin/Abu Mazen Agreement and Camp David 2000. We also discussed the qualities of the two Palestinian leaders who chose him for different assignments, Arafat and Abbas; the use of violence as a political weapon; Palestinian internal rivalries; the merits of Track Two negotiations, and the Palestinian Right of Return. The interview assesses the positive and negative lessons and implications of the peace process.

Keywords: Abu Mazen, Agha, Arafat, Camp David, Hamas, Israel, Oslo Accords, Palestinian Authority (PA), peace negotiations, PLO.

INTRODUCTION

A FEW YEARS AGO, I EMBARKED ON A RESEARCH PROJECT IN AN attempt to understand the reasons for the unsuccessful peace negotiations between Israel and the PLO. The article records segments of an interview, among the longest of the 51 I have conducted so far, with a seasoned scholar and peace negotiator, Dr Hussein Agha. Agha has authored many articles about Arab affairs in general and specifically about the Israeli-Palestinian peace process.¹ Agha is also an experienced Track Two negotiator. Track Two diplomacy, known also as backchannel diplomacy, is the practice of

non-governmental agents, informal and unofficial activities between individuals and groups, sometimes referred to as 'non-state actors'.

Agha has been involved in discussions with Israelis about possible solutions to the conflict since 1969, when he was a student at Oxford University. With Ahmad Khalidi, Agha was the Palestinian drafter of the so-called Abu Mazen/Beilin document,² which became the model for the Clinton Parameters.³ Agha was also involved together with Itzik Molho, PM Netanyahu's representative, and American peace negotiator Dennis Ross in the drafting of a document which formed the basis for the Kerry Plan. Agha worked closely with American Secretary of State John Kerry during his tenure.

Agha's fascinating story marks fifty years of involvement in the Israeli-Palestinian peace process and provides much food for thought. My interview traces his early ideas about the conflict, his increased involvement in negotiations as he garnered the trust of Yasser Arafat and Mahmoud Abbas (Abu Mazen), his assessment of past events, his appreciation and critique of leaders, and his thoughts for the future.

EARLY THOUGHTS

In 1969, Hussein Agha arrived in Oxford to pursue his studies in economics and philosophy. He had come from Lebanon where he tried to join the Palestinian struggle for liberation and independence but was told by Arafat, Abu Jihad and others, that they did not need fighters. "We need people who can go and engage other people. Specifically, we want you, if you are going to Oxford, if you meet any Israelis, to engage with them and start talking about the possibilities of resolving this conflict peacefully." Agha said he "was shocked, because until then, for me, like others of my generation, it was taboo dealing with Israelis or even talking with them. They were the enemy. You have to fight them; not talk with them."

In 1975, Agha published an article against a two-state solution. At the time, he had thought that peace should be established between peoples, not pieces of land. This was the last ripple in his earlier idealistic view of a peace solution.

Author: What was the solution at that time for you?

Agha: It was a secular democratic state.

Author: One state.

Agha: I never looked at one state as the focus. I looked at it in terms of whoever is there should have equal rights, but it was not posited in the format of one state.

Agha used the word ‘state’ and when I pressed him to clarify whether he was thinking of a secular democratic Palestinian state alongside Israel, or a secular Israeli-Palestinian democratic state, he shifted the emphasis to equal rights, rather than territory. Of course, framework matters a great deal. Rights are endowed by sovereign states which have the power to mandate, enforce, amend or abolish them. When I pressed Agha for clarification, he was evasive.

OSLO

The Oslo Channel was established by Yossi Beilin shortly before he was appointed Israel’s Deputy Foreign Minister together with Norwegian political activist Terje Rød-Larsen and an Israeli academic, Yair Hirschfeld. The negotiators understood Arafat’s need to initiate a new relationship path with Israel. Talks with the PLO were illegal at the time. Deeming the PLO a terrorist organisation, Israel refused to negotiate with Arafat in an official capacity, though he was clearly the person most able to strike a peace deal and the only true representative of the Palestinian people. After the 1991 Madrid Conference,⁴ bilateral negotiations began in Washington between Israelis and Palestinians (supposedly independent of the PLO), but they led nowhere.⁵

In June 1992, Terje Rød-Larsen, the Director of the Fafo Institute for Labor and Social Research in Oslo met with Beilin in Tel-Aviv. He suggested establishing a direct channel between Beilin and Faisal Husseini, a key PLO leader in East Jerusalem. Beilin was receptive to the idea. In July 1992, Beilin met with Husseini at the American Colony Hotel in East Jerusalem. Beilin brought along Yair Hirschfeld, his partner for negotiations with the Palestinians. That year, Hirschfeld had completed a report to the European Union on Israel and the Palestinians titled “From Dependence to Interdependence”. The Oslo concept was one of three models Hirschfeld had laid out. He obtained supportive inputs from the Palestinians as well as from PM Shamir’s bureau for the model which eventually became the Oslo concept.⁶ In December 1992, Hirschfeld met with Abu Ala in London where they agreed to meet again.⁷ They needed a meeting place away from the public eye and with little outside interference. The Norwegians

were eager to help facilitate the talks.⁸ Thus, the Oslo peace channel was established. Throughout 1993, a series of talks took place which resulted eventually in the “Declaration of Principles on Interim Self-Government Arrangements” (1993).⁹ In September 1993, the Oslo agreement was signed at a festive ceremony on the White House lawn.

Agha was not comfortable with Oslo because it ignored the root of the Israeli-Palestinian conflict. The crux of the conflict, from the Palestinian perspective, is the 1948 War and the Palestinian refugee problem, or in Agha’s terms, “dispossession, dispersal and the struggle for return.” Oslo did not deal with this issue at all, focusing instead on the aftermath of the 1967 war. Agha thought this disingenuous, “because there was a conflict before ’67; about twenty years of conflict and before that, decades of skirmishes and tension. How would that have fit into a two-state solution? The Palestinians, although some of them were asking for, calling for a state, were not talking of a two-state solution. It was about the nebulous notion of liberation.”

Agha gradually understood that the Oslo process was the only available way forward, “That to have peace between people, the territorial dimension is important; that if the Palestinians and the leadership want and are satisfied with having a state in the West Bank and Gaza, I do not feel confident enough to dismiss it or to stand against it. So, let us work within that framework.”

I asked Agha what the positives and negatives were with regard to Oslo.

Agha: The good thing about Oslo is that it brought back the Palestinians for the first time to their land and gave them, to some extent, the opportunity to govern themselves by themselves, on their own land. This is a good that they did not have. But the opportunity was wasted, because they did not know how to govern, and they did not use it as a steppingstone to expand the promise of Oslo for a resolution.

Author: Could it have been done differently, by the Israelis or the Palestinians?

Agha: Yes, by both.

Author: How? What would you have done differently?

Agha: There was no clarity in Oslo. Very few in both communities understood what Oslo was about. Very few in both communities actually read what Oslo was. That, by itself, is problematic. If you have a peace agreement ... people can see that there is peace,

if the agreement is implemented. But when you have a deal like Oslo, it does matter if you understand it or not, because it affects your expectations of it. The majority Israeli view of Oslo, not everybody, not Yossi Beilin or Shimon Peres, was about getting the Palestinian load off their back. Oslo gets rid of the load of responsibility and the cost of ruling over the Palestinians. For some, it was even more technical. Let us subcontract the security situation that is costing us reputation, resources, uncertainty, inability to resolve conclusively. Let us give it to someone else, the PLO. Let them take care of it. For the Palestinians, it was viewed as the first step towards a state. These two views are not the same things; they operate in parallel directions, with a big gap in the distances between them. This problem at the core of Oslo made it impossible to work, except within very limited constraints. Palestinians were kind of ruling themselves (with enormous constraints) and Israelis got rid of the costs involved in running the Palestinian territories. None of the sides took a further step. There was no energy after some time, to make it fulfil its promise. That, I think, was inherent in the nature of what Oslo was. It opened the door, but it did not really make you aware of what is inside the room. Just opening the door and having all these monsters coming at you from inside the room, is not enough.

A common perception of Oslo is that Abu Ala was the chief architect on the Palestinian side. Agha corrected this impression: “The guy who did Oslo” was Mahmoud Abbas (aka Abu Mazen). Agha clarified further:

Agha: Abu Ala was under Abu Mazen. Abu Ala had to clear everything with Abu Mazen.

Author: Abu Ala was sent by Arafat.

Agha: Abu Mazen was responsible for the Oslo talks. Arafat does not follow details. Everything goes back to Abu Mazen. Abu Mazen tells him yes or no.

Author: I thought there was competition between Abu Ala and Abu Mazen.

Agha: They had different status. Abu Mazen was more senior than Abu Ala.

Author: But there was a time that they were competing. Arafat was playing both of them.

Agha: Yes. When Arafat had problems with Abu Mazen, when Abu Mazen became prime minister, Arafat was not pleased with the imposition of Abu Mazen on him by the Americans, he started upgrading Abu Ala if you want, Abu Ala.

Author: And he made him prime minister.

Agha: He made him prime minister after Abu Mazen resigned. Then there was the Annapolis process with Abu Ala heading the Palestinian negotiating team. Eventually Abu Mazen froze him.

After Oslo, Agha became active in the negotiations. Together with his friend and colleague, Ahmad Khalidi, he was instructed by Arafat to coordinate Abu Mazen's talks with Yair Hirschfeld and Ron Pundak, the two academics who were in the driver's seat during the first unofficial phase of the Oslo process, and were moved to the passenger seats during the second, official phase of the process, when the Director-General of the Ministry of Foreign Affairs, Uri Savir, and Rabin's trusted lawyer, Joel Singer, joined the talks. Arafat qualified his instructions by saying "whenever you reach somewhere, come to me", meaning that he was willing to delegate responsibilities, up to a point. While Arafat was not a man for details, he wanted to be in control of the crucial decisions.

In 1994, Agha, Khalidi, Hirschfeld and Pundak, with the occasional participation of Nimrod Novik on the Israeli side, and Hassan Asfour on the Palestinian side, began negotiating in Stockholm and Israel.¹⁰ The result was the so-called Abu Mazen/Beilin agreement (1995). Although Abu Mazen and Beilin were behind the agreement they did not negotiate it directly. The details were finalised, though the agreement was not completed, in November 1995, just before Rabin's assassination.

NETANYAHU (1996–1999)

When Netanyahu came to power in 1996, the unfinished agreement became irrelevant because it was clear to the Palestinians that Netanyahu was not going to take this forward. Nevertheless, the two Palestinians and the two Israelis continued to meet at the beginning of Netanyahu's tenure but by that stage "it became a purely academic project to be used when needed, as opposed to being fed into Rabin and Peres and Arafat and Abu Mazen." This shows the resolve and commitment of both sides to peace notwithstanding the constraints of political realities. Chances for success

in a constructive sense, however, were slim. Netanyahu was not committed to the Oslo process.

During the three years that followed with Netanyahu as PM almost no understandings were reached. The negotiations for the final status of the settlements scheduled to take place at that time according to the Oslo Accords had not even started. The promised second and third phases of Israeli withdrawal from the West Bank and its army redeployment were long overdue and the settlements, in turn, continued to expand.

In late September 1996, against the advice of Israel's security organizations, Netanyahu approved the creation of the Kotel Tunnel which precipitated a wave of violence in Jerusalem and the West Bank. The riots continued for three days during which at least 62 Palestinians died and some 1,300 were injured as were 15 Israeli soldiers and policemen.¹¹ Netanyahu was forced to make concessions after Arafat restored quiet in the West Bank. On January 15, 1997, Netanyahu signed the Hebron Agreement regarding the evacuation of Hebron.¹² This was too little, too late. Netanyahu postponed the release of Palestinian prisoners, the creation of a safe corridor between the West Bank and the Gaza Strip and the redeployment of Israeli forces. He also continued settlement building especially around Jerusalem.

In order to revive the peace process, in October 1998, President Clinton convened a summit at the Wye Plantation near Washington DC. Israel committed itself to withdrawing from 13% of the West Bank within 90 days, and to transferring a further 14% of the land under joint Israeli–Palestinian control to the sole control of the PA. The PA also received a corridor connecting the West Bank and the Gaza Strip. In return, the PLO agreed to amend its charter which called for the abolition of the State of Israel. Arafat committed himself to a zero-tolerance policy regarding terror and violence.¹³ On November 20, the first phase of the agreement was implemented: 2% of the West Bank in Area C near Jenin was transferred to Area B; a further 7% was transferred from Area B to Area A. The airport in Gaza began to operate, and 250 Palestinian prisoners were released. This was the only part of the Wye Agreement carried out by Netanyahu. Later on, Israel argued that since the PA had failed to fulfil its side of the agreement Israel was exempt from its own obligations.¹⁴

Netanyahu's government did not complete its term in office. The Wye Agreement opposed by some elements in his coalition and the PM's personal behavior became an issue. His lack of judgment, poor handling of internal schisms, wrong staff choices, poor management, scandals—all these brought Netanyahu's government to an end in less than three years. He paid the price of his failures and Ehud Barak came to power in May

1999. Agha and Khalidi now had new opportunities to explore. Agha explained:

I took Abu Mazen to Stockholm in the spring of 1999. He met with the prime minister there. The idea was that what we were working on will continue and will become the secret channel for the process that will prepare for Camp David. For that, you needed Barak's approval in '99.

However, Barak was not interested in unofficial negotiations. Two contrasting negotiation philosophies came into conflict. While Barak believed that meaningful negotiations should be conducted by officials who hold explicit responsibilities, Abu Mazen believed that the officials should enter the picture at a later stage, after major differences between the two parties were ironed out and the gaps were bridged. In other words, while Barak preferred Track One negotiations, Abu Mazen opted for Track Two. Neither side was willing to yield. Both Barak and Abu Mazen stubbornly insisted that the identity of negotiators and their respective responsibilities are crucial components in deciding success or failure.

TRACK ONE VERSUS TRACK TWO

What are the strengths and weaknesses of both negotiation tracks? Official negotiations enable the direct impact of leaders on the process. Leaders influence the direction of negotiations and outcomes. They have the capacity to access information, intelligence, and financial resources that give high leverage and flexibility in negotiations.¹⁵ The weaknesses of Track One Diplomacy include the high stakes involved in the event of failure, difficulties in maintaining secrecy, lack of deniability, especially if the process fails to develop as expected, and susceptibility to political and electoral pressures.

Track Two Diplomacy brings together trusted representatives of both leaders to engage in unofficial discussions and work out new ways of managing and resolving conflicts. Proponents of this mode believe that such negotiations help break down the barriers often put in place by official diplomacy. By entering grey areas, unofficial representatives are able to address issues which their governments are loath to discuss in the open.¹⁶

Unofficial Track Two negotiations afford the parties concerned with options of deniability, secrecy and greater flexibility. Parties can fly "test balloons" to examine the reactions of their counterparts. However, this mode often engenders long delays, and some leaders lack the patience or

capacity to exhaust the process. Moreover, since the negotiators are without responsibility and power to make decisions, they are not accountable to the public for their poor decisions. Other potential problems are ineffective coordination and organisation of the peace talks.

From March 21–28, 2000, the official Israeli-Palestinian negotiations, headed by Oded Eran and Yasser Abed Rabbo were conducted at Bolling Air Force Base in Washington D.C. and later at other locations. The talks aimed to complete the implementation of the interim agreements that were already signed. Agha argued that those talks led nowhere. Abu Mazen wanted a Track Two back channel parallel to the official channel. He decided to ask Sweden to implore Barak to accept the idea. Agha expounded this:

Abu Mazen specifically thought you could not go to negotiations, face-to-face negotiations without preparation. If you remember at the time, Yasser Abed Rabbo was negotiating with Oded Eran on final status and it was not going anywhere. It was not serious. Abu Mazen wanted to have a parallel back channel. For that to happen, you needed the approval of Barak. The Swedish prime minister sent an emissary to Barak. Barak said, I have no problem with the idea, but I do not want Agha and Khalidi to represent the Palestinian side, because I want people on the ground from the Palestinian side, preferably security people. He mentioned Dahlan. He said I want Dahlan and someone else to represent them, not some academics. Then, the direction of the exercise, of the Stockholm channel, changed. Abu Mazen went cold. He said if you have officials, you miss the point. Officials cannot interact freely, the way non-officials can.

Barak tried to dictate his choice of the Palestinian negotiator. He preferred to deal with Mohammad Dahlan, leader of Fatah (the largest faction of the confederated multi-party PLO) in Gaza. Dahlan was the strong man in Gaza at the time. He developed good working relationships with the Israeli and American security organisations and established trust with them. However, Barak was in no position to dictate the Palestinian choice of interlocutors any more than the Palestinians were in a position to dictate the Israeli choice of interlocutors. Having named Dahlan, Barak managed to cripple the Gazan leader who was subsequently tagged a “convenient” negotiator for Israel. Later, Abu Mazen and Dahlan became bitter rivals, and Dahlan was expelled from Fatah. He moved to the United Arab Emirates where he works as a security adviser. I asked Agha: What was the relationship between Dahlan and Abu Mazen at that time?

It was up and down. It was not bad, but Abbas did not want to have officials. The schism between them had not taken place and it was not the reason that Abbas did not want Dahlan in Stockholm. Dahlan refused to go. They came back to Abu Mazen whose idea was to have unofficial people because they can interact freely, and it will be deniable and non-committing. They are not constrained by official positions. If an official goes into a secret channel and says something like, for example, I accept a Palestinian capital in neighbourhoods of East Jerusalem, not the whole of East Jerusalem. Then, that will become our official position; it will be a concession. If an academic says that, it does not bind us, he can play with it and he can see how far you can go. That was germane to the logic of that kind of a track that Barak did not fully appreciate. Barak wanted secret diplomacy. Abu Mazen wanted track II diplomacy. They are not the same thing.

Abu Mazen insisted on Track Two. Barak insisted on Track One. Then Abu Mazen decided to withdraw from the process, to disengage. But this was a luxury for the Palestinians. Arafat understood that he needed to engage with the Israelis on their terms, otherwise the Palestinians had everything to lose and nothing to gain. In came Abu Ala as Abu Mazen's replacement. Abu Ala took on Hasan Asfour who, together with Maher al-Kurd, had worked with him on the Oslo peace negotiations. Their Israeli counterparts were Minister of Internal Security Shlomo Ben-Ami and Barak's close peace advisor Gilead Sher. The negotiations, called the Stockholm channel, took place from May 2000 in the Swedish prime minister's country manor house, Harpsund. The Swedes facilitated the talks quite ably.¹⁷ The first round of talks in Sweden took place on May 11–17 of 2000. The second round started on May 20 but was halted in the context of the violence that broke out in the territories, and the third and last round took place in Israel beginning June 1. While the talks were covert, their existence became public knowledge at an early stage due to a leak. Many assume that Abu Mazen had leaked this information in order to sabotage the talks. Agha said: "Abu Mazen by that stage knew that the process was doomed." This explains Abu Mazen's conduct at Camp David.

CAMP DAVID PEACE SUMMIT 2000

After Harpsund, Barak came to believe that he needed to be involved in the negotiations himself, and that some help from Israel's friend, the United States, was necessary to move the peace process to a successful conclusion.

Barak pleaded with President Clinton to convene a peace summit and was able to get the Americans to agree. Then Clinton pressured Arafat to participate. Arafat did not want to go to Camp David. Agha elucidated:

By the time they went to Camp David, Arafat was convinced that it is not going to happen because Rabin was gone, and Barak's personal attitude was not very helpful. Barak had agreed to withdraw from villages around Jerusalem but did not do that. He refused to commit himself to the agreements that Bibi committed himself to in Wye River; he refused to redeploy ... Barak was boasting, "I am the only prime minister that has not given back one inch of land to the Palestinians. Begin did, Rabin did, Peres did, and Bibi did. I have not." The chemistry with Arafat was not right. Arafat did not want to go to Camp David. Abu Mazen went with him. There were attempts to engage other Palestinians when the file was with Abu Mazen. He felt they were not serious. During Camp David, his son got married and he left for a few days.

Arafat went to Camp David under pressure from Clinton who reassured him that no blame would be assigned to any party if the summit failed.¹⁸ Arafat realized that there were such big gaps between the Palestinians and the Israelis that there was little likelihood of success. He thought the timing was bad, and that more work had to be done before such a high calibre summit. But Clinton came to the end of his second and last term in the White House, and the options left for him and Barak were either to convene a summit prematurely, or to miss the opportunity of having an American president who was committed to solving the Israeli-Palestinian problem hosting a peace summit.

While the Americans and Israelis were thus engaged, the Palestinians were not. They did not trust Barak or the Americans. Abu Mazen had been in charge of the Israeli file since the 1960s. He knew more about Israel than any member of the Palestinian leadership, but he sensed that the Americans and Israelis preferred to engage with someone else. The Americans alienated him so he left Camp David in the middle of the summit, for all of four days to take part in his son's wedding. "By that time," Agha said, "he had shut himself off." On his way to the wedding, Abu Mazen stopped at Heathrow Airport and met with Agha and Khalidi. He showed them a paper which stressed that the Israelis and the Americans were not serious. In Agha's opinion, Arafat could not have made a final deal without Abu Mazen, because he did not know the issues. Arafat knew "the general titles; Jerusalem, '67, but for the step deeper, he counted on Abu Mazen. Abu Mazen had the file, had the studies, had piles of files on Jerusalem, on

borders, on security, on refugees.” Agha exclaimed: “You cannot have a deal without Abu Mazen! You cannot!”

In Agha’s opinion, Camp David was doomed from the start. And Barak’s conduct didn’t help. Agha’s criticism of Barak is comprehensive. Barak did not offer anything concrete, there was no clear document concerning all final status issues, and Barak kept changing his positions. Consequently, no one in the Palestinian delegation took him seriously. Barak’s offers were “vague, conditional and deniable.” And nobody talked to Abu Mazen.

I asked why he thinks Abu Mazen was ignored. Agha replied:

Because they thought they will have shortcuts with others; they played the dangerous game of domestic Palestinian politics. The American team and Barak’s calculation was to identify the future leaders of the Palestinians and to deal almost exclusively with them. It was a fatal mistake; their estimations were completely divorced from the realities of Palestinian politics.

I was curious to know Agha’s view on Barak’s insistence on an end-of-conflict declaration. That was what he demanded at Camp David. Some scholars and experts have justified Barak’s wish to reach a final agreement and end of conflict there,¹⁹ while others say it was premature. The latter argue that a peace deal has to be made gradually. Only when everything is ripe, when trust has been established, is it possible to push ahead with a final status agreement. Demands for a final status must correspond with the circumstances.²⁰ Agha expressed his agreement with Barak:

I think there was a moment with Arafat that should not have been missed. I believe, as well, that it would have provided a breakthrough, through which all other steps would have been possible. For me, signing a final agreement is not the same as achieving peace; it does not end the conflict. It is the first step towards providing the context and the climate through which you can take measures and formulate policies that will end the conflict. Whatever steps you take, they will make sense because they are in the framework of something larger that has been agreed on. However, if you do things here and there, and count on building up trust without having this umbrella of a final deal, you will be doing it for a hundred years and it will not work. Barak was right as to the need to go for a final agreement.

Interestingly, trust for Agha is not a crucial component for reaching an agreement. Moreover, he said that he does not want trust. “Any agreement

based on trust is going to be a flawed agreement. You have to build an agreement despite the mistrust; in spite of the mistrust.”

Immediately after Camp David, Agha took part in an exercise with American peace negotiator Robert Malley to draft an agreement that would bridge some of the disagreements which had emerged at Camp David. It was similar to a paper Clinton presented in December 2000 known as the Clinton Parameters. Agha took it to Abu Mazen who responded “That will not do.” Agha asked: “Is this your decision or Arafat’s?” Abu Mazen replied: “If you want me to, I’ll tell Arafat, but I do not think he is going to agree to it.” The following day, Abu Mazen told Agha: “Forget it.” I pressed Agha to explain.

The moment had passed. We cannot agree. At that time there were some, although the Americans deny this, who were whispering in the ears of the Palestinians, forget the Clinton era. Wait until Bush comes. When Bush comes, then you will be happier. Traditionally, the Republicans were more sympathetic, had better Arab connections with the Saudis, with the Egyptians, with the Jordanians, than the Democrats, who traditionally were more pro-Israeli. I do not know to what extent that played a role. I do not know whether that is actually true, but that story was buzzing around inner Palestinian political circles. Idiotic! Then Bush came. He was the first American President to talk about a Palestinian state. Arafat was bypassed. Abu Mazen became prime minister.

BYPASSING ARAFAT

George W. Bush won the 2000 Presidential elections and entered the White House in January 2001. Shortly thereafter, Ariel Sharon won the elections in Israel and became prime minister. Sharon regarded Arafat as a terrorist who could not be trusted. Together with the Americans he sought ways to deal with the Palestinians without dealing with Arafat. Once again, the Israelis and the Americans tried to dictate who should be in charge of the Palestinians. Abu Mazen was in no position to compete with Arafat, the undisputed leader of the Palestinian people, who more than anyone else symbolised Palestine. Arafat was the very embodiment of the Palestinian nation. Agha explained:

Bush said that they will have to have reforms in the Palestinian political system; you have to have democratic reforms. You have to effectively have a new

leadership. Abu Mazen became prime minister. The plan was that the levers of power would be snatched away from Arafat. The financial levers will go to Salam Fayyad and the political levers will go to Abu Mazen. It was a mad plan. It did not work. Abu Mazen resigned soon afterwards, because Arafat would not allow him to go beyond certain lines. We know what happened to Arafat. There is a famous meeting between Sharon and Bush, where Sharon suggested that Arafat has to go and Bush said, you know, let nature take its course. Sharon said, "Sometimes we have to help nature." When Olmert became prime minister, he gave a long interview to *Haaretz* and the last question they asked him was, "Is there anything that you did not know before becoming prime minister that you know now?" He said, "There is one thing that surprised me, but it is not time to speak about it now." Some on the Palestinian side interpret that as the decision or the active attempt to get rid of Arafat.²¹

I pressed Agha on whether he thought the Israelis had killed Arafat and eventually he answered: "the mystery of the illness is fascinating. The Swiss say one thing, the French say another, his doctor says a third thing. It is a big question mark. I cannot say with any confidence that I know how Arafat died. I cannot say."

Arafat had an enigmatic personality. It was hard to communicate with him. Shlomo Ben-Ami said that negotiating with Arafat was like trying to pick up mercury with a fork.²² Many did not like Arafat's attitude about using violence and terror as tools to pressure Israel even during the peace negotiations. Some of my Israeli interviewees who had access to privileged intelligence think that Arafat was not committed to peace, but to terror.²³ Ghaith al-Omari said that "Arafat often looked at violence, as a way of reshuffling the deck. His experience was when diplomacy, when politics starts getting stagnant, engage in some violence and that will reshuffle the deck."²⁴

I asked Agha what he thought of Arafat. At first, he replied tersely: "Arafat was a leader." When I pressed him to tell me more about the man, Agha said:

Arafat's power was not in his intellect. He was not somebody who was good at analysing and explaining, but he had the most powerful political nose that you can imagine. He knew, with the exception of one event, the way the wind was blowing. He made best use of very little; for somebody who did not have land, who did not have resources, who did not have a proper military, who did not have any backing, who lived in a hostile environment, who was confronted with a very powerful adversary in a world that has just come out

from a World War and the terrible tragedy of the Holocaust—and still built, from nothing, a political identity for his people. A separate identity that he put on the global political map, to the extent that the President of the United States, or one President of the United States (Clinton), met with him more than he met with any other leader. He built that power from scratch. Number two, he was totally non-ideological. What are you? Islamist? Marxist? Trotskyite? Leninist? Liberal? Democrat? Young? Woman, Thief, Nun, Academic, Labourer? I do not care. As long as you believe in Palestine and willing to work, *ahlan wa sahlan*, welcome to Fatah. He did not build a party. He created a movement. All the people who were supposedly more astute than him, more capable of putting an argument than him, more logical than him, more sensible than him, more articulate than him; they did not succeed, because you can follow logically what they are saying, but it had no resonance. He knew how to capture the spirit of his people and, furthermore, he made the people put their trust in him although they knew he was deceitful, conniving, and often disingenuous. He was capable of shifting 180 degrees and the people would not say no, while calling him a liar and a slippery cheat; that included his associates in the leadership. The components of Oslo, if you talked about them five years before Oslo, they would have been considered a grand betrayal of the Palestinian cause. Arafat managed to make them the ultimate objective of the national movement, 180 degrees. It takes talent to do that, it really takes talent. He worked 24/7. He had nothing else, nothing else in life mattered to him. Anybody, anywhere, who could do anything to help the Palestinians on any level—bring him in; he was totally inclusive. Anybody can go to him, knock on his door and ask him and complain to him or ask him for favours, and he will oblige. He built something out of very, very little. He was not a Ben-Gurion. He did not build a state, because the Palestinian nationalist movement was not geared towards building a state. It was geared towards first “return” and then “liberation,” whatever that may mean. What it meant, they did not even consider. For him, at some stage, he reached the conclusion that okay; I have arms and people shooting. This is not going to get me back Palestine. This is going to be a lever that I will use to move the region, the world, and the Israelis; so that we can have an agreement to achieve what is possible. When ’67 happened, it was the beginning of the process of looking at having a Palestinian state, but then he could not say any of this. ’73 consolidated that realization. From ’73, ’74 on, he let other people talk about a Palestinian state, not him.

I queried Agha whether he had any criticism about Arafat. He replied: “You will be surprised at what I am going to say.” I was, indeed, surprised

by what he said. His critique of Arafat was that his conduct was “too democratic.”

Author: Too democratic, Arafat. It is another compliment that you give him.

Agha: No, no, no, it is not. It was a liability. He cared about every segment of his people, he wanted everybody to be inside the tent and happy with what he does. He solicited their views and listened to their concerns. He had enemies, but most of his enemies, people do not know this or maybe they know it now, were on his payroll.

Author: Many of his enemies were on his payroll?

Agha: Yes.

Author: Give me one enemy that was on his payroll.

Agha: Most of them.

Author: One, give me one.

Agha: Anybody you can think of—was on his payroll; big names.

Author: Abu Nidal.

Agha: No.

Author: So not everybody.

Agha: No, but Abu Nidal was an instrument of Arab states. He was not considered as part of the Palestinian struggle. He was a tool; he was not viewed as part of the Palestinian configuration, because none of the Palestinian groups had political relations with him. He worked one day for the Libyans, one day for the Syrians, one day for the Iraqis, that kind of thing.

I asked when Arafat became such a peacenik, and Agha surprised me again:

Arafat was a peacenik, when, I think, perhaps the Israeli mainstream was not fully ready for a final peace. I think it crystalized after the '73 war; after Sadat; after Egypt signed an agreement with Israel. Arafat always had a soft spot for Egypt. There was no Palestinian blood shed by Egypt. Most other Arabs had Palestinian blood on their hands, but the Egyptians, they never really had that kind of encounter. They had disagreements, but no blood was shed.

Many of the Israeli and American negotiators I interviewed did not believe Arafat had ever been a peacenik, or that peace was an important value

to him. It was, rather, a means for gaining concessions from the Israelis while he continued to unleash terror and violence when it served his interests.

TOYING WITH VIOLENCE

After Oslo, a wave of terrorism swept through Israel. I asked Agha whether Arafat could have stopped it. Agha replied:

Arafat was, I suspect, of two minds about it. He was hard on Hamas when there was a diplomatic process. If you remember, their leaders were arrested, and their beards were shaved. One side of Arafat was that, if there were progress on the diplomatic front, Hamas would not be allowed to disturb it. The other side is that, if there is no progress, he had to use some leverage. He was not going to do it himself, because he committed to not to. Therefore, he would look the other way; he would be lenient towards Hamas and more tolerant of their excesses. If there were ten people responsible, he would arrest six. There was that kind of thinking I suspect. I do not know for a fact.

Author: What do you think of this attitude? Was it right?

Agha: The UN did not create Israel. It was created by the blood and toil of the people who fought for it. History tells you that there is no such thing as a free state that is given to you because you deserve it; you have to fight for it with what you got.

Agha, it seems, does not reject the use of violence and condones Arafat's flirtation with it. I asked him whether Arafat was behind the 2000 Intifada.

Agha: If you ask Amos Gilad, he will say yes. If you ask Amos Malkha, he says no.

Author: And if I ask Hussein Agha?

Agha: I think it might have been possible, at some stage, for Arafat to play a more restraining role than he actually did.

Author: No, but who organized it?

Agha: Organized, I do not think it was organized. As far as I know.

Author: What does Abu Mazen think?

Agha: Abu Mazen probably thinks Arafat could have stopped it at a certain juncture. But he chose to ride the tiger. At a later point, I think, it was too difficult for him to stop it.

Author: But who started it?

Agha: I do not know who started it. Israeli conduct did not help. There was some leak recently about Mofaz telling the IDF that you have to kill at least ten Palestinians a day. I don't know how true that was.

ABU MAZEN

Agha admitted that he was closer to Abu Mazen than to Arafat. I asked for his opinion on Arafat's successor.

Agha: Abu Mazen is a great strategist. He is an old fox, not to be underestimated. Anybody who survives Fatah for fifty years and comes out on top must have voluminous talents. For a long time, he was the architect of Palestinian peace diplomacy. He genuinely believes that peace is the only way. He is sincerely against violence. Not for the sake of Israel; but in the service of the Palestinian cause. You will miss him.

Author: Since when?

Agha: Since the '70s. When Palestinians refer to operations against Israel as heroic acts, he cringes. He finds that kind of activity counterproductive. His attitude is that there was a stage where we needed to have armed activity for the world and the region and the Israelis to take notice of us. That stage is gone. Now, we have to build bridges. He is a deep believer that there were two injustices committed seventy years ago. One was against the Palestinian people. The second was against Oriental Jews in Arab countries. He spends a lot of time meeting with mizrahim [Jews from Arab countries] and invites to his quarters many Israeli Jews of Arab origins—writers, intellectuals, artists. He meets with them; they sit, and reminisce about the old days, when the Arabs and the Jews lived together. He comes from Safed where there was a big Jewish community. Temperamentally, that is where he is. You will never find somebody like him; it is tragic. He was at his best under Arafat, the man of the people, the ultimate decider. As the only leader, Abbas painted himself into a corner in the negotiating process. His negotiating team made his negotiating position his real position, so he cannot move from it. The talking points are real. When he says '67, capital in East Jerusalem; there is no room for manoeuvre. This is a tragedy. With Netanyahu, nobody

knows where he stands on any of the permanent status issues. What is his real position? It is malleable; it goes and comes. In Abbas' case, he is in a corner. He cannot move. Another tragedy is that, having lost Arafat, who, towards the end, he was not very happy with because of the Second Intifada, which he thought was a big blunder. After that, he started losing the all-inclusive historical Palestinian leadership. His court shrunk. Many started to disagree with him, which he did not need. In Ramallah, there is no longer the intellectual, the political input coming from different directions, representing different segments of the Palestinians that used to enrich the Arafat court. Now, he is a lonely figure. He is on his own. At the same time, he knows he is not a negotiator. For example, he had two, three meetings with Bibi when Hilary Clinton was Secretary of State and Bibi said, "On the Jordan River, I need thirty, forty years." For Abu Mazen, that was reason enough to end the negotiations and not to meet with Bibi again. I do not agree with that. I do not accept that. So what if he said that? What if he said, "I want to be there for a thousand years"? That is not a reason not to engage with him. You have to give and take. Abbas is a master of giving and taking! I do not know what happened. Something happened. He reached the conclusion that no Israeli prime minister and no American administration are going to deliver the minimum required by the Palestinians for a peace agreement.

I asked Agha whether Abu Mazen wants peace today.

Agha: Abu Mazen always wanted peace, but today, I suspect, he does not think that peace is possible.

Author: Is he capable of delivering peace?

Agha: If there is one Palestinian leader who is capable of delivering peace, it is Abu Mazen.

Author: Are there any others?

Agha: Not as of today.

Author: So, he is the only one.

Agha: Yes. And I will tell you what. Some among Palestinian potential future leaders, who might not agree to Abu Mazen's peace deal, want him to have a deal anyway because they know they cannot

do it themselves. They would rather inherit a deal, an imperfect deal with Abu Mazen, than come to a stage where they find out, and they know beforehand, that they will not be able to do it.

THE PALESTINIAN RIGHT OF RETURN

Agha emphasised a number of times that the core of the conflict lies in the Nakba, the 1948 Palestinian catastrophe that saw the expulsion of hundreds of thousands of Palestinians from their homes. I asked Agha how this issue can be resolved. Does he want them to return to Tel-Aviv? He responded:

Not necessarily. First, you have to humanize the people who want to go back and recognize their feelings. Then, you have to make it clear to them that what they want to go back to, is not there anymore in most cases. And finally, you have to provide them with options that address their predicament and the sense of the great injustice inflicted on them.

Author: Let us be practical. Acknowledging the evil that was done, acknowledging the Nakba—that can be done. That is symbolic and that requires recognition. It is a change from the Israeli perspective, to acknowledge something that Israel's leaders did. Okay. Some did not, but some did. So, that is very important. Accept that. Second stage.

Agha: Second stage, you have to listen to them. You have to hear them. Who represents, who speaks really now on their behalf? For some time now, the Palestinian leadership is focused on the two-state solution, which mostly addresses the plight of Palestinians in Gaza and the West Bank. The refugees are a by-product in the political processes, one item amongst many. We need to hear from them directly. Theoretically, the PLO is their representative, but that has been eroded as the political centre of gravity moved to the occupied territories.

Author: The PLO does not represent the people in the refugee camps?

Agha: Not as much as it did in the past. There is still a certain attachment to the PLO as the “sole legitimate representative” of the Palestinians. There is also historical pride attached to the organization as being the first truly independent and functioning Palestinian political body that included all factions. Refugees have fond memories of the times when the PLO was their “political

home,” used to take care of them and speak in their name. It is taboo to question the validity of the PLO and whether its shelf life has expired, and the time has come to think of more dynamic and relevant alternatives especially now when most of its bodies are dysfunctional and bankrupt.

Author: So then who does represent them? Hamas?

Agha: No. Hamas talks with them in terms of Islam. Nobody really sat recently (after Oslo) and listened to what the refugees say first-hand. There are no intermediaries that represent them; it was left to the PLO. The PLO has shifted towards the West Bank and Gaza. It has shifted away from the refugees towards statehood.

Author: Is this something that can be done? That you can go to the refugee camps and say I am willing to speak to you. Find your representative. Let us have a talk.

Agha: We have to find a way to engage them.

Author: But it is possible, you think that it is doable.

Agha: Theoretically, yes. You have to explain to them the new realities in a respectful and sympathetic way. You have to recognize the momentous injustice that has visited them, their suffering and instil in them some hope for a better future. You had something and it was taken from you, one way or another. It was taken from you. Let us try to find a solution. Until now, their attitude is, I do not care, I want to go back. It should be explained to them that to live a more secure and improved manner does not negate their rights; you are not trying to buy them or bribe them. At least the refugees in the West Bank, they can become part of the Palestinian state.

Author: Can money can be the solution? Compensation?

Agha: No, not on its own. It is part of the solution but not the only factor; there is a deep psychological challenge that needs to be faced. The refugees are treated in the most despicable and base way.

CONCLUSIONS

The Agha interview offers some important insights relating to:

- The importance of respecting others, their honour and dignity;
- The prevailing human desire to live in freedom;

- From the Palestinian perspective, the roots of the Israeli-Palestinian conflict lie in the 1947–1948 War. Thus, any peace agreement must address the refugee problem;
- The strengths and limitations of Track Two negotiations;
- The necessary precondition of closing the gaps between negotiating parties prior to convening high-level peace summits;
- The importance of personal relationships between the negotiating parties;
- The interview also provides some interesting observations on:
- The effect of relationships within the negotiating teams on power-sharing agreements and disagreements; the destructive force of rivalries within the Palestinian and Israeli leaderships;
- Agha's depiction of Arafat and Abu Mazen;
- Israeli and American attempts to dictate the identity of Palestinian negotiators.

Though I expected Agha to praise Arafat and Abu Mazen since he worked with both leaders for many years, he opened up surprising new perspectives throughout the interview. It was interesting to learn that as early as 1969, Palestinian leaders had wished to engage peacefully with Israelis. I was surprised to hear that Agha's sole critique of Arafat was that his conduct was "too democratic" and that he thinks that Arafat was a peacenik as far back as 1973. Arafat's overall conduct was far from peaceful. I did not expect Agha, a person who has negotiated peace for most of his life, to understand or even condone the use of violence as part of the process. On this issue, the cultural gaps between Palestinians and westerners are striking. Agha, like many Palestinians, fails to understand that employing violence during a peace process undercuts the process, hardens Israeli positions and consequently makes Palestinian life more difficult. The mantra, common in Israel and in the West as a whole, that "There is a zero-sum game between peace and terrorism", does not strike a chord with Agha.

I promised Agha to send him the text if I decide to publish an article as a result of his interview. As I completed the draft, I contemplated whether or not to send him the article without the Conclusions, or to send it to him in its entirety. I decided to send him the entire article in the hope that he will find it necessary to reflect on this issue. Agha read the article and replied promptly:

I have one major problem that I hope you can take on board. What I was trying to say, perhaps inadequately, that violence is often part of the collective

effort (in addition to diplomacy) to reach peace. I was more describing than advocating. Do you deny that the violence of the Haganah, the Irgun, Lehi, etc. played an important role in establishing the State of Israel? Remember the Paris talks during the Vietnam War? Looking back and trying to understand that is not the same as supporting violence. On the ideological level, as my own personal experience demonstrates, I am, like Abu Mazen, unequivocally opposed to violence.²⁵

Naturally, Agha is an advocate of Track Two negotiations. However, both the Oslo first phase, and the so-called Beilin/Abu Mazen Agreement, demonstrate the weaknesses of unofficial negotiations. During our discussions, Joel Singer, who wrote the final draft of the 1993 Oslo Accords, was very blunt in his criticism of the work done by Hirschfeld and Pundak. Singer would rather start afresh than try “to fix” what he perceived to be a flawed document.²⁶ Agha acknowledges the weaknesses of the Beilin/Abu Mazen Agreement, an agreement in which he was a central player, but which was never adopted by the PA. Despite the fact that the agreement carries the names of Beilin and Abu Mazen, the two did not interact directly. The document was written by their assistants. This provided both leaders with a deniability option, used by Abu Mazen to undermine the agreement.

Oslo was a breakthrough. For the first time, Israeli officials and official representatives of the PLO sat down together to talk peace. Up until that point, Israel had refused to recognize the PLO. Israeli leaders invented Palestinian representatives who were merely straw men—and straw men are just that, straw men. They did not represent the Palestinians. They served Israeli interests and, consequently, they were unable to deliver. To achieve peace, you need to talk to your enemies. If they fail to do so, Israelis and Palestinians will continue to meet each other mainly in the battlefield.

An important lesson, accentuated by Agha, is the identity of the negotiators. One side cannot dictate who the partner negotiating across the table will be. Undermining powerful interlocutors only harms the process. Alienating one’s counterpart is counterproductive because it drives people to disengage from the process. The Americans and Israelis tried repeatedly to dictate who the Palestinian negotiators would be. This was a gross mistake.

Another such mistake was the American and Israeli attitude to the Palestinian leaders. At Camp David, Clinton and Barak did not treat Arafat with the respect and dignity he expected.²⁷ Abu Mazen was so disillusioned that he simply disengaged. And, as if this were not bad enough, Clinton humiliated Abu Ala in public, in front of the Israelis and his own people.²⁸

It is difficult, if not impossible, to achieve success when the three most important leaders in the Palestinian delegation felt unwelcome and caged in at the American presidential retreat.

It is equally important to be aware of spoilers and address their challenge. Spoilers can undermine the process when they leak privileged information at inconvenient times; spoilers can act violently against leaders, civilians and specific targets of significance. Leaders should not ignore spoilers, lest they become more adventurous and daring. Spoilers want to break the rules of the game and, indeed, to destroy it altogether. They will exploit any weakness to do this. Both the Israelis and the Palestinians did not prepare their people adequately, and did not stymie the spoilers, as they should have. Arafat tacitly encouraged spoilers when he believed this would help his cause, holding a symbolic olive leaf in one hand, and a sword in the other. Rabin dismissed Israeli spoilers and paid the highest price a person can pay: his own life.²⁹ A zealot, who aimed to reverse the trend of history, had some success. Many see the fateful night of Rabin's assassination on November 4, 1995 as the sign on the wall stating in bold letters "The Oslo Accords had collapsed," barely two years after they were signed.

NOTES

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