

# BARAK'S CHIEF NEGOTIATOR GILAD SHER EXPLODES THE MYTH OF CAMP DAVID: THE PALESTINIANS MADE A COUNTER-OFFER

Analysis and Translation from the Hebrew  
by Gidon D. Remba  
President, Chicago Peace Now<sup>1</sup>

## Introduction

We continue to hear the familiar canard that the Palestinians made no counter-offer at Camp David in response to Israeli Prime Minister Ehud Barak's unprecedented concessions. This myth arose from the self-serving story put out by Barak and President Clinton in an attempt to place the entire blame for the summit's failure on Arafat. It was accepted uncritically by much of the American and Israeli media at the time. Since then, fuller, more accurate accounts of the negotiations have recently emerged. These more nuanced accounts of the ill-fated Camp David summit and the failure of the Oslo peace process suggest that the story of the nay-saying Arafat is part fact and part fiction.

According to Israel's own chief negotiator Gilad Sher, at Camp David the Palestinians presented a map of the West Bank as they envisioned it in a peace accord, as reported in his *Just Beyond Reach: The Israeli-Palestinian Peace Negotiations 1999-2001*, published in Hebrew in Israel in 2002. Contrary to popular belief and American-Israeli spin, the Palestinians did in fact make a counter-offer at Camp David. It was Barak who rejected the Palestinian proposal, only to come much closer to Palestinian positions six months later in the final belated round of peace talks at Taba.

**Sher reports that on July 21, 2000 the Palestinians presented a map at Camp David consenting to Israel's annexation of settlements in 2.5% of the West Bank and a more equitable division of Jerusalem, in exchange for an equal land swap from within Israel.** American readers will find his testimony also in Charles Enderlin's *Shattered Dreams: The Failure of the Peace Process in the Middle East, 1995-2002* (New York: Other Press, 2002), which evolved from interviews with the negotiators aired nationwide in a PBS Frontline TV documentary (see especially page 242 in Enderlin).

A similar Palestinian counter-proposal was also presented at the final round of peace talks in Taba on Jan. 23, 2001, showing Palestinian acceptance of Israel's annexation of 3.5% of the West Bank (compared to Israel's Taba proposal of 6%). The Camp David map also showed that the Palestinians accepted the idea of a land swap, under which Israel would incorporate West Bank settlements in exchange for land of equal size and value. Barak had proposed larger settlement blocs, and an unequal exchange of territory.

The Palestinians made counter-proposals on other issues as well. At Camp David, Arafat proposed an arrangement for Jerusalem whereby the Palestinians would have sovereignty over the Temple Mount/Haram al-Sharif and the Palestinian neighborhoods, while Israel would hold sovereignty over the Western Wall and the Jewish Quarter of the Old City, along with the Jewish

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<sup>1</sup>Gidon D. Remba is president of Chicago Peace Now, and served as Senior Foreign Press Translator in the Israel Prime Minister's Office from 1977-1978 during the Egyptian-Israeli Camp David peace process. He is co-editor of a forthcoming volume, *From Baghdad to Jerusalem: A New Road to Middle East Peace?*

neighborhoods in East Jerusalem, as part of a land swap—a position Israel accepted only later at the Taba talks.

Here for the first time is an English translation of an excerpt from Gilad Sher's book which details aspects of the Palestinian territorial counter-offer and map. In addition to providing evidence of the Palestinian counter-offer and map, Sher believes that serious errors in process, particularly in the American management of the negotiations, were largely—even “decisively”—responsible for the failure of the summit which, if remedied, could have yielded an agreement. Further, he rejects the conventional view that Arafat and the Palestinian leadership demanded the right of refugee return to flood Israel with millions of refugees and undermine the Jewish character of the state. In a crucial passage in Chapter 9, he explains:

“In the case of the refugee question, it was the image of things, which held sway over the substance. Here was an ethos that had been built up and nurtured over decades as one of the cornerstones of the Palestinian national struggle. The Palestinian negotiators considered it their duty to show that the suffering of the refugees had come to an end and that their dream was about to be realized, even if only formally. As a result, for many of our Palestinian counterparts that dealt with this issue, the wording of the agreements was far more important than the practical mechanisms to be set up to help rehabilitate the refugees, or the effort to mobilize the international community on their behalf. I believed, and still do believe to this day, that, in exchange for some flexibility on our part over the wording which would have satisfied such an image need on the part of the Palestinians, they would have been happy to have left it at that, and would not have demanded the actual right of return to Israel itself, which in my view was not part of their 'core position.'”  
(English translation provided by Gilad Sher to Gidon D. Remba)

Readers should be aware that while this is the first time these excerpts from Sher's 2002 volume are appearing anywhere in English, evidence of the Palestinian counter-offer and map has appeared previously in English in Enderlin's 2002 book, and in articles in *The Jerusalem Report*, *Ha'aretz* and elsewhere in recent years, beginning in 2001. Following (1) the Sher excerpt are

2. parallel excerpts from the July 2001 *Jerusalem Report* article,
3. a brief parallel excerpt from Prof. Menachem Klein's comprehensive study on the final status negotiations (Klein was an advisor to the Barak government during the negotiations), *The Jerusalem Problem: The Struggle for Permanent Status* (University Press of Florida, 2003),
4. IDF Col. Yehoshua Arieli's 2003 account of Camp David and Oslo in *Ha'aretz*, and
5. Jerome Segal's earlier analysis of the Palestinian peace offer from *Ha'aretz* October 2001, which jibes with these accounts.
6. Robert Malley, *Fictions About the Failure at Camp David*, from the *NY Times*, 2001,
7. Khalil Shikaki, *Palestinians Divided*, excerpt from *Foreign Affairs*, January/February 2002, and
8. David Grossman, *Fictions Embraced by an Israel at War*, from the *NY Times*

All of the evidence collected here suggests that journalists and commentators writing on the Palestinian-Israeli conflict have little excuse to continue repeating uncritically the claim that there was no Palestinian counter-offer at Camp David.

**I. Gilad Sher, *Just Beyond Reach: The Israeli-Palestinian Peace Negotiations 1999-2001.* Ch. 11 excerpt, translated by Gidon D. Remba [pp. 202-203 from Hebrew text], about the Palestinian Counter-offer and Map.**

Samih El-Abed interpreted the map. This was the first time the Palestinians presented a map, which recognized Israeli settlements in the territories. But the [settlement] blocs weren't blocs, but rather like dots tied together by virtual "ribbons," or by existing roads, to the current borders of the State of Israel. The Palestinians did thorough and precise preparations. El-Abed explained that he included the settlements within Gush Etzion/Efrat in the tie to Jerusalem, along with Ganei Shomron/Alfei Menashe, and all the neighborhoods – the "settlements" in Palestinian idiom – in the Jerusalem and Givat Ze'ev area. He explained that they did not include the Arab villages in the map of the territories connected to Israel.

I asked to see the second map in the series, not the map that was prepared in order to tactically open the Persian bazaar on the issue of territory. Abu Ala played the role of the offended one: "This is our second map. You know how hard it is for me to even look at it. Our other map is the one that specifies the areas for a land swap; there are some areas which have first priority, others second priority."

We immediately pointed out the internal obstacles to [accepting] the Palestinian map: First of all, the ties between the settlements were virtual, and would require the construction of a secure passage from one settlement to another. In addition, the map does not include a number of settlers even close to what is needed, but rather some 30%-35% of them, in some 2.5% of the territory. The crux, however, is that this map creates impossible borders; not actual borders but rather ribbons with isolated areas banished to the extremities in such a way that the realities around them from both a security and civil standpoint would be impossible: there is nothing like this anywhere in the world.

Abu Ala rose up: "At this point I am convinced that you are not ready for an agreement. We will not give up one centimeter without a land swap, and we will not accept any sovereignty of yours in the Jordan Valley. The entire Jordan—from north to south—will be ours."

In the afternoon the borders and territories committee met again. This time representing Israel were Shahak, me and Hasson; representing the Palestinians just Abu Ala and Dahlan. Abu Ala reviewed the Palestinian position: Palestinians will not be included in the areas annexed by Israel, and there will be no damage to private Palestinian property and water sources as a result of the annexation. I reviewed the Israeli position, focusing this time on Israel's strategic needs, including the settlements, but not only these.

The Jerusalem committee also met again, in the afternoon, including Ben-Ami, Erakat, Asfour. There was no point that was not raised in the discussion: the municipal borders, the conception of the Jerusalem area, the Temple Mount, custodianship of the holy places. Ben Ami stressed that for us, the Jews, there is one and only one holy place. We must therefore find a formulation that will reflect this, and which will be mutually acceptable.

They talked further about custodianship, administration, shared or divided sovereignty, practical arrangements on the Mount, archeological excavation, and on investing sovereign authority in a third party. The three delved into the status of the various neighborhoods, and into arrangements

pertaining to the sovereignty and municipal powers in those neighborhoods: which municipality would be responsible; which joint bodies would operate; coordination; definitions of sovereignty.

During one of the breaks I met separately with Erakat, who proposed that we close issues in one-on-one meetings, and then review all the issues, both open and the closed, in a format of four from each side. We discussed additional alternate solutions to the problem of Jerusalem.

In the afternoon, the meeting of the full borders committee continued. We presented an Israeli map, according to which the territory to be given immediately to the Palestinians would reach 77.2%; the territory to be given to them afterwards, following a period to be agreed upon between the parties, would be 8.8% [a total of 86% to the Palestinians]; 13.3% would remain in Israel's hands, with a few tenths of a percent remaining in dispute.

**II. Excerpt about the Camp David Palestinian Counter-offer and Map from Isabel Kirshner, "The PA's Abu Ala: 'I Warned Of Catastrophe'", The Jerusalem Report, July 16, 2001**

Surprisingly, though, Shikaki categorically rejects the widely held notion that no Palestinian counter-proposals were placed on the table. At Camp David, he says, Arafat was negotiating directly with Clinton. And, he asserts, the Palestinians presented Clinton - though not the Israelis - with a map that suggested a Palestinian state on 97 percent of the territory, with a 3 percent land exchange. That map, he claims, "allowed the annexation of all the major settlements" including settlements deep inside Palestinian territory, such as Ariel, and allowed 80 percent of the Jewish settlers to remain under Israeli sovereignty. It did not include settlement blocs, which the Palestinians have never accepted. "It didn't connect the settlements in a contiguous fashion," Shikaki says. "The settlements were connected by thin lines representing roads that Israel would control."

The map, according to Shikaki, even specified where the Palestinians wanted the land swaps to be. They specified about 50 square kilometers worth of land split between three locations in Israel proper adjacent to the West Bank, and about 150 square kilometers of land northeast of the Gaza Strip. "When I saw that Arafat was ready to go 97 percent and let Israel annex places deep inside the West Bank, like Ariel, I thought he was going for broke," Shikaki says. "In my view, this was the Palestinians' most significant concession."

Still, the map remains something of a mystery. Shikaki says the Palestinian newspapers refused to publish it when he presented them with it. And a former Clinton administration source who was at Camp David strenuously denies that Arafat presented any such proposal. Rather, the source told The Report, Arafat told Clinton he could decide on the territory, provided the Palestinians had adequate solutions on Jerusalem and the refugee issue.

Shikaki points to other significant concessions the Palestinians made at Camp David. On Jerusalem, he says, the Palestinians ceded to Israel the Jewish neighborhoods in East Jerusalem, the Jewish Quarter of the Old City and the Western Wall. In talks on security arrangements, they accepted an international force in the Jordan Rift and Israeli warning stations in the West Bank, though there was disagreement over who would man them. There was also a basic acceptance of an Israeli right to enter the Palestinian state during an emergency or wartime, though there was still no agreement on the definition of what would constitute such an emergency. The only issue

in which the Palestinians didn't make concessions, Shikaki claims, was the refugee issue. And that, he and other Palestinian sources say, is because serious talks going beyond public positions on the refugee issue never really got underway.

The fact that Arafat was able to formulate these new positions even without his most important allies, Abu Ala and Abu Mazen, beside him shows, in Shikaki's view, that Arafat was making a serious and genuine attempt to forge an agreement. And, one may extrapolate, had Abu Ala and Abu Mazen joined the effort to achieve their best results, things might have turned out very differently.

**III. Excerpt about the Palestinian Counter-offer and Map from Menachem Klein, *The Jerusalem Problem: The Struggle for Permanent Status* (University Press of Florida, 2003), p. 67.**

During the summit the Palestinians presented President Clinton with a map that included consent to Israel's annexation of 2.5% of the West Bank, comprising the following blocks of settlements: Gush Etzion (south of Jerusalem), Gush Modi'in near Latrun (west of Jerusalem), Ariel, Givat Ze'ev (north of Jerusalem), and Ma'aleh Adumim (east of Jerusalem). The map also marked the areas of sovereign Israeli territory that the Palestinians demanded in exchange (Kershner 16 July 2001; Sher 2001: 202). The Israelis and Americans had a hard time taking notice of and engaging this proposal during the Camp David summit, and they have had a hard time remembering it since then (Agha and Malley 2001; Dennis Ross, Ma'ariv 17 September 2001; Shavit 14 September 2001; Morris 13 June 2002). Neither did the Israelis engage the 4 percent annexation proposal raised by Abu 'Ala in the talks held prior to the summit. Instead, they preferred to repeat to the Americans the unofficial proposal made by Muhammad Dahlan about the annexation of 7.5 percent (Sher 2001: 212), apparently because this was close to the lower limit of 8-10 percent that Ben-Ami had cited, at his own discretion, in Stockholm and at Camp David.

**IV. They just can't hear each other: IDF Col. Shaul Arieli on the Myth of Camp David, Akiva Eldar, Ha'aretz, March 11, 2003**

The fingers of one hand are sufficient to count the number of people closer to both the cradle and the sickbed of the peace process than Shaul Arieli. At the end of 1993, when the Oslo Accords were signed, Colonel Arieli was commander of the Gaza Brigade, and he is the one who withdrew the Israel Defense Forces from the Gaza Strip. In 1995, he was appointed to head the "Interim Agreement Administration," and five years after that, in his capacity as deputy military secretary to then prime minister and defense minister Ehud Barak, he was appointed to head the "Peace Administration." He was closely involved with every stage of the negotiations on a final-status agreement, from the talks that preceded the Camp David summit in July 2000 to the Taba talks in January 2001.

Since retiring from the army a year ago, Arieli, along with studying for his doctorate, has participated in several negotiating channels, both open and secret, between Israeli and Palestinian organizations. He believes that it is possible to breathe new life into the Oslo process, which he considers the high point of relations between the parties. **He also believes that the myth that "Barak gave them almost everything and Arafat responded with terror" has become one of the deepest pits blocking the road back there. Only the violence and the Palestinians'**

**difficulty in publicly waiving the right of return can compete with the theory "there is no partner for peace," which he believes is false.**

Arieli breaks his silence

On Sunday, after long agonizing, Arieli decided to break his silence. In a lecture to the Herzliya branch of the Meretz Party, attended by dozens of party members, he presented for the first time the story of the peace process from his point of view as a key participant, who racked up hundreds, if not thousands, of hours of conversation with senior Palestinian Authority officials. Over the course of two hours, he dissected the series of failures that comprised the positions and functioning of his last boss. **Both the Palestinians, and first and foremost Yasser Arafat, and the Americans, and first and foremost Bill Clinton, also come out of his analysis poorly.**

At the start of his lecture, Arieli proposed an explanation for the transformation of the Oslo spirit into an evil spirit. **"The Palestinians entered into the Oslo agreement on the understanding that through diplomacy, they could attain the goal they had set themselves since 1988: a Palestinian state in the 1967 borders with Jerusalem as its capital. In their view, their great concession was their willingness to make do with 23 percent of the land of Palestine [Israel and the territories - A.E.]. They thought a solution would be found to the problem of the right of return by means of a trick that would remove its sting. From their point of view, any proposal that fell short of this would not enable them to make concessions on other issues. They did not give up terrorism in order to get a redeployment here and a redeployment there. The cessation of terror was conditioned from the start on achieving their goal. Therefore, when they understood that Israel did not intend to bring them there, they returned to terrorism."**

**According to Arieli, the "almost everything" that Barak supposedly offered was almost nothing from the Palestinians' perspective. "The members of the Peace Administration knew from the start that there was no chance of Yasser Arafat becoming the Israeli security services' subcontractor in exchange for anything less than a state in the 1967 borders, with border adjustments and exchanges of territory.** On the other hand, the Palestinians also knew from the start that Barak, or any other Israeli politician who wanted to survive, would not sign off on the words `right of return.'"

According to Arieli, "we didn't understand that faced with a choice between maintaining our security and the interests of their own population, they would always choose the latter. And they didn't understand our sensitivity to statements such as that issued in 1999 by the PLO's executive committee, which said that the return of the refugees to Israel would not result in the eviction of a large number of Jewish `migrants.'"

The weakness both leaders displayed when it came to making decisions, said Arieli, brought professional and sectoral organizations into the picture, with the most significant being the IDF. "In the absence of a dialogue with and backing from the political echelon, the IDF adopted short-term thinking that focused on routine security," he said. "The army is the one that promoted the idea of Area B (territory under Israeli security control but Palestinian civilian control), which created points of friction between the two armed forces.

This was an attempt to compromise with the settlers - the second party whose intervention crossed all procedural bounds. The doors of every prime minister, including Rabin, were wide

open to them and they had something to say on every issue. The most salient expression of this was found in the agreements: They caused delays and forced changes in every agreement, from the Declaration of Principles through the Wye Agreement to the Sharm Agreement in 1999. Because of this, everything was set back, and implementation mechanisms turned into mechanisms for tracking violations and became a focal point of mutual conflict."

Arieli blames Barak for halting implementation of the Wye Agreement, which had been frozen by his predecessor, Benjamin Netanyahu. "Afterward, of the 15 months that remained to him, he devoted five to the Syrian track. At the end of 1999, when Oded Eran was appointed to head the delegation, a lengthy disagreement developed with the Palestinians: Barak objected to their demand that the negotiations begin from the 1967 borders, with Israel proposing whatever adjustments it wanted to request. He demanded that the negotiations begin from 40 percent of the territory already under Palestinian control, with them detailing what else they wanted. This argument lasted for several months. In October 1999, we wrote a document saying that the goal of the negotiations was the creation of two distinct states. Barak insisted that we change that to 'entities.'"

**According to Arieli, at the Stockholm talks in spring 2000, which preceded Camp David, the Palestinians were not promised more than 87 percent of the West Bank. "At Camp David, we did not present any maps that offered them more than 88 percent," he said. "This meant that 650 square kilometers would be annexed to Israel (not including the Jordan Valley, which was supposed to remain under Israeli control for several years). The annexed territory was slated to include panhandles that extended deep into Palestinian territory. That is what we proposed to people for whom the only interpretation of Security Council Resolution 242 was their receiving all 23 percent of greater Palestine, meaning all of the West Bank and the Gaza Strip."**

**Arieli backs attorney Gilad Sher, Barak's representative at the talks, who in his book rebutted Barak's claim that the Palestinians did not present any maps at Camp David. As far as Arieli knows, they presented a map that proposed leaving Israel with only a handful of settlements, all isolated from each other, along the Green Line.** "One of the key problems was that the talks were conducted there on parallel lines, between two people who had almost nothing in common," said Arieli. "Even when Barak spoke, Arafat didn't understand three-quarters of what he said."

Arieli related that he recently had the opportunity to ask Barak for an explanation of the frequent changes in the percentages. "Barak said that we were obliged to play this game because it derived from the Palestinians' bazaar culture. I can testify that when I was summoned to him at the start of the negotiations, in order to put him into the picture, he was not even thinking of those percentages. He was simply forced to go along with them."

**In Arieli's view, the Clinton outline, even if it was not too little, was too late and too general. "The Americans should have submitted the outline at Camp David instead of waiting until December. They should not have given a range of 94 to 96 percent [of the West Bank - A.E.], but should have given an exact figure and stated once and for all whether these percentages included the no man's land, Jerusalem and the northern Dead Sea.**

They also left a big hole on the question of whether the 80 percent of settlers whose settlements were supposed to be annexed to Israel under the agreement included the residents of the Jewish neighborhoods of East Jerusalem." The Peace Administration's summary document, in addition to the low grade it gave the Americans for their management of the Camp David Summit, specifically noted "the lack of preparation on the subject of Jerusalem." Arieli said that until the Stockholm talks, Barak forbade the Peace Administration to deal with Jerusalem. He was convinced that Jerusalem was the winning card, and that once it was laid on the table, it would be possible to settle all the territorial, security and refugee issues that remained open.

**At Camp David, Barak announced that under no circumstances would he concede sovereignty over the Temple Mount. Arieli said he happens to know that at that same time, Dr. Khalil Shikaki, who was coordinating the Palestinians' staff work, wrote that the Palestinian public would not be able to swallow more than one concession. "But we thought that the concession on the right of return was already in our pocket and we wanted to get more. This caused the Palestinians to put the right of return back on the table in full force. Today they understand that this was a mistake,** and even express this by saying that the Israelis entered Camp David with the feeling that the summit would be the end of the beginning, but left with the feeling that it was the beginning of the end."

**Arieli's conclusion is that successive Israeli governments failed to prepare their public for freezing and evacuating settlements, while the Palestinian leadership failed to prepare its public for a historic reconciliation with Israel.** But despite everything, Arieli remains optimistic: "Today it seems that a majority of Israelis understand that they must give up the territories, with adjustments that the Palestinians are willing to accept; the Palestinians understand that they must give up the right of return; and both sides understand that Jerusalem must be the capital of both nations."

#### **V. Jerome M. Segal, The Palestinian Peace Offer, Ha'aretz - October 1, 2001**

Great import has been attributed to the absence during the entire Camp David-Taba period of any Palestinian proposal that would have ended the conflict. It has been argued that while the Palestinians might have had legitimate problems with former Prime Minister Ehud Barak's offer, if they had been serious partners in the quest for peace, they would have come back with their own counter-offer.

When former Foreign Minister Shlomo Ben-Ami (Ha'aretz, September 14, 2001) was asked in a recent interview, "Didn't the Palestinians make a counterproposal?" he responded:

"No. And that is the heart of the matter. Never, in the negotiations between us and the Palestinian, was there a Palestinian counterproposal. There never was and there never will be."

What makes the Ben-Ami interview remarkable, is that Ben-Ami actually provides specific details of a Palestinian offer. True enough, it did not come with whistles and bells and a sign saying "Counter-Offer to End the Conflict." But it was clearly there. His failure to see it as a legitimate, even if politically untenable, proposal, tells us much more about Ben-Ami and the other Israeli negotiators than it does about the Palestinians.

The starting point is to recall the formal Palestinian position going into the negotiations. As far back as 1988, the Palestinians accepted the two-state solution. They not only reversed their

position on the original 1947 Partition Resolution, but they accepted Resolution 242, which calls for a permanent peace and directs its attention to Israeli withdrawal from territory occupied as result of the 1967 war, but does not mention territory beyond the partition plan allocation that Israel acquired as a result of the 1948 war.

The Palestinian position on 242 is that it requires Israel to withdraw from all of the territories occupied as result of the war. This would require Israel to withdraw to the Green Line, and to relinquish all of East Jerusalem, including the Old City. As is well known, Resolution 242 was ambiguous, speaking only of withdrawal by Israel from "territories occupied in the recent conflict." It never says "all of the territories." The Palestinians bolster their position by pointing to the preamble of 242 which stresses "the inadmissibility of the acquisition of territory by war." But this is insufficient. There is no right answer as to what 242 requires - the ambiguity was deliberate. But the point is, the Palestinian opening position is not absurd. Indeed, given that Egypt and Jordan secured total withdrawal, the political necessity for Palestinians to at least aim at total withdrawal is quite predictable, even if unrealistic.

The second pillar of the Palestinian formal position was UN General Assembly Resolution 194, which "resolves that the refugees wishing to return to their homes and live at peace with their neighbors should be permitted to do so at the earliest practicable date."

The resolution does not speak of a "right of return" but Palestinians, not surprisingly, claim that it established or expressed such a right. Moreover, they maintain that it applied to all of the descendants of the 1948 refugees. Here too, their position is not absurd, but if they were not prepared to compromise on the idea that millions of refugees would actually return, then they were not seriously engaged in an effort to negotiate an end to the conflict.

Ben-Ami makes clear that the Palestinians moved in very fundamental ways away from these opening positions, despite their long held reluctance to relinquish what they see as the international law case for their claims. Specifically, here's what Ben-Ami has told us:

1. On territory, the Palestinians proposed that Israel should withdraw from 97.66 percent of the territory. This would allow Israel to annex areas that contain the majority of the settlers, even if less than the 80 percent of settlers that Clinton proposed. In exchange for the 2.36 percent annexed, there would be a territorial swap. Here the Palestinians wanted a one-for-one swap. Whether this Palestinian proposal asks too much of Israel's internal politics or not, it is a real counter-offer that abandons their view of 242, in order to allow Israel to mollify most of the settlers. Yes, what they propose squeezes the settlers quite hard, but in truth, they are more right than wrong. Israel should have never allowed the settlements and it is hard to see why the Palestinians should be more than minimally accommodating. As for their insistence on a one-for-one swap, this hardly seems unreasonable, even if unpleasant for Israelis to contemplate.

2. On Jerusalem, the Palestinians agreed that Israel would not have to withdraw from all of East Jerusalem, but would retain under Israeli sovereignty, all of the Jewish neighborhoods built since 1967 (such as Gilo). To Israelis this might not seem like much of a concession, but research into the attitudes of the Palestinian public (See *Negotiating Jerusalem*, by Segal, Levy, Katz and Said) shows that agreeing to Israeli sovereignty over the Jewish neighborhoods has been acceptable only to a minority of Palestinians. Most Palestinians are prepared to accept a different idea, that the Jewish neighborhoods be controlled by Israel, but under Palestinian sovereignty.

Accepting Israeli sovereignty over a major part of East Jerusalem is a very clear concession from the Palestinian point of view, and is similar to what Clinton proposed.

3. With respect to the Old City, the Palestinians abandoned their demand for full Israeli withdrawal, and instead accepted that Israel would be sovereign over the Jewish Quarter, including the Western Wall. The issue of the Armenian quarter remained unresolved, but clearly, the Palestinians were in a compromise mode.

4. With respect to the Temple Mount, the Palestinians retained their claim for Palestinian sovereignty, but were willing to enter a formal agreement that they would not excavate without Israeli agreement. This of course, represents a limitation on their sovereignty, and is very close to one of Clinton's formulations which affirmed "Palestinian sovereignty over the Haram and Israeli sovereignty over the Western Wall, and shared functional sovereignty over the issue of excavation under the Haram and behind the Wall such that mutual consent would be required for any such activities." The Palestinians rejected the theoretical notion of "shared functional sovereignty" but in practice, accepted it.

5. On refugees, Ben-Ami is somewhat vague. The Palestinians, while insisting on the identification of return to Israel as one of the options open to refugees, appear to have accepted the principle that the actual return would be limited to a specific number. Ben-Ami is not sure of what numbers the Palestinians proposed, but mentions 150,000 per year for ten years. If this number is accurate, coming to a total of 1.5 million returnees, it is totally untenable. Ben-Ami indicates that Yossi Beilin responded with a total of 40,000. Clearly, they were far apart, but the principle that there is no unlimited right of return appears to have been conceded. This discussion of the size of the cap came very late in the day. We do not know if it could have been bridged. It is quite possible that even if the negotiations had gone on for several more months, this gap would not have been closed. But it is very likely that it would have been significantly narrowed, and that, in the end, the Palestinians would have settled for some substantial but not demographically impossible number.

In reflecting on whether the above constitutes a genuine counter-offer, it is important not to confuse that question with whether the Palestinian proposal was tenable within Israeli politics. Clearly it was not politically tenable. But then, the Israeli offer was probably untenable within Palestinian politics. We will never know whether continued negotiations would have lead to an agreement. But it is hard to see why the Palestinian proposal - one that allows most settlers to remain, allows Jewish neighborhoods to remain in East Jerusalem, accepts Israeli sovereignty over the Jewish quarter of the Old City and the Western Wall, agrees to an Israeli veto over excavation, and in principle accepts that the actual return to Israel cannot be unlimited - is somehow proof of Palestinian determination to destroy Israel.

The fact that this conclusion has been drawn, points to a continued problem in the mind set of many, the insistence that meeting the demands of Israeli politics is the criteria for judging whether a Palestinian proposal represents a genuine offer to end the conflict. The Israeli public would have been far better served if the Barak government had turned to Israelis and said: "Here is the price the Palestinians are asking for peace - we have rejected it because it is more than we are willing to pay."

<http://www.peacelobby.org/HaaretzOctober1001.htm>

**VI. Robert Malley, Fictions About the Failure at Camp David, The New York Times July 8, 2001**

WASHINGTON — A year ago this week, President Bill Clinton, Prime Minister Ehud Barak of Israel and the Palestinian leader Yasir Arafat gathered at Camp David for what, in retrospect, many consider a turning point in Israeli-Palestinian relations. From right to left, hawks to doves, comes unusual harmony of opinion both here and in Israel: Camp David is said to have been a test that Mr. Barak passed and Mr. Arafat failed. Offered close to 99 percent of their dreams, the thinking goes, the Palestinians said no and chose to hold out for more. Worse, they did not present any concession of their own, adopting a no-compromise attitude that unmasked their unwillingness to live peacefully with a Jewish state by their side.

I was at Camp David, a member of the small American peace team, and I, too, was frustrated almost to the point of despair by the Palestinians' passivity and inability to seize the moment. But there is no purpose — and considerable harm — in adding to their real mistakes a list of fictional ones. Here are the most dangerous myths about the Camp David summit.

Myth 1: Camp David was an ideal test of Mr. Arafat's intentions.

Mr. Arafat told us on numerous occasions that he had not wanted to go to Camp David. He thought that Israeli and Palestinian negotiators had not sufficiently narrowed the gaps separating their positions before the summit, and once there, he made clear in his comments that he felt both isolated from the Arab world and alienated by the close Israeli-American partnership. Moreover, the summit occurred at a low point in Mr. Arafat's relationship with Mr. Barak — the man with whom he was supposed to strike a historic deal. A number of Israeli commitments, including a long-postponed Israeli withdrawal from parts of the West Bank and the transfer to Palestinian control of villages abutting Jerusalem, remained unfulfilled, and Mr. Arafat believed that Mr. Barak was simply trying to skirt his obligations. It also took a genuine leap of faith — for Mr. Barak as for the United States — to imagine that the 100-year conflict between Jews and Palestinians living in this region, with roots going back thousands of years more and tens of thousands of victims along the way, could be resolved in a fortnight without any of the core issues — territory, refugees, or the fate of Jerusalem — having previously been discussed by the leaders.

Myth 2: Israel's offer met most if not all of the Palestinians' legitimate aspirations.

Yes, what was put on the table was more far-reaching than anything any Israeli leader had discussed in the past — whether with the Palestinians or with Washington. But it was not the dream offer it has been made out to be, at least not from a Palestinian perspective.

To accommodate the settlers, Israel was to annex 9 percent of the West Bank; in exchange, the new Palestinian state would be granted sovereignty over parts of Israel proper, equivalent to one-ninth of the annexed land. A Palestinian state covering 91 percent of the West Bank and Gaza was more than most Americans or Israelis had thought possible, but how would Mr. Arafat explain the unfavorable 9-to-1 ratio in land swaps to his people?

In Jerusalem, Palestine would have been given sovereignty over many Arab neighborhoods of the eastern half and over the Muslim and Christian quarters of the Old City. While it would enjoy custody over the Haram al Sharif, the location of the third-holiest Muslim shrine, Israel would

exercise overall sovereignty over this area, known to Jews as the Temple Mount. This, too, was far more than had been thinkable only a few weeks earlier, and a very difficult proposition for the Israeli people to accept. But how could Mr. Arafat have justified to his people that Israel would retain sovereignty over some Arab neighborhoods in East Jerusalem, let alone over the Haram al Sharif? As for the future of refugees — for many Palestinians, the heart of the matter — the ideas put forward at Camp David spoke vaguely of a "satisfactory solution," leading Mr. Arafat to fear that he would be asked to swallow an unacceptable last-minute proposal.

Myth 3: The Palestinians made no concession of their own.

Many have come to believe that the Palestinians' rejection of the Camp David ideas exposed an underlying rejection of Israel's right to exist. But consider the facts: The Palestinians were arguing for the creation of a Palestinian state based on the June 4, 1967, borders, and living alongside Israel. They accepted the notion of Israeli annexation of West Bank territory to accommodate settlement blocs. They accepted the principle of Israeli sovereignty over the Jewish neighborhoods of East Jerusalem — neighborhoods that were not part of Israel before the Six Day War in 1967. And, while they insisted on recognition of the refugees' right of return, they agreed that it should be implemented in a manner that protected Israel's demographic and security interests by limiting the number of returnees. No other Arab party that has negotiated with Israel — not Anwar el- Sadat's Egypt, not King Hussein's Jordan, let alone Hafez al-Assad's Syria — ever came close to even considering such compromises.

If peace is to be achieved, the parties cannot afford to tolerate the growing acceptance of these myths as reality.

The facts do not indicate, however, any lack of foresight or vision on the part of Ehud Barak. He had uncommon political courage as well. But the measure of Israel's concessions ought not be how far it has moved from its own starting point; it must be how far it has moved toward a fair solution.

The Palestinians did not meet their historic responsibilities at the summit either. I suspect they will long regret their failure to respond to President Clinton — at Camp David and later on — with more forthcoming and comprehensive ideas of their own.

Finally, Camp David was not rushed. It was many things — inadequately prepared for, perhaps; too informal, possibly; lacking proper fall-back options, without a doubt — but premature it was not. By the spring of 2000, every serious Israeli, Palestinian and American analyst was predicting an outbreak of Palestinian violence absent a major breakthrough in the peace process. The Oslo process had run its natural course; if anything, tackling the sensitive final status issues came too late, not too soon.

The gloss that is put on the past matters. The way the two sides choose to view yesterday largely will determine how they choose to behave tomorrow. And, if unchallenged, their respective interpretations will gradually harden into divergent versions of reality and unassailable truths — that Yasir Arafat is incapable of reaching a final agreement, for example, or that Israel is intent on perpetuating an oppressive regime. As the two sides continue to debate what went wrong at Camp David, it is important that they get the lessons right.

Robert Malley was special assistant for Arab-Israeli affairs to President Bill Clinton from 1998 to 2001. He is joining the Council on Foreign Relations as a senior fellow.

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**VII. Khalil Shikaki, Palestinians Divided, Excerpt from Foreign Affairs, January/February 2002**

The intifada has crystallized two important trends within Palestinian politics and society. The first, a split between old and young within the nationalist movement, has greatly constrained the PA leadership's capacity to manage the current crisis and engage in substantive negotiations with Israel in the short term. The second, a broader decline in the power of the nationalists relative to the Islamists (such as Hamas), has created a long-term challenge to the nationalists' ability to lead the Palestinian people.

**When the Oslo agreement was signed in September 1993, two-thirds of Palestinians immediately supported it. (1) Their expectations were high: Oslo was supposed to usher in the end of occupation, the establishment of an open and democratic political system, and a quick improvement in economic and living conditions. But the golden era of the peace process did not last long. Palestinian popular approval of the Oslo process peaked at 80 percent in early 1996, and support for violence against Israeli targets bottomed out at 20 percent.** Just before the Palestinian general elections in January of that year, support for Fatah, the mainstream nationalist movement headed by Arafat, reached the unprecedented level of 55 percent, and Arafat's own popularity leaped to 65 percent. Meanwhile, support for all opposition groups combined -- both nationalist and Islamist -- dropped to 20 percent, down from 40 percent two years earlier. When the current Palestinian political system came into existence after those elections, it had real legitimacy. Seventy-five percent of eligible voters participated, despite the call by opposition groups for a boycott. Arafat received more than 70 percent of the vote, with about 22 percent casting blank ballots and only 8 percent voting for his rival, Samiha Khalil. Fatah won 77 percent of the seats in the new Palestinian Legislative Council (PLC).

**Between 1993 and 2001, with the sole exception of 1994, Palestinian support for the Oslo agreement never dropped below 60 percent. But Palestinian hopes began to fade away as a result of both Binyamin Netanyahu's election as Israel's prime minister in mid-1996 and the continued building of Jewish settlements in the West Bank and the Gaza Strip. Palestinian expectations that the peace process would soon lead to statehood and a permanent settlement dropped from 44 percent during Shimon Peres' prime ministership in 1995-96 to 30 percent in the first year under Netanyahu. Four years later, with Ehud Barak having replaced Netanyahu and Jewish settlements continuing to expand, expectation of a permanent settlement sank to 24 percent. Once Ariel Sharon won election as Israel's head of government in early 2001, a mere 11 percent of Palestinians clung to that hope.**

**The loss of confidence in the ability of the peace process to deliver a permanent agreement on acceptable terms had a dramatic impact on the level of Palestinian support for violence against Israelis, including suicide bombings against civilians. In July 2000, after U.S. President Bill Clinton's failed attempt to broker a final peace settlement at Camp David but before the eruption of the second intifada, already 52 percent of Palestinians approved**

**of the use of violence; a year later, that figure reached the unprecedented level of 86 percent.** Other casualties of Oslo's demise have been the popularity of Arafat and that of his Fatah organization. The Camp David summit brought Arafat's popularity, which had been dropping steadily since 1996, down to 47 percent. A year later it hit 33 percent. Support for Fatah, meanwhile, dropped to 37 percent in July 2000, and a year later fell to 29 percent.

Surprisingly, before the intifada the Palestinian Islamists did not significantly benefit from Arafat and Fatah's decline -- deserters from the mainstream nationalist cause simply chose to remain on the political sidelines, and the Islamists' support levels hovered consistently around the mid-teens. **The intifada changed that dynamic, however. By July 2001, the Islamists' popularity had increased to 27 percent. And for the first time ever, support for Islamist and nationalist opposition groups, combined at 31 percent, surpassed the 30 percent garnered by Fatah and its allies.**

**The collapsing peace process and deteriorating economic and living conditions are not the only factors bleeding the ranks of Arafat and Fatah's supporters. The Palestinian public's evaluation of the status of Palestinian democracy, official corruption, and governmental performance have moved from bad to worse over the past six years.** In 1996, 43 percent of those surveyed gave Palestinian democracy and human rights a good bill of health; by 2001, only 21 percent agreed. Over the same period, positive evaluations of the performance of PA institutions dropped from 64 percent to 40 percent, and the belief that the PA was corrupt increased from 49 percent to 83 percent.

The intifada has only aggravated the Palestinian public's disappointments. The unrelenting Israeli siege and closure of Palestinian territories, with the consequent debilitating restrictions on movement, have practically halted Palestinian civil, social, and economic life. **In July 2000, fewer than one-third of Palestinians believed that violence would help achieve goals in ways that negotiations could not; a year later 59 percent had come to that conclusion. Indeed, after nine months of the intifada, 71 percent thought that the fighting had already had such an effect.**

**The perceived failure of the peace process, combined with a highly negative assessment of all issues related to PA governance, delivery of services, and leadership, damaged the legitimacy of the PA and the nationalist old guard it represents. It created an opportunity for other forces within the Palestinian community to step forward, and this is precisely what the younger generation of leaders did in the fall of 2000 -- taking advantage of Sharon's provocation and the subsequent turmoil to seize the moment and challenge their internal rivals.**

The figures cited here are based on more than 75 surveys conducted by the author in the West Bank and the Gaza Strip, including Arab East Jerusalem, in 1993-2001. The sample size in each of the surveys ranged between 1,300 and 2,000 people in face-to-face interviews. Details about the survey methodology are available at the Web site of the Palestinian Center for Policy and Survey Research (<http://www.pcpsr.org>).

**VIII. David Grossman, Fictions Embraced by an Israel at War, The New York Times, October 1, 2002**

JERUSALEM — A dangerous and deceptive plot line has become superimposed on the story that Israeli society tells itself about its conflict with the Palestinians. Since the outbreak of the current intifada two years ago, it is as if the Israeli mind has turned to a new page in the chronicle of the conflict and, at the same time, erased many of the pages that preceded it.

It's as if the 33 years of repression, occupation and humiliation that Israel imposed on the West Bank and Gaza between June 1967 and September 2000 vanished with the wave of a magic wand. The majority of Israelis take comfort today in believing that the horrifying deeds committed by Palestinian terrorists in the last two years somehow "balance the books" for those long years of subjugation and that all the guilt for the current state of affairs rests on Palestinian shoulders. Furthermore, they believe, the suicide bombings, and the broad support they have received from the Palestinian population, have revealed things about the Palestinians that ex post facto justify the injustices of the occupation. In a contorted way, many Israelis believe that the new wave of Palestinian terrorism has granted their country absolution for its problematic past.

Of course, the Israeli occupation is not the entire story. During those 33 years the Palestinians contributed their share to the march of blood and folly by being intractable in their positions and murderous in their actions. And we must not forget that the Six-Day War was not a war that Israel wanted. Yet, despite this, the historical story that Israel chooses to tell itself is astoundingly obtuse and superficial.

The story that now reigns nearly unchallenged in the media and political discourse obliterates more than 33 years of roadblocks, thousands of prisoners, deportations, and killings of innocent people. It's as if there were never long months of closures in cities and villages, as if there had been no humiliations, no incessant harassment, no searches of houses, no bulldozing of hundreds of homes, no uprooting of vineyards and olive groves, no filling up of wells and, especially, no construction of tens of thousands of housing units in settlements and large-scale confiscation of land, in violation of international law.

The new narrative leaps back through the manipulative fog created by the prime minister and his cabinet, his supporters and his various spokesmen straight to the Six-Day War, our pinnacle of justice. And looking forward from that point in 1967 there is a kind of desert devoid of history, devoid of responsibility, devoid of blame, until we suddenly emerge from the miasma right at the Oslo accords, the proposals that Ehud Barak made to Yasir Arafat at Camp David and, after Camp David, like thunder on a bright and sunny day, the second intifada.

According to this story, the Palestinians suddenly exploded in September 2000 in an uncaused natural eruption, spewing out lava and ash and igniting the entire region. They had no logical reason for exploding and there was no prior Israeli provocation. Ehud Barak made them a generous offer, and they betrayed him with an outburst of violence — because they, by their nature, are motivated solely by destructive, irrational forces that make impossible any future compromise with them.

This theory is also the basis of another right-wing claim that now seems to be accepted by the majority of Israelis. It is that the Oslo accords, and their supporters, were what in fact caused the second intifada. In other words, it wasn't the intolerable conditions in which the Palestinians lived for more than three decades. It wasn't the tacit support that most Israelis lent to the ongoing occupation, all the while persuading themselves that it was such an enlightened occupation that it was barely an occupation at all. It wasn't the refusal of every Israeli government before the

second administration of Yitzhak Rabin to try to reach a true, if painful, accommodation with the Palestinians. It wasn't the doubling of the number of Israeli settlers in the territories in the years after Oslo. Nor was it the way in which Ehud Barak conducted the Camp David talks, presenting to Yasir Arafat as ultimatums proposals that, while they were generous compared with Israeli positions in the past, were entirely insufficient in Palestinian eyes.

None of these factors are now viewed as sufficient reason for a popular uprising by a subjugated and despairing people. No, it's the Oslo accords that are to blame, as if in the absence of Oslo the Palestinians would have come to terms with the Israeli occupation, accepting it tranquilly, even lovingly, to this very day; as if the Oslo agreements were a match, not a fire extinguisher.

Obviously, one of the reasons this story line has gained acceptance is that it seems to give a logical structure to a chaotic and threatening reality. Along the way, it also seems to justify the use of massive and unrelenting military force against the Palestinians.

But this view of reality is fraught with danger because it is simply not realistic. It's true that the Palestinians have committed serious errors and war crimes in the last two years. It also may well be true that, had they acted otherwise, they would have a state today. But if Israel is interested not just in punishing the Palestinians but also in extricating itself from the trap it's in, it must wake up and reinsert into the tragic story of the conflict those parts that have been expunged from its consciousness during the last two years. If we do not replant the recent intifada in its historical context, no chance of any minimal mutual understanding will sprout. And without context, we will never be truly cured.

David Grossman <sup>2</sup>is the author, most recently, of "Be My Knife," a novel. This article was translated by Haim Watzman from Hebrew.