

## Satan of the Details

THERE IS a story about the man who dictated his will. He divided his property generously, provided for all the members of his family, rewarded his friends and did not forget his servants.

He finished off with a short paragraph: "In case of my death, this will is null and void."

I RATHER fear that such a paragraph will be added to the "framework agreement" that Binyamin Netanyahu promises to sign within a year, after honest and fruitful negotiations with the Palestinian Authority, mediated by Hillary Clinton, to the greater glory of President Barack Obama.

At the end of 12 months, there will be agreement on a perfect framework. All the "core issues" will be settled – the founding of the Palestinian state, borders based on the Green Line, the division of Jerusalem between two capitals, security arrangements, settlements, refugees, the division of water. Everything.

And then, on the eve of the impressive signing ceremony on the White house lawn, Netanyahu will ask for the addition of a short paragraph: "With the beginning of the negotiations for the permanent peace treaty, this agreement will be null and void."

A FRAMEWORK AGREEMENT is not a peace treaty. It is the opposite of a peace treaty.

A peace treaty is a final agreement. It contains the details of the compromises that have been achieved in long and exhausting negotiations. Neither of the two parties will be completely happy with the results, but each of them will know that he has achieved much and that he can live with it.

After the signing, the time will come for the implementation. Since all the details have been worked out in the treaty itself, there will be no more controversy; except about negligible technicalities. These will be adjudicated by the American referee.

A framework agreement is the very opposite. It leaves all the details open. Every paragraph of it allows for at least a dozen different interpretations, since the agreement glosses over fundamental differences with verbal compromises.

It can well be said that the negotiations for the framework agreement are but the prologue for the real negotiations, a corridor leading to the drawing room.

If a framework agreement is achieved within a year – blessed be the believer – the real negotiations for the final treaty can last for five years, ten years, a hundred years, two hundred years. Ask Yitzhak Shamir.

HOW DO I know? We have already been to this opera.

The Oslo "Declaration of Principles", which was signed 17 years ago minus two days, was such a framework agreement.

At the time it was called a historic agreement, and rightly so. The solemn ceremony on the White House

lawn was quite justified. Its importance was derived from the event that preceded it, on September 10 (which happened to be my birthday), when the leader of the Palestinian liberation movement formally recognized the State of Israel, and the Prime Minister of Israel formally recognized the existence of the Palestinian people and its liberation movement.

(This is the place to remark that the 1993 Oslo agreement was hatched behind the backs of the Americans, much as the 1977 Sadat initiative was hatched behind the backs of the Americans. In both cases, history was made without US participation and, indeed, in fear of it. Anwar Sadat decided on his unprecedented flight to Jerusalem without the American ambassador in Cairo knowing anything about it, and the negotiators in Oslo took great care to keep their activities secret. American participation started only very late in the process, when there was already a *fait accompli*.)

What happened after the two parties signed the Oslo framework, with the trumpets blaring?

Negotiations started.

Negotiations on every detail. Controversy on every detail.

FOR EXAMPLE: the agreement said that four "safe passages" were to be opened between the West Bank and the Gaza Strip. Israel fulfilled this undertaking thus: along the proposed passages, eye-catching road signs were erected, proclaiming in the three languages: "To Gaza". Here and there, such rusting signposts can still be detected.

And the passages? They were never opened.

Another example: in long negotiations, the West Bank was divided into three areas: A, B and C. (Ever since Julius Caesar started his book about the conquest of France with the words: "Gallia is divided into three parts", statesmen have been prone to divide every territory into three.)

Area A was turned over to the Palestinian Authority, which was set up under the agreement, and the Israeli army invades it only from time to time. Area B is governed formally by the Palestinian Authority, but ruled in practice by Israel. Area C, the largest one, remained firmly in the hands of Israel, which acts there as it wishes: expropriates land, sets up settlements, build walls and fences, as well as roads for Jews only.

Furthermore, it was declared that Israel would withdraw ("redeploy") in three stages. Stage 1 was implemented, and so, more or less, was stage 2. Stage 3, the most important one, was not even started.

Some provisions led to farce. For example, there was no agreement about whether the official title of Yasser Arafat would be only "chairman", as demanded by Israel, or "president", as demanded by the Palestinians.

Absent agreement, it was set down that in all three languages he would be called “ra’is” – an Arab term that denotes both chairman and president. Last week, Netanyahu addressed Abu Mazen as “President Abbas”.

Or the long debate about the Palestinian passport. Israel demanded that it would be only a “travel document”, while the Palestinians demanded that it be a full fledged “passport”, as befits a real state. It was agreed that on top it would say “travel document”, and at the bottom “passport”!

Israel agreed to the setting up of a Palestinian Authority. The Palestinians wanted to call it the “Palestinian National Authority”. Israel refused. When the Palestinians, contrary to the agreement, printed stamps with the word “national” on them, they had to be scrapped and new stamps printed.

According to the Oslo agreement, the negotiations about the core issues – borders, Jerusalem, refugees, settlements etc – were to begin in 1994 and end with a permanent peace treaty within five years.

The negotiations did not end by 1999, because they never started.

Why? Very simple: without a real and final agreement, the conflict continued in all its fury. Israel set up settlements at a frantic pace, so as to create “facts on the ground” before the opening of the real negotiations. The Palestinians started violent attacks, in order to speed the Israelis on their way out, believing that “Israel understands only the language of force”.

The devil who – as is well known – resides in the details, took revenge on those who postponed the decision on the details. Every detail turned into a road mine on the way to peace.

That is the nature of a framework agreement: it allows for negotiations about every single issue again and again, starting every time from the beginning. The Israeli negotiators used this possibility to the hilt: each Israeli “concession” was sold in successive negotiations again and again. First in the negotiations for the “Declaration of Principles”, then in the negotiations for interim agreements, we will sell them again, to be sure, for a third, fourth and fifth time in the negotiations for the permanent agreements. Every time for a hefty price.

DOES THIS mean that a Declaration of Principles is worthless?

I would not say so. In diplomacy, declarations are important even if they are not accompanied by immediate acts. They turn up again and again. Words that have been spoken cannot be unspoken, even though they are only words. The genie cannot be returned to the bottle.

When the Israeli government recognized the Palestinian people, it put an end to an argument that had dominated Zionist propaganda for almost a hundred years: that there isn’t, and never has been, a Palestinian people. “There is no such thing” as the (alas) unforgettable Golda Meir repeatedly declared.

When the Palestinians recognized the State of Israel, this caused a revolution in the Arab world’s perceptions, a revolution that cannot be turned back.

When the leader of the Israeli Right recognizes, before the entire world, the “two states for two peoples” solution, he draws a line from which there is no way back. Even if he says so without really meaning it, as a gimmick for the moment, the words have a life of their own. They have become a political fact: from here on no Israeli government can turn back.

That’s why the extreme rightists were correct when they recently accused Netanyahu of executing – God forbid! – the “Uri Avnery design”. They do not want to pay me a compliment, they want to condemn him. It’s like accusing the pope of acting in the service of the Ayatollahs.

If Netanyahu would be compelled in the end to sign a “framework agreement” or a “shelf agreement” saying that a Palestinian state will be set up on the June 4, 1967 borders with its capital in East Jerusalem, with limited swaps of territory, it would direct every future diplomatic process. However, I do not believe that he will sign, and even if he did – that does not mean that he would implement it.

THEREFORE I insist: there should be no agreement on a process that is designed to lead to a “declaration of principles” or a “framework agreement”.

There should be – here and now! – negotiations for a full and final peace treaty.

Satan resides in framework agreements. God resides – if anywhere – in a peace treaty.