
Review Essay

When the Mediator Gets Tough

David Matz

Daniel Kurtzer and Scott Lasensky. *Negotiating Arab-Israeli Peace: American Leadership in the Middle East.* Washington, DC: United States Institute of Peace, 2008. 210 pages. \$16.50 (paperback), ISBN: 1601270305.

Aaron David Miller. *The Much Too Promised Land: America's Elusive Search for Arab-Israeli Peace.* New York: Bantam Books, 2008. 416 pages. \$26.00 (hardcover), ISBN: 0553804901.

Dennis Ross. *Statecraft: And How to Restore America's Standing in the World.* New York: Farrar, Straus, and Giroux, 2007. 400 pages. \$15.00 (paperback), ISBN: 0374531196.

Introduction

As the United States approaches a change in presidential administration, advice about the Israeli-Palestinian conflict is in full flow. Authors are producing newspaper and magazine editorials, op-ed columns, books, Internet blogs, scholarly articles, and think tank memoranda, all designed to influence the new government. Of course, the advice varies as to particulars, but almost all of it conveys one central theme: the United States must get tougher with the involved parties. This passion for toughness reflects in part a reaction to the judgment that the response of President George W. Bush's administration to the conflict has been short on seriousness, but it also reflects a deeper frustration: this conflict causes the United States a great deal of grief, "everyone knows the solution," and the United States obviously influences the players.

Three new books, all written by people who were major U.S. State Department players in the peace process throughout the 1990s, focus on

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the role of the United States in this conflict. All three authors are sophisticated as both participants and thinkers, and all make toughness a central recommendation. Dennis Ross helped lead Middle East peace efforts under Presidents George H. W. Bush and Bill Clinton. Daniel Kurtzer held State Department roles in the peace process and served as U.S. Ambassador to Egypt and later to Israel. Scott Lasensky is a senior research associate at the United States Institute of Peace. And Aaron Miller was with the State Department from the late 1970s until 2002, working at high levels on Middle East peace efforts through much of that time.

I will focus here primarily on Miller's book because it provides the most detailed and comprehensive view of what toughness really means for the United States. Indeed, Miller consistently puts toughness at center stage: a key-word count of his book would, I believe, put "tough" in first place.

Tough Times

Miller draws heavily on his own comparison of different U.S. efforts to mediate the Israeli-Arab conflict, beginning with the work of Secretary of State Henry Kissinger (the Israeli withdrawal from Sinai after the 1973 war), and continuing with the efforts of President Jimmy Carter (the Israeli-Egyptian agreement in 1978-1979), Secretary of State James Baker (the Madrid Conference in 1991), and, finally, President Clinton (the Wye River Agreement and Camp David Two in 2000). From this extensive record of mediating success and failure, we should be able to learn something useful.

Miller not only spells out what toughness actually means, he takes the unusual step of identifying the costs of toughness and its limits as a foreign policy tool — that is, he provides a basis for understanding when toughness just may not work. Although he favors more toughness in U.S. policy in the Israeli-Palestinian conflict, he acknowledges the frustration that he and his colleagues in the State Department experienced in using it. The most obvious thing Miller means by toughness is the use of tough rhetoric. He cites several occasions in which Kissinger, Carter, Baker, and Clinton used blunt, angry talk with each of the parties. This language generally expressed their frustration, and ranged in content, from accusations of broken promises to charges of wasting time and making Americans look foolish. It also included profanity, shouts, and slammed briefcases.

It is worth pointing out parenthetically that Miller apparently did not witness all of these examples of tough rhetoric; his reports seem to depend instead on the president's or the secretary of state's later descriptions to the staff of how tough he or she was "in there." I do not suggest that tough talk did not occur, as there are other first-hand reports of at least some such outbursts. (Memoirs too, after all, are just memoirs.) But negotiators, on occasion, have incentives to ward off or impress second-guessing staff with reports of emotional confrontation in private sessions.

One form of rhetorical toughness involves what Miller calls “holding the parties accountable.” Both principal parties during the peace process violated previous agreements or undermined negotiations, and each U.S. mediator had to decide whether to call them on it. When they did so, it was usually in private, with the mediator hinting that he or she could go public. Carter threatened to issue a statement blaming the Israelis with undermining the negotiation, and, after promising that he would not publicly blame Palestine Liberation Organization leader Yasir Arafat for the failure at Camp David, he did so anyway.

But the authors of all three books concur that speaking directly about the parties’ failures should occur much more regularly than it has in the past. Ross offers an excellent example of an opportunity missed. At the end of 2000, President Clinton put forward his proposal for a settlement framework, but Arafat, in a meeting with him, offered many reservations. Ross urged the president to be “very blunt, to call Arafat on it, and to say ‘You have just rejected my ideas.’” Ross calls this “tough love,” but Clinton muted his response (Ross 2004: 202).

When the leaders of a world superpower express anger, a threat is always implied and inferred. Occasionally the threat is made explicit, verbally or through action. When President Gerald Ford was angry at the Israelis for proceeding slowly on a further disengagement from the Sinai, he threatened “reassessment” of the American–Israeli relationship, and Kissinger and Ford postponed consideration of economic assistance and delayed the delivery of missiles. Kissinger said that he told both sides that “if you turn down an American proposal, that’s not free. . . . Challenging America . . . has consequences” (Miller 2008: 144). Kissinger, in his shuttles between Egyptians and Israelis, would tell each of the grim results of negotiating rigidity; this is a standard mediator move that becomes more powerful when the mediator can indeed play a major role in producing grim results.

Carter put more heat under that approach by threatening Egyptian President Anwar Sadat that, if Sadat left Camp David, it would deal a “severe blow” to U.S. and Egyptian relations, and that Carter would break off his personal relationship with Sadat (Miller 2008: 178). The special threat that the United States will withdraw as a mediator has been used occasionally and was a specialty of Secretary of State Baker. In a meeting with Syrian president Hafez Al-Assad, Baker said in exasperation, “If I get the right answers I’ll be back in Damascus. . . . If I get the wrong ones I don’t expect to see you again for a long time. . . . If you think you can get your Golan back, you go get it” (Miller 2008: 220).

In addition to what he calls toughness, Miller identifies two other characteristics for an effective U.S. role in this conflict. One he calls “top priority” (lots of presidential and secretary of state time committed to the effort) and the other is “tenacity.” I prefer to consider these as aspects of

toughness because, along with the rhetoric and the threats, they all send the key message that the United States is seriously committed to ending this conflict. Thus, endless diplomatic shuttles, as practiced in each of the U.S. mediations, not only accomplish conventional mediator goals of exploring for common ground and testing for resolve, they also, just by occurring, create pressure on the parties by implicitly and sometimes explicitly raising the question: "If the United States is willing to invest this much time, energy, and credibility, how can you continue to be rigid?" After the first Camp David mediation, when it looked as though the Israeli-Egyptian agreement could fall apart, Jimmy Carter made an unusual, visible, and politically risky trip to the region for yet another shuttle.

In the hands of some op-ed writers, toughness sounds much like the exhortations of a football coach: a matter of character and will, something close to a moral obligation. What this view leaves out are the reactions of the other side to that toughness and the costs to the United States of being tough. Miller takes it as axiomatic that when the United States gets tough, the other side will push back.

For all their great differences, the Israelis and the Palestinians have, it has often been observed, many characteristics in common. Among those are well-developed techniques for fending off U.S. toughness. Miller summarizes neatly: "Just say no" (66). Although small countries are seldom eager to do this, Miller provides several illustrations of Israelis and Palestinians doing it nonetheless. Examples include:

- "Not saying no in an effort to avoid stating a clear yes." When Yasir Arafat did not want to accept Bill Clinton's invitation to Camp David but also did not want the responsibility of saying "no" to the American president, he raised questions, warned of the dangers of a failed summit, and pushed for more time to prepare (without allowing his negotiating team to do so).
- "Drag it out until the initiative dies or you do." The conflicting parties apparently assume that they have more stamina than the United States and that they can count on the intervention of new events in the region to further undermine American toughness. Israeli Prime Minister Yitzhak Shamir used this approach to delay the Madrid conference in 1991.
- "Yes, but." When President Clinton presented his proposed solution to the conflict in December of 2000, Arafat said "yes" but then added a list of reservations that, when added up, left nothing of the Clinton solution.

The Risks of Toughness

As does everything else in negotiation, toughness has costs, and Miller gives examples aplenty. The most obvious is that the substantial time that high-level diplomats and executives spend on this conflict is time they do

not spend on a wide range of other, always crucial, international matters. The high probability that the parties will work to ignore American efforts at toughness risks making the United States look weak or inept. There is also the danger that toughness can produce resentment and rigidity, with the targets of the toughness mobilizing domestic support to oppose solutions they can characterize as “imposed” by a superpower.

Indeed, standing up to the “big guy” has its own virtues, and being blamed by the superpower can on occasion serve to ennoble a party at home. Arafat, after Camp David, took a triumphant tour of Arab capitals boasting of having stood up to the United States, and Secretary Baker refrained from displaying too much toughness when trying to pressure Shamir to come to Madrid precisely because he saw the danger of strengthening Shamir with the Israeli constituency, which favored Shamir’s absence from the conference.

And, finally, one can expect not only resistance to toughness but also counter attack. Both Arabs and Jews, and their allies, have brought their cases to Washington, often producing outrage at U.S. policies focused on influencing the policies of Israel and the Palestinians. Miller’s chapter three is by far the most thoughtful and thorough first-person account that I have read of how these counter attacks work and how domestic politics do and do not influence foreign policy. This chapter is a fully effective response to the lets-ignore-the-facts myth that the “Israel lobby” dictates U.S. policy in the region.

So U.S. mediators use toughness techniques, and the parties push back. But when the pushing and shoving are done, where do the parties end up? Do they move toward agreement? Does toughness work? Before we consider Miller’s answer to that question, we should consider a few facts that make effectiveness even more difficult.

“An outside power can play a positive role,” Miller writes, “but it is at a distinct disadvantage. In conflicts where memory, identity, and history figure prominently, a great power — especially a great power from far away — has far less stake in a particular outcome than does a small power in the heart of the contested region” (Miller 2008: 37). “Small powers can’t always best you,” he continues “but they can always outwit and outwait you” (45). However important this particular conflict is for U.S. foreign policy, this existential difference haunts all serious discussions about U.S. strategy. The result is that the parties in the region have — and quite rightly — more staying power and more depth of commitment than any U.S. administration could ever muster.

Miller also acknowledges a conundrum that he does not explore. The conventional mediator has some leverage in his or her capacity to threaten withdrawal from the mediation. This is a legitimate pressing technique. But, as the late mediation scholar Saadia Touval often underscored, international mediation is different. International mediators have interests in the

outcome and it is precisely those interests that often make them attractive as mediators. But it is also precisely those interests that make the threat to withdraw a double-edged sword, or in some circumstances, a dull one.

Miller, along with Ross and Kurtzer, writes that, during the 1990s, the United States should have called Israel on its settlement expansion and the Palestinians on their encouragement of terror. But what would the United States have done if the parties had ignored those calls? Was it really in the American interest to withdraw? And if not, would it be wise to make such threats and then not follow through? How much of this threatening behavior is really, as Kissinger said when describing his own threats to pull out, “theater”? The theater metaphor is telling: all the players involved know that it is theater, and that when the curtain comes down, nothing will have changed.

For the United States, being tough on Israel is, of course, different from being tough on the Palestinians. This issue has many dimensions and it is one that none of these authors focus on explicitly, although they do provide some context for considering it. To consider just one aspect, being tough with an Israeli government that has many power centers and a constantly shifting leadership is different from being tough with the Palestinians during the lengthy Arafat era: “As long as Israel needed him (Arafat), so did we, and he knew it” (Miller 2008: 65).

Tough Enough?

So, finally, does using toughness work? In Miller’s telling, Kissinger, Carter, and Baker were adequately tough, and the parties, during each of those U.S. administrations, came to agreement. But the evidence that Miller and the other authors provide does not support this argument for toughness. They provide, to be sure, a few examples of tough U.S. behavior producing movement by the parties. When viewing Carter’s extraordinary trip to the Middle East to save the Israeli–Egyptian agreement, Miller sees a direct impact on Israeli behavior in the direction of agreement; indeed, it saved the agreement. Few examples such as this one are provided, however. More common are observations like Ross’s that, although he urged President Clinton to be tougher in response to Arafat’s unwillingness to accept the Clinton parameters, “perhaps nothing would have changed Arafat” (Ross 2004: 203).

In studying negotiation and mediation, it is rarely possible to show a causal success: toughness move X produced party move Y. And perhaps this analytic difficulty is connected to a pattern one finds in strategic thinking. Decisions to send more troops to Vietnam or to Iraq, for example, reflect a seductive logic that more force will produce desired results. There are circumstances, of course, in which this will prove to be true, but the Israeli–Arab conflict does not offer a good example of such an outcome. Asserting more toughness in any of its forms may have value because it

demonstrates commitment to a goal, but this is different from proving that it has worked or that more toughness will increase the likelihood of success.

As I write, I can hear Miller object: "This is not fair. I advocate more toughness, but I also emphasize the importance of trust and timing." This is true, although Miller devotes a significantly greater number of pages to toughness, and he presents no advocacy on behalf of either trust or timing. The most interesting question raised by Miller and by Ross (although neither fully discusses it) is this: how do toughness and trust (or, as Miller phrases it, vinegar and honey) coexist? They fault Clinton for putting too much emphasis on the trust side of the equation, and they praise Baker (and Kissinger) for getting the combination right. But on this matter they are mainly conclusory, not illuminating.

Ross has written a more systematic account of toughness (with such chapter titles as "Twelve Negotiation Rules to Follow" and "Eleven Rules for Mediation"), and his analysis of the range of foreign policy tools is wider than Miller's. Looking at all of American foreign policy, not just the Israeli-Palestinian conflict, his key lesson is clear: U.S. policy has often failed to take advantage of that full range of tools, most egregiously during the administrations of George W. Bush. For Ross, the central concept of statecraft is to never lose sight of objectives and to never let objectives exceed capabilities. Although the book is admirably long on the particulars of what he thinks ought to be done, it is short on how to judge when those objectives do indeed exceed capabilities, or how to recognize those limits before bumping against them. The experiences that Miller describes suggest that, regarding the Israeli-Palestinian conflict, those U.S. capabilities for influence may be less than they appear. Were one interested, however, in writing a job application for the position of secretary of state, one could do worse than use *Statecraft* as a model. (Ross has also written a superb and detailed memoir of the Camp David Two mediation entitled *The Missing Peace* [2004]. See Matz 2006 for my review of that memoir and others about Camp David Two.)

Kurtzer and Lasensky have compiled a brief report that synthesizes the views of several leading scholars of the conflict as well as the wisdom of many other observers and former participants from many countries. Organized around ten lessons learned, Kurtzer and Lasensky differ little in prescription from Ross or Miller, although they lack Miller's attention to why it is so difficult to do the things they recommend. But the breadth and combined experience of their sources do give the Kurtzer and Lasensky consensus a legitimacy that adds weight to the roughly similar views of other books.

While Ross and Kurtzer and Lasensky write in lucid, straightforward prose, Miller uses a more colorful, even folksy style. ("Do domestic politics really matter? You bet they do" [p. 119].) As a memoir, it has the usual

collection of vignettes, gossip, and tales of how history unfolds as one drives to the dry cleaner. It also has wonderfully apt stories — true, apocryphal, and funny — and a credible mix of horn-tooting and self-deprecation. The lightness of Miller’s style accentuates the weight of his thinking.

“For all their military and political muscle, great powers aren’t always so great when they get mixed up in the affairs of small tribes,” he writes (p. 31). A useful generalization, but it leaves out the fact that on the ground, things are not standing still but are getting *more* difficult. A recent *New York Review of Books* essay by Hussein Agha and Robert Malley (also a former high-level official on President Clinton’s staff during the peace process) illustrates with tight argument how increasingly complex the conflict has become, how many relatively independent players are involved, how weak the current leaders are, and how many uncertainties abound (Agha and Malley 2008). The point is that the parties themselves, even if they genuinely *try* to negotiate, can choose only among least-worse alternatives.

If that is so, what then is the United States’ role? Miller acknowledges that even U.S. toughness (and, one might add, Ross’s statecraft) may not be able to overcome the fact that the parties’ definitions of their own red lines may leave too much of a gap for any accommodation. Traditional diplomacy, backchannels, and think tank analyses are designed to determine if this is true and to encourage the postponement of formal negotiations if it is. But all of Miller’s examples — Kissinger, Carter, Baker, and Clinton — demonstrate that, finally, the only way to know if parties will be able to reach agreement is to engage the real leaders in the toughness of real negotiation.

Perhaps, then, the most difficult problem for the next U.S. president, and probably for the one who follows him, will be this: to make any contribution to this conflict, the United States must commit enormous resources of time, energy, and credibility, yet the chances of success will be small, and even a success will likely be only one — reversible — step. At Camp David Two, which is often labeled a failure because no agreement emerged, Israel formally put the division of Jerusalem on the negotiating table for the first time. It is still there, and in the eyes of history this alone may turn Camp David Two into a major step forward. Although hope for a “breakthrough” (and perhaps an active fantasy life) drives everyone who works at or studies the peace process, the history and the evidence all suggest that there is still a long way to go.

REFERENCES

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