

A MISSED CHANCE FOR PEACE: ISRAEL AND SYRIA'S NEGOTIATIONS OVER THE GOLAN HEIGHTS

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In the Middle East “no war is possible without Egypt, and no peace is possible without Syria,” as suggested by former U.S. Secretary of State Henry Kissinger in the 1970s. From 1991 to 2000, Syria entered into extensive peace negotiations with Israel, another key actor in the Middle East. The objective of this article is to understand these negotiations, which involved periods of intense discord as well as moments of rapprochement. Spectacular progress was made, for instance, between 1993 and 1995, when the “Rabin deposit,” Israel’s promise to withdraw from the Golan Heights to the 4 June 1967 border and thus allow Syria to recover access to Lake Tiberias, was proposed to the U.S. mediator. The two actors came close to an agreement but failed to put an end to the Israeli-Syrian conflict at the Shepherdstown negotiations in January 2000 and the Asad-Clinton summit on 26 March 2000 in Geneva. What lessons can be drawn from the process which took place between 1991 and 2000 in terms of the actors’ objectives, motivations and perceptions of each other? Why did the talks fail to produce an agreement? What was the weight of water in stimulating or blocking the process?

A heated debate has taken place since the 1990s. Did successive Israeli governments seek a genuine peace agreement or was it a deliberate strategy to neutralize Syria while seeking a final arrangement with the Palestinians? What about the late Hafez al-Asad’s true intentions? Surely, his domestic legitimacy relied on the continuation of conflict with Israel? On the other hand, was he not experiencing double pressure, both from the international level as well as internally as the Syrian people grew tired of war? And was water a primary concern to him in reaching a satisfying agreement? Many studies and firsthand accounts have provided a narrative of the Israel-Syria peace negotiations and the ambiguous role played by the U.S. mediator.¹

The Syrian position has remained largely unknown, except for the publication in 1997 of an extended interview with the head of the Syrian delegation to Washington, former ambassador and current minister of foreign affairs, Walid al-Moalem.² In this

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highly unusual display of candor, he described the first round of face-to-face discussions with Israel. However, many questions have remained open regarding the Syrian vision of peace, the evolution of that vision over time and the impact of regional dynamics on the peace process. By providing firsthand testimonies of key negotiators and official documents obtained from Syria, this study aims to shed new light on Syria's constraints and opportunities and their impact on the actors' bargaining positions and perceptions.³ One cannot but question the underlying negotiation puzzle: In a situation of historical conflict over land and water, and clear asymmetrical power, what brought the two actors together to discuss peace? What was the role of water in the ongoing discussions and from the perspectives of the various actors? What incentives could resume such discussions after the breakup of Shepherdstown and Geneva in 2000?

The main conclusion of this study is that structural and process-related variables were decisive in shaping the negotiation process and the lack of full agreement. Below, I will explain why the negotiations failed and what the prospects for peace are today. In addition to the strategic weight carried by the capture of territory, two additional issues increased the stakes: security and water. This paper will focus on the latter.⁴ Water will appear as a catalyst for conflict but also cooperation, and often at the same time. I will analyze this issue in the context of the initial armistice regime in 1949, the negotiations launched by the United States in 1953, the ensuing 1967 conflict and the occupation of the Golan Heights by Israel and the peace process that began in the early 1990s.

Since the collapse of Israel and Syria's peace talks in 2000, major international and regional events have drastically influenced domestic and bilateral bargaining dynamics: the death of Hafez al-Asad and the rise to power of his son Bashar, the 2003 U.S.-led war in Iraq and the forced withdrawal of Syrian troops from Lebanon in April 2005. Therefore, evaluating the likelihood that peace talks will resume and that conflict over land and water can be resolved in the new regional context requires a thorough analysis of all of the obstacles leading up to the peace. As I will show, this is a story of a missed opportunity. Drawing on conceptual tools from negotiation analysis, I will examine the structure and the process of the discussions that took place. But first, I will highlight the physical landscape where the conflict over land and water occurred.

THE JORDAN RIVER BASIN GEOGRAPHY: LITTLE BIG RIVER

The Jordan River is generally considered to have an average flow of approximately 1,400 million cubic meters per year. The river rises as three spring-fed streams: the Hasbani in Lebanon, the Baniyas in Syria and the Dan in Israel. The three watercourses meet at about 14 kilometers upstream of the once-drained Huleh Lake—the former