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# *In Theory*

## Back-Channel Negotiation: International Bargaining in the Shadows

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*Back-channel negotiations (BCNs) are officially sanctioned negotiations conducted in secret between the parties to a dispute. These extraordinary negotiations operate in parallel with, or replace, acknowledged front channels of negotiation. Back channels are like the black markets of negotiation; they are separate tables where bargaining takes place in the shadows. When front-channel negotiations fail, they are sometimes eclipsed by successful BCNs even though the same principals, conflicts, and sociopolitical contexts are involved. This article asks: Why do decision makers deploy back channels? What is the impact of BCN on international peace processes? The Palestinian-Israeli peace process, in which both back and front channels have been used consistently, provides the basis for comparing channels and offering initial answers to these questions. The author concludes that while BCN can facilitate breakthrough agreements, it can also damage a peace process by helping to reinforce some of the uncertainties that gave rise to the use of back channels in the first place.*

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### **The Diplomatic Black Market**

The Palestinian-Israeli peace process, as of early 2006, has stagnated. There are few, if any, open negotiations other than tactical discussions of

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such issues as the handover of a checkpoint from the Israeli military to Palestinian security forces. Instead of negotiating on the basis of “land for peace,” the Israeli government has implemented a unilateral “disengagement” plan that removes its soldiers and settlers from one small part of the Palestinian territories occupied by Israel, the Gaza Strip, even as Israel constructs a barrier around the remaining Palestinian territory, the West Bank of the Jordan River, carving out large parts of it for Israeli settlements. The past five years have seen a return to armed conflict between an Israeli government that openly disavows the peace process and irregular Palestinian forces that were never part of it in the first place. The Palestinian Authority has struggled to coax its internal opposition to a ceasefire while persuading the Israeli government that a negotiated peace is better for all than unilateral solutions. And in January 2006, the Islamic Resistance Movement (Hamas), which is opposed to the peace process, won national elections that enable it to form the next governmental cabinet in Palestine.

If there is ever to be a permanent agreement between the Israelis and Palestinians, it seems highly likely that it will be negotiated in a “back channel.” What are back-channel negotiations (BCN)? They are *official* negotiations conducted in *secret* between the parties to a dispute. These negotiations operate in parallel with or replace acknowledged “front channels” of negotiation; they can be described as the “black markets” of negotiation, providing separate negotiation spaces where bargaining takes place in the shadows. All major encounters and signed agreements between Israel and the Palestine Liberation Organization (PLO) so far have been accomplished using BCN alone or in combination with front channels.

This article explores the phenomenon of BCN. In the first section, I explore why leaders decide to use back channels to negotiate. In the second, I analyze the use of BCN and its impact on the crucial Palestinian-Israeli negotiations of 1994 to 1996. In the third section, I present five hypotheses testable in other negotiation cases, both domestic and international. In the final section, I explore the implications for negotiating peace processes and make suggestions for further research.

## **Some Characteristics of BCNs**

Who are back-channel negotiators? In international negotiations, especially those involving questions of war and peace, back-channel negotiators tend to be individuals who are closer to the top decision makers than are front-channel negotiators, and they are thus able to authoritatively explore a wider range of options and to commit to a tentative agreement more readily than front-channel negotiators are. A back-channel negotiator could be a private individual who has exclusive access to a president or prime minister, or he or she could be a specially empowered national security advisor or other high-ranking foreign affairs officer. In some cases, the same chief negotiator handles both the front-channel negotiations (FCNs) and the BCNs.

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The fact that back-channel negotiators seem to succeed in reaching agreement so often while their front-channel counterparts fail compels negotiation theorists and practitioners to look harder at the differences between front and back channels, especially because so many of the classic variables often examined for correlation to success or failure remain constant: conflict history and dynamics, international structure, domestic political factors, cultures, and power asymmetries. BCN negotiators sometimes begin as freelance operatives without official status or the knowledge of the head of government, but can often leverage strong links to official decision makers and gain official status once their efforts begin to indicate that agreement will be reached. Therefore, they should not be confused with Track Two diplomats, who conduct people-to-people peacemaking with the goal of removing the psychological and cultural barriers that prevent conflicts from being resolved but who do not negotiate political agreements between decision makers (Fisher 1997; Kelman 1992; Saunders 1995). Secret Track Two efforts can, however, turn into BCNs if participants acquire an official mandate and are thus empowered to make commitments on behalf of the party they represent.

Although BCNs take place in secret, practitioners are not shy about admitting their back channels *post facto*. Henry Kissinger, for example, has described how, as national security advisor to presidents Richard Nixon and Gerald Ford, he kept the U.S. secretary of state in the dark about his diplomatic initiatives in the Middle East, China, and Russia (Holbrooke 1998). Kissinger also secretly negotiated with the North Vietnamese in Paris while sidelining both the U.S. ambassador to France and the rest of the U.S. State Department (Kissinger 1982; Walters 1978). As secretary of state, he conducted numerous secret negotiations with the Soviets (Dobrynin 1995; Kissinger 1982; Smith 1985).

Sometimes the back-channel negotiation is conducted by a third party, someone “unofficial” who goes between the parties as a messenger engaging in officially sanctioned but deniable diplomacy. Journalists, for examples, were used as secret negotiators in the Cuban Missile Crisis and the efforts to free the U.S. hostages held in Iran in 1979 and 1980 (Rubin, Pruitt, and Kim 1994). At other times, BCN is specifically used to *avoid* the interference of third parties. While Russia and the United States led an Organization for Security and Cooperation in Europe (OSCE)-sponsored mediation initiative known as the Minsk Group to de-escalate the conflict between Armenia and Azerbaijan, the Armenian government’s top national security official made a direct trip to the Azeri capital to negotiate terms himself, cutting out the OSCE and the superpowers and reaching a cease-fire arrangement directly with the Azeris (Libaridian 2000).

In another notable case of BCN, South Africa’s minister of Justice, Police, and Prisons, Jacobus Coetsee, opened a back channel in 1985 to Prisoner No. 466/64, Nelson Mandela, to make “discreet contact” with the leaders of the African National Congress. Over the next few years, Minister Coetsee met with Mandela in prisons, hospitals, and private

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homes. He subsequently informed President P. W. Botha about the talks. The president then gave them his authorization, thus upgrading them to official secret talks. Botha demanded that other South African cabinet members initially be kept in the dark (Sparks 1994).

## **A Missing Variable in the Study of Peace Processes**

Throughout the years of the formal peace process that began in 1991, the PLO and Israel made slow progress toward peaceful coexistence while negotiating the terms that would lead to the establishment of the State of Palestine, the so-called “two-state” solution that, it was believed, would resolve the core Middle East conflict. Hopes were high and optimistic analyses prevailed among academics and practitioners. Some practitioners claimed that their own Track Two work had even contributed to the success of the peace process (Kelman 1995). Given the return to armed conflict and the hardening of the Israeli occupation, it seems that their hopes and claims may have been unfounded or, at the very least, premature.

Many factors have contributed to the impasse of the peace process, but the process of the negotiations themselves has received less scrutiny than it merits. Exceptions to the lack of analytical scrutiny include articles by Palestinian and Israeli peace negotiators such as Omar Dajani (2004) in these pages, but most examinations of the peace process have consisted of autobiographical memoirs that tell an insider’s story but also apportion blame and take credit at the expense of analysis (see for example, Ross [2004] and David Matz’s [2006] thoughtful critique of this literature in the January 2006 issue of *Negotiation Journal*).

One of the unusual characteristics of Palestinian–Israeli negotiations is that they have nearly always taken place in two channels: normal, publicly acknowledged, diplomatic negotiations and a second, parallel, secret channel that top-level Palestinian and Israeli decision makers “own and operate” (Wanis-St. John 2000). In essence, this means that while diplomats are hard at work at their FCN table, both sides’ leaders have agreed to send out a second set of negotiators whose existence is unknown to the public and, sometimes, even to the front-channel negotiators. This second set of negotiators works secretly and may even bargain over the same issues, but at a second negotiation table far removed from the front channel, protected from publicity, domestic constituencies, and third parties. The continued use of BCN would seem to indicate that negotiators and decision makers believe in its advantages.

This article presents selected findings from eight years of research into the most recent chapter of Palestinian–Israeli negotiations whose origins lie in the late 1980s. I set out to ascertain why BCNs are used, what other negotiation variables they interact with, and what overall effect they can have on one of the most complex kinds of negotiations: an international peace process.<sup>1</sup>

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BCN can present a significant methodological problem for researchers because collecting data about secret negotiations requires that the existence, conduct, and outcome of the secret channel be available for the researcher. In this case, however, negotiators from both the Palestinian and Israeli sides have been forthcoming in political and academic contexts about their back-channel negotiations, and some participated in interviews for this research. In this article, I can only present some of the many findings and implications that emerged from that research, which is applicable to political as well as interpersonal, organizational, and domestic negotiations (Wanis-St. John forthcoming).<sup>2</sup>

Because the entire chronology of Palestinian-Israeli secret and open negotiations cannot be examined in this article, one period of significant negotiations (from 1994 to 1996) central to the resolution of the Palestinian-Israeli conflict will serve as the paradigm for the entire era. Major negotiation efforts via both front and back channels were undertaken during this period, resulting in PLO-Israel mutual recognition, a major interim agreement, and a draft framework agreement on the permanent resolution of the conflict. However, by the end of this period, the conflict had begun its descent back to violent confrontation.

### **Managing the Uncertainties of the Peacemaking Process**

On the descriptive side of the international negotiation literature, Jeffrey Rubin (1981) discussed the possibility that third parties could make use of “covert negotiations” to get international disputants to decommit from threats of war. William Zartman and Maureen Berman (1982) wrote of several kinds of negotiation channels, including back channels, which they defined as consisting of secret meetings among high-ranking leaders of states seeking to negotiate an agreement that take place parallel to front-line diplomatic negotiations. In addition, Aharon Klieman (1988) argued that Israel and other countries use back channels to effect dramatic, offensive, or defensive shifts in foreign policy strategy. Louis Kriesberg (1992) noted the use of “secret meetings” as a prenegotiation activity that can later lead to substantive negotiations. Jeffrey Rubin, Dean Pruitt, and Sung Hee Kim (1994: 187) discussed “covert problem solving” that permits parties to reduce the problems that can arise from “overt bargaining,” including image loss (the perception that a party is “weak and irresolute, hence, willing to make extensive concessions”). Howard Raiffa (1995) noted that parties can take advantage of “informal dialogues” to reduce the uncertainties of entering into negotiations and (1996) that subparties and even principals on either side of a negotiation table might in theory set up their own negotiations in parallel to the main one being conducted by their agents.

Several researchers have specifically explored the negative impact that audiences can have on negotiators. This research is relevant here because

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BCN is characterized by the exclusion of certain audiences from knowledge of the negotiation. Audiences in negotiation can include the principals, the constituents, and even members of one's negotiating team, government cabinet, or bureaucracy, as well as the general public and third parties. Research on audiences has focused on their capacity to undermine agreement because of the gaps between what they expect or desire and what the principals and their negotiators may hope to achieve. Jeffrey Rubin and Bert Brown (1975) wrote that "[t]he mere presence of an audience . . . motivates bargainers to seek positive, and avoid negative evaluation, especially when the audience is salient to the bargainers." The "audience effect" can induce a negotiator to use aggressive tactics and strategies against another party — actions that could be counterproductive to the interests of his or her constituency — if the other party has publicly humiliated or exploited the negotiator. In such an aggressive bargaining situation, negotiators face a dilemma: "although concessions must be made in order to reach agreement, the act of concession making is likely to be seen by the conceiver, the opposing party and others as a sign of weakness that may invite exploitation" (Rubin and Brown 1975). In such a context, the negotiator makes significant efforts to "save face" by finding the appropriate context, relationship, or pretext in which to conduct negotiations while protecting himself or herself from the audience effect. Clearly, this audience effect can drive political decision makers to seek venues of negotiation such as BCN, which could at least temporarily protect negotiators from manipulation by their salient audiences.

Richard Walton and Robert McKersie (1965/1991), in their landmark work on labor negotiations, described how intraorganizational negotiations that are distributional in nature sometimes motivate a lead negotiator to hide information about the negotiations from members of the negotiation team and even from principals to manage their expectations and prevent them from undermining a possible agreement with the other side. A tactic often used in such situations is known as "tacit communications" (Schelling 1980) in which the lead negotiators drop hints to each other that their positional demands are more flexible than they appear. However, this too may be insufficient. Walton and McKersie (1965/1991) further described "covert bargaining meetings" that take place away from the main negotiation table as a tactic for clarifying real priorities and making concessions away from the scrutiny of one's team and principals. Although this article focuses specifically on international peace negotiations, negotiation analysts will find that business, labor, and interpersonal negotiations are also subject to the audience effect and therefore use similar strategies to deal with it. The New York City transit strike negotiations of December 2005 showed that back channels are highly useful to provide "public cover for each side to resume negotiations, even as a war of rhetoric . . . rage[s] at news conferences and on picket lines" (Chan and Greenhouse 2005: B1).

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In international negotiations, “spoilers” are a kind of particularly sophisticated audience that can have a significant impact on peace processes. Spoilers are stakeholders (or stakeholding groups) who, in many cases, are not even present at the negotiation table, but who have an interest in undermining the principal parties’ abilities to reach and implement an agreement. Spoilers can be either mobilized internal constituencies or outside parties — in either form, they can derail negotiations and provoke a return to violence in international and intrastate conflicts. The ability of spoilers to both derail peace processes and prevent the implementation of signed peace agreements has been considered in depth by several researchers, including Louis Kriesberg (1998) and Stephen Stedman (1997, 2002).

Just as soldiers must fight in the “fog of war,” peacemakers must negotiate through the “fog of peacemaking,” confronting considerable uncertainties about numerous variables, including the goals, intentions, commitment, and unity of spoilers (Stedman 1997, 2002). Four categories of uncertainty (described in detail below) pose special dilemmas for potential peacemakers, and each alone can drive the use of back channels. They are the following: (1) uncertainty regarding the cost of entry into negotiations; (2) uncertainty regarding the actions of spoilers; (3) uncertainty about underlying interests and priorities; and (4) uncertainty concerning outcome. These categories of uncertainty encompass much that is at risk in peacemaking, from a leaders’ political survival to his or her actual *physical* survival. Taken together, they provide a compelling explanation for the phenomenon of BCN. Secret BCNs are highly prized by those who practice them precisely because they offer enticing ways to manage these four categories of uncertainty.

### ***The Costs of Entry***

Preconditions set by one or more parties prior to negotiations can include demands for ceasefire, disarmament, withdrawal of forces or settlements, democratization, or surrender of wartime leaders for prosecution. In many complex international conflicts, a significant barrier to conflict resolution can arise from the parties’ mutual denials of legitimacy and withholding of recognition. These by definition can result in a refusal to negotiate, at least using front channels.

Parties can be reluctant to publicly agree to negotiate with a party whose right to exist they deny because to do so can be seen as a *de facto* grant of legitimacy, and, consequently, a concession. The refusal of the rightist governments of El Salvador to initially negotiate with the leftist guerrilla group Farabundo Martí de Liberación Nacional, the refusal of the Indonesian government to negotiate with rebels in Banda Aceh or East Timor, and the 1984 withdrawal of Morocco from the Organization of African Unity (OAU) when the OAU recognized the breakaway Saharan Arab Democratic Republic are but a few examples of this endemic problem in international conflict.

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In other cases, a party will have made public demands that another party agree to a ceasefire or even complete disarmament first. To negotiate publicly is to risk the perception of having given up on that essential precondition. Such was the case in late 1998 and early 1999 when the governments of Serbia and the Federal Republic of Yugoslavia demanded ceasefires and eventually the total disarmament of the rebel Kosovar Liberation Army as a precondition to negotiations for Kosovar Albanian autonomy. Reciprocal demands for disarming the Irish Republican Army and the Royal Ulster Constabulary were frequently heard in discussions about peace negotiations in Northern Ireland. By not publicly acknowledging their negotiations, parties permit themselves to negotiate without demanding or making any prior concessions, thereby reducing the political costs associated with entering negotiation. The Kingdom of Nepal, for example, will not officially recognize the Maoist rebels as a legitimate opposition, so it alternates military offensives with quiet diplomatic overtures to them.

Uncertainty is rampant in the prenegotiation phase of peace talks. Conditions are often too difficult to meet and requirements can be unclear; one side may not specify clearly the actions required of the other side or the reciprocal steps that will be taken upon satisfaction of the demands. What will each party receive in exchange for laying down its arms? In addition, parties making demands cannot be entirely sure that their preconditions will result in the desired changes on the part of their adversaries. Indeed, the party making the demand may not actually intend to negotiate at all, and its demands may, in fact, be designed to discourage peacemaking by making it too politically costly to the other side to even consider negotiation. Different factions within one side may hold several of these postures. Moreover, given the ambiguity and fragmentation of demands, responding parties are never certain when they have conceded enough to be accepted as legitimate representatives.

Historically, Palestinian and Israeli political leaders have conditioned negotiations with each other on the satisfaction of prior conditions. This pattern, evident throughout the history of the Zionist-Arab and Palestinian-Israeli conflict, was present at the beginning of the official peace process in 1991 and continues today, despite what is now a long track record of negotiations. If existing negotiations stall, leaders often see this as an opportunity to make new demands as a condition for returning to the negotiation table.

This uncertainty is *virtually eliminated* by BCN, which enables parties to maintain an adversarial public posture while secretly seeking ways to de-escalate the conflict. The PLO and Israel were, in fact, negotiating with each other — albeit in exploratory, tentative ways — even during the years when such contacts were officially outlawed by Israel and discouraged by the PLO. The earliest secret contacts between PLO officials and Israeli government officials took place in 1985 and were interspersed

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with periods of intense violence (Enderlin 1997). There were open declarations of war on the table between the parties, and yet they were secretly and directly exploring possible de-escalatory moves and cooperative gestures not uncommon to enemies in war, including the return of the remains of fallen soldiers and eventual peace negotiation scenarios.

### ***Spoilers***

A leader who must decide whether to negotiate or not is concerned about both internal and external spoilers — parties who can challenge each side in the dispute and may have an interest in maintaining the conflict's *status quo*. Nagging uncertainties about the possible actions of parties who are absent from the table but have interests in the outcome permeate every peace process negotiation. However, negotiators fear not only their own internal spoilers; each must be aware of the constraints its adversary faces because of its own spoilers. In addition, all parties need to be aware of and jointly manage the potential manipulation that comes from external third parties, even those who act as mediators (Touval 1992).

The failed negotiations between the European Union and Iran throughout 2004 and 2005 concerning the implementation of Iran's plans to develop nuclear power suffered, according to the Iranians at least, from the intervention of the United States, in its role as a board member of the International Atomic Energy Agency (Islamic Republic of Iran 2005, 2006). The Program on Negotiation at Harvard Law School dedicated an entire conference to the Israeli settlers and how to deal with their ability to act as spoilers of the Palestinian-Israeli peace process, as reported in the April 2004 special issue of *Negotiation Journal* (Mnookin 2005).

Initially, at least, parties are better able to manage potential spoilers (whether they are subparties or potential third-party interveners) when the spoilers are ignorant of the existence of the negotiation table. The benefit here is one of the most critically important aspects of BCN: parties can make breakthrough agreements before subparties or third parties have a chance to mobilize to work against negotiation, agreement, or implementation. Secrecy, by definition, implies exclusion. BCN thus becomes a way to exclude spoilers from the process, by keeping them in the dark about the work of the negotiators, reducing the likelihood that they will mobilize quickly enough to derail negotiation or prevent implementation. By using BCN, negotiators seek to stay ahead of spoilers.

Spoilers are not monoliths, nor are they static. Their power to disrupt negotiations can wax and wane. Actions taken to isolate them can intensify their commitment, while creatively engaging them — or even co-opting them — may prevent violence. In international negotiations, in contrast with interpersonal negotiations, parties occasionally create or at least strengthen their own spoilers as a tactic for reducing their own room for concession making. For example, the president of the Greek Cypriots,

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Tassos Papadopoulos, adopted this tactic by openly appealing to his population to vote *against* the Annan Plan, a negotiated reunification of the two halves of Cyprus in the April 24, 2004 referendum. This, of course, only makes BCN even more compelling as a strategic negotiation choice because not only does a party minimize the possibility of damage from its own spoilers, it also reduces the other side's incentive to rely on spoilers to alter the zone of possible agreement. In the short run, and at crisis moments, denying spoilers any access to the negotiations may be the only way to reach agreements. As discussed below, however, dependence on secrecy may be problematic in the long term as spoilers become more proactive about preventing agreements from being implemented.

### ***Underlying Interests and Priorities***

Parties are often unsure of how to prioritize their own needs and interests, assuming that they understand them well to begin with. They may also lack information about the opposing party that is essential to making negotiation decisions: the other party's underlying interests; how that party would structure trade-offs, priorities, and reservation values; and how flexible the other side is in regard to those interests. Parties announce maximal demands as an "anchoring" tactic to create the perception of a smaller zone of agreement, but their flexibility is often greater than they are willing or able to communicate and, as negotiations proceed, interests and priorities can shift in unpredictable ways (Lax and Sebenius 1986; Walton and McKersie 1965/1991).

Decision makers can use BCN to reduce such uncertainties in several ways. With BCN, adversaries can explore in secret the realities underlying their public declarations and policies, and communicate about the possible contours of agreement without the need to publicly commit to those ideas. By preventing outside parties and even internal actors from knowing about a BCN, ideas that might be "nonstarters" in public can at least be raised and considered discreetly. This enables the parties to explore entire agreements that meet at least some of their partisan *and* joint interests.

Practitioners and theorists alike have discussed the benefits of privately exploring solutions before committing to them publicly (Fisher 1996). BCNs offer parties the freedom to consider multiple problems that may seem intractable in a more public forum, but that, discussed in secret, may in fact be amenable to creative solutions. In addition, top leaders tend to be closer to their back-channel negotiators than they are to the front-channel negotiators and can authorize more creativity and flexibility. President Richard Nixon, who had campaigned on "running foreign policy from the White House," was closer to Henry Kissinger, his national security advisor, than he was to secretary of state William Rogers, who was eventually replaced by Kissinger. President Nixon gave Kissinger greater leeway to negotiate with the Soviets, the Chinese, and the North Vietnamese among others. In the Palestinian-Israeli peace process, all back-channel

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negotiators have been close confidants of the top leaders, while front channels are populated by lower-ranking “line” diplomats.

The distance between decision makers and negotiators diminishes as the degree of secrecy increases. In contrast with lower-level negotiators in front channels, political decision makers and their close associates have the authority to reveal to their back-channel counterparts the true interests of their side or to deviate from declared policy in order to reach agreement with their counterparts on the other side. The closer a negotiator is to a decision maker, the less likely a negotiator is to be bound by restrictive instructions. In my research, I found that all Palestinian and Israeli BCN negotiators from 1993 to 2000 were closer to their respective top-level decision makers and enjoyed a higher level of autonomy than front-channel negotiators (Abbas 1995; Beilin 1999; Qurei' 2000; Wanis-St. John 2006).

Finally, the simultaneous use of front and back channels enables parties to obtain additional information about the other side's priorities. By using two channels, a leader can float different proposals in each channel and see how it is received. Thus, one gains a better picture about the adversary's actual underlying interests, priorities, and flexibility. Parties sometimes take an inflexible stance in the front channel, hoping to encourage adversaries to negotiate more seriously and creatively in the back channel.

### ***Outcome***

Diplomats, labor management mediators, business leaders, and even local politicians all know that top-level decision makers are often reluctant to attend a high-level summit or even authorize negotiations among subordinates. Unless they are confident that the outcome will be politically advantageous for them, they fear to associate with an effort likely to fail. However, in democratic systems, the aversion of high-level negotiators can be especially evident before a scheduled election. The probability of success and the confidence of decision makers are not always perfectly matched. Overconfidence in a successful outcome can distort leaders' assessment of success. The Camp David summit for Palestinian and Israeli leaders in July 2000 evidently suffered from the U.S. mediators' overconfidence in a successful outcome, and the summit's failure set off a political crisis for the Israeli government. BCN, on the other hand, permits international decision makers to get involved in negotiations without immediate risk to their prestige, popularity, reputation, or political office.

Uncertainty poses problems for any type of negotiation. However, the uncertainties associated with the negotiation of violent conflicts create particular dangers because the stakes are so high: political stability, peace, and political and physical survival. Under such circumstances, decision makers seeking to de-escalate a crisis or to negotiate a more comprehensive agreement in a violent conflict find the back-channel negotiation very attractive.

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## **BCN and the Israeli–Palestinian Peace Process, 1994–1996**

The Palestinian–Israeli peace process comprised a series of attempts to reconcile two competing nationalist claims to the Israel–Palestine territory. In brief, Palestinian Arabs consider themselves the indigenous people of the territory, which after World War I was shorn away from the Ottoman Empire and administered by Britain under a mandate from the League of Nations, in preparation for eventual independence (Antonius 1938; Fromkin 1989; Government of Palestine 1946). Israelis consider this same land to be their homeland according to the principles of the Zionist movement, a nationalist movement that arose in Europe in 1897 to create a state for oppressed and dispersed Jews and that succeeded in 1948 in carving out the State of Israel from the Palestine Mandate (Flapan 1987; Herzl 1896; Sachar 1996; Shlaim 1998).

The State of Israel emerged in 1948 following wars in Palestine between Zionist forces and British authorities and between the Arab and Jewish communities. No Arab state of Palestine arose in 1948, and the remaining Arab populations came under Jordanian rule (in the West Bank) and Egyptian rule (in the Gaza Strip). In June 1967, after two more Middle East wars, Israel occupied the remainder of historic Palestine and took over the West Bank, including East Jerusalem, as well as the Gaza Strip (Khalidi 1987, 1991; Safran 1969).

Nearly forty years of Israeli military occupation have now passed with the West Bank and Gaza Palestinians remaining essentially stateless. Successive Israeli governments built exclusive settlements for Israeli Jews in the West Bank and Gaza, viewing the settlements as a new frontier for Zionism, a strategic barrier to further wars, and a source of leverage in any negotiations (Sachar 1996). The Israeli military assumed control of all Palestinian affairs in the West Bank and Gaza (Roy 1995; Shehadeh 1985).

The Palestinians of the West Bank and Gaza began an uprising against the Israeli occupation in late 1987, which coincided with intense but secret and tentative efforts by Israel and the PLO, the Palestinian leadership in exile, to explore an eventual peace settlement (Enderlin 1997; Schiff and Ya'ari 1990). In 1991, the United States and Russia cosponsored an official peace process among Israel, Palestine, Lebanon, Syria, and Jordan in the wake of the Persian Gulf War (al-Husayni 2000; Ashrawi 1995; Baker 1999). Israel's main precondition was that the PLO and any Palestinians from East Jerusalem be excluded from the negotiation team — initially, the non-PLO Palestinians were required to negotiate as part of the Jordanian government's delegation (Ashrawi 1995). According to Elyakim Rubenstein (2000), the leader of the Israeli delegation, the Israelis were severely constrained in their ability to negotiate about Palestinian self-determination). Predictably, no agreement arose from these negotiations for two years (Ashrawi 1995; Institute for Palestine Studies 1994; Mansour 1993; Rubenstein 2000).

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By early 1993, however, a secret, direct negotiation channel between the PLO and the Israeli government was opened near Oslo, Norway, that completely bypassed the negotiations taking place in Washington, DC. The back-channel negotiators finalized the Declaration of Principles (DoP) and mutual exchanges of recognition for Israel and the PLO by August 1993 (Abbas 1995; Qurei' 2000; Savir 1998). Their accomplishments quickly overshadowed the fruitless official front-channel talks. In September 1993, the United States hosted the official signing ceremony for the DoP and the back-channel peace process came into the open.

However, the DoP was only a start. Far from being a peace treaty, it established a new negotiation timetable and a division of issues to be negotiated. From 1994 to 1999, the parties carved out a five-year interim period to negotiate and then implement an interim agreement covering the conditions for the partial, gradual withdrawal of the Israeli military occupation from the West Bank and Gaza. Five critical issues were to be deferred during the interim period negotiations:

1. the fate of the Palestinian refugees;
2. the status of Jerusalem;
3. the fate of the Israeli settlements in Palestinian territory;
4. the final borders between Palestine and Israel;
5. and the political status of the eventual Palestinian state.

These were to be addressed separately in permanent status negotiations that were scheduled to begin on May 4, 1996 and end by May 4, 1999.

Some issues, such as the initiation of small, Israeli-troop withdrawals and the establishment of limited Palestinian self-government, were selected for discussion in the interim negotiations because they were thought by some negotiators to be relatively simple and discrete issues whose resolution would build trust for the eventual negotiation of the more complex and problematic final status issues (Abbas 1995; Savir 1998).<sup>3</sup> Incremental negotiations had long been resisted by most Palestinian leaders in the West Bank and Gaza, who preferred negotiations leading to a comprehensive Israeli withdrawal and leaving Palestinian self-determination to be decided by Palestinians, with or without Israeli consent. (See the competing Palestinian and Israeli negotiating drafts during talks in Washington, DC, reprinted in Institute for Palestine Studies [1994].) The PLO, however, gradually accepted the incrementalist approach, hoping perhaps to displace Egypt and Jordan as the parties Israel and the United States preferred to deal with (Abbas 1995).

During the interim period (1993–1995), Israel and the PLO negotiated six major agreements leading up to the landmark September 28, 1995 Interim Agreement that required the Israelis to make more significant

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withdrawals of their military forces and to dismantle their military government, while requiring the Palestinians to begin assuming civil and police responsibilities and to participate in joint Palestinian-Israeli security patrols against Palestinian militants. Of these six, five were negotiated using both back and front channels.<sup>4</sup>

Although the 1993 Oslo BCNs succeeded in achieving an agreement and were eventually made public, Israel and the PLO immediately reestablished back channels to begin the talks that were to lead to an interim agreement. The first negotiation task after the Oslo breakthrough was to negotiate an initial withdrawal of Israeli soldiers from parts of the Gaza Strip and from the city of Jericho in the West Bank, two places that were to comprise the initial territorial base of PLO governance. A chaotic jumble of multiple delegations and venues ranging from Cairo to Taba in Egypt led eventually to two failed summits between PLO Chairman Yasir Arafat and Israeli Foreign Minister Shimon Peres and then between Arafat and Israeli Prime Minister Yitzhak Rabin before the end of 1993. BCNs resumed between top Palestinian negotiator Ahmed Qurei' (Abu Alaa') and the director general of Israel's Foreign Ministry, Uri Savir, both of whom had spearheaded the original Oslo talks but who had been sidelined immediately afterward. They negotiated in Norway, France, Egypt, and Switzerland to resolve central issues (e.g., border crossings, control of roads) that would underlie the eventual "Gaza-Jericho Agreement" (Asfour 2000; Qurei' 2000; Savir 1998).

Their work was passed back to the front-channel delegations who continued working until a crisis erupted on February 25, 1994 when an Israeli settler and member of an outlawed political party that openly advocated the violent expulsion of Palestinians massacred Palestinian worshippers in the Ibrahimi Mosque/Tomb of the Patriarchs, — a site that is holy to both Muslims and Jews — in the West Bank city of Hebron. This was the first major test of the incrementalist approach to Palestinian-Israeli negotiations. After the PLO suspended all negotiations, Israel sent a delegation to Tunis on March 6 to persuade Arafat to return to the negotiation table. Arafat wanted new preconditions for a return to talks, including international protection for Palestinian civilians in Hebron and the removal of Israeli settlers who had moved into Hebron itself, evicting Palestinians from their homes in the process (Savir 1998).

A second Israeli delegation led by Uri Savir and former general Amnon Lipkin-Shahak went to Tunis on March 20 and persuaded Arafat to resume Gaza-Jericho talks *simultaneously* with new talks on security for Hebronites, rather than requiring the latter as a precondition for the former. New back-channel talks resumed in Cairo but were almost derailed when Israeli soldiers killed a number of PLO security officials in Gaza. Because the Israeli Defense Forces (IDF) had been excluded from the first secret Oslo talks, the Israeli military leadership took harder-line positions

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in the Gaza-Jericho negotiations, according to Palestinian negotiator Hassan Asfour (2000). Nevertheless, an agreement on Hebron was signed on March 31, 1994. Work continued in secret on the Gaza-Jericho agreement until the signing ceremony on May 4, 1994 that officially started the clock on the five-year interim period (Asfour 2000; Savir 1998).

The secrecy of these negotiations enabled both sides to explore and eventually agree to try something truly novel for both; with joint Palestinian-Israeli security cooperation at border crossings, command stations, and mobile units, the former enemies prepared to conduct joint police operations against Palestinian militants. Despite the asymmetry of the arrangement — Palestinian forces were not permitted to investigate or detain Israeli settlers suspected of armed attacks against Palestinians — within three weeks, by May 25, 1994, the IDF completed its first, partial withdrawal from Gaza and Jericho.

Both sides acknowledge that they chose to conduct the peace process in secrecy because of internal opposition from the extreme right wing in Israel and Islamic militants in Palestine such as Hamas (Qurei' 2000; Savir 1998), but this opposition grew in strength and militancy after the signing of the Gaza-Jericho Agreement. Hamas conducted suicide attacks against Israelis, and Israeli settlers publicly called Prime Minister Yitzhak Rabin a "murderer," while increasing their violent attacks on Palestinian civilians.

According to Israeli negotiator Joel Singer, "if life were simple, content being negotiated in secret could be finished in the front channel. But life is not simple" (Singer 2000). Front-channel talks in Cairo between Singer and Palestinian negotiator Sa'eb Eraquat about the next round of Israeli military withdrawals and Palestinian elections proceeded glacially. Meanwhile, Abu Alaa' and Uri Savir proposed to their superiors that a new, formal back channel be set up to supplement the front channel. Israeli Foreign Minister Shimon Peres and Yasir Arafat agreed to use their own high-level summits as a cover for the back channel that began operating on January 4, 1995. The Palestinian secret delegation included Abu Alaa' and Hasan Abu-Libdeh, who was then director of the Palestinian Bureau of Statistics, among others. On the Israeli side, Uri Savir and Joel Singer (working both front and back channels) led their team. For nine months, they hid from the press, internal opponents, and interested third parties by rotating among different cities and hotels (Abu-Libdeh 2000; Asfour 2000; Savir 1998; Singer 2000).

In the back-channel effort to negotiate the Interim Agreement, both sides together explored the practical side of peacemaking, discussing such issues as the transfer of governing powers to the new Palestinian Authority, the timing and location of the Israel redeployments in the West Bank, the elections for the Palestinian Presidency and Legislature, and security measures. Secrecy permitted the parties to agree on the major concepts of the Interim Agreement by early July, but the details of the agreement were

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not yet finalized. Indeed, the secrecy permitted the parties to “model daring ideas,” never before considered in front channels, including the structure of the interim Israeli withdrawals and Palestinian–Israeli intelligence cooperation (Abu-Libdeh 2000).

A new, large-scale, front-channel effort ensued, involving about one hundred people in each delegation, divided into working groups by issue. Large mobs of Israeli settlers demonstrated against the first of these new front-channel talks at the negotiation site, a hotel in Zichron Yaakov just south of Haifa. The delegations escaped the demonstrators by moving to the Red Sea resort of Eilat, where, once again, details on key issues could not be agreed on. At separate, higher-level meetings in Taba, Egypt, Arafat and Peres hammered out the final trade-off: there would be transfers of undefined amounts of territory from Israeli to Palestinian civil control in exchange for Palestinian cooperation with Israeli security operations against Palestinian militants. Palestinian police would also be permitted to operate in parts of Hebron.

But the groundwork had been laid in the back channels; Savir noted that “there’s not a single issue [in the Interim Agreement] that didn’t demand the utmost creative joint work between Palestinians and Israelis . . . and only in a secret surrounding . . . can the best ideas be tested” (Savir 2000). Palestinian back-channel veteran Hassan Asfour also noted that the working group approach of Eilat and Taba had to be bypassed “all the time” by smaller, secret groups of negotiators (Asfour 2000). However, understandings reached in the secret channels did not always filter properly into the larger-scale front channels, and this led some negotiators to be concerned about the implementation of the agreement (Abu-Libdeh 2000). Such fears were unfortunately well founded.

Opposition to the peace process on both sides increased during the interim period. The reliance on back channels to create the foundations of agreements and all breakthroughs led to what Uri Savir called “a detachment from public opinion and consideration . . . you cannot prepare public opinion in the same way as in open diplomacy” (Savir 2000). Killings of Palestinian and Israeli civilians continued throughout this period and popular opposition to any accommodation of the “other” steadily grew. Partly in response to the pressing need to build new public support for the peace process, the Interim Agreement dedicated an entire annex to people-to-people programs designed to build peace, foster dialogue, develop cooperative ventures among the respective populations, and begin to reverse the mutual dehumanization that the occupation had fostered (Annex VI, Interim Agreement 1995). Norway specifically committed itself in the text of Annex VI to help establish and support people-to-people dialogue groups.

The four-hundred page document, including annexes and maps, set forth in excruciating detail the real arrangements for Palestinian–Israeli

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coexistence during the interim period and enshrined the hope that the permanent status issues could be satisfactorily negotiated on the basis of operational cooperation and limited Palestinian autonomy negotiated in the Interim Agreement. However, internal opposition to the phased approach to peace was growing steadily. By November 4, 1995, one week after the signing of the Interim Agreement in Washington, DC, Israeli Prime Minister Yitzhak Rabin was killed by an Israeli opposed to the peace process. Suicide bombings by Hamas and the Movement for Islamic Jihad (MIJ) intensified, despite PLO efforts to negotiate the demilitarization of the opposition.

Rabin's death also cut short any progress that might have ensued on the permanent status negotiations. Although not officially scheduled to begin talks until May 1996, high-ranking PLO official (and current Palestinian president) Mahmoud Abbas and Yossi Beilin, who was then Israel's minister of economic planning, negotiated from September 1994 until October 1995. They succeeded in secretly drafting a framework agreement on the very *permanent status* issues that had been deferred on the assumption that the mutually acceptable solutions to them would be both difficult to agree on and politically more risky to implement. In parallel with all the other secret and open interim negotiations, this permanent status draft agreement had been negotiated in Stockholm, Sweden, by a number of academics led by Abbas and Beilin (Beilin 1999; Agha, Feldman, Khalidi, and Schiff 2004). In the post-Rabin-assassination political environment, neither side thought it feasible to reveal the draft framework agreement or work publicly toward its adoption by their respective leadership, even though Arafat and Peres knew what the negotiators were doing. Yossi Beilin asserts that he had kept only Foreign Minister Peres, but not Prime Minister Rabin, informed of the back channel's progress. Rabin's assassination prevents corroboration of this (Beilin 1999).

In the aftermath of Rabin's assassination, the Israeli opposition to the peace process not only grew, but in May 1996 it also brought to power the main right-wing opposition party, Likud, whose candidate Binyamin Netanyahu created a cabinet fundamentally opposed to the peace process. Netanyahu spent his entire term as prime minister suspending and renegotiating the Israeli military redeployments (already agreed to in 1995 in the Interim Agreement), expanding Israeli settlements, and setting the groundwork for an eventual return to armed conflict. His chief negotiator, Isaac Molho, nevertheless set up secret channels with his Palestinian counterpart, Abu Alaa' (Ahmed Qurei'), who by then was the speaker of the Palestinian legislature. Together, they secretly laid the groundwork for an agreement mediated in a summit at the Wye River Plantation in Maryland by President Bill Clinton (Molho 2000; Qurei' 2000). Netanyahu's refusal to implement his own agreement, after years of stalling the peace process and refusing to start the front-channel, permanent status talks led to his

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government's downfall in 1999. In July 1999, the Labor Party returned to power in Israel, ushering in a new phase of intensive but ultimately futile Palestinian-Israeli negotiations that culminated in President Clinton's courageous but unsuccessful Camp David summit for Arafat and Labor Prime Minister Ehud Barak in July 2000, a second Palestinian *Intifada*, and the most recent six years of violence.

## **The Unfulfilled Promise of BCN**

Although the negotiations between the PLO and Israel that took place after 1997 are outside the scope of this article, this glimpse at the early, critical years of the peace process shows how the parties' early reliance on back channels only created the need for further back channels and failed to peacefully resolve the conflict. BCN helped the parties reach many agreements on paper, but on the ground, they drifted further and further from a feasible peace settlement. Beginning in 1997 with the government of Prime Minister Netanyahu, the Israelis openly refused to implement the Interim Agreement. Even Netanyahu's renegotiations of the Interim Agreement (the Wye River Memorandum, mediated by President Clinton) were not implemented, to the chagrin of the Clinton administration.

Despite their expected benefits, in the context of peace processes under conditions of incremental negotiations and slow or faulty implementation, BCNs seem to have some potential negative repercussions. The hoped-for ease of entry into negotiations can turn into costly delay, and back channels become *a substitute for* real negotiated change as parties are kept busy negotiating and renegotiating in multiple channels even though tangible progress is never achieved. Constant renegotiation can, of course, plague FCN as well as BCN but while BCN makes it easier to renegotiate agreements, it does not make it easier to implement them.

Back channels and front channels, when paired in "sets," can generate what I call "feedback" effects. Initially, this can be viewed as a positive, deliberate result of BCN, as the product of back channels is finalized in front channels. In the ideal case, the principal parties, if they reach agreements using BCN, are able to implement them *before* internal opponents and spoilers can mobilize against them because BCN has permitted the negotiators to do their work without the interference of the spoilers. Practice can deviate from the ideal case, however. As the operational aspects of implementing agreements (troop withdrawals, territorial return, elections, etc.) become more difficult to manage and politically more costly to explain to internal subparties (as they inherently do in incrementalist negotiations), political opponents and excluded subparties react by mobilizing to protest against concluded accords, anticipate further *secret* negotiations, and express their opposition to future negotiations, ultimately working to derail the process entirely. Thus, BCN can end up having a negative effect on an incrementalist peace process in the long run.

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BCN, ironically, can bring the parties back to the kind of violence spiral and confrontation that is a risk in all peace processes — a risk that BCN is used precisely to avoid. The actions of the various rejectionist groups objecting both to secret negotiations and their exclusion from the process, also feed back on each other and are used as justifications by their counterparts: Every Palestinian suicide bombing was cited as a need for repressive measures and land seizures by the Israeli settlers. Every killing of a Palestinian civilian, demolition of a home, or land seizure by the IDF or settlers was cited as further justification for terrorist attacks by armed wings of HAMAS or the MIJ. Failures of implementation and anti-peace process militancy are a potent mix of feedback effects. BCN alone will not manage spoilers for long. The changing political circumstances on both sides ultimately led BCN negotiators to exceed what their leaders were willing or able to implement. While spoilers can react against FCNs, the exclusion, secrecy, and implementation problems associated with BCN can potentially magnify the spoiler problem.

Parties may also find it hard to fully explore solutions in secret without knowing if the other side is willing to commit to them. If agreement is not reached, one party may want to start anew while another may wish to start at the point where previous secret negotiations left off. Any leak of a back channel will expose leaders to their spoilers. Secrecy protects negotiators only while the negotiation is *kept* secret.

Using multiple channels also carries the risk that a party may engage in what I term “channel shopping,” using multiple channels to get the most favorable concession. Dr. Sa’eb Eraqat, the head of the PLO’s Negotiation Affairs Department, who negotiated in both front and back channels, and on both interim and permanent status issues throughout the peace process, has distinguished between what he has termed “off-media” negotiations and BCNs. He openly recognizes the value of holding negotiations out of the range of the news media because “the pressure of the media kills the negotiations.” However, he also believes that the Israelis use the real back channels to get undue concessions out of the Palestinians. “They would go to negotiate [in secret] with Abu Alaa if they didn’t like what they heard [from me in front-channel negotiations]” (Eraqat 2000).

Finally, because the decision makers tend to be closer to back channels than front channels (except for summits) and generally prefer not to be associated with a failed negotiation outcome, it becomes important for them to determine the credibility of any channel that is available. A party faced with the availability of multiple channels may legitimately wonder which channel corresponds to its own interests while also being aligned with the decision maker on the other side. Because decision makers rise and fall, either through succession struggles or elections, channels too may shift in salience, as the Stockholm channel did after the assassination of Yitzhak Rabin.

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Because BCNs permit the highest-level decision makers to be involved in negotiations that might otherwise endanger their popular standing, they are more vulnerable to criticisms of whatever agreement is finally reached. The parallel use of front and back channels demonstrates that front channels are less likely to result in agreement. However, agreements reached in the back channel may incorporate more daring stances and riskier concessions may have been explored because the leader is initially protected from public backlash during the negotiations.

Most critically, when the agreement is eventually made public, the leader may find that the secrecy needed to negotiate prevented the parties from preparing constituents and internal subparties for an eventual agreement. Both Palestinians and Israelis criticized their respective leaders for conceding “too much” in back-channel negotiations. The concessions involved in the Oslo Accords — the decision to confer mutual recognition and engage in a gradual peace process without a declared final outcome — involved such large deviations from the declared policies and preferences of each side that they could only have been made by the highest authorities.

In using BCN to mitigate each of the four uncertainties I described earlier, negotiators risked confronting hidden costs if the parties failed to build a general consensus in favor of the peace process even as they negotiated in secret. More critically, with regard to spoilers, costs can escalate to the point where they surpass and finally cancel out any achieved benefits, yielding not diminishing returns but negative returns and facilitating the parties’ spiral toward renewed violent confrontation.

The difference between BCN and FCN in this regard can be simply stated: When using front channels only, parties reach agreements (or fail to reach them), audiences and constituents know about the negotiations and react to them as soon as the outcome of the negotiation is announced. When the parties use BCN — alone or in parallel with FCN — the process, content, and possibilities of the negotiations are all hidden, the leaders are protected, and the negotiators may explore riskier agreements. In practice, BCN has a paradoxical quality. It is needed to actually negotiate and get to agreement, but may actually exacerbate the very dilemmas facing peacemakers.

## **The Future of the Back Channel**

Based on my analyses of Palestinian–Israeli negotiations, I have developed several propositions about BCN when used in international conflicts. These propositions are:

1. *BCN used in international conflicts will facilitate early breakthrough agreements.* The Oslo Accords, in which the PLO and Israel recognized each other and agreed to negotiate the terms of peaceful coexistence, exemplify such a breakthrough early in the peace process.

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2. *Constant reliance on back channels will yield diminishing returns in the form of more difficult implementation of existing agreements and more constraints on current and future negotiations, especially under conditions of incrementalism.* The tortuous history of the Interim Agreement, which required so many back channels to negotiate and then suffered from more than four years of renegotiation under successive Israeli leaders who were more vulnerable to spoilers, demonstrates this proposition.
  3. *Decision makers confront an “implementation dilemma” once they have signed an agreement that was negotiated using BCN.* They risk losing the trust of internal spoilers if they do implement an agreement from which internal parties were excluded, or they risk losing the trust of their negotiating partners or adversaries if they do not implement an agreement. This proposition stems from the prior proposition concerning renegotiation. Spoilers such as the Israeli settlers and HAMAS, when they are not brought into the peace process and succeed in framing the peace process as a betrayal by national leaders, use their “rejectionism” as a source of leverage. If they can successfully put the leaders at risk of losing power, they validate this proposition.
  4. *Back channels, if not managed carefully, generate and exacerbate the very conditions that led parties to use them, requiring further use of back channels.* If the negotiation tool meant to keep negotiators one step ahead of the spoilers only results in the empowerment of the spoilers, the parties are only more likely to rely on back channels, thus further neglecting the critical task of peace building: preparing their public for the eventuality of peace. This acts as a vicious cycle. The consistent pattern of back-channel use by the PLO and Israel demonstrates that they understood proposition one (above) very well, but failed to understand the consequences of overreliance on BCN.
  5. *Negotiations that rely on BCN proceed from breakthrough agreements to diminishing returns and, ultimately, to negative returns in the form of failed implementations, constraints on future negotiations, renewed conflict, and loss of intraparty cohesion.* Mutual recriminations, accusations of bad faith, international and domestic constraints, and other classic factors do not fully explain the failure of the Palestinian–Israeli peace process. The most recent six-year period of violence without negotiations is at least partially explained by the *process* variable of BCN and the complex dynamics that derived from it.

Further case studies of internal and international conflicts would test these propositions and help researchers develop more robust hypotheses about BCN. Research should examine negotiations in paired sets, identifying all the subparties, their degree of exclusion, the role of third parties, the

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proximity of negotiators to decision makers, the autonomy of negotiators, and the interactivity between paired channels. There is no lack of candidate conflicts that have made use of secret back channels, including negotiations concerning Northern Ireland, the Iraqi Kurds, Armenia and Azerbaijan, the Cuban Missile Crisis, U.S.-Egypt contacts prior to the October 1973 War, and the U.S.-Soviet Strategic Arms Limitation Talks (SALT I).

Negotiations characterized by incremental implementation also deserve further study, as they are typically used to manage the most violent and seemingly intractable conflicts. This study also suggests that further research into the critical role of civil society in complex peace processes and political transitions, and the creative uses of secrecy in policy formulation are worthy topics for additional research.

## **Implications for Negotiations and Peace Processes**

This analysis suggests several general pieces of policy-relevant advice:

1. *BCN has particular drawbacks for incrementalist peace processes* because of the ability of excluded parties to mobilize themselves over time as the process continues without final resolution.
2. *Reaching peace agreements with external parties will not resolve internal divisions within parties*, even if those agreements are considered a breakthrough negotiated in a back channel. The international political events of the past decade give eloquent witness to the fact that internal divisions are difficult to manage during and after a peace process. BCN can be helpful early in the international conflict, but can actually generate limitations as time goes on. The policy relevance of this observation is that there is really *no substitute for building a pro-peace consensus* among a party's supporters and detractors. This is what Dean Pruitt (2005) refers to as a "broad central coalition" ready to support resolution of conflict. In a tragic irony, it was a government-sponsored peace rally in Tel Aviv that was the site of the assassination of Prime Minister Rabin, an act that signaled that efforts to build a consensus in the Palestinian-Israeli peace process were "too little, too late," as several negotiators have observed (Savir 1998). Joint efforts by the leaders to reach out to each party's mainstream should be part of the open efforts to build consensus on so critical a policy shift as that from war to peace.

Building a consensus in support of a peace process is clearly very difficult work for policymakers — and not the subject of this study — but presents itself as a critical task that they cannot neglect whenever they engage in peacemaking, and especially if they use BCN. The use of front channels may make getting to agreement more difficult, but back channels present more difficulties in the implementation of agreements. The solution is not to choose one over the other, but to combine early but

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diminishing use of secrecy with gradually increasing public efforts to expand the central coalition on each side.

3. Finally, for BCN as well as for FCN, implementation of an agreement carries its own risks of damage to the internal consensus supporting conflict resolution. With that said, *the benefits of implementation of secret agreements seem to outweigh the costs*. It is early and rapid implementation rather than the simple existence of an agreement that presents spoilers with a *fait accompli* that they are hard pressed to undo. If the task of the leader is to deliver results to people and mute the criticisms of rejectionists, then slow or failed implementation of an agreement can only hurt the credibility of the leader or the government that signed the agreement. As Uri Savir has noted, “this is the whole contradiction of peacemaking: In peacemaking, you break the consensus of today and you create tomorrow’s consensus” (Savir 2000). If a leader fails at implementation, then internal spoilers are strengthened on each side, legitimacy of peacemaking is undermined, and support for peacemaking may decline. When Israel began to suspend implementation of the Interim Agreement and renegotiate its military withdrawals, a pattern of reciprocal suspension, blame, and escalation replaced the emerging norms of peacemaking that had been created by the Oslo Accords.

Implementation is always a challenge in peace processes, but the use of BCN in a peace process poses two related concerns raised in this article: spoilers will work harder to discover negotiations and derail progress, and efforts to broaden the general support for peace may suffer simply because the reliance on secrecy can come at the expense of public relations. BCN is in many ways the practice of “statecraft in the dark” (Klieman 1988). When international peace is at stake, policymakers and negotiators should have the clearest possible understanding of not only the benefits BCN provides, but also the impacts it can have on peacemaking efforts.

## NOTES

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1. The full story of Palestinian–Israeli BCN beginning in the 1980s and continuing to the present, as well as a full treatment of the findings of this research project, will be published in book form by Lynne Rienner under the title *Back Channels: Two-Edged Sword of Peacemaking* in 2006.

2. I have observed back channels emerge in intra- and interorganizational conflicts as well. In my experience mediating disputes between labor unions and management, teachers’ unions and school boards, and within corporations, leaders resort to back-channel communications for many of the same general reasons that international negotiators do.

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3. The Egyptian-Israeli Camp David Accords of September 17, 1978 embodied this idea. It also reflected Israeli Prime Minister Menachem Begin's desire to block any possibility of Palestinian statehood, according to President Jimmy Carter and Joel Singer, an Israeli negotiator who worked on both the post-Camp David negotiations of the 1979-1981 and the 1993 secret Oslo talks (Carter 1982; Singer 2000).

4. Authoritative texts of Palestinian-Israeli negotiated agreements and related documents are easily accessed from a number of online sources, including the official sites of the Israeli Ministry of Foreign Affairs (<http://www.mfa.gov.il/mfa/>) and the PLO's Negotiation Affairs Department (<http://www.nad-plo.org/>).

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