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### THE AUTONOMY NEGOTIATIONS: PAST AND PRESENT EXPERIENCES

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Much as been written and said about the Framework for Peace in the Middle East, one of the two major accomplishments of the Camp David negotiations. These negotiations gave birth to a new era in Middle East politics. In this respect, the impact of the Framework for Peace in the Middle East far exceeds that of the second Camp David product: The Framework for the Conclusion of Peace between Israel and Egypt, which was superseded in March of 1979 by a Treaty of Peace. The importance of the Framework for Peace in the Middle East can be explained by the following two factors. First, these negotiations reached to the commonly perceived core of the Middle East conflict: the national aspirations of the Palestinians and the need to reconcile those aspirations with acceptable guarantees for the security of Israel. Second, the projected solution implied a political arrangement including shared rule. Even though the autonomy to be granted to the residents of the West Bank and the Gaza Strip is bound to be limited in time, the sole valid political framework envisaged by the Camp David signatories calls for administrative collaboration on a limited federal basis.

The peace process, which began with such promise, got bogged down in prolonged negotiations which failed to produce the neat and rapid solution many had expected. The Framework for Peace in the Middle East proved itself to be an obscure document subject to various and even paradoxical interpretations. The spareness of the definitions inevitably allowed the parties to simultaneously reach an agreement and to maintain their original mutually exclusive positions.

"The document relating to the West Bank and Gaza is deliberately equivocal. Both Begin and Sadat portray it as consistent with their previous positions." The nebulous aspects of the Framework for Peace in the Middle East cannot be denied, neither can one ignore the procedural barriers which slow down the negotiating process. Those considerations should not draw the attention of the impartial observer away from the essential components of all that hangs in the balance. Unfortunately these political negotiations do not enjoy the advantages of mutual confidence. A

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They also suffer from a natural tendency to avoid facing conflictual issues. Time must be given a chance to play its role in the present political situation.

The "how," "why" and "when" of the autonomy talks are often subjects of discussion, but one rarely hears about the "who". The negotiating process involves three parties: Israel, Egypt and the United States. The role to be played by Israel and Egypt is well defined even though the validity of representation which the represented bodies concerned have not endorsed can be called into question.

In this turmoil of analysis, scrutiny, speculation and stipulation, one important factor has been neglected. The United States of America retains the role of a mediator in the autonomy talks. While every detail of the background of the parties involved has been deemed relevant in the course of the negotiations, no such attention has been paid to the experience of the Americans in similar negotiations with regard to territories in their possession. The study of precedents should not be confined to matters of law. The scrutiny of past and present American experience with its former nonself-governing territories may induce the parties directly involved to credit the United States with special expertise in dealing with their dilemma. In addition to an earlier series of negotiations over a period of at least 30 years (1916-1946) which led by stages to the independence of the Philippine Islands, since World War II the United States has negotiated what is intended to be permanent commonwealth status with Puerto Rico (now in its thirty-first year of successful operation); home rule for Guam, Samoa and the Virgin Islands; and, most recently, a variety of permanent status arrangements for the Northern Mariana Islands and three island republics of Micronesia.

All sides concerned will be able to consider the means adopted in remote parts of the world to resolve many political conflicts similar to those tearing apart the Middle East today. Whether the parties will decide to utilize or reject the existing models remains to be seen. The Micronesian negotiators can afford to ignore the ramifications of the Middle East conflict. The builders of the future Middle Eastern model of shared rule should not dismiss the political history of the American Trust of the Pacific islands. Two thousand, one hundred and forty-one exotic islands in the Pacific Ocean form three archipelagoes known as Micronesia "the sea of small islands." The geographical, political and social distance between these islands and the territories administered by Israel is obviously enormous. However, a short survey of the major events which led to the negotiated shared rule arrangement between the Micronesians and the Americans raises some interesting parallels.

In 1899, Spain ceded the Micronesian Islands to Germany for \$4.5 million. The First World War put an abrupt end to the German presence on the Archipelagoes and at the same time that Palestine was occupied by Great Britain, Japan occupied most of the Micronesian Islands. The League of Nations vested both Great Britain and Japan with formal mandates over those respective territories. The fate of those two mandates was not identical. Although the "C" Mandate given to Japan was intended "to promote to the utmost the material and moral well-being and social progress of the inhabitants of the territory," the Japanese used the Caroline Islands for extensive military purposes. Eventually those military facilities played a decisive role in the surprise attack launched against the United States in 1941.

The Second World War emphasized the strategic value of Micronesia. The Northern Mariana Islands were transformed into some of the bloodiest battlegrounds of the war; the toll in American, Japanese and Chamorro lives was enormous.

Finally, in 1945, a B-29 by the name of the "Enola Gay" took off from the Island of Tinian and brought an end to World War II by ushering in the atomic age at Hiroshima.

By the end of the war the islands were in the hands of American military authorities who were fully aware of the high cost paid in the Pacific Campaign and with an acute sense of the strategic value of the region. In order to reconcile the foregoing with the Charter of the Atlantic, which provided that the allies sought "no aggrandizement, territorial or otherwise," the United States requested Trusteeship over the Islands. United Nations Trusteeship was a new form of internationally recognized administration of nonself-governing territories which was destined to replace, in a more efficient way, the mandate system of the League of Nations. The American Trusteeship was, however, unique. It was a strategic trust, the only one of its kind. The very idea of a strategic trust was inherently paradoxical since the strategic aspirations of the United States had to coincide with the stated objective of the Trust to foster the political independence of the subject territories. The United States perceived that its strategic prerogatives in the Trust Territory of the Pacific Islands would be "virtually absolute and certainly unhampered by the humanitarian duties of the Trust." Ever since, American policy in the Pacific has illustrated that the full and steady implementation of United States strategic interests in Micronesia is compatible with the political evolution of this region.

Despite all the differences between the Micronesian and Israeli examples, there are also some important parallels. In both cases a mandate of the League of Nations replaced an ex-colonial power which had been defeated in the course of World War I. In both cases the termination of the mandate was not followed by the establishment of an external internationally recognized sovereign entity. In both cases an armed conflict played a major role in determining the successive administrative ruler of the respective territories: Micronesia was conquered by the Americans, the West Bank was conquered and formally annexed by the Jordanians. The Jordanian occupation was subsequently militarily terminated by Israel in 1967. Finally, in both cases, the administrators of those pieces of land face a similar dilemma: How to reconcile increasing political pressure from the local population, which seeks the fulfillment of its right of self-determination, with the preservation of the unquestioned strategic interests of the administrator.

Even if the specific political arrangements applied to Micronesia turn out to be unsuitable for the territories Israel administers, the analogies are such that the principles involved should be scrutinized for any application to the future of the West Bank and the Gaza Strip.

During the first fifteen years of the American trusteeship, the United States seldom interfered in local administration of Micronesian affairs. The United States used the military facilities it had built on some of the islands. The 1960's marked a change in United States policy. A growing worldwide current

against colonization, the granting of independence to the other eleven Trust territories established by the United Nations, and a growing local movement seeking independence created a dynamic that the United States could no longer ignore. The United States faced this new situation by utilizing a policy that had proved to be useful in the past. President Kennedy decided "to bring Micronesia into the twentieth century as quickly as possible." Economic, social and political programs were conceived and massively applied to the Trust territory. The Kennedy administration embarked on a series of budget increases which raised American spending from \$7 million in 1962 to \$128 million in 1978. The sudden flood of money, in stark contrast to previous years of "benign neglect," was accompanied by the dispatch of a cadre of Peace Corps volunteers as an initial attempt to ward off both United Nations criticism and civilian resentment. A crash program of comprehensive education was given top priority; as a result English became the common language of the islands.

Undoubtedly, the massive American contribution to the development of Micronesia created an economic dependency which influenced the Micronesians as they negotiated the political status which would follow termination of the trusteeship.

A confidential report submitted by Anthony M. Solomon, Chairman of President Kennedy's 1963 Micronesia Survey Team, strongly suggests that this engineered economic dependence was designed by an American administration out to protect its own interests. The thrust of the Solomon Report is that by increasing United States financial aid, loyalty of the trust territory will be assured through the resultant economic dependency.

Negotiations began between the United States and the Future Political Status Negotiations Commission in 1969. The status negotiations were based on a number of givens. The economic dependence of Micronesia on American assistance was already an established fact. The guarantee of continuous substantial support was to be an integral part of the deal. Consensus on the implementation of American strategic needs was almost absolute. The United States was to maintain comprehensive military control of the region. The economical implications of such control and the amount of land to be put at the disposal of the United States were issues to be negotiated. Last but not least, the trust had to be terminated and the trust territory to reach some independent political status in accordance with the foregoing specifications. No comparison can be made between the wide basis of understanding which existed at the initiation of the Micronesian political status negotiations and the almost total lack of common ground found at the beginning and in the course of the Israeli territory autonomy talks.

Actually, the network of common interests which characterized the relationship between the United States and Micronesia was so extensive that one would have predicted that the negotiations would be completed without delay. Given the background, it is difficult to understand how, in 1982, after 14 years of fierce negotiations, the parties involved have yet to reach any final agreement and that the Trusteeship is still in force.

The truth is that the negotiators have come a long way together during all these years. In the course of these negotiations, Micronesia was granted limited constitutional status, the ultimate political status of the new political entities

which emerged on the international scene. The United States permitted the creation of the first local legislature, the Congress of Micronesia. Formal local governments were organized in Micronesia, each of them relying on a local constitution. A secession occurred. The Northern Mariana Islands, one of three Micronesian archipelagoes, lobbied to conduct separate negotiations with the United States. As a result of these talks, the Northern Mariana Islands were guaranteed a political status identical to that of the Island of Puerto Rico; they became the "Commonwealth of the Northern Marianas" and thus entered the family of American territories accepting full American sovereignty and civil rights under the Constitution of the United States, but with political rights limited to internal self-government. The remainder of Micronesia persisted in its search for a political status which would permit the continuous flow of American assistance and exclude the heretofore prerequisite American sovereignty. The Micronesians had submitted a request which included such components at the very beginning of the negotiations. They called it "free association." A compact of free association was ultimately drafted when the American negotiators realized that a political solution recommending the full exercise of American sovereignty on the Pacific Islands was no longer negotiable.

The final documents were initialed but not executed. The entire process is subject to ratification by both the United States Congress and the local Micronesian legislatures. One can assume that the negotiated documents will indeed be executed in the near future, although the past fifteen years have proven that what seems to be firm may be challenged; especially if there are changes of personnel in either team of negotiators. (A policy review conducted by President-elect Reagan in 1981 delayed the conclusion of the process.) The United States has been called upon to play a decisive role in the implementation of full autonomy in the territories administered by Israel.

While we have concentrated on the Micronesian model, the relationships the United States has developed with other territories, such as Puerto Rico, Guam and Western Samoa, also add to American expertise in the field of territorial status negotiations. Even if the example of Micronesia proves to be too far removed from the Middle East setting, this should not detract from the United States' authority as a facilitator with the necessary background to comprehend the various components in the Israeli-Palestinian conflict and negotiations. The Americans, because of their own experience, will understand that such a negotiating process needs to be conducted slowly and surely with no time pressure imposed on the involved parties. They will understand that strategic needs and strategic assets have to be guaranteed in a very concrete manner. They will understand that the collaboration of the population of the subject territory is a prerequisite to any negotiation. They will understand all this because American strategic needs in the Pacific were considered paramount during the past thirty years and because no comparison can be made between the distance from Tinian to New York and the distance from Bethlehem to Jerusalem.

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