



Lawyer Joel Singer stands left of Shimon Peres while Peres signs the historic Oslo Accords as Israeli Prime Minister Yitzhak Rabin, U.S. President Bill Clinton and PLO Chairman Yasser Arafat look on. Avi Ohayon/GPO

## **Rabin's Man in Oslo Analyzes What Went Wrong – and Right – With the 1993 Accords**

Joel Singer, who drafted the accords, left Israel broken-hearted in the wake of Rabin's assassination. He tells Haaretz about the missed opportunities and calls on the current government not to destroy the foundations of a future peace deal

By

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From his law office on the seventh floor of an office building in Washington, Joel Singer has had more than 20 years to contemplate the results of the project that changed the face of Israel, the direction of his life and was itself cut short in tragedy. Hanging on the office wall is an unusual memento, unusual for an American law office, of Singer leaning over then-Israeli Foreign Minister Shimon Peres at the 1993 signing ceremony of the Oslo Accords on the White House lawn. A tense President Bill Clinton, Prime Minister Yitzhak Rabin and Palestinian leader Yasser Arafat are behind them.

Those were the glory days for Singer, who is not someone who could be identified nowadays by most Israelis viewing the famous photograph, but his impact on events at the time was decisive. Singer was the legal adviser to the official Israeli delegation in contacts on the peace process, and he was the one who actually drafted the Oslo Accords. In other words, he was Rabin's man in Oslo.

Following Rabin's assassination in 1995, a dispirited Singer left Israel and has spoken little about the Oslo Accords. The quarter century that has passed since the events that transformed the Israeli-Palestinian conflict has provided the perspective of time and the emotional distance necessary for Singer to decide to share and elaborate on his view of those events. In a conversation with Haaretz, he describes what went on behind closed doors and concludes: "We have missed a rare opportunity. We have made mistakes, and at the moment, there is no hope for peace in the next several years. Nevertheless, we shouldn't forget that even efforts that have failed have their successes that we should study and preserve."

This seemingly inconspicuous lawyer who was called upon to bring the architects of peace down from the euphoria of their Norwegian guest house to the realities of the Middle East is in no sense nondescript. He is the son of the actor Gideon Singer. Unlike his father, Joel Singer's role of a lifetime was behind the scenes, but he describes his experiences with great theatricality.

### **Shimon and Yossi want a document reviewed**

Joel Singer, who is now 68, was born in Tel Aviv. He served 18 years in the Israel military prosecutor's office, where he specialized in international law and became the legal adviser on matters relating to the occupied territories. Those were days of hope and in the course of his service, he left his mark on a raft of agreements with Egypt, Lebanon and Syria. Singer also represented the Israeli army in Prime Minister Menachem Begin's Camp David Accords and its annexes, which later provided the model for Oslo.

During those years, he also began developing a relationship of trust with Rabin. Singer's father had been under Rabin's command in the Harel brigade. After the elder Singer was wounded, he took the role as the soloist in the original performance of "Shir Hare'ut" ("Song of Friendship"), whose lyrics were written by the poet Haim Gouri near the end of the Israeli War of Independence. It was a song that Rabin loved.

When Rabin became defense minister, he and Joel Singer worked together closely. Singer later left the army with the rank of colonel and moved to the United States, where he took a job with a law firm that worked with the defense establishment, intending to return to Israel with experience.

One day, at the same law office where he now works, the phone rang. It was a call from Deputy Foreign Minister Yossi Beilin's office. Beilin and Singer knew one another well from cabinet meetings. "They asked that I come to Israel, unofficially, to look at a document," Singer recalled.

"I asked what it was about and they said it was confidential. I asked when and they said tomorrow. I made up a story and flew [to Israel]. I met at the Hilton Hotel with a man whom I hadn't known by the name of Yair Hirschfeld. I was told: 'He will give you a paper. Read it and come to the office to meet with Yossi [Beilin] and Shimon [Peres] and give them your opinion.' And that's what happened. I sat at the hotel and read. As someone who comes from that field, who has seen a share of documents, I was looking at a draft of a confused document. But there was something in it that I liked. It was a plan for autonomy in stages," Singer explained. "Up to that point, we had made decisions in advance. For example, in the agreement with Egypt, we wrote that there would be a withdrawal from Sinai in stages, but from the beginning, it had

been decided when every stage would take place and what the final situation would be. The beauty of Oslo was its gradual progression, a modular agreement, building one floor and then another, through Rabin's cautious approach: We'll take a step, see how it works, and then we'll take another step."

### **Getting stuck at one stage**

"Of course, opponents will say that this is why Oslo failed, but that's reversing cause and effect. There is a clear border with the sovereign countries next to us. Separation. Even if implementation takes time. With the Palestinians, things are deeper. Does that mean that because it's impossible to agree on everything up front, we won't do anything for 100 years?" Singer asked.

After being shown the document by Hirschfeld, Singer went to Peres and Beilin to give them his opinion. "I think I used the expression a 'half-baked cake,' and it turns out that Rabin thought the same thing. Several days previously, he had ordered the talks stopped. I think Shimon wanted me to convince [Rabin]. We rode together to Rabin – Shimon, Yossi and myself – crammed together in the car. Rabin asked: 'Joel, can you fix this?' I said that I thought I could, but I wanted first to meet with the Palestinians. Hirschfeld told me that they had agreed to this and that but nothing that was said was in writing. I said that I wanted to meet these folks from the Palestine Liberation Organization, to hear from them, and he sent me to Oslo, not in an official capacity," Singer recounted.

"Afterwards they described it as night of horrors. A reserve colonel was coming to interrogate them. The truth is that the purpose was a good one. Even though I had come from the Israeli army, I was considered a leftist when all was said and done. Today I would actually be an extreme leftist, but I like making peace on a firm foundation. So I asked questions. I spent a day and a half. I told Rabin that it was all right, that they were on the right track."

### **'I was naïve'**

For about four months, the parties sat over the details and the wording. It was only on September 1, about two weeks before the official signing ceremony, that Singer was made a Foreign Ministry legal adviser.

"I did it for Rabin and Peres as a volunteer. Then I returned to Israel and never believed that I would come back here [to the United States]. Believe me that I was naïve. It really brings me to tears. I thought I would help Rabin and Peres make peace with the Palestinians, with the Syrians, with the Jordanians, with the Lebanese. That's what I believed," Singer said, his voice breaking.

"I think to this day I have been suffering from post-trauma from Rabin's assassination," Singer acknowledged, and then after a long pause, he said: "I loved Rabin. I admired him and I loved him."

*Where did we err along the way? Where did you err?*

Singer spells out three main failures, along with three successes, as he looks back at his involvement in the Oslo Accords. The first mistake, which he said has hounded him most of all, is actually refusing a Palestinian demand – the demand to halt Jewish settlement construction. “We fought with the Palestinians, on Rabin and Peres’ orders, against a freeze. If I could do it over, from a national, Israeli point of view, I would say that it is an Israeli interest to freeze the settlements, making it possible to establish an independent [Palestinian] state there, but who would have thought that a five-year interim period [anticipated in the Oslo Accords for final-status negotiations] would become 25 years? Who would have thought that Rabin would be assassinated?”

“Now there is no doubt that it was a serious mistake on Rabin and Peres’ part,” Singer acknowledged. “And I was their emissary. I had said ‘no way.’ I almost feel personally to blame. I have a mea culpa here, but nevertheless, I am not a political person. I did as I was told. When we worked on the Oslo agreement, there were some 100,000 people [Jews] in the West Bank. It was still possible, by leaving some of them [there] and through small border changes to evacuate [the settlements]. Now I don’t see how a prime minister – even the strongest and most supportive of peace – could be capable of turning back the wheel. It was a serious mistake to permit the settlements to continue to race ahead, at even an accelerated pace, because all of a sudden, Oslo started the clock running and caused the settlement movements to quickly begin to take over land before a permanent agreement. A dynamic was created that translated into the need to quickly settle every hilltop because very soon, in another five years, the borders would be set. That was a long-term mistake.”

*And Rabin and Peres didn’t see that?*

“They needed to garner a majority. After all, the second Oslo accord barely passed. And Arafat had problems too. Partners in the Palestine Liberation Organization quit, and that’s not to mention Hamas. I think they [the Palestinians] gave in on the assumption that they couldn’t convince [Israel] to freeze [settlements], preferring to get what they could when, within a few years, they would begin negotiations on a final status agreement.”

*And what about proposals for annexation or agreements that didn’t involve evacuation [of settlers]?*

“Even if some way would be found to create a zigzagging border running right and left and up, I don’t think it would hold. It’s not natural. It means neither swallowing it nor spitting it out. It’s also impossible to come to an agreement that would have the settlers remain there. It won’t work. People would start shooting at one another. It’s not possible to mingle populations. It barely [works] in Ireland, where they have the same language and culture, barely there. What would it be? A collection of cantons and perpetual war?”

### **Begin gave them guns**

The second mistake of Oslo, as Singer sees it, was the immediate transfer of responsibility for internal security to the Palestinian Authority, which was not up to the challenge. It was a mistake about which he actually issued a warning, he says, but Rabin wasn’t convinced.

“I suggested to Rabin that responsibility for security remain in Israel’s hands for the period of autonomy. I didn’t think they could come from Tunisia [where the PLO leadership had been based] and deal with security. I thought it needed to remain in Israel’s hands and that’s also how I constructed it at Camp David in 1978 [where there were talks with Egypt about a peace treaty and future relations with the Palestinians] with Maj. Gen. Abrasha [Avraham] Tamir – that responsibility would be increased over a transitional period.”

“I suggested to Rabin that we also do that with Oslo but he said no,” Singer said. “I had even written it down. He said ‘change it.’ I thought that was a mistake, even in retrospect. The PLO was not successful in fighting Hamas and there are those who would say it even didn’t try. And look what happened in Gaza the minute that we left,” an apparent reference to Israel’s 2005 withdrawal from the Gaza Strip, which was followed in 2007 by a forcible takeover of the Strip by Hamas.

“I don’t know what we can now say to Israelis who ask: ‘And what will happen when we withdraw from Judea and Samaria?’ [the West Bank]. So I really believe that one of the mistakes of Oslo was giving them responsibility for security. Rabin didn’t do it because he wanted to be nice to the Palestinians but because he thought it would enhance security to have the Palestinians as the ones fighting Hamas. It turns out there was neither the capability nor the motivation. It turned out that the Palestinian police were useless. They could barely defend themselves. How could they protect Israelis? But none of this related to the myth that we ‘gave them rifles.’ Israel never gave them rifles. Israel enabled the Palestinians to set up a Palestinian police equipped with rifles.

"It was Menachem Begin’s Camp David formula. A Likud man. Today Begin would actually be an extreme leftist, but it wasn’t [the result of] Oslo. It was the agreement with Likud. It speaks of a strong Palestinian police force. That didn’t mean a police force with hats with feathers or ceremonial swords. It meant a police force with rifles. The [claim] that the left ‘gave them’ is a myth on the part of right-wing critics of Oslo. Nonsense.”

*What about the argument about whether terrorism began again because of the transfer of authority to the Palestinians or due to the massacre by [Baruch] Goldstein [who in 1994 killed 29 Palestinians in Hebron]?*

“I’ll respond to you with a story. There are two people arguing on the street and a policeman comes by and separates them and asks how it started. One answers that it all began when the other guy slapped him back. That’s how it is in the Middle East. It’s not important who started it.”

### **On Arafat’s bed**

The third failure that Singer enumerated was the excessive confidence placed in Yasser Arafat. We were mistaken when we thought he would change, he said.

“During the period when I was there, I saw him make tough decisions one after another, with him also demonstrating courage and a commitment to the process. So the warning lights weren’t strong. But all of this was on the interim agreement. From his standpoint, it was easier to compromise on things that were transient. When it came to the final-status agreement, he became totally inflexible and unprepared for any compromise. He wouldn’t budge an inch. On the subject of fighting

terrorism, Rabin expected that he would conduct himself as Rabin himself acted. Rabin fought the Altalena, but Arafat didn't fire on his own Altalena and instead allowed it to run wild," said Singer, referring to the ship that arrived at Tel Aviv's shores, carrying fighters and weapons for the pre-state right-wing militia, the Irgun, shortly after Israel's independence. Prime Minister David Ben-Gurion, fearing an insurrection, ordered the army to shell the ship, with Rabin commanding the forces that did so.

*You actually probably racked up more hours with Arafat than any other Israeli.*

"In those years, by the end of the negotiations, I spent hours with him, maybe even more than most of the Palestinians. There were unbelievable situations, looking back on it. One day I found myself sitting in Arafat's room in a hotel on his bed. He was sitting next to me. We were surrounded by PLO [people] and I was the only Israeli. Another time, I traveled to the office of Abu Mazen [Mahmoud Abbas, the current Palestinian president] in Tunisia and I was sitting in his room at the PLO headquarters and he tells me: 'You see my armchair, Joel? That's where your [Israeli] intelligence planted a microphone,' and it hit me that I'm alone here.

"I would like to say something about the human angle, even though they might hang me for this. I've spoken so much with Palestinians, PLO people, non-PLO people. We were always flying from Oslo to London, to Paris, to Gaza, to Cairo, and I see that we're laughing at the same jokes, eating the same food. They're gossiping about their bosses and we about ours. And I think to myself about whether 2,000 years ago, we were the same people. We act the same and I feel more at home with them than with Americans or Norwegians. We are enemies at the moment, but we are so similar. But if I say that I feel like brothers with the PLO, they would call me that traitor. ... And as a lawyer, I can tell you that the worst disputes are among brothers."

### **The military occupation as an umbrella**

It's important to Singer to also spell out the successes that the Oslo Accords generated. "Take the 1967 [Six-Day] War compared to the Yom Kippur War. Weren't there mistakes in 1967? A lot of them. People were killed for nothing, horrible things, but in the end, we won and then everyone focused on the victory. With the Yom Kippur War [in 1973], which we also won but at a heavy price, everyone focused on the failure. There is something deceptive in the human mind that projects backwards from the results. In the Six-Day War, they forgot to think about the failures and after that they suffered for it in the Yom Kippur War. It's the same thing with Oslo. What idiot would write a newspaper article today with the headline 'Oslo was a success,' but that also shouldn't be forgotten."

The first success, Singer said, was mutual recognition, a step for which Singer takes personal credit. "When I came to Israel on that first trip, they allowed me to look at the draft and among other things, I told Peres: 'You're conducting negotiations in secret with the PLO. What will happen when they're over.' And Peres said 'we'll issue a directive to our delegation in Washington to sign and the PLO will give a directive to its delegation.' These were official negotiations going on then with Palestinians as if they were not the PLO. I said to him: 'Shimon, that won't work. It will leak out that you've been talking to the PLO. The delegation in Washington will be asked where the agreement came from.'"

Singer continued: “I told him that there needs first of all to be mutual recognition. He [Peres] refused. Rabin and Arafat also weren’t enthusiastic. I didn’t give in. I continued to nag. I convinced Rabin and we proposed mutual recognition to Arafat in exchange for his return from Tunisia. Peres was still opposed. We went to present it to [Secretary of State] Warren Christopher in the United States. He was totally amazed. Peres asked [the Americans]: ‘Present the Oslo Accord as your draft.’ He called Clinton, who said: ‘We can’t present it as our draft, but are prepared to host the signing.’ Then the penny dropped for Peres that we needed mutual recognition,” Singer said. “We had only a few days left for the ceremony and we worked on the wording.”

“For Arafat, it was more difficult. On the Israeli side, it was just one thing: We recognize you as the legitimate representative of the Palestinian people and will negotiate with you. I imposed a lot of obligations on the Palestinians, but the moment that we placed them on the horns of a dilemma – either sign or you stay in Tunisia – the desire to return prevailed. They had other problems, of course. They thought we would withdraw from the territories and that’s it. We proposed autonomy, subject to overall military Israeli responsibility. The occupation would remain from above as an umbrella.”

The other two successes that Singer mentioned were opening the door to normalization of relations with the Arab world and building the foundations for a future peace agreement. “In 1993, there were special circumstances, one-time opportunities, something in the combination of Rabin and Peres, each with his own strengths and weaknesses. Peres saw the long view, the future painted with broad strokes, and Rabin was the man of details. Vision and security. They had finally decided to speak to the Palestinian side through its clear leader,” a reference to Arafat.

“A historic opportunity was created, at least on paper, but then they assassinate Rabin and on the Palestinian side, it turns out Arafat doesn’t really have the courage to fight Hamas, who was destroying everything with terrorist attacks, and I feel as if a tower of blocks is collapsing,” Singer acknowledges.

“Now, looking back, I say who is there on the Palestinian side? Abu Mazen [Mahmoud Abbas]. And who’s on the Israeli side? But Oslo exists on the ground and there is no other blueprint. There is no alternative in the sense that we would dismantle [everything] and build it [from scratch]. We need to construct additional layers on it. More floors. True, we’ve gotten stuck. We need to wait for circumstances to change. It’s not possible to force things when the circumstances are not ripe. Hammering away from above doesn’t work. It will fall apart. So what we need to do in the interim is to maintain what exists, not destroy the lower floors,” he said, one gradual step at a time.

“This is not the time for photos of handshakes and grandiose ribbon cutting ceremonies.”

*Are you hinting at Trump’s plan?*

“If one day the circumstances for a clear ‘ultimate deal’ are created, that will be the basis for a new agreement to replace Oslo. Unfortunately, I don’t see those circumstances now and it’s hard for me to see them in the near future. And I’m talking about years. In the meantime, Israel needs to invest efforts in maintaining what exists and building on it, for example, preparing for the day on which Abu Mazen goes and hoping to prevent chaos; building up the Palestinian police to deal

with terrorism; slowly evacuating Israelis from areas [of the West Bank] that clearly won't remain in Israel's hands; improving the economic situation; fostering cooperation and waiting for the next breakthrough. It could be that even that won't bring full peace."

Over the past year, Singer has decided to talk about that concept and the events surrounding Oslo with Mor Loushy and Daniel Sivan, who created the film and the series "The Oslo Diaries," which are currently being broadcast by Yes Docu and Sting TV in Israel.

*Why have you suddenly decided to open up like this?*

[Israelis] Uri Savir, Yair Hirschfeld, Ron Pundak and I sat in Oslo," says Singer, referring to the men considered the "architects" of the accord. "At headquarters in Israel, there was Yitzhak Rabin, Shimon Peres, Yossi Beilin and myself. I was the bridge. It was through my ears and hand that the drafts were composed, not as slaps on the back. That's actually how it was. I would listen to Rabin and Peres and I needed to find a compromise first of all between them. It's not just the wording. It's the ideas. I needed to merge things," Singer said.

"And then I would come to meet with the Israelis and I needed to conduct negotiations over these things, (laughing), and then with the Palestinians and, heaven forbid, go back. And I'm not sure where it was more difficult, facing the Israelis or the Palestinians. Some have already died, and I decided that, after 25 years, I can talk about it. I wanted to describe the events from the point of view of a person sitting between Rabin and Peres and [as someone] who saw how decisions were made. Maybe sometime I will write a book with all of the details that eight people will read," Singer said wryly. "Who has the strength for that today?"

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From left to right: Shimon Peres, Uzi Dayan, Yitzhak Rabin, Yoel Singer, and Ilan Biran en route to Washington for the signing of Oslo II in 1995. Ya'acov Sa'ar / GPO