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Deconstruction of Public Policy in the Aftermath of the Wye Plantation Summit: Reaffirming a Nullification in the Palestinian National Charter

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Abstract. This article analyzes the Wye Memorandum prescription to proscribe the Palestinian National Charter's (PNC) written provisions to destroy the Israeli state. The analysis is based on both deontological and consequentialist positions. (Embry-Riddle University student Lou Adesso III provided the creative impetus for this article.)

One component of the Wye Memorandum is that the Palestinian Liberation Organization's (PLO) Executive Committee and the Palestinian Central Council will reaffirm a letter from PLO Chairman Yasir Arafat to the United States President William Clinton concerning the nullification of the PNC's provisions that are inconsistent with still other letters exchanged between the PLO and the Government of Israel back in September 1993. In plain English, some formal representatives of the Palestinian people will further publicly repudiate a formal intention to seek the destruction of the Israeli state. Israeli Prime Minister Benjamin Netanyahu and his staff concurred with this component. So did Yasir Arafat and his staff? But is the component good for Israel? For the Palestinians?

A Deontological (Intentional) Analysis. (1) Yasir Arafat and his allies intend to abide by an intent to no longer seek Israel's destruction and will act to effect this intent into a congruent consequence. (2) Yasir Arafat and his allies intend to abide by an intent to no longer seek Israel's destruction based on their own efforts, but do not intend to significantly change the intent or block the consequences of the intent of other Palestinian elements that intend the contrary. (3) Yasir Arafat and his allies do not intend to abide by an intent to no longer seek Israel's destruction. (4) Benjamin Netanyahu and his allies negotiated for Palestinian action on PNC provisions to improve the security of Israel. (5) Benjamin Netanyahu and his allies negotiated for Palestinian action on PNC provisions to hurt the security of the PLO, the Palestinian National Authority, and/or the Palestinian people. (6) Benjamin Netanyahu and his allies negotiated for Palestinian action on PNC provisions primarily to hurt the Hamas movement with secondary consequences for other entities. (7) Benjamin Netanyahu and his allies negotiated for Palestinian action on PNC provisions without any substantive, bilateral or multilateral intent but only to lengthen the negotiation process and/or for domestic political purposes.

A Consequentialist Analysis. (1) The consequences of this component of the Wye Memorandum--if effected--will help and/or hurt the security needs of various political entities in the Mideast and of other participants in and observers of the Wye Plantation Summit. (2) The consequences of this component of the Wye Memorandum--if not effected--will help and/or hurt the security needs of various political entities in the Mideast and of other participants in and observers of the Wye Plantation Summit.

The IBPP analysis is necessarily murky at this point because its options suggest that the main actors, other participants, and observers possess accurate conscious apperception of intent and will possess the same of consequence stemming from effecting or not effecting the Wye Memorandum. The IBPP analysis also ignores that--even through the best of intentions--public professions of peace may inevitably exacerbate the threat of violence. In addition, the analysis ignores that observations that seem accurate over time--for example that one or both sides are continuing to repromise promises that

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have been broken--may mask a change that would render these observations seemingly inaccurate if that change were noted and not discounted.

The bottom line? Even if President Clinton addresses a gathering of Palestinian representatives (also stipulated in the Wye Memorandum) to validate public Palestinian repudiation of intent to destroy Israel, intentions and consequences cannot be reliably grasped. Given that public policy is predicated on an attempt to define and structure a rational basis for action or nonaction--and given that rationalism as a mode of approaching degrees of certainty has many epistemological vulnerabilities as does faith and empiricism among other vehicles of knowing--effecting reaffirmation of nullification may be moot. Yet decisions still must be made--actively or passively. The chilling scenario of decision-making in such a context supports existentialist notions of dread and despair as the authentic essence of life--dread and despair more profound than any reactive to death through political terrorism. (See Benjamin, R.D. (1998). *Negotiation and evil: The sources of religious and moral resistance to the settlement of conflicts*. *Mediation Quarterly*, 15, 245-266; Heidegger, M. (1997). *Being and time: A translation of Sein and Zeit*. (J. Stambaugh, (Ed.)) State University of New York Press; Spector, B.I. (1998). *Deciding to negotiate with villains*. *Negotiation Journal*, 14, 43-59; Text of the Wye Memorandum. (October 24, 1998). <http://www.nytimes.com/library/world/mideast/102498mideast/agree-text.html>; Vorauer, J.D., Claude, S-D. (1998). *Perceived versus actual transparency of goals in negotiation*. *Personality and Social Psychology Bulletin*, 24, 371-385; Watkins, M., & Lundberg, K. (1998). *Getting to the table in Oslo: Driving forces and channel factors*. *Negotiation Journal*, 14, 115-137.) (Keywords: Israel, Palestinian, Public Policy, Wye Memorandum, Wye Plantation Summit.)