

A statesmanship built over a long diplomatic career

RICHARD MURPHY REPRESENTS A SPECIAL MOMENT OF THE PAST

Chibli Mallat

Richard Murphy has become a familiar face to the American public, with a ubiquitous presence in the US media in the past years as one of the most respected commentators on the Middle East.

For the Lebanese public, he represents a special moment of the past, associated with a four-word recollection: "Mikhail Daher or Chaos." There is little in common between the two publics, yet, 20 years and a few thousand kilometers separation in time and space do not help.

The common thread is there, that of statesmanship built over a long Mideastern diplomatic career culminating in the highest Middle East position at the State Department, now filled by a very different type of civil servant, Jeffrey Feltman. I have developed a liking for both, and Feltman's Lebanese and now Middle Eastern career deserve separate treatment.

Their styles are very different. They share a remarkable professionalism, a keen sense of the reality and limits of American power in the shaping of the region, and a combination of activism and moderation.

Unlike Feltman, Murphy was never ambassador to Lebanon. I asked him once where his best posting was, he said Aleppo, where he was a young consul and where he perfected his Arabic. Aleppo has remained an enchanting city to date, as John Borneman, the leading Princeton anthropologist confirmed in a book called "Syrian Episodes," a masterful chronicle of his recent stay and work in Aleppo.

I met Murphy the first time soon after he retired from the foreign service. He had moved to London as a fellow at Chatham House, and I was completing my doctorate on Muhammad Baqer as-Sadr at the University of London's

School of Oriental and African Studies (SOAS).

I was still a student then, and went to Oxford to listen to a lecture by Murphy. I recall asking him why the US failed in convening the international conference for the Middle East, then still known for short as "Geneva." He had clearly tried hard to get it going in 1986, but explained that "sometimes leaders do not feel comfortable being ahead of their constituencies," an important lesson that explains why peace is so elusive to date in the region.

Still, Madrid convened in 1992, but two momentous events without which the local leaders could not muster the courage needed to join the conference: the Soviet Union's col-

Murphy said his time as a young consul in Aleppo was his best posting

lapse, and the first Gulf war ending with the US humiliation of Saddam Hussein.

When Lebanon blew up in 1988 upon the now familiar crisis over who will be president, the country would have been much the wiser in avoiding chaos. Maronite ambitions have a knack of driving the country into turmoil, not least because it is the only Arab political system where presidents change. Elsewhere presidents and absolute monarchs stay on until their death, stultifying their societies by pharaoh-like absolutism; and, in the case of the former, working hard to turn the republics into dynasties. Elias Khouri coined that neologism, *jamlaka* (for *jumhuriyya*, republic, and *mamlaka*, monarchy), a "monarbluc," to underline the trend.

I was recently visiting Akkar, and the issue of native Mikhail Daher came up. When I asked Murphy to speak at SOAS, I

gave him the choice of giving a large public lecture, or addressing a small, chosen audience. He immediately expressed his preference for the latter. When we became friendlier, I explained my tactic to him: not to ask him whether he would speak or not, but a choice between two ways, and teased him over why he did not give a choice between Daher and another Maronite candidate for the presidency, rather than the blunt Daher diktat, which the legion of Maronite candidates could fight more easily. He sighed. The reader will appreciate in the enclosed interview the sophisticated and principled approach.

Sometimes I wonder how many lives would have been spared had Daher become president. Instead, the country entered the chaos predicted, at the time fanned by the rivalry of Maronite Lebanese Forces leader Samir Geagea and Free Patriotic Movement's Michel Aoun. Twenty years later, I had my own taste of Maronite obduracy, with Aoun and other contenders preferring to leave Lahoud in place rather than risk seeing a competitor get the position.

Murphy never tired from exploring possibilities. In 1988, he was ready to listen and order action on a given course. Before the Taif Accord took place, with the full-blown war between Aoun and Geagea raging in Beirut, we thought of a conference on Lebanon to be presided by President Carter.

It did take place eventually in November 1990, and one of the ideas we shared then was Carter's monitoring of the next parliamentary elections, due in 1992. Instead, the elections sealed Syria's ill-conceived hold on Lebanon, but the Carter Center was at the forefront of Lebanese election monitoring in 2009.

The evening of August 2, 1990, I called Richard Murphy

to ask him about what he thought should be done about Saddam Hussein's recently-announced invasion of Kuwait. He knew my friendship with some of the leading Shiite members of the Iraqi opposition, and confirmed that it would be a good thing if the opposition came together.

"They must do it themselves," he said, "we [the US] cannot do it for them." My next call was to Sayyed Mohammad Bahr al-Ulum, who had delivered on an earlier suggestion that year by bringing together, for the first time in history, an oppositional front that would eventually include the full gamut of Iraqi leaders.

This developed, again with the help of Murphy, into the International Committee for a Free Iraq which led its Iraqi members to the highest decision-making in the US and the UK, and eventually to power. The best known founding member of the group was Jalal Talibani, Iraq's current president.

But this took time, and Murphy, also a member of the ICFI, was always prepared to help. In 1996, he presided over the first meaningful meeting of the warring Iraqi Kurds: Barham Salih, now Prime Minister of Kurdistan, and Hoshiyar Zebari, the foreign affairs, joined Ahmad Chalabi in a meeting in New York hosted by Murphy at the Council on Foreign Relations.

I learned quite a lot from Murphy over the past few decades: how difficult it is for a person to get an idea through, however "good." More importantly, how to pursue an idea that comforts the rule of law in the Middle East against significant odds, for it sometimes blooms many years later. This is part of rare statesmanship.

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INTERVIEW

Ambassador Richard Murphy talks about Lebanon, Mideast

[Editor's note: Chibli Mallat conducted this interview by email with Richard Murphy on October 25-26. The questions are replaced by paragraph headings.]

My interest in the Middle East

When I joined the Foreign Service of the American State Department in 1955 I had just completed my military obligation of two years service in the US Army. I had little idea of what opportunities a career in diplomacy might offer when I started my first assignment as vice consul at the American Consulate General in Southern Rhodesia, now Zimbabwe. The following year in 1956 brought the Suez crisis and President Eisenhower's dramatic intervention with the British, French and Israeli governments. That coincided with the Department's appeal to junior diplomats to volunteer for training in one of the so-called "hard languages." This was belated recognition that American colleges were failing to graduate students with any facility in such languages as Arabic, Chinese and Japanese. I chose training in Arabic based in part on my sense that American interests in the region would likely continue to be important and in part because of the variety of possible assignments in the Arab world. After language training at the school which was then located in our Beirut Embassy, I went on to six tours of duty in the region and two in Washington culminating in my final assignment as Assistant Secretary for Near Eastern and South Asian Affairs in the Reagan Administration.

The high moments of my diplomatic career

It's rare when working in a large government bureaucracy to have the right to claim a personal sense of accomplishment. In my assignment as ambassador to the Philippines one such moment came when I was able to persuade President and Mrs. Marcos to create a training center for the "Boat People," those Vietnamese refugees who in 1978 were facing closed doors world wide. When the president agreed to offer them a temporary refuge in the Philippines, this broke a log jam at the international conference on the Boat People under way in Geneva and led many nations to pledge to accept the refugees on a permanent basis once they had acquired certain skills at the Philippine Center.

A quiet sense of satisfaction came in chairing the final meetings between Egyptian and Israeli negotiators about Taba, that square kilometer of the Sinai Peninsula opposite Eilat, when Israel agreed to return it to Egyptian sovereignty having refused to do so after signing their peace treaty in 1979.

A special moment was when, after a number of trans-Atlantic phone calls with PLO chairman Yasser Arafat's Palestinian advisers, I was able to report to Secretary of State George Shultz in December 1988 that the chairman would meet American conditions to open a dialogue with Washington and had just done so in his speech to the emergency session of the UN General Assembly in Geneva. The secretary immediately spoke with President Ronald Reagan who authorized US-PLO talks in Tunis which began two days later. This ended a 13-year long standoff.

Anything I would have done differently?

The easy answer would be to say that my ability to do much differently than I did as assistant secretary was hampered by the unwillingness of the parties to the peace process in the 1980s to make substantial concessions such as Israelis and Egyptians had made to reach their 1979 treaty. Nonetheless, in hindsight I wish that my government had found its way far earlier than it did to deal directly with the PLO. The Ford administration pledged to Israel in 1975 that the United States would not deal with the PLO until it had accepted UN Security Council Resolutions 242 and 338, renounced violence and recognized Israel's right to exist. These preconditions proved to be so demanding that they severely restricted America's subsequent peace process diplomacy.

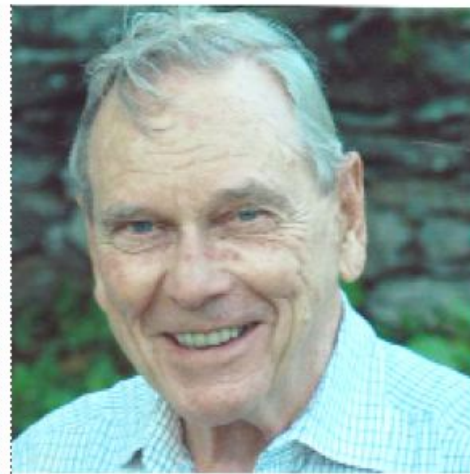
In the mid-1970s it was plausible for Washington to assume that King Hussein would be able to negotiate the return of the occupied West Bank, including East Jerusalem, to Hashemite sovereignty. Washington wanted to help that to happen. As years passed the return of the West Bank to Jordanian control appealed increasingly to Israelis as they contemplated the alternative of an independent Palestinian state on the West Bank. The Jordanian leadership, however, gradually became disillusioned with the prospects of regaining the West Bank on acceptable terms and King Hussein dramatically announced the cut off of all administrative and legal ties with the occupied territory in the summer of 1988.

By keeping our pledge not to deal with the PLO until it had met the three preconditions, I now believe that Washington overemphasized the utility of that particular formula. Although Arafat formally met those conditions in December 1988, the Israelis never came to trust him, nor he them. Palestinian politics fragmented, expanding the opportunities for more radical voices such as Hamas and Israeli leaders did not block the settler movement which created ever larger facts on the ground in the West Bank.

Lebanon - 1988

Why did Washington get so involved in the run up to the 1988 presidential election? To start with, remember that we had a history of involvement at several critical points in Lebanon's modern history. Eisenhower sent in the Marines in 1958 in a successful effort to stabilize the country. At Lebanon's urgent request Reagan did the same in 1982 in the wake of Sabra-Shatila. That commitment to help turned out tragically when we lost 241 Marines the following year when Islamic militants blew up their barracks. That happened the week I started my work as assistant secretary.

By 1988 we worried that the political situation in Lebanon was close to total paralysis. Warring communities were bent on destroying their adversaries, not in negotiating their differences. Parliamentary elections which the Constitution stipulated should take place every four years had not been held since 1972. The presidency survived but was under threat and we wanted to help Lebanon meet the election date called for in its Constitution.



Murphy: Obama and his representatives believe in patient diplomacy.

The Syrian military presence extended throughout Lebanon in 1988 and many Lebanese were convinced that Syrian support for the holding of a presidential election was a prerequisite. American officials, including the Secretary of State, had discussed this issue in Damascus early in 1988. Lebanese press commentaries in the summer of that year satirized the visits to Damascus of many leading Maronite politicians as a "beauty parade," competing to win Syrian support for their candidacy. But as the election date approached there was no sign that Syria would offer its support to an election.

During my own meetings in Damascus that summer I was asked repeatedly to name the "American candidate." My answer was brief and unchanging: America had no candidate. I went down the list of the more than a dozen publicly identified candidates for the position but neither evaluated nor endorsed any one of them. We considered that the essential was to have a new President to fulfill the critical role of beginning to unite a country near to collapse. The choice between candidates was Lebanon's. I emphasized that Lebanon's political breakdown would be in no one's interest including that of the United States. Until my final meeting that September, the Syrians professed indifference about the need for an election.

That final meeting brought a surprise and I traveled to Beirut with the message that Syria was not opposed to an election but on condition that there should only be one candidate. They had identified that candidate as Mikhail Daher. My message was quickly engraved in Lebanese political folklore as "Murphy tells Lebanon 'choose either Daher or chaos.'" I do not recall my precise words but that is a more colorful turn of phrase than I normally use. In any event, I never had the pleasure of meeting Mikhail Daher until five years later when I had retired from government service and was visiting Beirut as a private citizen.

Key Lebanese leaders reacted quickly that no election was preferable to their acceptance of the Syrian diktat of a single candidate. I returned to Washington and violence prevailed for a further two years.

My friendship with Rafik Hariri

I met the late prime minister during my tour as ambassador to Saudi Arabia in 1981-83, years before he entered Lebanese politics. He was already an extraordinarily successful businessman in Riyadh with commercial activities throughout the Middle East and beyond but was restlessly searching for ways he could contribute to ending Lebanon's Civil War. He was close to King Fahd who encouraged his efforts and was himself preoccupied with the same goal, urging the United States to make greater efforts in his meetings with President Reagan's special envoy Phillip Habib and myself.

I know that Rafik traveled frequently to Beirut and Damascus during that time although, at least as far as I was concerned, he kept his own counsel and was discreet about his contacts. What most impressed me was that during the darkest days of the Civil War he remained convinced that a path to peace could be found in the complex maze of Lebanese and Arab World politics.

He spoke enthusiastically about his company's hospital and school construction projects in the Sidon area built during the war which he hoped would help persuade his fellow Lebanese that broad development would be possible as soon as the Civil War ended. He was confident that Lebanon could regain its role as a significant player in the region. To "help save a generation" his foundation he established to date has funded 35,000 scholarships for Lebanese graduates from all communities.

Today I am pleased that the Special Tribunal pursues its careful effort to determine responsibility for his assassination, a deed which cost Lebanon a signal leader.

Post government

On retirement I moved to New York with my wife Anne to take up the position as the Hasib J. Sabbagh Senior Fellow for the Middle East at the Council on Foreign Relations. I retained that position for the next 15 years. It gave me the chance to continue contact with Middle Eastern issues and even with several of the leaders with whom I had dealt as an American official. For the past five years I have worked as an independent consultant still visiting the region and speaking and writing about its developments. I have served as a trustee of the American University of Beirut, as chairman of the Middle East Institute in Washington and of an American support group working to raise money for UNRWA in the private sector.

It is now 50 years since I first arrived in Beirut as a language student. My wife and I happily remain in contact with friends in many of the countries where we lived.

The passage of time has not made the major issues, in particular the Arab-Israeli confrontation, any easier to solve. I was impressed by the clear determination of the Obama administration to begin its work on those issues immediately on taking office. The resistance it has encountered to its approach is not surprising but by all accounts the president and his representatives believe in patient diplomacy and are not about to give up on what they see as the essential American role in helping to stabilize the region.

Judicial power: noted court decisions in the Middle East this week

Law Editor's note: The Pittsburgh University-based Jurist (jurist.law.pitt.edu) provides an excellent daily summary of major decisions across the world. The Daily Star has selected the following two Mideastern cases this past week.

Israel high court rules against segregation of West Bank road

Sarah Miley
October 23, 2009

The Supreme Court of Israel on Thursday ruled against a military order prohibiting Palestinians from traveling on a central West Bank road. Finding in favor of a petition submitted by the Association for Civil Rights in Israel (ACRI), the court held that impeding the rights of several thousand Palestinians barred from the road was not justified by the benefits it gave to less than 200 Israelis who live near the road. Despite the ruling, ACRI lawyer Limor Yehuda said the group was still concerned over other travel limitations on West Bank Palestinians.

It's important to analyze this ruling in its broader context, namely the institutionalization of segregation between Israelis and Palestinians in occupied territory. Israel has prohibited Palestinians from traveling on other West Bank roads and employs segregation there in other domains like the justice system. As such, it is alarming that Supreme Court head Dorit Beinisch refers to the notion of proportionality in the present ruling and avoids confronting the principle at stake: the legality of Israel's policy of segregation and discrimination in the West Bank.

The road at issue is one of several disputed roads that run between Israel and the West Bank. ACRI's 2007 petition for the desegregation of another such road, Route 443, led to an interim decision allowing segregation until May 2010.

Kuwait constitutional court rules women do not need permission to get passport

Ximena Marinero
October 22, 2009

The Kuwaiti Constitutional Court ruled Tuesday that a 1962 law requiring a woman's male guardian to grant her permission



Kuwait's highest court ruled Wednesday that women MPs are not obliged by law to wear the hijab.

to obtain a passport is unconstitutional. The court found that the article in the Personal Status Law requiring a woman to obtain the approval of her husband, her parents or her guardian before she could obtain a passport violated guarantees of personal freedom and gender equality in the Kuwaiti Constitution. Women and activists are currently working on equal access to government housing and the right of a mother to pass citizenship onto her children,

while the conservative sector continues to advocate restricting women's rights and visibility in society. This month, legislator Mohammad al-Hayef petitioned the Islamic Affairs Ministry to determine whether Sharia law requires women to wear the hijab as a result of ongoing controversy over recently elected female MPs who do not wear the hijab in the National Assembly.

Earlier this year, four women out of 16 candidates who ran were elected as the first female

members of the Kuwait National Assembly. One of them served previously as the first appointed female member of Cabinet in 2005. The US State Department 2008 Country Reports on Human Rights Practices praised Kuwait for increased female participation in government. Women voted for the first time in parliamentary elections in June 2006, and the National Assembly granted women the right to vote and run in parliamentary elections in May 2005.