

## Comment on Munther J. Haddadin's *Diplomacy on the Jordan: International Conflict and Negotiated Resolution*<sup>1</sup>

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A fascinating book, no doubt! Dr Haddadin recounts the history of ideas and plans for allocating the waters of the region to the various riparians, and of the conflicts, negotiations and agreements on the Jordan River, one of the world's most famous international rivers. The story is told from the author's personal perspective. Dr Haddadin became involved with the Jordan and its management in 1973, when he was made "second in command" of a government agency responsible for development of the Jordan Valley. He was Vice President of the Jordan Valley Authority (JVA) (1973–1982) and then its President (1982–1987), over a period of 14 years. Dr Haddadin participated from 1991 as a senior member of the Jordanian delegation to the Middle East peace negotiations, leading up to the Jordan-Israel Peace Treaty in October 1995. In 1997 he was appointed Minister of Water and Irrigation, and served until August 1998. During those years he participated in many bilateral and multilateral discussions on water and other matters, between Jordan and Syria, Israel and the Palestinian Authority. It is thus from a position of intimate familiarity with the events of some 25 years that he tells about "Diplomacy on the Jordan".

It remains to be seen whether other parties to the talks will agree with the details of his account, since some of it is quite definitely a personal interpretation of the events and what was behind them. Those facts that are included in the book may be accurate, but the story as a whole is quite certainly open to scrutiny by others.

And from my perspective, as member of the Israeli water team during part of the period of negotiations, I find that my recollections, aided by my own notes, differ in some respects from those in the book. Further down I will return to this point, but first let me tell about the book itself.

The book opens with a chapter on the history of plans for the Jordan River (some interesting details are relegated to Appendix 1). The geography and hydrology of the river could have been presented with some more detail, since

they appear many times throughout the book. The map of the basin (Figure I.1) does not even show its boundaries, and tributaries on the west of the Jordan are largely missing. This comment relates to most of the maps in the book. In fact, while some are replicas of historical maps (for example Bourcart's maps in Figures I.4 and I.5) these should not be expected to be proper geographical maps. However, other maps should have been improved, if they are to serve as a source of information. See, for example, Figure I.7 where it looks as if the border between Israel and Egypt in the Sinai is part of the Jordanian border, or Figure II.2, where the Arab Plan of 1954 is depicted, but cannot be read nor understood. The other sections of Chapter I cover the early plans for utilization of the Jordan and other rivers in the region (e.g., the Litany), put forth by a number of people. The chapter continues to the creation of Israel in 1948 and implementation of some of the plans.

Chapter II is devoted to diplomatic efforts, starting with the first mission of Eric Johnston in 1953, through the Chas T Main/TVA Plan, the Arab Plan in 1954, and the Cotton plan proposed by Israel (1954). Figures II.1 and II.2 are hardly legible and not very useful. The total annual water allocations according to the three plans are summarized in Table 2.2. The figures should be viewed with caution, since the total amount allocated is not the same in the three proposals, as they consider different water sources.

Johnston's second round of shuttle diplomacy began in June 1954. From this point on, the account begins to draw on records and notes made by the participants. Sixty pages are devoted to a detailed account of the various meetings, including some direct quotations from the participants, drawn from minutes and memoranda. This is an interesting record of the meetings that can be verified by access to the original documents. There are some interesting points regarding the principles for allocation of international waters which were relevant at the time: for example, the position taken by Israel on "absolute sovereignty" (the Harmon Doctrine), on the one hand, and the Jordanian position on "absolute integrity" of the river basin, which were brought by Johnston to a compromise containing elements of both positions: water should be allocated according to the irrigation needs of the arable land in the basin that belong to each riparian (page 86). The allocations proposed by

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Johnston (there were different figures proposed to the parties, which he did not manage to reconcile by the time his missions ended) were supposed for many years to be the basis for future negotiations over allocations among the riparians. The Memorandum of Understanding (MOU) between Johnston and Israel (5 July 1955) appears in Appendix 2, and the revised Johnston Plan (30 September 1955) in Appendix 3. The progression of (decreasing) allocations to Jordan according to the various versions of the Johnston proposals, from October 1953 to September 1955 appear in Appendix 4, and are compared to the “minimum Arab position” of September 1955. The main change is a reduction in the allocation to Jordan from the Jordan River (called by the author “Tiberias Water”).

Chapter IV is titled “Preventive Diplomacy”, and covers the period from December 1955 through the early 1960s. During this period, Israel planned and later constructed its National Water Carrier that conveys water from Lake Kinneret (Sea of Galilee) to the center and south of the country, to which the Arab countries objected as a unilateral project. During the same period, Jordan completed its diversion of Yarmouk water into the East Ghor canal. The positions of the two sides with respect to the other’s plans and projects, as well as the position taken by the United States in this regard, are followed in considerable detail.

The next chapter follows the events leading up to the 1967 Six Day war. The author discusses the relations between Arab countries during this period, noting the differences among them. He then gets to the Six-Day war itself, and notes “Was it a Water War? It is clear from the above that the deterioration of conditions that led to the explosion in the morning of June 5, 1967 were not directly related to water or the diversion projects on either side of the Jordan.” (page 201 et seq.) He continues later to say: “The claim that the June war of 1967 was a ‘water war’ is not substantiated. One observes that water was never brought up in any of the resolutions that came out of the UN Security Council as a result of that war”. There is further elaboration of the objectives of all parties in the region at that time, as analyzed by the CIA, none of which relate to water. The author also states that none of the projects on either side were affected by the Six Day War, except suspension of work on the Mukheiba dam, across the Yarmouk River, at a point which Israel controlled as a result of the war (p. 208).

Water supply to Jordan from the Yarmouk, and developments of water from side wadis in the Jordan Valley are described in the next chapter. Dr Haddadin enters the scene in 1973, and henceforth is personally involved in the Jordanian water sector and all dealings with its neighbours. The construction of the dam on the Yarmouk at Mukheiba was not possible, and an alternative (further east) at Maqarin was considered, beyond the section of the Yarmouk that Israel controlled. The site was studied, and financing was sought. A diversion weir at Adasiya would direct the flow

into the tunnel leading to the East Ghor canal (later called the King Abdallah Canal, KAC). Israel objected to construction of the Maqarin dam, stating that its allocation from the Yarmouk would not be guaranteed, and the project could therefore not proceed. The economics of the Maqarin dam and the Adasiya diversion are sensitive to Syrian diversions and storage in the upper Yarmouk. Its relations with Syria did not allow Jordan to plan with adequate certainty its projects on the Yarmouk. The shuttle diplomacy of Philip Habib, envoy of the US State Department, between 1977 and 1981, was aimed at achieving an understanding between Jordan and Israel over the Yarmouk. As relations between Jordan and Syria were strained, the Maqarin dam could not be constructed, and this required modification of the water supply plans to north Jordan.

Irrigation in the Jordan Valley depends on the flow through the King Abdallah Canal of Yarmouk water and additional water collected in dams on side wadis. After 1967, Israel controlled the point on the Yarmouk, close to Adasiya, where the water is diverted into the canal. The diversion is controlled by the geometry and topography of the cross section of the Yarmouk in the neighborhood of the diversion point. Chapter VII, titled “The Sand Bar”, contains the story of the modifications made in this cross section, by Jordan and Israel. Growth of plants and shifting sand reduced the quantities flowing into the canal. A drought in Jordan and increased diversions from the upper Yarmouk by Syria, plus the reduction of the Yarmouk diversion due to the sand bar precipitated a critical condition in Jordan, and it wished to clear the sand bar so that more Yarmouk water would flow into the canal. The map in Figure VII.1 provides a simple explanation of the situation at the diversion (The map in Figure VII.2 is again of poor quality; it is quite difficult to distinguish the different natural features and borders). Philip Habib was still attempting to mediate between Jordan and Israel. Syria did not assist Jordan in addressing the issue of upstream diversions on the Yarmouk.

Dr Haddadin was Acting President of the Jordan Valley Authority (JVA) until June 1982, and after that President and Chairman of the Board, and directed the discussions with Israel and the work on the sand bar. He took some unilateral actions in the field at the Yarmouk diversion, to restore, as he states, Jordan’s rightful share of its waters. This is the time when the famous “picnic table” meetings took place, with Jordanians and Israelis meeting near the diversion point to discuss how much would be diverted into the canal through the tunnel. Lacking an agreed sharing formula (page 243), Dr Haddadin resorted to various “tricks” (the bulldozer operator who ignored instructions, page 244, and the clandestine hand-digging of a channel through the sand bar, pages 259–263). The author describes his own daring in carrying out these actions, as well as his standing up to his seniors on various occasions. For example, he mentions “The issue of the sand bar and the frequent presentations to visiting United States officials turned

the relations sour between the President of the JVA and his boss, the Prime Minister” (page 270).

From this chapter on, the writing becomes very personal, describing the author’s involvement in the various events and meetings in minute detail. Direct quotations are used, implying verbatim reproduction of conversations, including exclamations and expletives. One wonders whether the author actually recorded the conversations while they were happening, or managed to write a diary with such precise detail.

The following four chapters (VIII to XI, a total of 126 pages) trace the peace process and within it the negotiations between Jordan and Israel on water. The bilateral water negotiations take the major part, with the meetings of the multilateral water forum and some other meetings on broader issues interspersed along the time line. For example, the multilateral meeting in Vienna, 12 May 1992, is described in considerable detail. The discussions are traced in minute detail, with most participants’ words presented as quotations, i.e. as verbatim records. The perspective is clearly Jordanian, as might be expected. The actions of some Jordanian colleagues in the negotiations and of others are sometimes presented with open or implied criticism. For example, the un-named people who brought about his dismissal from the negotiation team (pages 327 and 331), the rebuke he receives (page 345) for “rough going”, or the colleague on the team whom he admonishes for not knowing how to deal with the Israeli counterparts (pages 340–341).

The interested reader will have to go through these chapters, keeping an eye on the larger picture, while wading through the forest of detail, some of it quite excessive. The participants in the meetings will also have to determine whether they agree with the facts presented, both in their anecdotal detail as well as in the intent, as ascribed by the author. As participant in some of the meetings, from February 1993 through the signing of the Jordan-Israel Peace Treaty on 26 October 1994, and a member of the Joint Water Committee (JWC) for a period thereafter, I have a different recollection of some events, supported by the detailed notes I was taking throughout. Others may also disagree with Dr Haddadin. It will be particularly interesting to see whether some of his Jordanian colleagues have differing views.

The water section of the Peace Treaty, and last steps in reaching it, are described in Chapter XI. There are some inaccurate references to specific items in the agreement (Annex II of the Treaty, which is reproduced in Appendix 17 of the book, pages 516–521). For example, there is a statement that Israel is entitled to develop 10 mcm/year from groundwater “in Wadi Araba” (page 395), while the Treaty states “. . . from wells and systems in Jordan”. A small difference, but the restriction to “Wadi Araba” is apparently more convenient for the author. Another notable deviation is the repeated mention of water for Jordan “from

Tiberias” (meaning Lake Tiberias, for example on page 400), while the Treaty does not contain the term “Tiberias” (or “Lake Tiberias” or “Lake Kinneret” or “Sea of Galilee”), and carefully pinpoints the point from which water is delivered from Israel to Jordan as “the Jordan River directly upstream from Deganya gates on the river” (Article I, 2(a), page 517). This difference is not merely a different geographical designation; the wording of the Treaty reflects Israel’s position that Jordan has no claim or access to the lake itself, a position that ended up affecting the precise wording. (The accurate language of the Treaty in this matter is quoted only later, on page 413, in connection with the construction of the pipeline that conveys water from Israel to the KAC.)

Chapter XII deals with the first period of implementation, after the Treaty was signed. The JWC met for the first time in December 1994, and began to deal with the various items of the agreement. The Israeli side is accused of “dragging their feet”, while impediments to progress posed by Jordan (in developing groundwater in the Arava) are defended as being reasonable (page 414, also point d on page 419).

Dr Haddadin was appointed Minister of Water and Irrigation in Dr Majali’s government, on 19 March 1997, and member of the Jordanian peace team. He then began dealing with the Israeli Minister of Infrastructure in Prime Minister Netanyahu’s government, Ariel Sharon, and the Water Commissioner, Meir Ben-Meir, and succeeded in getting additional water concessions from them, beyond what is in the Treaty (pages 423–426; it would have been worth while if the author appended Sharon’s letter of 20 May 1997). Planning, location and sizing of the diversion weir on the Yarmouk and its connection to other projects (upstream dam on the Yarmouk, storage for Jordan in Lake Kinneret) are described in considerable detail, leading to the agreement on 10 May 1998 between Sharon, Ben-Meir and Haddadin (page 438).

Dr Majali’s government fell in November 1998. The events that precipitated it are presented from the author’s point of view in section 6 of this chapter (pages 439–443). The water delivered to Amman was contaminated, and the Minister (Dr Haddadin) dealt with it as he saw fit. He accuses others (the Minister of Health) of causing unnecessary panic, and the enemies of peace in Jordan of using this opportunity to topple Majali’s (peace) government (title of section 6, page 439).

He ends the book with statements that, while the cooperation between Jordan and Israel was going downhill (page 442), “Israel honored most of her commitments to Jordan, at a time when she badly needed the water herself” and “The water that the Treaty brought saved Jordan from devastating effects of drought that lasted from March 1998 to January 2000”. The final sentence is a quotation from a saying that Dr Haddadin coined, namely “Water, by its virtue, is used to extinguish fires, not to ignite them”.

In summary, again: a fascinating book, recommended reading for anyone interested in the water issues and negotiations between Jordan and Israel, with coverage also of the water issues between Jordan and Syria, and the position Jordan took during the negotiations with respect to the Palestinian interests. It is also recommended to anyone interested in water negotiations in general. The

knowledgeable reader will have to evaluate the degree of credibility he wishes to assign to some specifics. It would be valuable if other participants in the events and processes, on the Jordanian and Israeli sides, would pick up specific issues they consider to be central to the events presented by Dr Haddadin, and gave their own perspective and interpretation.