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The Failure of the Israeli–Palestinian Peace Process, 1993–2000*

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The article presents a critique of the Israeli–Palestinian peace process of 1993–2000 (the Oslo Process) by placing it in historical and theoretical perspective. It begins by showing how the Oslo Process was inspired by the legacy of peacemaking in the Arab–Israeli conflict, which stipulated peacemaking between states, and contends that this factor had far-reaching implications for the way the Israeli–Palestinian conflict was analyzed and treated. It then employs insights from the expanding literature on conflict and peace between groups, and especially from three major theoretical approaches that are referred to here as *conflict management*, *conflict resolution*, and *conflict regulation*, to assess the Oslo Process and explain its failure. This is done by examining (1) the causes and nature of the Israeli–Palestinian conflict; (2) the methods used to establish peace; (3) the impact of peacemaking efforts on the conflict; and (4) the role of outside players. The article contends that the peacemaking strategy adopted in this period was not informed by the vast literature on intergroup conflicts or by the experience of other, similar cases. It concludes by arguing that reconsidering conventional modes of peacemaking and learning from the experience of others are the most promising paths to peace between Israelis and Palestinians.

Introduction

In mid-2003, in the wake of several failed attempts to end the renewed cycle of violence between Israelis and Palestinians, which had claimed about 3,000 lives since September 2000, a US-sponsored ‘Roadmap’ for a peaceful solution to the Israeli–Palestinian conflict was announced. Yet, despite its initiators’ efforts to distance themselves from the peace process that had been launched on 13 September 1993, this initiative was, in

effect, a continuation of that process: defined as ‘performance-based’, it stipulated a *gradual* peace process whereby the implementation of each step would be a condition for launching the next; being ‘goal-driven’, it prescribed a *two-state solution* to the conflict (US Department of State, 2003).

Like previous attempts to resuscitate the peace process, however, the Roadmap proved extremely difficult to implement. Still, the historical continuity manifested by it is significant, and one could argue that so long as the parties and interested outsiders do not change their attitude towards peacemaking in this conflict, future initiatives are likely to be based on similar premises.

This marked continuity requires a reconsideration of not only the peace process that took place in the period 1993–2000 (the

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Oslo Process), but also the legacy of peacemaking in the Arab–Israeli conflict, which shaped that process and subsequent initiatives by creating expectations regarding the nature of the Israeli–Palestinian conflict, peacemaking and its impact, and the role of outsiders.

But there are other reasons why a re-examination of the Oslo Process is warranted. Recent contributions to the study of conflict and peace between groups place us in a better position to understand the Israeli–Palestinian conflict and its dynamics and assess the ways it has been construed and handled. Unlike conflicts between states, intergroup conflicts involve non-uniform actors that are neither sovereign nor territorially defined (Brubaker & Laitin, 1998). This has two major implications: first, group leaders have neither a monopoly over the use of force nor sufficient guarantees that their constituencies would go along; second, unlike states, which are protected by the international norm that forbids their demise, groups face the threat of ‘ethnic cleansing’ and, in extreme cases, genocide. Intergroup conflicts are, hence, highly antagonistic, indiscriminate, and prone to anarchy: they evoke maximalist notions of their participants’ security and identity; the difference between combatants and civilians is constantly, and often deliberately, blurred; and they offer ample room for negative outbidding by intragroup entrepreneurs.

Given their number and perilous consequences, intergroup conflicts have elicited growing concern. Since the early 1970s, social scientists have criticized ‘nation-building’ projects in the Third World, which often induced intergroup violence (Connor, 1994; Lijphart, 1977). Social psychologists, for their part, explored the causes of intergroup conflicts and developed tools for treating them (Burton, 1987; Kelman, 1991; Lederach, 1997). From the early 1990s, students of International Relations (IR) have

also become attuned to these conflicts and their dynamics (Posen, 1993; Kaufmann, 1998; Fearon & Laitin, 2003).

But the rapid expansion of the field of conflict and peace studies raises new problems. First, the terms ‘conflict’ and ‘peace’ have become blurred, hence the pitfall of ambiguity (Burton & Dukes, 1990). Second, the study of these phenomena is considerably diverse. Some have misgivings about this pluralism (Rouhana, 1995; Kriesberg, 1996) while others praise it (Touval, 1992, 1995). A third problem, which is discussed below, occurs when concepts and tools used to address interstate conflicts are employed in the realm of intergroup conflicts, creating a certain bias that impinges on the way these conflicts are understood and treated.

This article presents a critique of the Oslo Process by examining its theoretical underpinnings. I argue that the tools applied to the Israeli–Palestinian conflict have drawn on the legacy of peacemaking in the Arab–Israeli conflict, which was one of peacemaking between states, despite the fact that the Israeli–Palestinian conflict is, essentially, an intergroup conflict. This bias, exhibited by the parties themselves and by interested outsiders, chiefly the USA, was anchored in hegemonic notions of conflict and peace that stipulated that both were the prerogative of sovereign states. It was also advantageous to the parties’ leaders, regardless of whether they already possessed a state or were in pursuit of one.

The applicability of interstate theories of peacemaking to the realm of intergroup conflicts, which raised doubts during the Cold War, has been openly challenged in its aftermath, especially as peaceful settlements were reached between contending groups in South Africa, Lebanon, and Northern Ireland.¹ Yet, as far as the Israeli–Palestinian conflict is

¹ For a discussion of the Lebanese case, see Barak (2003).

concerned, theories of interstate peace remain hegemonic.

In the article, I employ relevant insights from the vast literature on conflict and peace to analyze the Oslo Process. More specifically, I look into the causes and nature of the Israeli–Palestinian conflict; the methods used for attaining peace; the impact of peacemaking efforts on the conflict; and the role of outsiders.

There are two caveats that should be stated before proceeding further. First, my aim is not to provide a comprehensive account of the Israeli–Palestinian conflict, but to ask how it was analyzed and treated. This allows for a broad view of the Oslo Process, particularly when an exhaustive account of it is beyond our reach. Second, I do not refer to all approaches to conflict and peace (for a useful typology, see Ross, 2000), but focus on those that address political aspects.

The Legacy of Arab–Israeli Peacemaking

Any attempt to explain the failure of the Oslo Process must consider the legacy of Arab–Israeli peacemaking. This is because the Israeli–Palestinian conflict has generally been construed as one facet of the ‘overall’ conflict, and this helped shape expectations regarding the Oslo Process and subsequent initiatives.

In November 1947, the UN decided to divide Palestine into its two contending communities – the Jews and the Palestinian Arabs. The former were mostly immigrants who had fled persecution and settled in what they regarded as their historical homeland; the latter were the country’s indigenous residents. But the result was the escalation of conflict between the two groups, which had been simmering since Jewish immigrants first arrived in Palestine in the late 19th century. In May 1948, after the State of Israel

was proclaimed, the neighboring Arab states intervened, and the intergroup conflict became an interstate war. This war ended in 1949 with the signing of Armistice Agreements between Israel and Egypt, Lebanon, Jordan, and Syria after UN-mediated negotiations. The Palestinians, the majority of whom were expelled from, or fled, the country, were not party to these accords. Thus, a precedent was set according to which contended issues between Arabs and Israelis are settled on a state-to-state basis. But the accords did not lead to peace treaties, which would be attained, at least in part, only after three additional rounds of violence.

In 1979, a first peace treaty was signed between Israel and Egypt under the auspices of the USA, which endorsed the interstate perception of the Arab–Israeli conflict and its facets (Quandt, 1977). This event was an important milestone in the overall conflict, and its impact on subsequent peacemaking efforts cannot be overstated (Hirschfeld, 2000: 45). About a year and a half earlier, Egyptian President Anwar Sadat traveled to Jerusalem, doing ‘the daring, the imaginative, the dramatic, the unprecedented, and indeed, the inspired’ (Stein, 1982: 538–539). This move, which complemented Egypt’s surprise attack on the Israeli army in the Sinai Desert in 1973, sought to shatter the ‘psychological barrier’ to peacemaking between the two states. Yet, by traveling to Israel and ultimately regaining every inch of Egypt’s soil, Sadat not only reinforced the interstate perception of the Arab–Israel conflict, but also created expectations regarding future peacemaking efforts: while Arab leaders would have to accept Israel, the latter would have to return all the territories it occupied in 1967 (Stein, 1999). Yet, there was a notable exception to this rule: Israel only agreed to autonomy for the Palestinians in the West Bank and the Gaza Strip.

A second theme that has influenced Arab–Israeli relations is the Algerian ‘model’.

After failing to quash the Algerian revolt, President Charles de Gaulle dramatically reversed France's policy toward its defiant colony, culminating in total French withdrawal and Algerian independence. For young Palestinian activists, the Algerian struggle for independence was a model to be emulated. At the same time, the belief that only a retired army officer could overcome the internal divisions in Israel and make peace with the Arabs became entrenched.

Israeli-Arab peacemaking since 1979 can, thus, be analyzed according to two general themes: while many Israelis have been yearning for an Arab leader – a 'Sadat' – who would bring down the wall of enmity surrounding them, many Arabs (and some Israelis) have waited for an Israeli leader, preferably with a significant military background – a 'de Gaulle' – who would withdraw from all the Territories. In the late 1980s and early 1990s, the Israeli-Palestinian track seemed to live up to these expectations: after the outbreak of the first intifada and Jordan's disengagement from the West Bank, the Palestine Liberation Organization (PLO) proclaimed the establishment of an independent Palestinian state and its representatives attended the Madrid Conference as part of a joint Jordanian-Palestinian delegation. In 1992, after the efforts to subdue the Territories came to naught, a retired Israeli general, Yitzhak Rabin, became prime minister. In the Oslo Accord of 1993, in which Israel and the PLO formally recognized one another, the two themes, or models, converged: while Israel expected Arafat and his men to quell the Territories and normalize relations with it, PLO leaders called upon Rabin to abide by the peace of the brave and its stipulations. At the same time, the historic breakthrough gave both the PLO and Israel's Labor Party an edge over their intragroup rivals.

Students of conflict and peace have long appreciated Sadat's and de Gaulle's ability to

transform a protracted conflict and allow for its successful termination (Kelman, 1985; Kellerman & Rubin, 1988; Lustick, 1993). Nevertheless, a closer examination suggests that the Egyptian-Israeli peace process and Algeria's struggle for independence afford only limited insights into the Israeli-Palestinian case. The conflict between Egypt and Israel was, from the outset, an *interstate* conflict. This fact was blurred because of President Nasser's quest for regional hegemony in the 1950s and 1960s, which prompted him to speak in the name of pan-Arabism, and Israel's tendency to accept his rhetoric at face value. But the Arab defeat in 1967 returned the conflict to its original mode, with help from the USA, which, too, viewed the Arab-Israeli conflict through a statist prism.² Turning to the French experience in Algeria, one could argue that although French ties to Algeria had been very firm, this conflict was part of the process of decolonization in the Third World. In that period, France already had robust institutions and a celebrated political tradition. Like other states that waged post-colonial wars, it witnessed periods of instability. But its leaders could draw on traditions and norms to legitimize their policy (Schmitt, 2004: 68–71).

Unlike the Israeli-Egyptian conflict, the conflict between Israelis and Palestinians has never been an interstate conflict; unlike the French-Algerian struggle, it has not only revolved around the fate of a disputed territory, but also evokes issues linked to the identity, security, and economy of both groups. What makes the Israeli-Palestinian conflict an intergroup conflict? As argued earlier, this conflict can be traced to the arrival of Zionist Jews in Palestine and their deteriorating relations with its people. In 1948, a Jewish state was established in part of the land and its borders began to stabilize.

² Kissinger's peacemaking strategy in the 1970s is a case in point. See Stein (1985).

But Israel's occupation of the West Bank and the Gaza Strip in 1967, and the various steps taken by its successive governments, caused the boundaries between Israelis and Palestinians to become increasingly blurred. In time, Jewish radicals managed to acquire veto power over the actions of the Israeli state vis-à-vis the Territories by appealing to a higher instance – the Jewish People – whose interests purportedly override *raison d'état*.³ The Palestinians, too, have been highly fragmented, and their leaders never enjoyed a monopoly over the use of legitimate force. As a result, the Israeli–Palestinian conflict has evoked maximalist notions of the two groups' security and identity; violence has never spared civilians; and dissenters in both groups have been particularly effective spoilers. As I show below, these basic features of the Israeli–Palestinian conflict have not changed significantly in the period 1993–2000. Nonetheless, the legacy of Arab–Israeli peacemaking, and the interstate bias that undergirds it, still shape the ways in which this conflict is addressed.

One place where the interstate bias towards the Israeli–Palestinian conflict is manifested is the expanding literature on the collapse of the Oslo Process (Pundak, 2001; Sayigh, 2001; Beilin, 2001; Malley & Agha, 2001; Slater, 2001; Pressman, 2003).⁴ Most analyses focus on the roles of the parties' leaders, as if they were heads of state and not leaders of groups. Pundak (2001: 73), an Israeli scholar who participated in the negotiations leading to the Oslo Accord, contends:

One could argue that peace between Israelis and Palestinians is simply impossible. Or one could conclude that peace is possible but the

two sides do not yet recognize it as the only viable option, and are therefore not ready to make the necessary painful concessions. But the evidence points to a third explanation. There was, in fact, an opportunity for peace, but it was squandered through miscalculations and mismanagement of the entire process.

He then recounts the failure of Israeli prime ministers Benjamin Netanyahu and Ehud Barak and their Palestinian counterparts to advance the peace process, culminating in the Camp David summit in 2000 and the outbreak of the second Palestinian intifada. While acknowledging that other factors – the two sides' 'insensitivity' to each other's suffering, the incitement and propaganda by the Palestinians, and their 'immature . . . political system' – also contribute to the violence, Pundak (2001: 45) emphasizes the failure of the parties' leaders to seize the opportunity for peace (see also Beilin, 2001: 20).

Sayigh, a Palestinian scholar who was involved in the peace process, presents a mirror image of Pundak's argument. According to Sayigh (2001: 47), it was Arafat who lacked a clear strategy and his 'political management has been marked by a high degree of improvisation and short-termism'. He asserts that 'whatever the material contribution of successive Israeli governments to the collapse of the Oslo framework', Arafat is 'guilty of historic misjudgement, with consequences for the Palestinians of potentially historic proportions' (2001: 48). Ben-Ami, an Israeli minister who attended the summit in 2000, concurs: 'Arafat is not a leader. He is a myth. A leader makes decisions, which sometimes devastate his constituency, and he sometimes must pay the price with his own career. De Gaulle was a leader. Arafat is not a leader who faces the waves, but rather he is riding them'.⁵

³ The following anecdote is illustrative. Daniella Weiss, a leader of the settlers in the West Bank, was asked if she approved of a referendum on the Territories. Weiss replied that it must include seventy generations of Jews. When told that this was technically impossible, she responded that a referendum was, hence, impossible.

⁴ Exceptions are Shikaki (2002) and Kriesberg (2002).

⁵ *Ma'ariv*, 6 April 2001, quoted in MEMRI, 'Special Dispatch 207', 20 April 2001 (<http://www.memri.org/sd/SP20701.html>). See also Stein (2003).

These and other views reflect the prevailing interstate bias toward the Israeli–Palestinian conflict. This is manifested in the use of concepts and criteria taken from the realm of interstate conflict to analyze it. Pundak and Sayigh underscore the failure of the leadership on both sides to effect a breakthrough. But they do not consider the constraints on these leaders, namely, the fragile consensus within their groups and their concomitantly limited room for maneuver (Shikaki, 2002). The missed opportunity paradigm is also misleading because it fails to acknowledge that peacemaking in intergroup conflicts is an ongoing enterprise (Saunders, 1995; Kriesberg, 2001). Malley & Agha (2001) suggest that the Camp David summit between Barak, Arafat, and Clinton in 2000 – a recreation of the 1978 summit between Sadat, Carter, and Begin – was untimely and poorly handled. But they never question the applicability of such a strategy to a conflict that is waged between groups.

Approaches to Conflict and Peace

This part presents the tools used to analyze the Oslo Process. In my discussion, I differentiate between three major approaches to conflict and peace – *conflict management*, *conflict resolution*, and *conflict regulation* – and refer to their adherents as Managers, Resolvers, and Regulators, respectively (for a summary of these approaches, see Table I).⁶ Although there are, occasionally, points of overlap between these schools (these are discussed below), each exhibits sufficient epistemological and practical coherence to merit a separate treatment.

Conflict Management

Proponents of this approach can be classified into two branches. One includes theorists and practitioners who specialize in settling private and public disputes; the other comprises IR students and diplomats. Yet, despite the differences between these two subgroups, which are elaborated below, most Managers share the following premises: first, conflicts occur because parties pursue incompatible goals; second, conflicts are terminable, provided that the parties' interests are fulfilled; finally, negotiations are the best means of terminating conflicts. The work of Managers from the first branch is rooted in US liberalism and is inspired by theories of rational choice (RC). Members of the second branch, for their part, are indebted to the realist tradition of IR, or *realpolitik*. RC-inspired Managers argue that the interests of all contending parties, whether individuals or groups, can be realized through 'principled negotiations', which culminate in an agreement that proves to be beneficial to all. Since humans are rational and conflicts are exhausting to all, there is an incentive for the parties to arrive at a mutually satisfying understanding that allows each of them to attain at least some of its goals. The fact that all parties have a stake in the agreement, which preferably rests on objective points of reference, ensures that it will be honored. Moreover, the ability of former belligerents to reach common ground helps build trust between them, thus improving their relations and allowing for more agreements to be attained. Conflict-ridden relations between the parties are thus transformed into a pattern of negotiated settlements, which culminate in peace that is mutually satisfying and, hence, enduring. The blueprint for what these Managers seek is a 'good negotiated settlement' characterized by 'fairness, efficiency, wisdom and stability' (Susskind & Cruikshank, 1987: 21; Fisher & Ury, 1991). IR-oriented Managers also view negotiations

⁶ Frensey (1998) differentiates between 'interest-based' and 'identity-based' approaches to conflict and peace but does not situate them in broader historical and philosophical perspective and leaves little room for 'entrepreneurs' who shape their group's perception of the conflict.

Table I. Approaches to Conflict and Peace

| | <i>Conflict management</i> | <i>Conflict resolution</i> | <i>Conflict regulation</i> |
|-----------------------------|---|---|---|
| Theoretical emphasis | Interests | Needs | Identities |
| Parties | Individuals, groups, states | Human groups | Communities |
| Causes of conflict | Opposing goals and interests | Incompatible goals or values, attempts for mutual control, antagonism | Deep and overlapping societal cleavages |
| Participants in peacemaking | Formal representatives | Influential individuals | Elites |
| Peacemaking method | Formal negotiations | Informal interactive workshops | Elite accommodation |
| Product | A good negotiated settlement | Reconciliation | Political settlement |
| Implementation | Persuasion and enforcement | Influence on policymakers | Vertical enforcement |
| Effect on conflict | Problem solved, process of learning and trust initiated | Final termination of conflict | Temporary |
| Role of outsiders | Helpful (active or passive) | Crucial | Helpful but not necessary |

as the best means to end conflicts, but emphasize the role of power and the way it helps sustain agreements. They are also interested in other policy-relevant aspects of peacemaking, including preventive diplomacy and 'mediation, peacekeeping, peacemaking, confidence- and trust-building measures ... [and] unofficial so-called "Track Two" diplomacy' (George, 2000: 15). But these are considered secondary to negotiated agreements between the parties (Zartman, 2000).

Conflict Resolution

Scholars and practitioners with a background in the behavioral sciences and retired diplomats share the second approach to conflict and peace. Its proponents regard it as an alternative – or a complementary path – to both RC and realpolitik. Drawing on the theory of human needs, Resolvers focus on sociopsychological aspects of relations between communities, which are at the core

of most intergroup conflicts. They maintain that groups have subjective collective needs, including 'identity, security, recognition, participation, dignity and justice' (Kelman, 1990: 284). Unfulfilled or clashing needs, material and psychological, thus constitute the underlying causes of intergroup conflicts, and these can be resolved only when these needs are acknowledged and addressed (Burton, 1987, 1990; Azar et al., 1990; Kelman, 1997a). Resolvers prescribe *informal* sessions between influential members of the groups, which take place in a neutral setting. In these sessions, the participants work together to formulate solutions to their conflicts. The sessions are characterized by 'a non-adversarial framework for conflict resolution, an analytic approach, a problem-solving orientation, direct participation by the parties in conflict in jointly shaping a solution, and facilitation by a third party trained in the process of conflict resolution' (Kelman, 1993: ix).

Through them, the participants learn that there is 'someone to talk to' on the other side and 'something to talk about'; become acquainted with the perspectives of the other side; and acknowledge that it has the capacity to change and that there are ways to promote such change (Kelman, 1991: 152). Resolvers contend that their methods provide 'durable, long-term and self-supporting solutions to disputes by removing the underlying causes and establishing new, and satisfactory, relationships between previously antagonistic parties' (Mitchell, 1990: 150–151). Theories of postwar reconciliation and peacebuilding also fall under this rubric (Minow, 1998; Hayner, 2001).

Conflict Regulation

Conflict regulation theories emerged following the disastrous consequences of several 'nation-building' projects in the Third World. The realization that forced assimilation may trigger intergroup conflict prompted some scholars to reconsider the 'one nation, one state' maxim, especially in deeply divided societies that are fragmented along often-overlapping national, ethnic, linguistic, and/or socio-economic cleavages. Whether adhering to primordialist or constructivist approaches to the formation and endurance of communities, Regulators view them as irreducible social categories that defy all efforts to assimilate them. The best way to ameliorate intergroup conflicts, while preserving stability and democracy, is to acknowledge the embedded pluralism of the state (hence theories of multiculturalism) and design mechanisms that ensure that all societal sectors participate in decisionmaking processes that affect their lives (hence theories of power-sharing). Regulators maintain that political systems in pluralist societies should not follow the majoritarian model of democracy, characterized by competition between a government and an opposition. Instead, they argue that politics must

institutionalize society's embedded pluralism. Some prescribe power-sharing, that is, political arrangements reached between the leaders of all sectors, which regulate conflicts while preserving the state's democratic character (Lijphart, 1977; Horowitz, 1985; Smooha & Hanf, 1992; McGarry & O'Leary, 1993). Examples of states governed by such formulas are Switzerland, Belgium, Canada, and Lebanon. The Good Friday Agreement of 1998 in Northern Ireland is also an example of a power-sharing settlement. Others contend, however, that relationships between the sectors of deeply divided societies are often characterized by 'control', namely, by 'the emergence and maintenance of a relationship in which the superior power of one segment is mobilized to enforce stability by constraining the political actions and opportunities of another segment or segments' (Lustick, 1979: 328). Other conflict regulation mechanisms include federations, confederations, autonomy, 'affirmative action', and a 'representative bureaucracy' (Esman, 1999).

Why Did the Oslo Process Collapse?

This section employs insights from the above approaches to analyze the Oslo Process. I discuss the causes and nature of the conflict; the methods used for establishing peace; the impact of peacemaking; and the role of outsiders.

The Conflict and Its Causes

Managers argue that conflicts occur when parties try to achieve contradictory goals. Resolvers explain that human groups have basic needs and that conflicts ensue when these are not addressed. Regulators maintain that the collective identities of communities overlap with other disparities, engendering deep societal cleavages that induce conflicts. Whereas Resolvers and Managers view conflicts as essentially soluble, Regulators believe

that they are interminable so long as the societal cleavages remain intact. Yet, these views are not incompatible. On a basic level, intergroup conflicts arise out of unfulfilled ontological needs of groups, especially identity and security. But intergroup conflicts are also *political* phenomena, and as such presuppose two interactive processes: first, a ‘decisionmaking’ process *within* the group, during which its needs are debated; second, a process of ‘negotiations’ *between* groups over the implications that various ways to address these needs have for them.⁷ The first process involves competition between intragroup entrepreneurs, who mobilize their kin by reformulating the group’s needs as its interests and suggesting ways to address them, that is, by defining its political goals; the second involves all groups immediately affected by any group’s definition of its needs (Kelman, 1997b: 338). Whether groups ultimately define their interests and goals in a way that is conducive to conflict or peace depends not only on the outcome of these intergroup and intragroup interactions, which are ‘intimately and necessarily integrated’ (Lake & Rothchild, 1998: 9), but also on exogenous opportunities and constraints (Barak, 2002: 636–637). The terms ‘decisionmaking process’ and ‘negotiations’ are used with caution, since groups are not states. The former, while resembling decisionmaking within states, is more fluid, given the lack of a legitimate authority within the group (Rothstein, 1999: 12). On the intergroup level, too, ‘negotiations’ resemble interstate trade-offs, but they are informal and produce ‘joint understandings and formulations’ rather than formal agreements (Kelman, 1997b: 335). Even when one of the parties to an intergroup conflict is equipped with a state, the two interlinked processes do not become state-like. First, the group that has a

state can be expected to mobilize its resources against its stateless opponent. Second, given that the interests of the group, and *not* of the state, are at stake, dissenters do not feel obliged to accept decisions by the state’s leaders.

The relationship between needs, interests, and goals is useful for explicating several key aspects of the Israeli–Palestinian conflict. Both Jews and Palestinians are human groups whose needs for identity and security went unfulfilled. Two entrepreneurs, the Zionist movement and the Palestinian national movement, dominated each group’s ‘public marketplace of ideas’ (Snyder & Ballentine, 1996). Zionism transformed the Jews’ needs for identity and security into a political interest in the establishment of a Jewish homeland and defined the settling of Palestine as its goal. The Palestinian national movement also transformed its group’s needs for identity and security into a political platform for establishing its own ‘place under the sun’. Initially calling for, and attempting to trigger, an all-out Arab–Israeli war for the liberation of Palestine, this movement abandoned this strategy after 1967 and sought to realize this goal on its own. The goals of these two movements were, however, contradictory: Israel failed to settle the entire territory west of the Jordan River and subdue its inhabitants, whose collective identity it ignored, and the Palestinian factions could not defeat the ‘Zionist Entity’. The search for ways to accommodate the groups’ interests so as to allow their respective needs to be addressed culminated in the Oslo Accord of 1993.

But the agreement, while indeed moving towards an acknowledgment of the embedded pluralism of Palestine/Israel, postponed the discussion of the most difficult issues in the two groups’ relationship to the ‘final-status’ negotiations. These issues were Jerusalem, the Palestinian refugees, the Jewish settlements in the Territories, and the

⁷ This process is reminiscent of the two-level game discussed by Putnam (1988).

Palestinian state and its borders. Thus, all the issues that could suggest that the Israeli–Palestinian conflict was, in effect, an intergroup conflict became ‘taboos’ that could not be addressed. The first issue, Jerusalem, could have implied that the Israeli–Palestinian conflict was an identity-based conflict, in addition to its being a territorial dispute. The second issue, refugees, was liable to evoke the conflicting narratives of the 1948 War and the needs of the Palestinians in the diaspora. Finally, the issues of settlements and a Palestinian state could have revealed the magnitude of the former and how it effectively obstructed the latter, that is, that the ‘facts on the ground’ created by Israel in the Territories have caused both groups to become intertwined.

According to Kriesberg (2000: 71), the Oslo Accord ‘was designed to set in motion a multi-step peace process in which higher levels of agreement would be reached as parties established mutual trust at earlier levels.’⁸ However, since both groups were internally divided, the result was the opposite. The agreement was repeatedly challenged by intragroup entrepreneurs who criticized their leadership’s definition of the group’s needs and presented their own interpretation of them, as well as alternative means to address them. In Israel, the right-wing opposition challenged the legitimacy of the Rabin government, arguing that its majority rested on non-Jewish MPs, and called to preserve Jewish rule over the entire land. In 1994, an Israeli settler massacred 29 Palestinian worshippers in Hebron in order to derail the peace process, and, in 1995, an Israeli extremist assassinated Prime Minister Rabin and accomplished just that. The Palestinian opposition, which included not

only Islamic and leftist factions but also some members of Arafat’s Fatah, also rejected the Oslo Accord and sought to obstruct it by launching attacks on both sides of the Green Line.

The groups’ leaderships responded to these challenges in different ways. Israeli leaders dismissed the opposition’s criticism, underplayed the actual price paid for peace, and magnified its prospective benefits (e.g. by propagating the idea of the New Middle East). Palestinian leaders presented the agreements as the culmination of their group’s long and heroic struggle for independence and as a first step towards the recovery of its most sacred symbols. But these claims only caused disillusionment within rank-and-file members of each group, particularly as the implementation of the agreement failed to realize their interests and, ultimately, address their needs. The Palestinian National Authority (PNA), while indeed representing a first autonomous Palestinian foothold in the Territories and having certain attributes of a state, was nevertheless *not* a state, although it was encouraged to *perform* as a state. It was, as one observer has put it, ‘an archipelago of disconnected enclaves separated by [Israeli] checkpoints . . . bent on reminding Palestinians who’s in charge’ (Shipler, 2002). Israel, for its part, established formal relations with additional Arab states but failed to guarantee its citizens’ security. Thus, while a commitment to the *idea* of peace, however ambiguous, remained a prerequisite for those vying for power in both groups, the Oslo Accord itself became a synonym for poor statesmanship.⁹ The widening gap between the vision of peace and prosperity and the grim reality of violence and suffering, that is, between

⁸ Hirschfeld (2000: 110, 117, 167) argues that this principle was favorable to Israel since it did not terminate its system of control in the Territories but, rather, enabled its gradual replacement by a bilateral Israeli–Palestinian system.

⁹ Israeli campaign slogans demonstrate this point. Netanyahu’s slogans in 1996 were ‘Peace with Security’, ‘Peres Will Divide Jerusalem’, and ‘Netanyahu is Good for the Jews’. Sharon’s slogan in 2001 was ‘Ariel Sharon – A Leader to Peace’.

interstate perceptions of the conflict and its intergroup manifestations, allowed the opposition to undermine public support for a compromise. That the most sensitive issues in the two groups' relationship had become taboos for the two leaderships – but not for their rivals – made this task all the more easy.

The Peace Process

Managers prescribe negotiations between the parties to the conflict. IR-oriented Managers advocate bargaining, where 'each party attempts to give up items of little value in return for other items of assumedly equal or greater value'. RC-inspired Managers prefer 'interest-based' negotiations, where the 'parties look beneath their positions at the underlying interests of all involved parties, brainstorm options to meet their mutual interests, and then decide upon options that are mutually advantageous' (Shapiro, 2000: 409–410). As noted earlier, the latter argue that the peace process should produce a 'good negotiated settlement', while the former advocate settlements sustained by the balance of power between the parties and third-party commitments. Either way, reaching an agreement marks the end of the peace process. Resolvers prescribe informal sessions where influential members of the parties work together to shape solutions for their conflicts (Mitchell, 1993). Regulators posit that the best way to reduce conflicts is for the elites to reach a settlement. Elite accommodation takes place in summits, where agreements are worked out on such mechanisms as a grand coalition, proportionality in representation and the allocation of positions and public funds, mutual veto for each sector on cardinal issues, and autonomy (Lijphart, 1977). After a settlement is reached, the elites impose it on their constituencies. Some Resolvers object to negotiations between the parties and disapprove of power-sharing (Burton, 1986: 49); but others view their work as inspiring,

and indeed facilitating, negotiations. Kelman (1995), who has organized workshops between Israelis and Palestinians since the early 1970s, argues that these generated creative ideas for solving the conflict and cadres that were involved in the negotiations. Drawing on their experience from Tajikistan, Slim & Saunders (1996: 44–45) propose a two-track peacemaking strategy that combines unofficial dialogue and building civil society institutions. Whereas the former is a conflict resolution strategy, the latter is reminiscent of the Regulators' ideas. Managers also consider ways to incorporate methods from other approaches (Shapiro, 2000: 414; George, 2000: 15).

In the Israeli–Palestinian case, conflict resolution methods were employed at least two decades prior to the formal negotiations, since the two groups did not recognize one another and mutual interactions were illegitimate. In these sessions, members of both groups learned that their needs could be addressed. This realization, which percolated to the two leaderships, helped bring about the Oslo Accord, demonstrating how a track-two effort could lay the groundwork for formal negotiations (Agha et al., 2003).

However, once the threshold of mutual recognition was passed, the conflict was approached primarily using the tool-kit of the IR-oriented Managers. Since many believed that the Oslo Process would culminate in the establishment of two states, and given the legacy of Arab–Israeli peacemaking, the resort to these methods seemed natural. But their near-exclusive use failed to consider the nature of the conflict and the sheer imbalance between the parties. It was as if everyone assumed that a Palestinian state had already existed, when there was only little evidence to support such a premise. Instead of adopting a problem-solving approach, conflict-regulation strategies, or even interests-based negotiations, the parties wrapped themselves in the straitjacket of

formal negotiations, which assumed a progressively competitive nature (Kriesberg, 2001: 389). Accords were ceremoniously signed but their implementation was delayed time and again. Deadlines were set and then postponed under the pretext of 'no holy dates'. Because the agreements were not signed between states, each could be reopened and renegotiated ad infinitum. The adversarial relationship between the parties, which the earlier meetings were eager to avoid, was thus revived. In this atmosphere, the opponents of the peace process in Israel could even use the Oslo Accord itself to undermine the peace process by treating it merely as a legal text, not as a political compromise with the Palestinians (Lustick, 1997: 62).

It is noteworthy that certain conflict resolution efforts, in the form of a joint working group on Israeli–Palestinian relations, did tackle final-status issues after 1993, as did other informal meetings (Rouhana & Bar-Tal, 1998; Beilin, 2001; Agha et al., 2003). But everyone accepted the primacy of the formal negotiations. In any case, the declining trust between Israelis and Palestinians meant that these efforts could not influence policymaking or transform public views. In 2000, Israeli MP Yossi Katz, who participated in the informal sessions, was condemned for suggesting that Israel accept part of the responsibility for the Palestinians' plight in 1948 and absorb 100,000 refugees. Conflict regulation methods were never considered. After all, they suggested that a solution to the conflict might not correspond to the legacy of Arab–Israeli peacemaking, a premise that neither side was prepared to accept.

The Impact of the Peace Process

IR-oriented Managers argue that the peace process ends when an agreement is signed and implemented. However, RC-inspired Managers maintain that negotiated settlements have positive long-term effects on the

parties' relationship, since they prove that they are capable of reaching an understanding that allows each to attain at least some of its goals. A process of learning and trust-building is thus initiated, and a pattern of cooperation replaces one that has been characterized by conflict. Resolvers differentiate between conflicts that are 'settled', either by coercion or compromise, and conflicts that are 'resolved'. Only in the latter case can a conflict 'be regarded as having been concluded . . . in such a way as to prevent a resurrection of the underlying issues in contention and a recurrence of the conflict behavior between the adversaries' (Mitchell, 1990: 150). Agreements in intergroup conflicts thus mark the beginning of a new phase in their relations and are neither the end of their relationship nor an end in themselves. This view entails long-term facilitation between the parties. Regulators posit that elite accommodation allays frictions and allows for peaceful coexistence. Yet, arrangements reached in this manner require maintenance and can be replaced only when the societal cleavages are significantly reduced. While concurring that a peace process is a broad and ongoing enterprise, Resolvers and Regulators differ with respect to its outcome, since they hold different positions on the solubility of conflicts. RC-inspired Managers are, in this regard, closer to the Resolvers than to Managers of the IR type, since they view an agreement as a springboard for further understandings.

In the Israeli–Palestinian case, there emerged a discrepancy between the transformation of some members of groups' elites and the lack of change as far as other members were concerned. The process that led to the Oslo Accord, like the informal workshops that preceded it, transformed the attitudes of certain elite members on both sides but failed to persuade others. Equally unsuccessful was the attempt to win the support of the general public, which continued to perceive the other

side as its enemy and view the conflict as a zero-sum game. Wolfsfeld (2001: 31) argues that only 51–55% of Israel's legislature and 32–44% of its public supported the Oslo Process, compared to 75% and 56–73%, respectively, in Northern Ireland.

Whatever limited projects were launched to transform public attitudes fell short of overcoming the efforts of the opponents of the Oslo Process to 'unmask the other side's true face' and highlight its 'breaches' of the agreement in the name of 'reciprocity'. These efforts, which resonated in each group's marketplace of ideas, reaffirmed its members' belief-system, thus preventing the progress of their transformation. Reconciliation, in other words, was not achieved (Kriesberg, 2002: 560). Change was difficult, not least because the leaders of both sides often presented the Oslo Process as a means of getting rid of the burdensome presence of the other, making only little effort to extrapolate the relationship between Israelis and Palestinians in the wake of a political settlement.¹⁰ While Palestinian leaders called for a 'peace of the brave' – that is, total Israeli withdrawal – without specifying what would happen later, their Israeli counterparts demanded concrete steps towards 'normalization', such as omission of anti-Israeli phrases from Palestinian textbooks, without making any commitment on the issues of Palestinian statehood.

In any case, the trajectory of Israeli–Palestinian relations in this period in fact moved away from a statist outcome to the conflict. By 1993, the Palestinians were already dependent on Israel, which controlled all their land and water resources, and basic services such as water, electricity, and telephones were provided by Israeli firms. The Green Line separating Israel from the Territories had become even more blurred owing

to the incessant construction of Israeli settlements and military bases and the paving of roads. As mentioned earlier, the Oslo Accord addressed this problem by differentiating between issues that were to be resolved during the 'interim period' and 'final-status' issues that were postponed. But this differentiation, which matched the interstate model of peacemaking, ultimately accentuated the intergroup nature of the conflict, since both sides used the interim period to affect the long-term issues. Figures from early 2001 indicated a 52.49% growth in housing in Israeli settlements in the Territories since September 1993, and 72% growth in the number of settlers – from 115,700 to 203,000 (Americans for Peace Now, 2001). But on the Palestinian side, too, there were those who defied the Green Line by launching attacks within Israel proper. At any rate, Palestinian economic dependence on Israel was reinforced after 1993 (Farsakh, 2001; Selby, 2003). Thus, while the parties were ostensibly moving towards a 'two-state solution' to the conflict, the two groups were, in fact, becoming inseparable.

It is against this backdrop that Prime Minister Barak's attempt to 'end the conflict', which reached its pinnacle at the Camp David summit in July 2000, must be considered. Notwithstanding the lack of trust between Palestinians and Israelis (in January, about 75% of the Palestinians in the territories doubted whether the Israeli prime minister would agree to a settlement that would meet their aspirations; Sahliyeh & Deng, 2003: 706), Barak sought to untangle their complex relationship in one stroke. The idea of holding *one* summit where *all* issues would be settled attested to an overly rigid approach to peacemaking, as did the attempt to present the other side with 'take it or leave it' offers. Barak failed to grasp the nature of the conflict, did not differentiate between settling and resolving it, and overlooked its negative dynamics, thus pushing it toward

¹⁰ One of Prime Minister Barak's slogans was 'We [will be] here, they [will be] there'. Jewish proponents of expulsion of Palestinians later adopted this slogan.

confrontation. Instead of attempting to solve the conflict prudently, all issues were to be decided swiftly and permanently. The results were calamitous.

The Role of Outsiders

Managers argue that a third party can assist in peacemaking. Because the parties are immersed in the conflict, they lack perspective, and their leaders cannot identify the interests of the other side or their own true interests. When the parties cannot communicate, mediators and envoys can go between them, enabling them to exchange views and perceptions. When formal negotiations are launched, outside actors can assist the parties in reaching an agreement by offering incentives or guarantees, or pressure them to do so. Objective criteria, such as United Nations Security Council (UNSC) resolutions, can serve as points of reference for such endeavors. To Resolvers, third-party intervention is crucial. If the parties do not recognize one another, they can meet together only with outside help, and the informal sessions allow them to find solutions to their problems with the Resolvers' facilitation. Regulators do not consider outside involvement a prerequisite for successful peacemaking, since it is the parties themselves that must find ways of accommodation, neither do they put high value on objective criteria (Regulators may even prefer *subjective* criteria, i.e. whatever is agreed upon by the parties). Yet, they do suggest that outsiders can help reach a compromise and that a peaceful environment is conducive to elite accommodation. The three approaches seem to concur that if the parties do not recognize one another, then a third party can help by providing them with an appropriate setting and a suitable mechanism for exchanging views. But when mutual recognition is no longer an obstacle and the parties are able to meet in an unfettered manner, the role of a third party becomes

controversial. Outside actors can assist the parties by providing them with information and insights. But they can become an obstacle to peace if they use coercion, allow the parties to manipulate them, or compromise their impartiality. As the parties attempt to sort out their differences, a third party can be a hindrance by allowing its own interests to affect the peace process or imposing its perspective on it.

Informal workshops between Israelis and Palestinians helped launch the Oslo Process, as did the Norwegian back channel that led to the Oslo Accord. UNSC resolutions also served as an objective point of reference, although each party highlighted resolutions that buttressed its positions while ignoring others. However, the role of outside actors since Israel and the PLO formally recognized one another has been problematic. Instead of informing the two sides about their situation and suggesting how their difficulties could be overcome, third-party actors, and especially the USA, have become embroiled in the peace process, allowing the parties to use, and often abuse, their involvement. An illuminating example is, again, the Camp David summit in 2000. During its course, Arafat and Barak held no substantive meetings, and bargaining occurred primarily between each leader and the mediator. This strategy was ill-suited to an intergroup conflict, especially when there was little trust left between the parties. President Clinton's decision to ignore his earlier commitment and blame the Palestinian side for the summit's failure only undermined the role of the USA as an honest broker (Malley & Agha, 2001; Hanieh, 2001). Like the parties, third-party actors perceived the conflict and the attempts to solve it in interstate terms, although they were well aware of the imbalanced relationship between the parties and the steps taken during the interim period. This may have been the case because the parties themselves were locked in this

perception, and the mediator simply 'went along'. But the traditional preference of US policymakers for a statist outcome to the conflict was also influential. Already, in the early 1970s, noted Managers had urged the Palestinians to acquire state-like attributes (Fisher, 1972).

The role of the regional system in the Middle East was ambivalent. Unlike the case of Northern Ireland, where Britain and Ireland acted in concert to promote intergroup accommodation (Cullen, 2001), some of the region's states had reservations regarding the Oslo Process, mainly because of their apprehensions of Israeli hegemony. While some, like Egypt, supported the peace process and engaged in mediation between the parties, others, like Syria and Iran, rejected it and backed its opponents.

Conclusion

In February 2004, the International Court of Justice at The Hague began discussing the massive 644-km barrier built by Israel in and around the Territories. Claiming that the barrier was designed to prevent terrorist attacks against its citizens, Israeli leaders boycotted the hearings and instead encouraged public rallies and demonstrations outside the court. The symbolism of these actions was telling: despite the fact that the state planned and built the 'Separation Fence', it was the group that was entrusted with defending it. One could argue that this was merely a tactical choice on the part of Israel's leaders: having surmised that the court would rule against them anyway, they decided to shift their efforts to the realm of public opinion. Yet, an alternative explanation is that since the Israeli–Palestinian conflict is, essentially, an intergroup conflict, the group, and not the state, was to make its case before the world.

This article has thrown light on the failure of the Oslo Process by showing how an inter-

group conflict between Israelis and Palestinians was construed and treated as an interstate conflict and how this way of framing the conflict ultimately impinged on the attempts to ameliorate it. This perception, for its part, had drawn on the legacy of Arab–Israeli peacemaking and on hegemonic notions of conflict and peace. This convergence of history and theory had produced an interstate bias towards the conflict, which ultimately hindered its successful treatment.

In view of the legacy of Arab–Israeli peacemaking and hegemonic perceptions of conflict and peace, formal negotiations were perceived as the only way to solve the conflict. Realizing the potential benefits of framing the conflict in this way, the leaders of both parties embraced it: for the PLO, the negotiations were means to gain domestic and international legitimacy; for Israeli leaders, an attempt to settle the conflict reflected positively on their country's standing internationally, and, at the same time, pulled the rug out from under their political opponents.

But the Oslo Process failed to deliver. The Palestinians came nowhere near an independent state, and various factions within this group challenged Arafat's position. Israel's hope that Arafat and his lieutenants would impose law and order in the Territories, without the normative constraints imposed on its own security forces, were also left unfulfilled, and the Labor Party was defeated in three out of four elections (1996, 2001, 2003). Their inability to gain tangible results through negotiations eventually prompted the Palestinians, the weaker party, to resort to violence, perhaps to induce the Algerian model, and 'the violence of the other side justified each side's escalation of violence to defeat the other' (Kriesberg, 2002: 563).

What can be done to ameliorate the Israeli–Palestinian conflict after peacemaking has failed and violence has escalated with renewed fervor? Since radical solutions, such

as assimilation or expulsion, are unthinkable, both groups will have to sort out their mutual problems. But, as the failure of the Oslo Process suggests, they must do so freely, without being constrained by past legacies and peacemaking strategies that are incongruent with the complex and manifold nature of their relationship. Reconsidering 'conventional' modes of peacemaking and learning from the experience of others seem to be the most promising paths that they can pursue.

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