Conclusions:

Overcoming Barriers to Resolving the Israeli-Palestinian Conflict

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This book presents a detailed study of the various barriers to settling the Israeli-Palestinian conflict, barriers that in their range and complexity have singled out this conflict as a protracted and ongoing conflict. In addition to pointing out substantive and tangible barriers, this study highlights psychological, religious, and cultural barriers that greatly intensify and exacerbate the difficulties in reaching a settlement. These psychological, religious, and cultural barriers have framed the core issues of the conflict – Jerusalem, refugees, settlements, and borders – not simply as strongly disputed *interests*, but as protected, sacred *values*, rooted in religious belief and historical meta-narratives and not open to compromise.

The force and magnitude of the barriers discussed in this book – as well as, and in particular, their portrayal as protected values – inevitably leads to the conclusion that the likelihood of ending the conflict through a settlement is exceedingly low at present. In the absence of conditions that would be effectively conducive both to overcoming these barriers and to reframing the discussion as a dialogue about interests, which are open to compromise, rather than about protected values, it is doubtful that it will be at all possible to resolve the conflict. With such a towering mass of barriers standing in the way of peace, any attempt to settle the conflict at this stage is not only doomed to fail but is also liable to actually increase despondency at the prospect of achieving peace and to bring about renewed violence between the parties. Political leaders who are committed to true peace need to consider these barriers and identify new and creative ways to address them.

Under the present circumstances, it seems to be easier to describe or explain the barriers to peace than to answer the question of how can they be overcome.

The basic assumption underpinning this study firmly maintains that there is a need to consider ways of addressing and overcoming the barriers on the road to peace – despite their seemingly insurmountable magnitude – in order to encourage resolution of the conflict. The researchers in this study present various proposals for coping with and overcoming these barriers. In this chapter I briefly present the various proposals, many of which share similar or overlapping points, and then proceed to discuss possibilities for resolving the conflict.

One important method for addressing these barriers as suggested in this book is to avoid passivity and not to give up the hope of reaching a settlement. This method urges both sides involved in the conflict to develop continuously new and creative ideas in order to offset dominant beliefs and perceptions. These novel ideas, which can be termed "instigating beliefs," should counteract the firmly established belief that the conflict is unavoidable and impossible to resolve. Ending the conflict peacefully should be seen as an important value and defined as a national interest, regardless of how naïve or unrealistic such a goal may appear to a society experiencing a protracted and unrelenting conflict. In the words of Halperin, Oren, and Bar-Tal, "We suggest that the instigating belief that fuels the motivation towards flexibility is based upon recognition of the incompatibility between the desired future, on the one hand, and the emergent future, the current state, and/or the perceived past, on the other hand."

The need to reconsider currently-held beliefs and give consideration to alternative modes of thinking is based on the assumptions that, in its present state, the conflict will lead to a worse future, that it will undermine the basic goals and needs of both parties to the conflict, and that time is not necessarily on the side of either party. This approach is fundamentally rational; it requires both sides to conduct a realistic cost-benefit analysis of the situation if it continues or further deteriorates and to employ a hardheaded, realistic approach to examining the risks involved in avoiding a settlement. In the final analysis, the costs of prolonging the conflict are likely to be greater than the necessary costs of a compromise for peace, and such a realization should inspire and encourage the peace process. Moreover, continuation or further deterioration of the present situation might further jeopardize what both sides view as protected values. Such instigating beliefs could be nurtured within both sides.

Resolving the Israeli-Palestinian conflict and establishing a Palestinian state alongside Israel are the undeniable interests of every one in Israel who supports the continued existence of Israel as the nation state of the Jewish people. Otherwise, in the absence of a two-state solution, Israel risks becoming a bi-national state, losing its character as the state of the Jewish people, or even becoming an apartheid state – which would conflict with its democratic character. The danger that not reaching a settlement presents to Israel's Jewish identity and moral stature and the fear of Israel's de-legitimization around the world should provide the motivation to achieve peace and reach a settlement with the Palestinians. Given these possibilities, it seems that the fear of not reaching a settlement could exceed the fear of the settlement itself.

Reaching an Israeli-Palestinian settlement should be defined by both sides as a national interest of primary importance. The Palestinians, who wish to put an end to the occupation and to their people's ongoing suffering and to realize their national aspirations for an independent state, should be equally receptive to adopting such a view. Even if such a process encounters extreme difficulties at its onset and wins over the support of only a small minority because of the memory of Oslo's failure, determination, resolve, and active involvement will eventually disseminate the instigating belief among the general public. Commitment to an immediate, workable, and peaceful solution, as well as preparedness to reach a historic reconciliation between the two peoples in the future, will be found on both sides only when a strategic decision is made that galvanizes public support on both sides. Unless a collective, concerted effort is made on both sides to increase legitimacy for the peace process and the peace agreement across the wider public, which will necessarily entail disputed compromises, it is doubtful that the conflict can be resolved.

Such an approach, as noted above, is fundamentally rational, but it also requires both sides to engage with their own narratives and protected values. The gap between the narratives of both parties is expansive and unbridgeable at this point. Yet despite the near impossibility of bridging the gap at the meta-narrative level, there are still aspects that could be reworked to bring the parties closer. An effort could be made to develop a common frame of reference in order to facilitate dialogue over the many different national narratives surrounding both sides' national aspirations for separate, independent political frameworks

by cultivating a willingness to recognize and study the contradictions between those narratives. Such a reconciliatory process could be immediately instituted and depends only on the initiative of political and civil society leaders on both sides as well as on the external involvement of a third party. Even if the two sides are not yet ready to begin such a process, however, they could still agree to acknowledge the contradictory nature of their narratives, which are unbridgeable at present, and to postpone working out their differences until the reconciliation stage in order to avoid a situation where the fundamental differences between the narratives become in themselves barriers to the resolution of the conflict.

Research has shown that, to a large degree, both sides are captives of their own historical narratives and are the victims of a past that prevents their reaching any compromise. Although these historical narratives form part of the national identity of each side and should be preserved as part of their national heritage, they should not bind the parties to the past and deprive them of a better future. Moreover, by meshing with religious faiths, the historical narratives of the two nations have effectively labeled compromise a taboo and a religious offense. It is important to emphasize in this context that agreeing to concessions for the sake of peace is not by definition a religious or moral transgression, nor is it a betrayal of one's historical narratives and protected values. Quite the contrary: unwillingness to compromise for peace is truly immoral, and future casualties will not forgive the bloodshed of another war.

Negotiating protected values poses an equally difficult task that depends on both sides' adoption of reciprocal strategies that will allow them to carry out extremely difficult and tragic trade-offs necessitating mutual concessions. It seems that both sides are not yet prepared to agree to any reciprocal concessions over protected values, but it is important that they are made aware of the possibility of carrying out an extremely difficult exchange whereby one protected value is conceded in order to protect another. In other words, compromise should be framed as a value-based or moral dilemma. For instance, a territorial compromise could be framed as a means of preserving the Jewish character of the State of Israel. Similarly, a compromise over the right of return could be framed as a means of establishing a Palestinian state. While within Israel concessions are increasingly perceived as posing moral dilemmas in light of the need to preserve the character of Israel as a Jewish and democratic state, this view has not yet

garnered wide support on the Palestinian side. Another way of coping with the barriers that such protected values pose to reconciliation is to break the taboo surrounding protected values and to demystify them, that is, to redefine the issues as interests rather than as protected values. In this way, the mythological discourse might be replaced by a rational discourse that will facilitate negotiations and the willingness to compromise. This process will further make it possible to redefine the controversial issues in terms taken from the world of bargaining and negotiations. Such strategies will depend on mutual agreement and on securing the legitimization of changes that will be dramatic and drastic and are likely to encounter strong ideological and political opposition that may thwart their progress. Although it is highly doubtful that this alternative strategy will be able to gain wide support because the parties are not yet ripe for it at present, both sides should nevertheless be exposed to it so that they can consider it as a long-term possibility.

The theoretical arguments presented in this book regarding a formula for reconciling justice and peace may prove helpful in attempting to overcome the problem of justice in the Israeli-Palestinian conflict. Even if the parties should agree to include justice as one of the issues on the negotiating table, it is still doubtful that they would be prepared to develop a shared perspective of justice, let alone work out their differences on the matter. Linking justice to peace in an immutable bond presents yet another barrier to peace, and insisting on this bond is potentially severely damaging to the prospects for peace. In fact, failure to achieve peace is itself a crime against and an injustice to future victims. The goal, therefore, should be to achieve a reasonable compromise between justice and peace. One possible compromise could be to separate the Palestinian claims for transitional justice from their claims for compensatory justice. A moderate Palestinian demand for transitional justice, such as a demand that Israel acknowledge the suffering of the Palestinian people (but not assume responsibility) – along the lines of the "Clinton Parameters" – could serve as a compromise solution that addresses the Palestinian demand for transitional justice. Alternatively, both sides might agree to accept shared responsibility for the injustices that each side has inflicted on the other during the conflict, apologize, and forgive one another.

Regarding claims for compensatory justice, the two-state solution and the establishment of a Palestinian state alongside Israel should be accepted as an Israeli

compromise and settle the claim for compensatory justice. Similarly, the Israeli and American proposals to settle the refugees, *inter alia*, in the territories that Israel will exchange with the Palestinians could serve as another compromise that would implement the Palestinian right of return. The establishment of a Palestinian state will not only put an end to the Israeli occupation and the current plight of the Palestinians, but will also enable the implementation of the Palestinian right of return within the territories of the Palestinian state. The Palestinian demand to exercise their right of return by relocating to Israeli territory flatly contradicts the goal of establishing a Palestinian state. The establishment of a Palestinian state is a rational, moral, and reasonable solution to the refugee problem and one cannot reasonably advocate simultaneously both the establishment of a Palestinian state and the return of the Palestinian refugees to the State of Israel, thereby jeopardizing Israel's status as the state of the Jewish people. Palestinian insistence that their right of return be exercised within Israel will not only prevent the achievement of a peace agreement and the establishment of a Palestinian state, it will also cause more suffering to the refugees and residents of the West Bank and Gaza and increase their feeling that they are being wronged and have fallen victim to grave injustices.

If the two sides are unable to agree on the issue of justice but wish to reach a peace agreement on the basis of a two-state solution, then it will be better to delay dealing with the issue of justice to a later stage of reconciliation. This will allow both sides to reaffirm the importance of the question of justice within the framework of a peace agreement and to agree that the peace between them will remain incomplete and unstable until they resolve that question. Postponing the debate over the question of justice to the reconciliation stage will make it easier for the parties to overcome the barrier that the question places before them and enable them to examine the question after the conflict between them is settled and mutual trust has been established. At that point, the parties will be better prepared to address this extremely thorny, value-based issue.

The starting point for a peace agreement as suggested in this book is based on the outcomes of the 1967 war and not those of the war of 1947-1949. The guiding principle should therefore be the formula of land for peace. The starting point of the negotiations should be defined as the agreement of both parties on the final goal of the negotiations – a two-state solution based on peaceful and secure coexistence.

All of the issues are to be put on the negotiation table, but the finalization of negotiations will be based on the principle that "nothing is agreed until everything is agreed." Consideration should be given to prioritizing negotiations on an agreement regarding the "core" issues, following the negotiation principle that negotiations should begin with the most difficult issues and gradually move toward simpler ones. The timetable for conducting and completing the negotiations should be pre-defined and agreed upon in advance. Additionally, civil society interactions, meetings, and dialogue should be maintained throughout, despite the difficulties and recurring feeling that they are ineffective and incapable of changing the situation. These meetings are important, nevertheless, because they support dialogue between the sides and they help create legitimacy for resolution of the conflict. Renewal of the negotiations will require that both sides mutually acknowledge their cultural and religious differences and attempt to accommodate these differences, not in a patronizing or self-deprecating manner, but on the basis of mutual respect and a true sense of equality. These suggestions will help create a relaxed and comfortable atmosphere that will better allow the negotiating parties to both interpret and convey statements and gestures more accurately.

Given the gaps between the positions of the parties and the lack of trust between them, there is room to argue convincingly that the Israeli-Palestinian conflict cannot be settled without the involvement of a third party. Both parties depend on resolute, active, and particularly effective American mediation to help them overcome the barriers and progress to where they are prepared to enter negotiations and manage the progress, achievement, and implementation stages. American mediation must do its best not only to make proposals for bridging the parties' positions but also to help the parties loosen emotional ties that bind them to national narratives and protected values so as to enable them to formulate "tragic trade-offs" along the lines presented in this book. The type of mediation described here is unlike anything else the Israelis or Palestinians have ever experienced; it requires a historian's familiarity with the facts and a psychologist's sensitivity. It requires a resolute, accurate, and unflinching diagnosis of the main problems of the conflict and of the domestic difficulties each side faces at home, as well as the ability to mitigate security threats and provide security guarantees and compensation for critical compromises on protected values, while stressing the great importance of resolving the conflict. American mediation should be fair, should use "carrots rather than sticks," and should help the leaders on

both sides to increase and broaden legitimacy and support for paying the price of peace. American mediation should help the parties frame peace as a mutual gain rather than a loss and make it completely clear that the two-state solution is the *only* way out of the conflict. In addition, international intervention will be required in order to implement and uphold the agreement reached through these negotiations. International intervention should include peacekeeping forces and massive economic aid for both parties, mainly for solving the refugee problem on both sides.

Because of inter-Palestinian divisions and the lessons learned from the failure of the Camp David Summit of July 2000, there will be a need to garner the support of the Arab League members, or at least that of Egypt, Jordan, and Saudi Arabia, for the peace process and agreement in order to secure legitimacy for the agreement and to make it easier for the Palestinian Authority to justify it, particularly vis-à-vis its potential rejection by Hamas and other Palestinian organizations as well as some Arab states. Wider Arab support will be of help to Israel as well and will facilitate normalization with other Arab countries.

Given the divisions among the Palestinians and their separation into two disparate Palestinian entities – one in the West Bank and one in the Gaza Strip – it is questionable whether the Gaza Strip can be included in a settlement agreement at this stage. In light of these conditions, possible political settlements that do not include the Gaza Strip should be considered. Should the split among the Palestinians or failure to reach an agreed solution on the Jerusalem and refugee problems prevent a permanent agreement, it will be necessary to propose partial, interim arrangements that would enable the establishment of a Palestinian state and provide international guarantees for completion of the process.

The scholars who participated in the writing of this book are well aware of the difficulties, costs, and tribulations involved in peacemaking, as evidenced by the analysis of barriers to peace presented here. We believe that our duty as researchers is to clear the way for peace by informing politicians and the general public of the barriers to resolving the conflict along with the options available for its resolution. In this context we are reminded of the statements by the late Israeli prime ministers, Menachem Begin and Yitzhak Rabin, that the pangs of war are greater than the pangs of peace, and that the road to peace is preferable to the road to war.