The curse of stagnation and
the need for conflict comparison:

Seeking a breakthrough towards
Israeli-Palestinian conflict-resolution

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The Israeli-Palestinian conflict is mired in political paralysis that is costing lives daily. Local actors at the policy level are badly in need of fresh ideas, but few are forthcoming. In this bleak political landscape, the Mitvim Institute is embarking on an effort to learn from the experience of other societies in conflict, or facing related challenges. Other conflicts and attempts at their resolution may serve as a source of policy options, lessons to be learned, or test cases for assessing local developments. These can be applied to the aspects of diplomacy, negotiations, political frameworks for resolution, third parties, civil society and activism, and social/public dynamics, and perhaps more. Such a policy-learning process will study other ethno-nationalist, territorial, sovereignty-related conflicts by drawing on policy analysis and individual expertise in those areas. The goal is to identify useful areas of comparisons, to inject new thinking into policymaking or civil society activities on the Israeli-Palestinian conflict and support mutual conflict resolution between this region and others. This paper is intended to open up discussion for input, and participation in the endeavor.

A. Why?

In the face of diplomatic failure and relentless violence between Israel and the Palestinians, calls for "outside the box" thinking and fresh ideas are heard regularly on all sides of the political spectrum.

Yet it is rare for these calls to be followed by actual fresh ideas. Both the government and the opposition essentially agree that the Israeli-Palestinian conflict must be managed, not resolved. The current head of the opposition, Isaac Herzog has stated that the two state solution is preferable but not realistic at present; Prime Minister Benjamin Netanyahu has stated rhetorical support for a two state solution in the past, but has taken significant action that pushes it further away – deepening Israel's presence in the West Bank, and belaboring the negotiations. There has been hardly any shift of paradigms for the

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negotiation process, no change of thinking regarding key conflict resolution actors, or potential political solutions over the last 20 years; as a result the entire enterprise of seeking a resolution has faltered.

Worse, there have hardly been any political leaders demonstrating true commitment to advancing a final status resolution. Israeli leaders have embraced interminable negotiations or conflict management, alongside de facto expansion of military and settlement occupation in the West Bank. Palestinian leaders have demonstrated mainly incompetence and internal division. Managing the conflict generates new waves of violence from both Gaza and the West Bank, the Palestinians remain stateless, the West Bank under direct military occupation and Gaza under indirect Israeli control.[1] These developments in themselves make resolution even harder to achieve.

Both the Israeli and Palestinian political leadership and publics display less inclination than ever to advance a bilateral resolution process. Both are convinced that the other side is not serious about achieving two states, or unable to deliver.

Hence the need for innovative thinking is a given. New Israeli proposals tend to focus on final status approaches: Naftali Bennett (and other ministers) advocates unilaterally annexing over 60% of the West Bank (Area C), without addressing Palestinian national claims or rights. Israeli President Reuven Rivlin has considered a vision of a federated state, which appears at present politically unrealistic. Opposition leader Isaac Herzog has proposed a conflict-management plan for an indefinite period of time until a two-state solution might be available, though the window for two states is rapidly closing.

But these ideas neglect the myriad conditions needed to create an environment for addressing the issue, advancing meaningful negotiations, helping them succeed, working out specific details and solutions within the plans. The new ideas that a process of learning from other conflicts may generate are not limited to a far-off final status political framework, but aims realistically to help address urgent current problems and set the stage for conflict resolution no matter which political solution is under consideration.

Outside thinking. This is the time to look outside the pit of despair at home, and consider other conflicts. No two situations are identical, but many are comparable. And contrasts too may offer constructive policy lessons, insights or ideas. A conflict need not be similar in all aspects, in order to identify specific elements that are relevant.

Thus, comparing experiences from elsewhere can help at the macro-level of constitutional frameworks for a peace agreement, or contribute learning to the process of getting there – negotiations and diplomacy. It can help to address very specific policy issues, or understand broad social dynamics.

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[1] As per the finding of the UN Commission of Inquiry on Protective Edge. Human Rights Council, "Report of the detailed findings of the independent commission of inquiry established pursuant to Human Rights Council resolution S-21/1," United Nations, June 24, 2015 (III, A, article 27), 8.

Potentially fruitful comparisons include: ethno-nationalist conflicts with a religious dimension; disputes over land, territory, settlement and sovereignty; military occupation; emerging, disputed statehood and state-building; protracted conflict lasting decades and the accompanying psychological, emotional and symbolic dynamics; the involvement of diaspora communities and refugees, and international intervention in both military and negotiation capacities; the search for breakthroughs in processes of conflict resolution, frameworks for political solutions, their success or failure and how the latter is assessed. Further, comparisons need not be limited to national-level conflicts. Internal conflicts, social problems, civil rights struggles and challenges of crime may also yield important ideas.

The approach of comparing lessons, pitfalls, policies, successes and opportunities from other conflicts stands to bring a number of benefits.

First, as noted, outside ideas could prompt new approaches, and perhaps break through the frozen mentality at home. It stands to erode the perception of total uniqueness, which leads to stagnant, isolationist thinking. Learning of common aspects can lead to psychological support and hope from cases facing related problems.

Second, the need for regional expertise could identify people who may contribute to search for a solution. This can diversify the personalities and take negotiations or activism beyond the "usual suspects" while giving a role to people who may wish to contribute but had no relevant framework.

Third, this constructive approach stands to blunt the increasingly fraught relationship between the international community and local actors. In Israel, EU guidelines for member states to refrain from funding Israeli projects in the West Bank and to label settlement products, alongside troubled relations with the Obama administration and a growing boycott movement are lumped together as hostile outside pressure. So far these have created a shutting down effect in Israel, and a backlash of dangerous, repressive domestic policies under the banner of limiting foreign influence. They have not prompted any change of policy. Positive modes of international interaction, incentives such as security packages, normalization proposals and trade relations, have failed so far to advance the process in any meaningful way.

The Palestinian Authority, despairing of the bilateral process, has embraced an international strategy of demanding recognition for an increasingly non-viable Palestinian state, and cathartic condemnations of Israel in international forums. While failing to change the reality of Palestinian life, this Palestinian interaction with the international community exacerbates the hostility Israel perceives from abroad.

In this environment, drawing on experience from other conflicts gives a less confrontational and more constructive role to international actors, which is less threatening to local leaders. Instead of diplomatic communities seeking only means to pressure or push the parties to change, they can provide knowledge and ideas through comparisons from elsewhere.

Fourth, comparing policies and lessons from other conflicts may help transcend the toxic politicization of policy thinking within Israeli and Palestinian circles. At present any analysis or initiatives are immediately branded as "right" or "left" based on local norms, rather than on their merits.

Instead, conflict comparisons can enable to assess the current situation and policy, or policy ideas being considered, based on experiences in other countries using a professional rather than political-ideological tool. The only overriding ideology here is the attempt to de-escalate violence, and advance long-term stability and peace on the assumption that political and material satisfaction are the key conditions. Insights from such a learning process can serve both sides to the conflict, as well as international actors committed to advancing conflict resolution.

With a more objective tool in hand, such comparisons will help assess or vet possible policy directions. This filter can be applied to new ideas, current discourse, developments or policy of either side in the region. And of course the goal is to generate new ones.

Existing research. Conflict comparison is not new in academia, or in civil society. Scholars of comparative politics, conflict studies and international relations regularly use this methodology. Israel and the Israeli-Palestinian conflict are commonly compared to South Africa or Northern Ireland. There have been studies looking at overall [similarities and differences](#)[2] between the [Israeli occupation of the West Bank and Gaza and the apartheid regime that collapsed](#)[3] in the early 1990s. comparisons of civil society and the [peace/conflict resolution](#)[4] processes in all three areas (Israel, Northern Ireland and South Africa), psychology of the conflicts in [Israel and Ireland](#)[5], [peacebuilding and conflict transformation](#)[6] in [all three](#)[,7] [transitional justice](#),[8] dealing with the past (for example, [comparing Northern Ireland and South Africa](#)[9]) and so on.

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[2] Leila Farsakh, "Independence, Cantons or Bantustans: Whither the Palestinian State," *Middle East Journal* 59 (2),(Spring 2005), 230-245.

[3] Daryl Glaser, "Zionism and Apartheid: A Moral Comparison" *Ethnic and Racial Studies* Volume 26, 2, (2003), 403-421.

[4] Gregory M. Maney, Ibtisam Ibrahim, Gareth I. Higgins, Hanna Herzog, "The Past's Promise: Lessons from Peace Processes in Northern Ireland and the Middle East" *Journal of Peace Research* 43 (March 2006), 181-200.

[5] Julia B. Levine, "The Role of Culture in the Representation of Conflict in Dreams: A Comparison of Bedouin, Irish and Israeli Children. *Journal of Cross-Cultural Psychology* 22 (4) (Dec 1991), 472-490.

[6] Colin Knox, Padraic Quirk, Eds. *Peacebuilding in Northern Ireland, Israel & South Africa: Transition, Transformation & Reconciliation*. Houndmills, Basingstroke, Hampshire and London: Macmillan Press Ltd*., 2000.*

[7] Guy Ben Porat, *The Failure of The Middle East Peace Process?: A Comparative Analysis of Peace Implementation in Israel/Palestine, Northern Ireland and South Africa*. Jerusalem: Van Leer Institute and Palgrave Macmillan, 2008.

[8] Aeyal M. Gross, "The Constitution, Reconciliation and Transitional Justice: Lessons from South Africa and Israel," *Stanford Journal of International Law* 47 (2004), 47-63.

[9] Elizabeth Crooke, "Dealing with the Past: Museums and Heritage in Northern Ireland and Cape Town, South Africa," *International Journal of Heritage Studies* 11, 2 (2005), 131-142.

The region has been compared to other conflicts on the issue of settlements,[10] refugee compensation and property reparation, treatment of minorities,[11] a Van Leer Institute comparison of policies on political prisoners (not yet publicly available). Further, civil society actors have initiated meetings and learning about other conflicts, drawing on the Israeli-Palestinian experience. The London-based Conciliation Resources brought experts from the Israeli-Palestinian conflict, Iraq and the Balkans, to inform a civil society workshop on the Armenia-Azerbaijan conflict. The Global Women's History Project[12] has brought Palestinian and Israeli women and Ireland/Northern Ireland (among other conflicts) together to learn from each other's experiences. A Belgrade-based research institute brings groups from the former Yugoslavia to Israel/Palestine[13] to learn about means of dealing with the past and memory activism. One of the few to work at the level of elites is the Northern Ireland-based Forward Thinking initiative bringing senior Palestinian and Israeli policymakers to learn from the Northern Ireland conflict resolution process.

Efforts from academia and civil society are important in themselves, but they are of limited use for policymakers. First, academic material tends to remain inside journals, academic books and conferences and is unlikely to reach the desks of leaders, policymakers, civil servants, diplomats or negotiators.

Academic comparisons are not undertaken with policy implications in mind, they have not defined policymaking as their goal, and often seek theoretical insights rather than hard recommendations – as befits academic pursuit. Valuable ideas for policymaking are lost or buried along the way, ideas that stand to benefit decision-making, and possibly people's lives, in real time.

Finally, the comparisons with Northern Ireland and South African in particular may have used up their potential. Both have reached a form of resolution that is far beyond the Israeli-Palestinian conflict now. Although fragile, the transitions they have made occurred roughly 20 years ago and the geo-political environment that affects national leaders is significantly different today. Moreover, we must unfortunately learn not only from societies that have reached a measure of resolution, but from those facing protracted ethno-nationalist violence like Israel and the Palestinians, or long-term negotiation and mediation processes that have so far failed to reach resolution.

Does it work? In policy circles, learning from the experiences of other conflicts happens usually in informal and unsystematic ways. But it is useful.

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[10] Oded Haklai and Neophytos Loizides, *Settlers in Contested Lands: Territorial Disputes and Ethnic Conflicts*, Stanford, California: Stanford University Press, 2015.
[11] Sammy Smooha, "Control of Minorities in Israel and Northern Ireland," *Comparative Studies in Society and History* 22,2 (April 1980), 256-280.
[12] Elise G. Young, "The Geopolitics of Race: Women from Palestine, Israel, Northern Ireland and the Republic of Ireland Meet." *Journal of International Women's Studies*. Volume 2 (3), (June 2001), 11-29.
[13] Marija Ristic, "Can Serbs Learn from Israelis and Palestinians?" *Balkan Insight*, February 20, 2001.

Comparisons can be made on very specific or technical policy issues, or large-scale frameworks. In the late 2000s, European Commission officials dealing with the Balkans drew inspiration from the Northern Ireland peace process; specifically the role of economic development in promoting peace, various aspects of the process itself, and the success in moving armed groups from terrorism to negotiations – lessons that British and Northern Irish officials thought to be relevant for a range of conflicts.[14] These represent comparative policy learning about the process.

There can be comparative understanding at the broad political frameworks for conflict resolution. Models of governance, power-sharing and political frameworks can be analyzed if not directly copied, to glean relevant lessons or perhaps warnings. One can look at Canada, Belgium, Bosnia, Lebanon, or Cyprus in its earliest years, to consider the fate of ethno-national power sharing arrangements, or draw on former states of Czechoslovakia, Yugoslavia and the disintegration of the Soviet Union to consider separation paradigms.

In Cyprus in 2004, UN negotiator Alvaro De Soto was seeking to develop the details of a constitutional framework for the island; he worked with a comparative constitutional law expert to draw appropriate elements from other multi-ethnic societies such as Belgium and Switzerland.[15] The resulting plan represented the biggest diplomatic breakthrough in Cyprus since the division of the island in 1974, although it was voted down following separate simultaneous referendums, which was rejected by a majority of the Greek Cypriots. In his negotiations in both Western Sahara and Cyprus, de Soto called upon the knowledge of a group of academics specializing in political models for handling population diversity, from confederations, federations, autonomy and rights-based regimes.

Such learning works not only for processes and overall political frameworks, but for highly specific policies as well. In El Salvador negotiations in the early 1990s, De Soto drew on the use of an independent foreign legal expert to distinguish between political prisoners and common criminals in Namibia.[16] The truth commission that was eventually created, composed solely of foreign personalities accepted by both parties, became a key factor in the negotiations. That process ended a dozen-year long civil war that cost 75,000 deaths.[17] In 2014, a civil society group brought together Armenians and Azerbaijanis mired in the conflict over Karabakh to focus specifically on the problem of movement and access in tension with security needs, bringing in experts from the Israeli-Palestinian conflict, Iraq and the Balkan wars. Policymakers in Serbia have drawn on experience from Cyprus to address sensitive issues of institutional cooperation despite formal non-recognition of breakaway regions, and

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[14] James Hughes, "EU conflict management policy: comparing the security-development model in the 'sui generis' cases of Northern Ireland and Kosovo." *Conference Paper for European Consortium for Political Research*, Potsdam, Germany. (2009), 4.
[15] Author conversation with Alvaro De Soto, February 2016.
[16] Author conversation with Alvaro De Soto, February 2016.
[17] Jeffrey Pugh, "The Structure of Negotiation: Lessons from El Salvador for Contemporary Conflict Resolution," *Negotiation Journal* 25, 1 (Jan 2009), 83.

constructive relations among sub-national political figures rather than formal political relations.[18]

Another valuable area of comparison involves mediators themselves, who often hold comparative knowledge from their experience. Both Northern Irish negotiators and South Africans have been involved in mediating conflicts in Iraq and Sri Lanka, based on their experiences at home. George Mitchell is said to have studied the El Salvador negotiation process, among others.[19] An American diplomat who helped negotiate the Dayton Accords had previously helped negotiate an agreement to halt North Korea's nuclear program, most likely bringing skills of process and negotiation rather than comparative political problems.[20] Richard Holbrooke himself is said to have studied other peace conferences, including the successful 1978 Camp David negotiation between Israel and Egypt, to learn best practices for negotiation processes even when the issues are very different.[21]

B. Using the research in practice

The product of this learning will be provided to political leaders and policymakers who are invested in reducing violence, achieving peace, and increasing stability in the region.

In a reality of diplomatic stalemate, we also acknowledge that the current Israeli government will not necessarily prioritize this issue. In addition to the policymaking level, we will seek to engage international experts, civil society, diplomats, negotiators, mid-level government bureaucracies and agencies, journalists and possibly the broader public as well to generate deeper understanding, new ideas, and hopefully better policy recommendations. We will advance them in media and through other publications, to contribute to public discourse. Where possible, we hope to provide relevant insights to interested parties from other conflicts as well. To the extent that both sides of a comparison can benefit, and perhaps advance mutual conflict resolution support, we will aim to do so.

Opposition. We are aware that there can be sensitivities and criticism of the comparative approach. The central arguments revolve around the political sensitivity of being compared to unflattering situations (such as South Africa); the fact that no two situations are exactly alike; and the approach will end up being too theoretical – an interesting but not very useful exercise.

Yet the goal here is to draw directly on experience of people from within policy institutions, combining it with academic learning that can be translated into policy implications. The sensitive comparisons are a fact, but we also believe

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[18] Author conversation with James Ker-Lindsay, expert on Cyprus and former Yugoslavia, February 2016.
[19] As recalled by De Soto in conversations with Mitchell. Author conversation with Alvaro De Soto, February 2016.
[20] Derek Chollet, *The Road to the Dayton Accords: A Study of American Statecraft*. New York and Houndsmills, Basingstoke, Hampshire, England: Palgrave Macmillan, 2005.
[21] Ibid, 148.

that the approach offers an objectivity currently lacking; and perhaps a mirror, even if painful. There is no question that no two cases are alike, but as mentioned, each may have something to offer.

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