Understanding the Success and Failures of Oslo: A conflict management approach to the Israeli-Palestine rivalry

Abstract

Violent conflicts are unfortunately a common occurrence throughout human history, as well as a feature of contemporary international relations. The global spread of such conflicts means that they occur across a diverse range of cultural, political, and geographical conditions which make every conflict a unique event. Nevertheless commonalities do occur across conflicts which allow them to be classified into conflict types, with one type of classification being temporal-based. This recognises from the point of view of conflict management theory that the length of time which a conflict has been waged is an important factor to consider when attempting to mediate a solution. This temporal-based approach is useful when classifying the Israeli-Palestine conflict as an ‘enduring’ conflict due to its intractable and ongoing nature. By viewing the rivalry as such the conflict resolver can utilize the concept of ‘ripe moments’ in attempting to find space for productive mediation towards resolution. These ‘moments’ are particularly relevant to the conditions of enduring conflicts, and relate to moments of war-weariness where both parties are more amenable to providing concessions towards gaining a solution. This paper will outline how the 1993 Oslo Accords constituted just such a ripe moment, as well as using a conflict management framework to analyse how and why this moment ultimately led to a short-term success but a long-term failure, highlighting the analytical power of this approach. To conclude I will weigh up the proposed One-State solution as a possible alternative to the ongoing failure of Oslo’s Two-State accord.

Key words: Oslo, ‘enduring conflict’, ‘ripe moment’, resolution, mediation

Introduction

Enduring conflicts are today regarded as one of the most serious threats to global peace, and as such attract much analysis and attempts at resolution. One conflict which has received huge international attention throughout its life is the Israeli-Palestine clash. In analysing this dispute two properties immediately come to the fore. The first is that it may be considered one of the most intractable conflicts of the modern era. Secondly, it is highly asymmetrical, due to the fact that there resides a huge imbalance of power at the structural level of the relationship between the parties. Such an imbalance is often highly relational to the identities of the conflicting parties (Ramsbotham et al, 2005), and therefore it can be argued that it is only through conflict that the weaker party can effect a change in these structures, without which the dominant party has no incentive to change the status quo. In the Israeli-Palestinian conflict the large disparity of political power in favour of Israel makes the normal liberal-
democratic political process of inter-government dialogue less effective, particularly since Palestine has not been recognised *de jure* as a state (Martin, 2002). Furthermore, the asymmetrical nature of the conflict generally means that the stronger party will usually regard a compromise agreement as a loss. If then there are no win-win outcomes in asymmetrical conflicts, constructive mediation would appear to be very difficult or impossible. But even in asymmetrical situations costs are born by both parties to the conflict. It takes the continual exercise of power and resources to remain dominant in any relationship, particularly if as in this case the subservient party is engaged in violent resistance. With such resistance the costs of enforcing dominance can become overwhelming for the oppressor in a severe asymmetrical conflict (ibid: 21).

It is in this context of costs accruing to dominant parties that we may see how Israel may at particular ‘ripe moments’, be motivated towards resolving the conflict with Palestine through mediation and concession. These ‘ripe moments’ are periods when it appears to be in the interests of both conflicting parties to pursue peace. In examining the successful mediation of the Oslo accords, which grew out of one such ripe moment, this essay will now illuminate the usefulness of the theoretical approach of *conflict management* (Bercovitch and Diehl, 1997; Goertz and Regan, 2008), which aims to manage the Israeli-Palestinian case as an ‘enduring’ conflict or rivalry. Through using this ‘enduring’ categorization we are labelling the conflict as belonging to specific class, a class which has characteristics that differ from other types of conflict such as short-term rivalries. To highlight the relevance of this categorization this essay will first look at the conditions of the Israeli-Palestine case which make it ‘enduring’. Next, we will look at the contextual conditions that allowed the ‘ripe moment’ to materialize for the well-known 1993 Oslo Accords. Then we will analyse the mediation process of the Oslo Accords through the lens of *conflict management* of enduring rivalries, highlighting both the successes and failures which stemmed from this
process. Finally we will look at the One-State solution (OSS) as a possible alternative to the on-going failure of the two-state solution.

**Enduring Conflict and its Management**

Only the most pessimistic conflict resolver would believe that any particular conflict is intractable in absolute terms, for this would be to give up the very task of the field. But it is fair to say that the possibility for resolution varies enormously from conflict to conflict, in a way that is hugely dependent on a multitude of contextual variables. These variable factors can make all the difference in achieving success during mediation. To highlight this we can briefly look at the Cuban Missile crisis in a simplified form. Here we had a dispute where the threat of escalation had incalculable costs for both parties, such that the desire to find a peaceful way out was huge (Levy, 2009). Levy notes that so huge were the incentives to avoid war that both Kennedy and Khrushchev were willing to make concessions, and such concessions were not viewed in zero-sum terms (ibid:80). Because of the clear and overriding reason for peace, the outlook for resolution in the Cuban missile crisis was relatively favourable. But other conflicts, such as the Israel-Palestine one, contain contextual factors that make resolution appear highly unfavourable. This is a conflict which Dowty describes as ‘the classical protracted conflict’ (2006: 10). Such a conflict exhibits the following features: an on-going hostile relationship that lasts over a long period of time, usually at least twenty years, and which has been subject to a consistent level of large scale violence or recourse to war, as well as multiple management attempts (Bercovitch 1997:220). These features can be seen as a direct result of the zero-sum territorial nature of the conflict. After World War 2, the Jewish nationalist movement (Zionism) appropriated through international support, land which they claimed as being historically the ‘Land of Israel’. Through this appropriation the Jewish movement displaced huge numbers of Arab Palestinians, from land they defined as ‘Palestine’, and which they have fought to regain ever since. Thus a concession of land from
either side is seen strictly as a loss for one party and a gain for the other. Furthermore, the conflict has evolved over time into an ethnically motivated one, adding to its intractability, due to the development of subjective dimensions such as religious motivations, ideological beliefs, perceived prejudice and ethnic hatred (Dowty, 2006: 10).

The protracted nature of the Israeli/Palestine conflict is one that requires an approach to resolution that takes into account this key aspect. In this regard Bercovitch (1997) notes that in cases such as Israel/Palestine or the India/Pakistan conflicts, both of which he classes as *enduring conflicts*, there is a move towards devising management strategies specifically adopted for such intractable conflicts. Mediation is considered to be a key aspect of such strategies, highlighted by the fact that when compared to less intense conflicts, enduring ones are significantly more likely to have a higher average rate of mediation attempts (Bercovitch and Diehl, 1997: 299). Another key aspect of the management strategy used to resolve enduring conflict is the use of peaceful third party intervention, in order to try and facilitate resolution. In fact such rivalries are ‘ten times more likely to attract some form of third party intervention than other conflicts’ (Bercovitch, 1997: 220). These two key approaches of conflict management strategy, mediation and peaceful third party intervention, were combined to make a rare success story in the Israel-Palestine rivalry, with the historic signing of a peace agreement between Israel and the Palestinian Liberation Organisation (PLO) on 13 September 1993.

**‘Ripe moments’ and the Oslo Breakthrough**

The difficulty in getting towards resolution in an enduring conflict stems from this fact that it is ‘enduring’, and that high levels of animosity have had time to build and become normalised over time. But fortunately even conflicts of such deeply felt animosity have periods when conditions change and new possibilities open up. Changes to contextual conditions can suddenly allow a ripe moment for resolution to materialize. The ‘Oslo
breakthrough’ (Kelman, 1997), which is regarded as perhaps the most successful round of negotiations conducted between Israel and Palestine, can be regarded as the outcome of a process that became possible due to a unique combination of both changing external international factors, and internal political change which affected both sides. The results of these contextual changes, was to force the hand of both parties, to look for a solution to a conflict which had become a natural part of the regions landscape. We will now look at how these factors created a ‘ripe moment’ in the run-up to Oslo.

**Ripe moments**

A ‘ripe moment’ in a conflict is one where the conditions are at an optimum point to initiate conflict resolution. Ramsbotham et al see the concept of a ‘hurting stalemate’ as being the key condition that allows for a ripe moment for resolution work in a conflict (2005: 166). In such a stalemate both sides come to the conclusion that continuing the conflict will not lead to the realization of their aims, and that it has become excessively costly to go on (ibid). Zartman adds to this understanding with the following proposition:

> If the (two) parties to a conflict (a) perceive themselves to be in a hurting stalemate and (b) perceive the possibility of a negotiated solution (a way out), the conflict is ripe for resolution (i.e., for negotiations toward resolution to begin).
>
> (2003:228-9)

The contextual factors in the run up to the 1993 Oslo peace-process were such that the conditions for ‘ripeness’ were present thus allowing both parties to engage with the process. Bercovitch (1997) highlights two key areas where important contextual changes took place as being: (a) the international level; and (b) the national-internal level. At the international level the ending of the Cold War had removed the ‘spoiler’ effect of intense superpower competition in the Middle East. Prior to this conflict management in the region was not facilitated by the encouragement of local rivalry between Arabs states and Israel, due to
Soviet backing for the former, and American backing of the latter (ibid: 223). The removal of this proxy-rivalry after the collapse of communism meant that a significant obstacle towards conflict resolution in the region had dissipated.

At the national-internal level we see huge pressure begin to build up on the main political representative of the Palestinian people, the PLO, after the 1991 Gulf War. There is broad agreement (Bercovitch, 1997; Kelman, 1997; Zartman, 1997) that the PLO’s decision to back Iraq after its invasion of Kuwait was a huge political mistake. This was because two of the PLOs main sponsors, Saudi Arabia and Kuwait, had supported the Western coalition which had defeated Iraq, and were now Western allies in a sharply divided Arab world (Bercovitch 1997). Having backed the losing side the PLO found itself politically isolated from its main Arab sponsors. With key monetary funding now being cut off from both Saudi Arabia and Kuwait, as well as suddenly being something of an international pariah, the PLO now faced a legitimacy crisis at home, even as the much more extreme Hamas Islamic social movement criticised its failures and presented itself as an alternative political force (Zartman 1997: 197). In such a context the PLO desperately needed a large political success to reaffirm its position as the dominant force in Palestinian politics.

On the Israeli side there were also fast moving political developments that were creating pressure for results. Firstly, there was growing public fatigue of violence due to the continuing Palestinian commitment to the first Intifada, which had begun in December 1987. This fatigue resulted in a political shift to the left with the election of a Labour-led government headed by Prime Minister Yitzhak Rabin in June 1992. An important factor in the defeat of the incumbent government was the public perception that it was not willing to constructively engage with peace negotiations, particularly as the Madrid process which had begun in 1991, and the subsequent Washington talks, had resulted in a political deadlock (Kelman, 1997: 188). In this context it is clear that Rabin’s government entered power on the
back of strong public pressure to get results in the peace process. A further factor which added to the pressure on Rabin to engage with the PLO, was the rise of both his, and the PLOs common enemy, Hamas (Zartman, 1997: 198). Rabin realized that a failure to accept the PLO as a negotiating partner, something he had earlier refused to do (Kelman, 1997: 188) could lead to their political collapse, and a much more radical Hamas power.

To conclude we can see that in accordance with Zartman’s earlier noted formulation, both parties to the conflict were (a) in a hurting stalemate brought about by unique historical and political developments; and (b) were willing to embrace the possibility of a negotiated way out, such that the conditions were ripe for a breakthrough in negotiations.

**Oslo: Success and Failure**

*Oslo as a success*

While a ‘ripe moment’ is certainly crucial if there is to be any hope of movement towards resolution of an enduring conflict, it is only the first step of many which are needed when dealing with this class of conflict. One of these steps is picking the right mediator for any potential talks. Usually a third party, such mediators can be catalysts for peace making in that they can play a valuable role in facilitating the opening up of new political space (Ramsbotham et al, 2005: 168), especially in conflicts such as the Israeli-Palestine one, where communication between the parties pre-Oslo had broken down due to a ‘psychological environment of non-communication and mutual non-recognition’ (Bercovitch, 1997: 221). In such an environment the role of a mediator is crucial, and in this regard Norway proved to be an excellent choice. Firstly, it was highly credible to both sides, due to its position of being a neutral country with no geo-political strategic interest in the conflict. Secondly, Norway provided what Bercovitch calls ‘process symmetry’, whereby they ensured that the Palestinian and Israeli delegations both had ‘the same cars, same hotel rooms, same time for presentations, and often even the same food (1997:230). While such details may appear
trivial in the context of the overall mediation, they are particularly important in highly asymmetrical conflicts in making the weaker side feel empowered and on equal terms during the negotiations, and thus added to the positive spirit of Oslo. A third key aspect was that the Norwegians paid heed to the importance of secrecy in negotiations between enduring rivalries. With opponents in such rivalries being committed to certain positions over a long period of time, opening up the process to the media would have been likely to remove flexibility, by freezing the parties to those long-term default positions (Kelman, 1997), and thus reduced the chances of constructive engagement. Secrecy then was crucial in allowing both parties to engage without having to posture to home audiences, or take traditional hard-line positions, and therefore added substantially to the momentum towards a constructive mediation.

Norway’s recognition of the enduring nature of the conflict was crucial to the approach they took to the mediation effort, and thus highlights the usefulness of conflict management theory in this case. The Oslo Accords were at the time of completion considered a massive step forward for relations between Palestinians and Israelis. The exchange of mutual letters of recognition, between the PLO and the State of Israel, was deemed hugely significant for the viability of the two-state solution. This was due to the fact that as the PLO embodied the concept of a Palestinian state, its official recognition by Israel ‘implied the legitimacy of such a state’ (Kelman, 1997: 193). Furthermore, direct lines of communication had now finally been established between both sides in a most constructive fashion, with the result being that hopes were high that the long proposed two-state solution could finally have a chance of being implemented. This then was the success of Oslo.

Oslo as a failure

Oslo had succeeded in establishing somewhat cordial relations and mutual recognition between both groups, but soon a pragmatic realisation of the scale of the issues which Oslo
had not addressed soon materialised. Any ‘final-status’ negotiations for the two-state solution which followed from Oslo would have to address the most difficult issues of ‘Jerusalem, the Palestinian refugees, the Jewish settlements in the Territories, and the Palestinian state and its borders’ (Barak, 2005: 177-78). The difficulty in managing the conflict would soon prove that even an event as successful as the ‘Oslo breakthrough’ could not be guaranteed to provide the necessary impetus towards a final solution. While it was hoped the Oslo Accord would be the first step in a multi-stage peace process, where levels of mutual trust could be progressively built on at each phase, no such trust materialised. Instead what we got was increased internal division to Oslo within both sides, whereby intragroup opposition criticised their leadership’s vision for settlement with the other side, and offered opposing solutions (ibid: 178). In particular extreme Jewish nationalists were unhappy with the direction of the peace process, leading to a Jewish settler slaughtering 29 Palestinian worshippers in Hebron in 1994, in a bid to derail the peace process. This goal was achieved in 1995 with the assassination of Prime Minister Rabin (ibid). Therefore while Oslo was indeed a success for the reasons highlighted above, it had failed to deal with the most dividing aspects of the conflict, aspects which led to the ultimate demise of the process which Oslo had reinvigorated.

**Solutions?**

One of the key reasons that Jewish extremists derailed the peace process after the success of Oslo was their fundamental disagreement with the Accord’s implicit acknowledgment that a Palestinian state would have to be part of any solution. Therefore, in a strategy designed to scupper the viability of the two-state solution, Jewish extremists continued with their policy of expanding the Jewish settlements within the Palestinian Territories, despite the fact that such settlements were consistently recognised by the international community as obstacles to peace (Tilley, 2005: 1). For Tilley, the expansion of these settlements means that the
territorial basis no longer exists for a Palestinian state, due to the fact that it has been carved into a ‘vestige too small to sustain a viable national society’ (ibid: 1-3). The resultant state would be economically blockaded by being surrounded by Israel, its major cities would be cut off from each other, water resources would be scarce, and it would be unable to manage trade with its neighbours (ibid: 1-3). Under these conditions then the two-state solution would appear dead in the water.

If the two-state solution has been the orientating idea around all recent major negotiations, then we may ask where to next? Somewhat ironically, a positive feature of the long-term nature of enduring rivalries is that they offer many opportunities for new conflict management approaches (Goertz and Regan, 2008: 327). Thus some now argue that the failure of the two-state solution means the time is right for a new management approach that envisages a One-State Solution (OSS), or bi-national state that is inclusive of all Israelis and Palestinians as equal citizens (Farsakh, 2011; Mavroudi 2010; Tilley, 2005). With the final collapse of the Oslo peace process in 2000, Stein notes that a growing number of prominent Palestinians, as well as a smaller number of their counterparts in Israel have admitted to ‘the hopelessness of the two-state solution’ (Stein, 2004: 334). In its stead, these prominent Palestinians see the transformation of the Palestinian national movement into a civil rights movement in a combined geographic entity. Furthermore, it is argued that there is rising awareness amongst Palestinian groups that ‘the mottled ethnic demography created by the settlement grid spells certain doom for Palestinian nationalism within the “cage” or “ghetto” of the promised Palestinian “state” or Bantustan’ (Tilley, 2005: 188). Given this realisation the OSS has potential for acceptance amongst the general Palestinian population.

But what chance does the OSS have for Israeli acceptance? Well if the only other solution available is a continued push for a failed two-state solution, then Tilley argues that the idea may gain credibility in Israel. The daily repression and violence required in the
current situation of controlling the partitioned Palestinian territories is taking its toll on Israeli national consciousness. Tilley quotes one Israeli peace activists’ thoughts on the construction of the partition wall: “The wall is the last great despairing solution of the Jewish-Zionist society. It is the last desperate act of those who cannot confront the Palestinian issue…It turns Israel into a ghetto” (2005: 187). In light of such despairing thoughts Tilley is optimistic that the sentiment towards a bi-national state is ‘incrementally gaining force’ (ibid). But inherent in the very nature of enduring conflict is its resistance towards resolution. Avnery (2008), a former Knesset member, argues unequivocally that the OSS is a non-runner. For him the obstacle which cannot be overcome is the fact that Israelis will never agree to a state which does not have a Jewish majority; where Jews are not masters of their own fate. He notes that there is a belief, wrongly in his view, that growing external pressure can change this. The fact that Israel has strong external support in the guise of the USA, as well as the fact that enduring rivalries are highly resistant to ‘exogenous influences’ (Bercovitch and Diehl, 1997: 301) means this assessment is likely correct. And perhaps the most powerful obstacle to the OSS is the fact that it would be the end of the Zionist movement, or in more emotive terms: ‘a binational state represents an unconscionable betrayal of the Zionist dream and an inadmissible capitulation to Arab rejectionism’ (Tilley, 2005: 186). It is perhaps this final sentiment, with its implicit baggage of Jewish historical struggle, and its ability to so succinctly characterise so much about the current conflict and what it means to Jewish nationalism, that will continue to leave the one-state solution as an ephemeral, idealistic notion that floats across the landscape from time to time, but never really lands and takes hold.

**Conclusion**

This paper highlights the usefulness of the conflict management approach to analysing and resolving conflict. Such an approach advocates the use of mediation and third party
intervention to help resolve enduring rivalries. Both of these approaches were used in the Oslo Accords, and contributed significantly to its success. But despite the positive outcome of Oslo on many issues, crucially it had left some of the biggest issues unresolved, and as such can be considered as both a success and a failure. This failure was highlighted by the continuing building of Israeli settlements within the Territories, which ultimately destroyed any realistic chance of a two-state solution by as early as 2000. While despair at the stalling of the two-state solution has led to the recent revival of the one-state solution as a viable alternative, there are very little grounds to believe there will be a ‘ripe moment’ in the near future, that will allow for serious engagement with this idea in the political sphere. The Zionist movement, which brought Israel into being, remains the dominant force within the country. As long as this is so, the one-state solution will be regarded as an end to the Jewish state, and not to be countenanced.

References


