WWU Graduate School Collection   WWU Graduate and Undergraduate Scholarship

2010

Can this wait? Civil conflict negotiation and the content of ethnic identity

David E. Lebowitz
Western Washington University

Follow this and additional works at: https://cedar.wwu.edu/wwuet

Part of the Political Science Commons

Recommended Citation

Lebowitz, David E., "Can this wait? Civil conflict negotiation and the content of ethnic identity" (2010).
WWU Graduate School Collection. 29.
https://cedar.wwu.edu/wwuet/29

CAN THIS WAIT?
CIVIL CONFLICT NEGOTIATION
AND THE CONTENT OF ETHNIC IDENTITY

By

David E. Lebowitz

Accepted in Partial Completion
Of the Requirements for the Degree
Master of Arts

Moheb A. Ghali, Dean of the Graduate School

ADVISORY COMMITTEE

Chair, Dr. Amir Abedi

Dr. Bidisha Biswas

Dr. Niall Ó Murchú

MASTER'S THESIS

In presenting this thesis in partial fulfillment of the requirements for a master's degree at Western Washington University, I grant to Western Washington University the non-exclusive royalty-free right to archive, reproduce, distribute, and display the thesis in any and all forms, including electronic format, via any digital library mechanisms maintained by WWU.

I represent and warrant this is my original work, and does not infringe or violate any rights of others. I warrant that I have obtained written permissions from the owner of any third party copyrighted material included in these files.

I acknowledge that I retain ownership rights to the copyright of this work, including but not limited to the right to use all or part of this work in future works, such as articles or books.

Library users are granted permission for individual, research and non-commercial reproduction of this work for educational purposes only. Any further digital posting of this document requires specific permission from the author.

Any copying or publication of this thesis for commercial purposes, or for financial gain, is not allowed without my written permission.

David E. Lebowitz
February 3, 2010

CAN THIS WAIT?
CIVIL CONFLICT NEGOTIATION
AND THE CONTENT OF ETHNIC IDENTITY

A Thesis
Presented to
The Faculty of
Western Washington University

In Partial Fulfillment
Of the Requirements for the Degree
Master of Arts

By
David E. Lebowitz
February 2010

ABSTRACT

Current approaches to the negotiated resolution of ethnic civil conflict either ignore or negate the impact of the content of ethnic identities on the negotiation process, or alternatively assume without sufficient evidence that violent conflict is caused by conflicting ethnic narratives. Based upon a comparison of the Israeli-Palestinian and Northern Ireland conflicts and negotiation processes, this thesis suggests a third perspective. While the evidence does not support the contention that conflicting ethnic narratives cause violent civil conflict to occur, identity-based issues can present tremendous barriers to negotiated agreement. The postponement of the central identity-based issue was critical to the success of the Northern Ireland peace process, and the inclusion of such issues for permanent resolution was equally critical to the failure of the Israeli-Palestinian negotiations. These findings suggest that the postponement of permanently resolving such issues until after the cause of conflict is addressed may offer a more promising strategy for ending violent civil conflict than alternatives hitherto explored.

<u>ACKNOWLEDGEMENTS</u>

TABLE OF CONTENTS

CHAPTER 1: INTRODUCTION

The negotiated resolution of ethnic civil conflicts[1] is one of the greatest challenges facing the international community in the post-Cold War era.[2] Yet current approaches either ignore or negate the impact of the content of ethnic identities on the negotiation process, or alternatively assume without sufficient evidence that violent conflict is caused by conflicting ethnic narratives. A new approach to ethnic civil conflict negotiation is therefore needed that does not fall into either of these traps.

Research indicates that participants in violent political conflicts often react differently when asked to make concessions on identity-based issues as opposed to issues unrelated to the content of their ethnic identities. It has been demonstrated that rewards and punishments do not facilitate concession on these issues as they do with other issues. In fact, the offering of material incentives for compromising sacred ethnic values has been shown to backfire, often being perceived by leaders and publics as an insult.[3] This means that the dominant rational choice negotiation approach, which assumes that individuals make decisions using a cost-benefit analysis, is inappropriate when issues related to the content of ethnic identity are involved. This can pose substantial barriers to the achievement of a negotiated settlement.

So what is the most successful way to address issues related to the content of ethnic identities in civil conflict negotiations? Using the logic that negotiated resolutions should address the cause of conflicts, I will determine the cause of two violent civil conflicts

---

[1] I define a civil conflict as ethnic "if the contending actors or parties identify themselves or one another using ethnic criteria." (Gurr 2000: 65) In turn, I define an ethnic community as "a named human population with a myth of common ancestry, shared memories and cultural elements, a link with an historic territory or homeland and a measure of solidarity." (Smith 1993: 49)

[2] Zartman (1995b: 332); Lijphart (McGarry and O'Leary 1995: back cover).

[3] Ginges et al. (2007); Atran, Axelrod, and Davis (2007).

between antagonists with conflicting ethnic narratives. In this thesis, I will conduct a historical analysis of the backgrounds to the Israeli-Palestinian and Northern Ireland conflicts and conclude that grossly unequal power relations, rather than conflicting elements of the ethnic antagonists' identities, was the cause of violent civil conflict. Based upon these findings, I will test the hypothesis that the best way to deal with issues related to the content of ethnic identities in civil conflict negotiations is to postpone permanent resolution of these issues until after power relations have been restructured, as opposed to attempting to overcome the identity-based barriers concurrently. In order to test this hypothesis I will conduct historical analyses of the Israeli-Palestinian and Northern Ireland negotiation processes, utilize counterfactual analysis, and compare the two cases to each other. I will conclude that these two cases support this hypothesis.

This thesis will contribute to the literature regarding civil conflict negotiation and the content of ethnic identity in two ways. First, I challenge the assumption in the literature that conflicting elements of ethnic identity cause the initial outbreak of violent civil conflict. Instead, I suggest that the content of ethnic identities merely presents significant barriers to negotiated agreement. Following from this revised assumption, I suggest a new method for addressing the problems posed by the content of ethnic identities in civil conflict negotiation that appears to offer greater possibilities for success than those currently offered.

This thesis will proceed as follows. First, I will review the existing literature regarding the negotiated resolution of ethnic civil conflict, paying particular attention to the literature that addresses the barriers posed by the content of ethnic identities. In order to address the fundamental shortcoming of the existing literature, I will review the content of the ethnic

identities of the antagonists in the Israeli-Palestinian and Northern Ireland conflicts and then examine the histories of these conflicts in order to determine if the conflicting narratives explain the occurrence of violent conflict or whether it is better explained by other factors. Based upon my findings, I will then examine and compare the Israeli-Palestinian and Northern Ireland negotiations in order to determine what identity-based issues were included in the agenda for permanent resolution, which were postponed, and what the impact of this inclusion or postponement was. I will end with conclusions drawn from my findings and the implications for conflict scholars, mediators, and negotiators.

CHAPTER 2: THE NEGOTIATED RESOLUTION OF ETHNIC CIVIL CONFLICT

Since the end of the Cold War, the international community has strongly encouraged

negotiated settlements to civil conflicts.[4] This has resulted in an expanding literature

addressing what variables determine the success and failure of peace processes, within which

the credible commitment theory of civil war resolution has been particularly influential. The

theory assumes that civil war is the result of government breakdown, which results in a

security dilemma and the outbreak of war.[5] As a result, it is assumed that combatants,

whether ethnically defined or not, will be unwilling to enter into the highly vulnerable period

of demobilization of partisan armies that is necessary when rebuilding a unified state unless

credible guarantees are offered by third parties on the terms of the settlement.[6] While a useful

explanation for why ethnic civil conflict negotiations succeed or fail in the many cases of

conflict that result from state failure, the credible commitment theory is insufficient for

explaining the outcome of negotiations in cases where conflict is the result of additional

factors and it ignores the presence of identity-based barriers to conflict resolution.

Another valuable explanation for the success or failure of civil conflict negotiations

focuses on the ability to reach power-sharing agreements. States with distinct ethnic or

ideological cleavages, referred to as deeply divided societies, have been shown to be

particularly prone to civil conflict if power is concentrated within one or more dominant

---

[4] Licklider (1995: 681).

[5] Walter and Snyder, ed. (1999). Other explanations for violent civil conflict focus on the role of predatory leaders seeking to maintain power as the cause of the security dilemma rather than state collapse (De Figueiredo and Weingast 1999; Fearon and Laitin 2000). As these explanations would require new leaders in addition to third party security guarantees on implementation, they have no clear prescription for negotiated resolution. Therefore, I will not be considering these theories in this thesis.

[6] Walter (1997, 2002); Walter and Snyder, ed.

groups while other groups are marginalized.[7] Two alternative solutions can rectify power inequalities in deeply divided states, these being the creation of power-sharing arrangements within a unified government[8] or territorial partition into separate sovereign states.[9] The attention paid to the restructuring of power relations between groups is particularly valuable since many civil conflicts occur when oppressed groups revolt against dominant groups despite the lack of state failure, but this theory still fails to address the barriers created by the content of ethnic groups' identities.

Some scholars have suggested that civil conflict can result when the identity content, or narratives, of two or more ethnic groups within a state are directly contradictory.[10] Therefore, in order to resolve civil conflicts in these cases one or more of the ethnic groups must make concessions on issues that are central to their identity. But while promises of reward and threats of punishment by negotiation mediators have been shown to induce concessions in ordinary circumstances,[11] the use of rewards and punishments is ineffective and even counterproductive when applied to issues central to the identities of ethnic groups.[12] However, certain tactics have been shown to facilitate concessions on emotional identity-based issues, at least in experimental settings. One promising technique is to devise equitable trade-offs of identity-based issues between the parties.[13] Concessions on identity-based issues may also be facilitated when credible ethnic leaders are able to guide their societies through a reinterpretation of what important cultural values mean, emphasize one important ethnic

---

[7] Lijphart (1977).
[8] Lijphart (1977, 1985); Norris (2008).
[9] Kaufmann (1999).
[10] Kaufman (2001, 2006a); Ginges et al.; Atran, Axelrod, and Davis; Atran and Axelrod (2008).
[11] Zartman and Berman (1982: 180-181).
[12] Ginges et al.
[13] Ibid.; Atran, Axelrod, and Davis.

value over another, demonstrate respect for the other society's important ethnic values and narrative, renounce past offensive statements, and issue sincere apologies for past wrongdoings that reinforce the other side's central ethnic values.[14] It is also suggested that reconciliation initiatives involving each side's ethnic public can increase the potential for negotiators to make concessions on identity-based issues. These reconciliation initiatives can include problem-solving workshops, cultural events and media initiatives, and the reform of educational materials that promote hostility towards members of the opposing group.[15] However, the evidence offered to support the utility of reconciliation initiatives has been particularly anecdotal. All authors concede the difficulty of applying any of these techniques, but still insist upon their great potential to resolve these most difficult issues.

Theories of negotiated civil conflict resolution that focus on the content of ethnic identities have made a valuable contribution in that they have convincingly demonstrated that identity-based issues are more resistant to compromise settlement than other issues. However, these theories have not provided sufficient evidence to support their claim that conflicting ethnic narratives are actually the cause of conflict. Some of these theories simply assume that because parties have had extreme difficulties negotiating these issues that they are the cause of violent conflict,[16] while other studies that support this assumption essentially ignore the possibility that serious power inequalities between ethnic groups sharing a single polity may have caused the examined conflicts.[17] If conflicting ethnic narratives actually do cause violent civil conflict then resolving them through negotiation would require altering the

---

[14] Kaufman (2006b); Atran and Axelrod.
[15] Kaufman (2006b).
[16] Ginges et al.; Atran, Axelrod, and Davis; Atran and Axelrod.
[17] Kaufman (2001, 2006a).

content of ethnic identity as recommended by these theories. However, if these narratives do not actually cause the conflict under consideration then successfully ending the violence may not require these difficult changes. Therefore, in order to determine the best way to deal with the content of ethnic identities in negotiation, a closer examination of the cause of violent civil conflict in cases where conflicting ethnic narratives are found is needed.

CHAPTER 3: CASE SELECTION

As I am interested in determining both the cause of ethnic civil conflict and the best approach for dealing with deeply held identity-based values in civil conflict negotiations, I will limit my examination to cases of ethnic civil conflict that attempted negotiated settlements where it is well documented that directly conflicting ethnic narratives were present prior to the outbreak of violent conflict and during the subsequent negotiation processes. Although a comprehensive examination of all such cases would be optimal, I will limit my examination to two cases in order to make completion of this thesis feasible within the given time constraints within which I am working.

For my first case, I have selected the favorite case of scholars who hold conflicting ethnic narratives responsible for violent civil conflict, the Israeli-Palestinian conflict.[18] While these scholars have done an excellent job demonstrating that Jewish Israelis and Palestinians had conflicting narratives, there has been little to no evidence presented in these analyses that contradictory values were the cause of violent conflict. If the conflicting ethnic narratives explanation for violent civil conflict is valuable, it should at least prove valid in explaining its proponents' favorite case. As the Israeli-Palestinian negotiation process was a response to the stalemate experienced between the parties in the Intifada that broke out in December 1987,[19] I will ask the question of what caused the Intifada to occur before analyzing the negotiation process that followed it.

For my second case, I have selected an ethnic civil conflict with opposing narratives that has received far less attention by proponents of the theory whose validity I am assessing,

---

[18] Kaufman (2006b); Ginges et al.; Atran, Axelrod, and Davis.
[19] Morris (2001: 692); Khalidi (2006: 198).

Northern Ireland, although it has been noted that examination of it would be highly valuable.[20] Scholars of the conflict have asserted that the opposing ethnic antagonists, Irish Catholics and Ulster Protestants, had contradictory narratives.[21] As the Northern Ireland negotiation process was a result of the stalemate experienced by the parties in the Troubles that broke out in 1969, I will ask the question of what caused the Troubles to occur before analyzing the negotiation process that followed it. While the Israeli-Palestinian and Northern Ireland conflicts were both violent ethnic civil conflicts where the opposing parties had directly conflicting narratives, as will later be seen, their negotiation processes differed in whether they included for permanent resolution or postponed issues related to their conflicting ethnic values. Therefore, a comparison of these cases may prove highly useful.

In what follows, I will outline the narratives of the ethnic groups in each conflict in order to determine what elements of the content of their identities were in direct conflict. In order to determine the most important elements of each party's ethnic narrative and the culturally specific values that were central to their collective identities at the time of the outbreak of the violent conflicts under consideration and during their peace processes, I will look to the sources of identity transmission, particularly the educational system,[22] national holidays and commemorations,[23] ethnic rituals,[24] monuments, historic sites, and museums,[25] cultural

---

[20] Kaufman (2006a: 56).
[21] Arthur (1980: 15); McGarry and O'Leary, 264.
[22] Gellner (1983); Anderson (1983).
[23] Gillis, ed. (1994).
[24] Hobsbawm and Ranger, ed. (1983).
[25] Anderson (1991); Gillis, ed.

organizations,[26] published printed materials,[27] radio, television, film, and music,[28] and public and popular art.[29]

    I will rely primarily on secondary sources for two reasons. First, an analysis of each party's ethnic identity using primary sources alone would require the understanding of languages I am not adequately familiar with, access to documents that I could not easily obtain, and an amount of time that I do not have at my disposal. Second, studies of the content of the ethnic identities of the groups under examination in this thesis have already been conducted using primary sources. An examination using primary sources would therefore be unnecessary and redundant. That being said, I will supplement these secondary sources with primary sources where appropriate.

Case 1: Israel-Palestine

The Content of Jewish Israeli Identity [30]

    During the period under consideration, Jewish Israelis were those citizens of Israel that were Jewish according to *Halakha* (Jewish religious law), which stipulated that one becomes a Jew upon birth to a Jewish mother or through formal conversion.[31] Although Jewish Israeli identity was religiously defined, observance was not a necessary component in determining group membership and much of the content of Jewish Israeli identity was derived from Jewish historical experience and mythology rather than theology. Three fundamental

---

[26] Cohen (1969).
[27] Anderson (1983).
[28] Price (1995).
[29] Sherman and Rogoff (1994).
[30] Although there were other significant ethnic groups within Israel proper, including Palestinians (Israeli Arabs), Druze, Bedouins, and Circassians, none of the political parties that participated in Israeli governing coalitions paid meaningful attention to these non-dominant groups and the state's symbols all stressed Israel's Jewish identity (Kimmerling and Migdal 2003: 179, 185). Therefore, for the purposes of this thesis it is not necessary to consider the interests and narratives of these groups when examining Israeli identity.
[31] Cohen (1999: 198-238, 263-307).

components of Jewish Israeli identity existed during the relevant time period. These were the
need for maintaining the existence of the Jewish state, sovereignty over holy Jerusalem, and
control over the Land of Israel.

The Jewish State

Within Jewish Israeli discourse, three main arguments were given for the intense
importance of maintaining Israel's status as a Jewish state during the time preceding the
outbreak of the Intifada and during the Israeli-Palestinian peace process. These three
justifications were transmitted to Jewish Israelis through the educational system, various
communications media, a collection of government sponsored museums and historical sites,
social and religious organizations, official rituals, and national symbols.

The most important justification for the necessity of maintaining Jewish statehood was as
a defense against persecution and genocide, fears that were based upon historical Jewish
experience. This was the initial argument that was made by the secular Jewish thinkers that
spurred the Zionist movement,[32] and it became even more intensely ingrained in Jewish
Israeli thinking after the Holocaust.[33] The Israeli government created an official lesson of the
Holocaust, that the six million murdered Jews could have been saved had the State of Israel
existed beforehand, and that the Jewish state must be preserved in order to ensure that such a
catastrophe never befalls the Jewish people again. The imparting of this official lesson was
achieved through the national school curriculum[34] and Israel's national Holocaust museum,
Yad Vashem.[35] Repeated wars and verbal threats of genocide from various Arab leaders,

---

[32] See Hess (1862); Pinsker (1882); Herzl (1896).
[33] Khalidi (2006: 183).
[34] Raz-Krakotzkin (2003: 166-168).
[35] Segev (1993: 444).

particularly preceding the 1967 Arab-Israeli War, also played an instrumental role in maintaining Jewish Israeli fears.[36]

The second argument given for the maintenance of the Jewish state was the existence of the ancient Jewish kingdom in the Land of Israel in antiquity. This narrative gave justification to Jewish colonization and the displacement of the Palestinians, as it was depicted as a return to the homeland that is rightfully theirs.[37] This narrative was transmitted through the school system,[38] the national anthem,[39] the state's national museum, the Israel Museum,[40] media coverage of government sponsored archeological digs,[41] prominent national historical sites, and official rituals.[42]

The third factor explaining the importance of Israel's status as a Jewish state was specific to the religious-Zionist subculture of Jewish Israelis. To this community, the Jewish state was depicted as an instrument that plays an indispensible role in the fulfillment of biblical prophecy. The mass return of Jews to the Land of Israel, the establishment of the state, and the 1967 Arab-Israeli War were all seen as attesting to the Jewish state's role in bringing the messianic era, and the Jewish state is to play a necessary role in the future unfolding of this drama. This narrative was transmitted through the religious-Zionist school system, religious-Zionist synagogues, the *Bnei Akiva* youth movement, the *Yeshivot Hesder* which combined military service and religious study, and through several publications and media outlets.[43]

---

[36] Zerubavel (1995: 192); Morris (2001: 309-311).
[37] Zerubavel, 15-26.
[38] Raz-Krakotzkin, 158-159.
[39] Imber (1878).
[40] Israel Museum (2009).
[41] Zerubavel, 59.
[42] Ibid., 60-70, 114-31.
[43] Lustick (1988).

In sum, before the outbreak of the Intifada and at the time of the Israeli-Palestinian peace process, the value of the continued existence of the Jewish state was central to the identity of Jewish Israelis. The need for its continued existence was essentially unchallenged across the political spectrum.

Jerusalem

The importance of Jerusalem to Jewish Israelis in the period under consideration was derived from the city's significance in Judaism and Jewish history.[44] During the period preceding the outbreak of the Intifada and through the subsequent negotiation process, the necessity of maintaining Israeli control over the holy city was a central Jewish Israeli value that was transmitted primarily through various media channels, visitation to national and religious sites, and national ceremonies and commemorations.

The inability of Jews to access the city's holy sites and the intentional damage done to them during the period of Jordanian control from 1948 to 1967 dramatically increased the significance of Israeli sovereignty over the area after the 1967 Arab-Israeli War.[45] The conquest of holy Jerusalem in 1967, especially the presumed site of the two Jewish Temples known as the Temple Mount, was immortalized as a defining moment in Israeli history and added to the importance of retaining control over the city's religious sites.[46]

The Western Wall, regarded by Jews as the only standing remnant of the Second Jewish Temple, became a major religious and national site after 1967 with renewed prayer and frequent and well publicized military ceremonies conducted there.[47] The attachment to

---

[44] For a background to the significance of Jerusalem in Judaism and Jewish history, see Armstrong (1998).
[45] Friedland and Hecht (1996: 33, 45); Kemp and Pressman (1997: 44).
[46] Sheleff (2001: 297); Rubinger and Corman (2007: 122-124).
[47] Friedland and Hecht, 180.

Jerusalem was also increased by highly publicized archeological excavations that unearthed remnants of ancient Jewish history in the city. The area that was thought by archeologists to be the actual location of ancient Jewish Jerusalem, outside of the Old City in the modern Palestinian neighborhood of Silwan, became an important national site known to Israelis as the City of David.[48] An annual national holiday, *Yom Yerushalayim* (Jerusalem Day), was also created to celebrate the unification of Jerusalem under Israeli control. A highly nationalistic parade through the Old City was the centerpiece of the commemoration.[49] Music and literature celebrating Jerusalem also proliferated after 1967.[50] Jerusalem thus became a central symbol to the identity of both religious and entirely secular Israeli Jews.[51]

Before the outbreak of the Intifada and during the Israeli-Palestinian negotiation process, the importance of maintaining control over holy Jerusalem (meaning the Old City, especially the Temple Mount, Western Wall, and Jewish Quarter, the City of David, and the Mount of Olives cemetery) was so strong and central to Jewish Israeli identity that only 17 percent of Israeli Jews polled in 1993 were even willing to discuss the issue in negotiations.[52] Even in exchange for a full and lasting peace, 96 percent of Israeli Jews polled opposed giving up sovereign control over the Western Wall and 89 percent rejected forfeiture of the Temple Mount.[53] In sum, control over holy Jerusalem was a central component of Jewish Israeli identity before the outbreak of the Intifada and during the peace process.

---

[48] Zerubavel, 186; Friedland and Hecht, 43, 436.
[49] Greenberg (1998).
[50] Amichai (1973, 1988); Schenker (1993: 51).
[51] Shur (1993: 6); Agassi (1993: 10); Gold (1993: 48); Zerubavel, 125; Armstrong (1998: 7); Enderlin (2002: 282-283).
[52] Arian (1993: 9); Friedland and Hecht, 444, 469, 488-489.
[53] Shragai (2007). Although conducted after the period under consideration, this 2007 poll is very revealing in regards to the permissibility of concessions over Jerusalem's central Jewish Israeli symbols.

The Land of Israel

For a significant minority of the Jewish Israeli public prior to the outbreak of the Intifada and during the subsequent negotiation process, Israeli control over the Occupied Palestinian Territories (OPT) was far more than a preference that could be compensated for by incentives such as security guarantees and financial compensation or decreased by diplomatic pressure. Especially for the minority of Jewish Israelis who adhered to the religious-Zionist ideology, Israeli control over the entirety of the Land of Israel amounted to a sacred value. As has already been mentioned, the religious-Zionist movement transmitted its belief system through its schools, synagogues, youth movement, military program, and several publications and media outlets.[54]

The religious-Zionist movement only grew to critical importance following the 1967 Arab-Israeli War. As a consequence of the war, Israel controlled Judaism's most significant lands, including holy Jerusalem, Hebron, and the whole of Judea and Samaria (the West Bank). As religious-Zionists believed that the Jewish messiah would arrive after Jewish rule is established over the entire biblically defined Land of Israel,[55] the increase in control over holy territory was seen as supporting the ideology's foundational beliefs. A significant increase in adherents of the religious-Zionist philosophy occurred as a result.[56]

The dominant view within the religious-Zionist movement at the time under consideration was that Israeli control over the West Bank, Gaza Strip, and Golan Heights must be made permanent. Opposition to withdrawal from any of the Land of Israel was extremely strong as

---

[54] Lustick (1988).

[55] Although there were theological disputes over the precise dimensions of the Land of Israel, the Nile and Euphrates Rivers were generally seen as the western and eastern borders (Ibid., 104-110).

[56] Ibid., 29.

it was seen as contradicting God's desire for the Jews to inherit the land and delaying messianic redemption. Proposed compromises were depicted as tests of the Jewish people's faith and commitment that must be rejected for redemption to move forward. Agreement was essentially universal that Arabs have no rights over any part of the Land of Israel.[57] A particularly violent fringe of the religious-Zionist movement also existed during the period under consideration. These extreme activists had carried out attacks on Arabs and left-wing Zionists, and were more willing to find religious justifications for killing Jews thought to create a sufficient threat to their goals.[58]

In sum, control over the entire Land of Israel was central to the identity of a significant minority of Israeli Jews during the period preceding the Intifada and during the peace process that followed. Exact measures of how widespread this value was are not available, but some estimation is possible. In 1975, thirty percent of Israeli Jews polled responded that they would not be willing to concede any of the West Bank for peace.[59]

The Content of Palestinian Identity

During the relevant period, Palestinians were defined as "those Arab nationals who, until 1947, normally resided in Palestine regardless of whether they were evicted from it or have stayed there" and those born subsequently to a Palestinian father.[60] Palestinian identity was therefore based upon the Arabic language and the borders of British Mandate Palestine, but Islam also played a crucial role in the identity as the vast majority of Palestinians were

---

[57] Ibid., 72-152.
[58] Ibid., 65-71.
[59] Ibid., 188.
[60] Palestine Liberation Organization (1968: Article 5). This definition is most appropriate as the Palestine Liberation Organization (PLO) was recognized by the overwhelming majority of the Palestinian people as their sole legitimate representative during the time under consideration (Khalidi 2006: 144). Polling conducted in 1988 demonstrated that 90 percent of Palestinians approved of the PLO (Kimmerling and Migdal, 271).

Muslims.[61] Three central components of Palestinian identity existed during the period of

interest. These were the right of Palestinian refugees to return to their ancestral homes within

Israel, sovereignty over holy Jerusalem, and the reclaiming of all of historic Palestine.

Right of Return

The creation of the State of Israel in 1948 was seen as a disaster by Palestinians, whether

they became refugees or remained in their homes in what became Israel, Jordan, and Egypt.

The events were enshrined in Palestinian collective memory as *al-Nakba* (the catastrophe).[62]

The most potent aspect of this shared trauma for Palestinians was the uprooting of

approximately 700,000[63] Palestinians from their homes, subsequently forbidden by the Israeli

government to return.[64] The *Nakba* served as the central formative experience of Palestinian

identity,[65] and the call for a right of return was an essentially unquestioned demand of the

Palestinians during the period under consideration.[66]

In the years following *al-Nakba*, there was a great proliferation of Palestinian literature,

artwork, and music that expressed the themes of the injustice done to the refugees and their

desire to return to their homes.[67] This work was subsequently featured in Palestinian schools

and in all forms of modern media[68] and played a critical role in transmitting to young

---

[61] Khalidi (1997: 6).

[62] Ibid., 178.

[63] The precise number of Palestinian refugees created from the 1947-1949 War has been a subject of great dispute. Arab estimates have typically ranged from 900,000 to 1,000,000. The official Israeli estimate was 520,000. The United Nations estimate was 726,000 (Morris 1987: 297). Benny Morris, who has done the most noted scholarly research on the topic, estimated that the number was around 700,000 (Morris 2004: 604). The total Arab population of Palestine before the war was approximately 1.4 million (Khalidi 1997: 21).

[64] Sa'di (2002: 175).

[65] Khalidi (1997: 22, 193-194; 2006: 135); Sanbar (2001: 87); Sa'di, 177, 195.

[66] Khalidi (1992: 29; 1997: 208); Kimmerling and Migdal, xvii.

[67] Tibawi (1963: 507-508); Kimmerling and Migdal, 137.

[68] Of particular importance were the PLO's printed publications and its *Sawt Filastin* (The Voice of Palestine) radio station (Khalidi 1997: 199-200).

Palestinian refugees, who themselves had no firsthand experience of the events,[69] their sacred duty of returning and undoing this great injustice.[70] Firsthand storytelling and refugee camp life also reinforced the centrality of the idea of return.[71] The house key became the most important symbolic representation of the desire to return, and a tradition was created of passing it from generation to generation along with property deeds.[72] A Palestinian refugee tradition was also cultivated of secondhand refugees identifying themselves as being from the birthplace in Palestine of the original refugee that they were descended from.[73] The right of return did not imply just a yearning to return to Palestine, but rather to the specific village and home where the firsthand refugee once lived.[74]

In a survey of Palestinian refugees in the West Bank, Gaza Strip, Jordan, and Lebanon over 95 percent of respondents demanded that Israel accept the right of each individual refugee to decide for him or herself whether or not to return.[75] Experiments also demonstrated that when presented with peace settlements violating the right of return, the overwhelming majority of Palestinian refugees surveyed responded with greater anger when financial compensation was given in addition.[76] This provides clear evidence that the right of return exhibited the characteristics of a sacred ethnic value, at least for Palestinian refugees.

---

[69] As of 1997, approximately three percent of Palestinian refugees were themselves firsthand refugees, the remainder being descendants (Brynen 1997: 48).
[70] Tibawi, 508; Sayigh (1977: 30-31).
[71] Sa'di, 176; Kimmerling and Migdal, 232.
[72] Sa'di, 181-182.
[73] Khalidi (1997: 153); Kimmerling and Migdal, 232.
[74] Khalidi (1992: 29); Sa'di, 192.
[75] Shikaki (2003; 2006: 11). This survey was conducted in 2003, after the failure of the Israeli-Palestinian negotiation process, but is still very useful in determining attitudes on the issue.
[76] Ginges et al., 7358. This experiment was also conducted after the period under consideration.

Jerusalem

The importance of Jerusalem in Palestinian identity during the period under consideration was derived from the city's importance in Islam and the prevalence of Islam amongst Palestinians.[77] The *Haram al-Sharif* (Noble Sanctuary), containing *al-Aqsa* (the Farthest) Mosque and the *Qubbat al-Sakhra* (Dome of the Rock) shrine, was considered Islam's third holiest site.[78] The significance of the *Haram al-Sharif*, which occupied the same physical space as what Jews considered to be the Temple Mount, was derived from its association with the Koranic narrative of Muhammad's Night Journey, the *Isra*, and Ascent, the *Mi'raj*.[79] The entirety of the walled Old City of Jerusalem and its environs were of secondary importance.

Although already considered holy, the significance of Jerusalem to Palestinian Muslims increased as a result of Israeli control of the Old City and its Islamic holy sites after 1967.[80] Palestinians often accused Israel of "Judaizing" the city and plotting to destroy the Islamic structures in order to build a Jewish Temple in its place.[81] The importance of Islam in Palestinian politics also increased after 1967. As Israel cracked down on secular Palestinian nationalists in the OPT, the Muslim Brotherhood delivered a distinctly religious-nationalist message from their broad network of mosques with relative impunity. The importance of liberating Jerusalem, and especially the *Haram al-Sharif*, from control by non-Muslims was a

---

[77] Jerusalem was also sacred for Palestinian Christians due to their own holy sites there, but because the Palestinian Christian population was very small in comparison to the Muslim population this was of far less significance.

[78] Rubinstein (1993: 5); Nazzal (1993: 17).

[79] Nazzal; Friedland and Hecht, 356-357; Scham (2004: 647). For more on the history of Islam in Jerusalem, see Armstrong (1996); Grabar et al. (1996); Grabar (2006).

[80] Kimmerling and Migdal, 68.

[81] Abu Zayyad (1993: 8); Bishara (1993: 22); Scham, 657.

19

central component of the sermons. As religious observance rates steadily increased in the

OPT during the occupation, the importance of holy Jerusalem in Palestinian identity

increased.[82]

The Dome of the Rock served as a prominent symbol of Palestinian aspirations after 1967

and was featured conspicuously in all forms of artwork. Representations of the Dome were

an almost universal feature in Palestinian Muslim homes, and the image proliferated in urban

graffiti. Use of religious themes was not limited to the Islamist political organizations; Yasser

Arafat's Fatah party used Islamic symbolism and the imagery of the *Haram al-Sharif*

extensively to mobilize the Palestinian masses in the 1980s as well. The Palestine Liberation

Organization's (PLO) November 15, 1988 declaration of Palestinian independence explicitly

stated that holy Jerusalem was the capital of the Palestinian state. Jerusalem's religious sites

were therefore central symbols for secular Palestinians just as they were for their Jewish

Israeli counterparts.[83]

Although no credible polling data exists on the subject for the period under consideration,

scholars were in general agreement that control over Jerusalem's Islamic holy sites was a

nonnegotiable issue that was central to the identity of the overwhelming majority of

Palestinians. For religious Palestinian Muslims, any voluntary forfeiture of the *Haram al-*

Sharif was also seen as a repudiation of Islam.[84]

---

[82] Friedland and Hecht, 355-363.
[83] Shur, 6; Friedland and Hecht, 299, 340, 346-347, 353, 356, 366, 378, 455, 486; Kimmerling and Migdal, 272, 306; Scham, 657.
[84] Nazzal, 20-21; Friedland and Hecht, 488-489.

The reclaiming of all of historic Palestine was of intense importance to the identity of much of the Palestinian population during the period of interest. Although once a central tenet of Palestinian identity, it is not entirely clear how widespread this value was before the outbreak of the Intifada and during the peace process. Much of this confusion is the product of this aspiration being expressed in several ways, some of which were distinctly more discreet than others.

In the most straightforward form, some Palestinians refused even temporary territorial compromise with Israel. This orthodox Palestinian position was termed rejectionism.[85] The PLO charter, adopted in 1968, clearly expressed this perspective.[86] The rejection of Israel's legitimacy rested heavily on the depiction of the Zionist movement as a colonial enterprise that served Western imperial interests.[87] The PLO's strategy gradually evolved though, and it adopted a phased approach to reclaiming all of historic Palestine in 1974. As a result, the Popular Front for the Liberation of Palestine (PFLP) and other factions left the organization to form the Rejectionist Front which carried on the orthodox Palestinian perspective.[88]

The rejectionist perspective was also justified on Islamic religious-nationalist grounds. Hamas, founded in 1987, was the most important movement representing this perspective, but activity in the OPT by the Muslim Brotherhood predated its founding. Islamic Jihad, founded in Gaza in 1980, and other smaller factions also shared the same fundamental

---

[85] Morris (2001: 615).
[86] Palestine Liberation Organization, Article 21. This charter has been seen as characteristic of grassroots attitudes of the time rather than as an agenda imposed by the PLO elite (Kimmerling and Migdal, 239).
[87] Khalidi (2006: xxxiv).
[88] Kimmerling and Migdal, 256-257.

beliefs.[89] The foundational tenet of these groups was that all of Palestine is an Islamic *waqf* (religious trust) of which no part can be forfeited.[90] Hamas' charter declared that "renouncing any part of Palestine means renouncing part of the religion."[91] The ideology of these Islamic-nationalist groups was transmitted to Palestinian Muslims through a substantial network of affiliated mosques, especially in the Gaza Strip.[92]

The aspiration for reclaiming all of historic Palestine was also expressed in more subtle terms than the strict rejectionist stance. One of these approaches was to advocate for a single democratic state in all of historic Palestine where Arabs and Jews would enjoy equal voting rights. The clear intention though was domination by a Palestinian majority rather than any form of power-sharing.[93] The other approaches to reclaiming all of historic Palestine were even more subtle in that they gave the appearance of accepting Israel's existence. The first of these was the approach that was introduced by the PLO in 1974, the regaining of all of Palestine in stages. Many Palestinians also sought to turn Israel into a majority Palestinian state through an unlimited application of the right of return.[94]

Because it was possible to uphold the belief that the reclaiming of all of Palestine is essential while not adopting the orthodox rejectionist stance, it is particularly difficult to gauge how widespread this value was during the relevant period. Polling data indicates that a strong majority of Palestinians supported a two-state solution to the conflict,[95] but does not differentiate between those committed to living beside Israel as a permanent solution and

---

[89] Friedland and Hecht, 369-372; Khalidi (2006: 209).
[90] Hamas (1988: Article 11).
[91] Ibid., Article 13.
[92] Friedland and Hecht, 358-362, 369-372.
[93] Khalidi (2006: 208).
[94] Ibid., 209.
[95] Ibid., 154, 256.

those who viewed it as temporary, or those who envisioned an unrestricted right of return rendering Israel a second Palestinian state. Meaningful polling data regarding this value is therefore not available. Statements by leading PLO officials[96] and a noted Palestinian scholar[97] seem to indicate that the eventual regaining of the entire Palestinian homeland was an essential component of Palestinian identity for an overwhelming majority. Without polling data, however, this is only speculation. It has been estimated that the orthodox rejectionist perspective was held by a significant minority of Palestinians at the time under consideration.[98] In sum, it can safely be concluded that the necessity of reclaiming of all of historic Palestine was a central belief for a substantial proportion of the Palestinian public.

Conflicting Elements of Identity in the Israeli-Palestinian Conflict

There were several elements of the Jewish Israeli and Palestinian narratives which directly conflicted. The Jewish Israeli value of maintaining a Jewish state conflicted with the Palestinian aspirations for a right of return and the reclaiming of historic Palestine. The narratives of the two sides regarding Jerusalem were clearly in conflict as both claimed that control of the same holy site, the Temple Mount for Israeli Jews and the *Haram al-Sharif* for Palestinian Muslims, was central to their identity. The minority Jewish Israeli belief in the necessity of maintaining control over all portions of the Land of Israel occupied by the state of Israel contradicted both the Palestinian aspirations for control over holy Jerusalem and the reclaiming of historic Palestine, and perhaps more importantly conflicted with any scenario

---

[96] Morris (2001: 607).
[97] Rashid Khalidi asserted that even in the case of a two-state solution, former Palestinian cities within Israel such as Jaffa and Haifa "will always be part of Palestine" on the Palestinian "internal map" (Khalidi 1997: 205).
[98] Morris (2001: 603).

in which Palestinians would have sole or shared control over any part of Israel, the West

Bank, or the Gaza Strip.

Case 2: Northern Ireland

The Content of Irish Catholic Identity

Within Northern Ireland, the label Catholic denoted an ethnic group indentified by

religious affiliation and not necessarily belief. Catholicism served as the clearest marker of

the native Irish population, and the discrimination and repression faced on the basis of

religion over the centuries of colonial rule and subsequently at the hands of Ulster Protestant

unionists within Northern Ireland cemented the importance of religious identity in

distinguishing the two ethnic communities in the province and on the island.[99] The two ethnic

groups in Northern Ireland overwhelmingly married within their own group, lived separately,

were educated separately, patronized separate local businesses, and, most importantly,

adhered to different political ideologies.[100]

United Ireland

The central identity-based value that united Irish Catholics during the period under

consideration was the aspiration of achieving a united island of Ireland under Irish political

control. Although Irish Catholics often pointed to the past existence of Protestant Irish

nationalists to claim that theirs is a civic nationalist movement and not sectarian,[101] the fact

remains that in the time preceding the Troubles and during the subsequent peace process

electoral support for Irish nationalism was almost entirely restricted within the island of

Ireland to Catholics and its symbolism had an ethnic orientation. Whether individuals

---

[99] McGarry and O'Leary, 16, 218.
[100] Arthur, 46; Buckland (1981: 98); McGarry and O'Leary, 187, 219, 221.
[101] For a brief discussion of the distinction between civic and ethnic nationalism, see Smith.

24

espoused civic or ethnic nationalism and endorsed violent or nonviolent strategies, the goal of Irish unity was a constant amongst this ethnic group.[102]

The transmission of this value to Irish Catholics was achieved in several ways. Children were indoctrinated through the Catholic schools that nearly all Northern Catholic students attended. The textbooks used presented students with a highly partisan and emotional account of Irish history that stressed the quest for Irish unity. In order to embed students with an ethnic Irish identity the Irish language was a critical component of the curriculum. Northern Catholic schools also organized traditional Irish sporting activities such as hurling, camogie, and handball in coordination with the Gaelic Athletic Association (GAA). The GAA was particularly assertive in using sports to promote an ethnic nationalist agenda with Irish unity at its core.[103]

The press also served an important role in transmitting the content of ethnic identity to Northern Catholics. Newspapers primarily targeted ethnic audiences and gave the Catholic community a nationalist interpretation of events in the province and on the island.[104] During the Troubles, Sinn Féin's weekly newspaper, *An Phoblacht*, was particularly assertive in portraying the island of Ireland as a unified whole.[105]

Another source of identity transmission was through the openly sectarian organization, the Ancient Order of Hibernians (AOH), which stressed the importance of achieving a united Ireland. Participation in the AOH was never particularly extensive, but its parades delivered

---

[102] Arthur, 5, 92; McGarry and O'Leary, 14-20, 174, 191.
[103] Buckland, 98; McGarry and O'Leary, 187, 221, 224.
[104] McGarry and O'Leary, 223.
[105] Powell (2008: 155).

the organization's message to a broader audience than its active membership.[106] The most important parades were those held annually to commemorate the 1916 Easter Rising and signify allegiance to the all-Ireland republic declared then.[107]

The primary justification for the unity of Ireland was the assertion that the entire island is the only appropriate unit of self-determination. Irish Catholic opinion leaders most consistently pointed to the results of the 1918 Westminster general election when supporters of united independence won 79 of the island's 105 seats. This was depicted as the clearest demonstration of the will of the people of Ireland, and the island's partition thus violated the inhabitants' democratic choice. This argument was expressed by constitutional nationalist parties from both parts of Ireland at the New Ireland Forum in 1984.[108]

The vast majority of influential Irish Catholics argued that the entire island of Ireland remained the appropriate unit of self-determination even after partition. Irish governments frequently made publicized comments in support of this position, most prominently in Articles 2 and 3 of the Irish Constitution, and it was articulated in numerous pamphlets and books regarding the unjust nature of Ireland's partition. These pamphlets and books consistently made the argument that the entire island of Ireland is the only natural political unit, and that the border between North and South is completely artificial and has separated Northern Catholics from the rest of their natural community.[109]

The belief that the island of Ireland is the appropriate unit of self-determination was even expressed in religious terms, such as by Cardinal Joseph MacRory who declared Ireland to be

---

[106] Arthur, 42; McGarry and O'Leary, 194.
[107] Jarman (1997: 144).
[108] McGarry and O'Leary, 25-28.
[109] Arthur, 18, 42, 67, 70, 133; McGarry and O'Leary, 23, 25, 29, 36, 427-428. See Healy (1945); O'Neill (1948); Gallagher (1957).

"made one by God."[110] This sentiment was not restricted to the Catholic clergy though, as it was also expressed by leading Irish politicians.[111] The more extreme and militant nationalists, known as republicans, also asserted that only one nation exists on the island of Ireland and that Ulster Protestants are part of the Irish nation regardless of what they believe. It was consequently argued that the Irish nation is entitled to exercise authority over the island's entirety according to the principle of national self-determination.[112]

The second category of arguments made by Irish Catholics for Irish unity revolved around the depiction of British sovereignty on the island as colonialism. These arguments were made primarily by republicans. It was frequently asserted that Ireland was historically a British colony, and according to international law the partition by decolonizing powers of territories granted independence is illegal. Northern Ireland was thus seen as an illegitimate colony used to serve British imperial interests, and British withdrawal was therefore called for.[113] As republicans vociferously rejected the validity of partition, it was often claimed that the Republic of Ireland was spurious as well.[114] Republicans also frequently argued that Ulster Protestants, as the descendants of colonists whose presence on the island was improper, had no right to influence Ireland's political status.[115]

The centrality of a united Ireland to Irish Catholic identity was not only based in resentment of what were perceived as the historical injustices of partition and British colonialism. The aspiration for Irish unity was also reinforced by the discriminatory nature of

---

[110] McGarry and O'Leary, 13.
[111] Buckland, 18.
[112] McGarry and O'Leary, 6, 21, 25, 30.
[113] Ibid., 30, 39, 312.
[114] Ibid., 66.
[115] Ibid., 41.

Northern Ireland's government and labor market after 1920 and the inability of the British government to adequately remedy the situation after the imposition of direct rule in 1972. Partisan policing and administration of justice were particularly influential in the perpetuation of aspirations to free all of Ireland from British rule.[116]

The desire for a united Ireland can be explained much more credibly by the content of Irish Catholic identity than by material interests. Northern Catholics earned more than workers in the Republic of Ireland despite their relative economic disadvantage within the province, and British welfare benefits were clearly superior to those in the South. The economic disparity between North and South was especially large in the early and mid-twentieth century, and Catholics just as steadily pursued Irish unity at that time. A small percentage of Catholics supported Northern Ireland's place in the United Kingdom (UK) for precisely these economic reasons. Polling of Northern Catholics indicates that they supported Irish unification in spite of the fact that recognition was high that it would have left them economically worse off.[117] As further evidence that the desire for a united Ireland was best explained by the content of Irish Catholic identity, support for unification remained high in the Republic of Ireland despite the openly acknowledged and well known high costs that would result for those in the South.[118] For Irish Catholics in both the North and the South the achievement of Irish unity would have had a negative economic impact, but due to their strong sense of identity they pursued it despite this.

During the relevant period, disagreements existed amongst Irish Catholics regarding how soon Irish unification should occur. Influential republicans asserted that it could be achieved

---

[116] Ibid., 58, 89.
[117] Ibid., 185, 197, 299.
[118] Ibid., 301.

rapidly if Britain committed to withdrawal while moderate nationalists suggested that the process should take more time, perhaps decades, in order to allay Ulster Protestant fears.[119] Despite this significant difference in philosophy, Irish Catholics had a common vision for the island's eventual sovereign status. In sum, prior to the outbreak of the Troubles and throughout the long negotiation process in Northern Ireland, Irish Catholics were essentially unified in their aspiration for a united Ireland. This value was strongly held and was the central element of Irish Catholic ethnic identity.

The Content of Ulster Protestant Identity

Just as Catholicism was the clearest indication of native Irish ancestry, Protestantism was seen as the marker of British settler lineage. Ulster Protestant was thus an ethnic group within Northern Ireland that did not necessarily imply religious belief. Therefore, although the conflict in Northern Ireland should not be seen as fundamentally a theological conflict, religious identification was the basis upon which the two opposing ethnic groups were divided.[120]

The Union

The fundamental uniting element of Ulster Protestant identity during the period preceding the Troubles and throughout the following negotiation process was the necessity of maintaining Northern Ireland's place in the United Kingdom. Ulster Protestants referred to the province's bond with Great Britain as the Union and their guiding political philosophy as unionism. Although Ulster Protestants differed in whether they conceived of the Union in civic or ethnic terms, their preference for devolved or fully integrated rule, and the extent of

---

[119] Ibid., 22.
[120] Buckland, 6; McGarry and O'Leary, 16, 218.

power and rights that should be extended to Northern nationalists, the assumption was essentially universal amongst this ethnic group that the Union should be maintained and integration into an all-Ireland republic resisted.[121]

Much of the content of Ulster Protestant identity was shaped by a body of influential unionist literature, which flourished during times when the Union was threatened.[122] Many of the themes featured in these works were also communicated to the Protestant public by influential political figures through various media channels, including newspapers, radio, and television.[123]

Just as the vast majority of Northern Catholics were educated in Catholic schools, Ulster Protestants overwhelmingly attended Protestant schools. The teaching of history in these schools was of a decidedly partisan nature and assisted in identity transmission. British imperial history was emphasized and Irish history largely neglected. Students in Protestant schools were also directed toward participation in traditionally British sports. This educational system cultivated a strong sense of attachment to the British mainland and British people amongst young Ulster Protestants.[124]

The Orange Order social organization was also particularly important in the process of unionist indoctrination in Northern Ireland. Participation amongst Ulster Protestant adult men in the explicitly sectarian organization was extremely widespread, and its frequent elaborate parades drew tremendous attention amongst the general public, evoked ethnic pride, and cultivated a deep emotional connection to the Union rooted in a noble history. The most

---

[121] McGarry and O'Leary, 92-94, 127; Cochrane (1997: 35).
[122] McGarry and O'Leary, 96. See McNeill (1922); Ervine (1949); Brookeborough, Maginnis, and Hanna (1956); Carson (1956); Stewart (1977).
[123] McGarry and O'Leary, 175, 223-224.
[124] Buckland, 98; McGarry and O'Leary, 187.

important of these marches were those held annually on July 12 to commemorate the Battle

of the Boyne, the decisive Protestant victory that secured English, and subsequently British,

control over Ireland and Ulster in 1690.[125]

Various justifications for the Union, both positive and negative, were offered by Ulster

Protestant opinion leaders. National allegiance and a cultural and historical attachment to

Great Britain were the primary positive arguments for the continued existence of the Union.

Ulster Protestant identity was multifaceted, with loyalties both to the local community and

Britain. For the most militant unionists, known as loyalists, the emphasis was placed upon

Ulster with the Crown having secondary, though highly significant, importance. This strain

of unionism was strongly associated with Presbyterian heritage. Other Protestants attached

their loyalty to Britain first. The relative importance of these primary loyalties to Britain and

Ulster varied over time, but despite such fluctuation the imagined connection to the British

mainland remained a constant for Ulster Protestants. Ulster Protestants also firmly rejected

the Irish nationalist argument that they either are or should be part of the Irish nation. They

maintained that their religion, ethnicity, and national identity are distinct and they are

historically linked to Britain.[126]

Other themes drawn upon that aroused intense emotional support for the Union included

pride in Britain's imperial legacy, traditional British culture, and the actions of past Ulster

Protestants in defending the Union. The Ulster Protestant resistance to the Irish home rule

movement was a source of immense pride and was treated with admiration by unionist

---

[125] Arthur, 2-3, 40-41; Buckland, 3, 5; McGarry and O'Leary, 180.
[126] McGarry and O'Leary, 6, 48, 97, 110; Cochrane, 36, 38.

historians.[127] Other influential unionists stressed the merits of the United Kingdom's more modern history, depicting it as a model democracy. Those who advocated and were influenced by such progressive arguments for unionism typically sought to have Northern Ireland fully integrated into the United Kingdom as if it were a part of England.[128]

Negative arguments for the maintenance of the Union revolved around fears of being overwhelmed in an assertively Catholic and ethnically Irish state. These fears motivated Ulster Protestants to oppose Irish home rule before the island's partition, and carried over and were reinforced by the development of the Irish Free State and the Republic of Ireland. Ulster Protestants contested that the Republic had a distinctly Catholic character. The most cited elements of this were the Irish Constitution's placing of sovereign authority in the "Most Holy Trinity" and the application of Catholic morality codes to divorce and abortion law. Fears were increased by the decline in the Protestant population of the Republic of Ireland from ten percent in 1911 to 4.1 percent in 1971, with some influential Ulster Protestants referring to this as "religious genocide."[129]

The Republic was also feared due to its ethnic character. The emphasis placed on the Irish language was seen as particularly offensive. Some Ulster Protestants were also highly critical of Irish culture, seeing it as inferior to British culture. Anti-British attitudes in the Republic were highly offensive to Protestants. The Republic's constitutional claim over Northern Ireland was deeply resented and seen as clear evidence of Ireland's hostility to Ulster Protestants. Republican violence during the Troubles also served to reinforce unionist

---

[127] McGarry and O'Leary, 121, 123; Cochrane, 37.
[128] McGarry and O'Leary, 127; Cochrane, 83.
[129] Arthur, 42, 69-70; Buckland, 9; McGarry and O'Leary, 48-49, 93, 100-101, 127, 131, 181-185, 196-197, 205, 222.

attitudes regarding Irish Catholic hostility. To those with these fears of Catholicism and ethnic Irish nationalism, the Union was seen as a vital protector of the Ulster Protestant way of life.[130]

Ulster Protestants also justified the continued existence of the Union by refuting Irish Catholic claims regarding the injustice of partition and the colonial nature of Britain's presence on the island. Protestants argued vigorously against the Irish nationalist assertion that the entire island of Ireland was the only appropriate unit of self-determination either before or after 1920. Most convincingly for their case, unionist intellectuals cited the scholarly literature regarding political geography which rejected the claim that national boundaries are ever natural. Ulster Protestants frequently argued that the most appropriate unit for a plebiscite before partition was the British Isles, which would have denied Ireland independence altogether. It was also argued that the six counties that came to make up Northern Ireland were an appropriate unit for self-determination in 1920, and even a generous compromise, and after the island's partition Northern Ireland remained the appropriate unit of self-determination. As Protestants remained the majority in Northern Ireland, the preferences of the Catholic minority were seen as unimportant. Furthermore, opinion polls and unionist literature demonstrate that Ulster Protestants largely denied the existence or extent of discrimination suffered by Catholics in Northern Ireland. Some Protestants also advanced the argument that it is not territorial units which have the right to self-determination, but self-defined nations. Ulster Protestants, it was claimed, were therefore

---

[130] Arthur, 68-70, 135; McGarry and O'Leary, 33, 54-55, 93, 97-99, 101-102, 121, 127, 181, 196-197, 221-222; Cochrane, 83.

entitled to determine for themselves what state they wished to be part of.[131]

Ulster Protestants also firmly rejected the Irish republican assertion that Ireland before partition and Northern Ireland after partition were British colonies, asserting that both were integral parts of the United Kingdom. The creation of the Irish Free State was therefore depicted as secession rather than decolonization, and Northern Ireland's incorporation into the Republic would similarly be an act of secession.[132] But unlike Irish Catholics in both the North and South who saw themselves as part of a single nation and sought unity, Britons living on the mainland generally did not regard Ulster Protestants as British, did not consider Northern Ireland to be part of their state, and strongly supported giving up the province. Mainland Britons therefore saw Northern Ireland in a colonial way rather than as an integral part of their national territory, and often resented Ulster Protestants for continuing to burden them with the issue.[133]

It should not be ignored that there were also clear material incentives for Ulster Protestants to oppose Irish home rule before the 1920 partition and to seek the maintenance of the Union afterward. Ulster Protestants consistently made the case that they would suffer economically if they were to join the less advanced Republic of Ireland. Ulster's industrial development connected it much more with Britain than with the rest of Ireland, and Northern Ireland received significant subsidies from the United Kingdom. Protestants also benefited from the economic discrimination against Catholics, and this would have likely disappeared if Ireland was united.[134] Unlike the other justifications given for the Union, these material

---

[131] McGarry and O'Leary, 36-39, 42, 100, 105-109.
[132] Ibid., 41, 100, 314.
[133] O'Leary (1992: 146); McGarry and O'Leary, 79, 112-115, 300.
[134] Buckland, 5, 9; McGarry and O'Leary, 48, 70, 93, 197-199.

interests should not be seen as deriving from Ulster Protestant identity. But it would be inaccurate to depict material self-interest as the only factor that explained Ulster Protestant defense of the Union or even a necessary one. Survey results demonstrated that over a third of Ulster Protestants believed that joining a united Ireland would either not impact or would improve their economic situation. As support for the continuation of the Union was essentially universal amongst Ulster Protestants during the period under consideration, this is significant evidence that their preferences were not solely determined by material considerations.[135] Rather, like Irish Catholics, the preference of Ulster Protestants regarding Northern Ireland's sovereign status was a product of their ethnic identity.

In sum, the Union of Northern Ireland and Great Britain was central to the identity of Ulster Protestants both before the onset of the Troubles and during the subsequent negotiation process. Polling indicates that Ulster Protestants almost universally feared losing their identity in a united Ireland.[136] These fears, along with an imagined connection with the people of the British mainland, explain why it was of such intense importance to Ulster Protestants that British sovereignty over Northern Ireland be maintained.

Conflicting Elements of Identity in the Northern Ireland Conflict

My examination of the content of the ethnic antagonists' identities in the Northern Ireland conflict reveals that Irish Catholics and Ulster Protestants did indeed hold opposing values sacred. The unification of Ireland and the maintenance of the Union were contradictory goals, and these aspirations were fundamentally derived from the content of ethnic identity as opposed to material interests.

---

[135] McGarry and O'Leary, 299-300.
[136] Ibid., 197.

CHAPTER 4: ASSESSING THE CAUSE OF ETHNIC CIVIL CONFLICT

In this chapter, I will assess the cause of violent ethnic civil conflict using my two selected cases. Consistent with the assumption of those scholars who argue that resolving ethnic civil conflict requires addressing the content of ethnic narratives, my hypothesis will be that conflicting elements of ethnic identity cause violent ethnic civil conflict to occur. Specifically, my hypothesis for the Israeli-Palestinian case will be that the conflicting elements of identity I recognized in the last chapter were directly responsible for the occurrence of the Intifada beginning in December 1987. For the Northern Ireland case I will posit the hypothesis that the conflicting ethnic values identified in the last chapter caused the Troubles to occur.

Methodology

For each case, I will perform a historical analysis and utilize the counterfactual approach[137] in order to test my hypothesis and determine what the cause of violent conflict actually was. The independent variable deemed responsible should not only be a necessary condition for the occurrence of the conflict under examination, but should be sufficient to have made the occurrence of violence highly likely.[138] An examination of the histories of these cases using primary sources would be impractical due to language barriers, problems of access to documents, and time constraints. Fortunately, it is also unnecessary. There already exist many fine scholarly accounts of the histories of both cases, and I will utilize those which I find the most reputable and nonpartisan. There is, however, more consistency between accounts of the history leading up to the Troubles in Northern Ireland than those

---

[137] Fearon (1991).
[138] Ibid., 181, 190-191.

examining the history leading up to the Intifada in Israel-Palestine. Even the best accounts of Israeli-Palestinian history have a noticeably more partisan nature. For this reason it is necessary to examine more sources regarding this case as compared to Northern Ireland in order to put together an accurate and complete account.

Case 1: A Historical Background to the Intifada

A background to the Israeli-Palestinian conflict most appropriately begins with the onset of Jewish nationalist settlement in Palestine in the late nineteenth century. The area, then ruled by the Ottoman Empire, had an overwhelmingly Arab population with perhaps five percent being traditional Orthodox Jews.[139] Anti-Semitism spurred a mass Jewish exodus from Eastern Europe in the later nineteenth and early twentieth centuries, with a small minority immigrating to the land that Jews regarded as their ancestral homeland with aspirations of building a state. These Jewish nationalists, eventually referred to as Zionists, purchased privately held land for the establishment of agricultural settlements and also joined existing urban communities. The charitable Jewish National Fund (JNF) began acquiring land in Palestine for national ownership in 1902, making immigration more feasible.[140]

Rising land prices led wealthy Arab absentee land owners to sell to Zionists, which frequently resulted in the displacement of Arab tenant farmers. Anger at displacement was mitigated somewhat by the ability to find employment on the new Jewish farms, which initially relied overwhelmingly on Arab labor due to its significantly lower cost. The resulting difficulty that Zionist immigrants encountered in finding agricultural employment led them to seek the implementation of exclusionary labor practices in the first decade of the

---

[139] Morris (2001: 4-7).
[140] Shafir (1996: 41-42, 155, 196-197); Morris (2001: 14-26); Kimmerling and Migdal, 50, 71, 78.

37

twentieth century. Opportunities were subsequently created on JNF lands that provided employment at acceptable wages. These exclusionary labor practices meant that Zionist land purchases increasingly resulted in not only the displacement, but also the loss of employment opportunities for Arab peasant farmers. A number of violent incidents resulted and anti-Zionist sentiments began to be expressed amongst the urban Arab elite.[141] This hostility against the Zionist enterprise backfired though, as it increased settler support for the exclusionary strategy.[142]

World War I completely transformed the political status of the Middle East, as the Ottoman Empire collapsed and its territory was divided by Britain and France, with Palestine coming under British control in 1917 and 1918. Due to a combination of imperial, religious, and military strategic interests, Britain decided to support the Zionist enterprise and issued the Balfour Declaration on November 2, 1917 which expressed support for the creation of a Jewish national "home" in Palestine. The British Mandate for Palestine that followed called for the establishment of a Jewish Agency to assist in governing Palestine. Though constituting approximately 90 percent of Palestine's population at the time, the Arabs' national aspirations were not recognized, nor were they to be involved in any significant way in the governing of Palestine as were the Zionists. This relationship would enable the success of Zionism and have absolutely devastating consequences for the Arab majority.[143] Under the British Mandate, Jewish immigration to Palestine increased significantly, especially in response to the rise of Nazism in the 1930s.[144] Arab opposition to Zionism strengthened

---

[141] Shafir; Khalidi (1997: 100-144).
[142] Morris (2001: 58).
[143] Ibid., 67-82; Kimmerling and Migdal, 81; Khalidi (2006: 32-33, 41-42).
[144] Morris (2001: 107); Kimmerling and Migdal, 100-101; Khalidi (2006: 120).

throughout the period and led to revolts in 1920, 1921, 1929, and 1936-1939.[145]

Violent Zionist pressure and sympathy for the Zionist cause due to the Holocaust led to Britain's decision in 1947 to leave Palestine and hand responsibility for the problem to the United Nations (UN).[146] The UN General Assembly passed Resolution 181 on November 29, 1947 which supported the partition of Palestine into Jewish and Arab states.[147] A civil war began in Palestine the next day. The Zionist forces were clearly superior and secured control over the coastal plain, two inland valleys, and West Jerusalem.[148]

On May 14, 1948 David Ben-Gurion declared the independence of the State of Israel, which led several Arab armies to immediately enter the fighting. Again, the Israeli forces were clearly superior to their Arab adversaries and gained more land. Transjordan (subsequently renamed Jordan) took the West Bank (including Jerusalem's Old City), Egypt gained the Gaza Strip, and the rest of Palestine became the State of Israel.[149]

Approximately half of the Palestinian population lost their homes and property in the two parts of the war. These 700,000 refugees had fled or been expelled from what became Israel and found themselves scattered in refugee camps and established communities in the surrounding Arab states. Israel rejected their right to return in order to maintain a strong Jewish majority within its expanded territory. About 150,000 Palestinians remained as Israeli

---

[145] Morris (2001: 93-96, 101-102, 113-116, 128-154); Kimmerling and Migdal, 81-82, 91-92, 102-131; Khalidi (2006: 105-113).
[146] Morris (2001: 163-164, 174-176, 179-181); Kimmerling and Migdal, 146; Khalidi (2006: 122).
[147] Morris (2001: 186); Kimmerling and Migdal, 147.
[148] Morris (2001: 189-214); Kimmerling and Migdal, 148-156; Khalidi (2006: 130-135).
[149] Morris (2001: 215-252); Kimmerling and Migdal, 156; Khalidi (2006: 131-132).

citizens, although most of their land was seized and they would be subjected to martial law for nearly two decades.[150]

Low scale fighting continued between 1949 and 1956 as Palestinian refugees periodically carried out small attacks in Israel and Israel fired at infiltrators and conducted retaliatory raids. This phenomenon essentially ended though in 1956 after Egypt and Jordan tightened their borders with Israel following the next Arab-Israeli war.[151] Although violent conflict between Israel and the Palestinians was virtually nonexistent for nearly a decade after the 1956 war, preparations for confrontation were made. Palestinian nationalist activity grew in the 1950s and 1960s, most importantly through student groups at universities in the diaspora. Yasser Arafat established the Fatah organization in Kuwait in 1959, which sought the liberation of Palestine through an armed insurrection. In 1964 the Palestine Liberation Organization was established by the Arab League as a competitor to Fatah. Small armed attacks were carried out against Israel beginning in January 1965, primarily by Fatah, and resulted in limited casualties.[152]

Tensions between Israel and its neighbors increased dramatically in 1967, leading to a war between Israel and Egypt, Jordan, Syria, and Iraq. At the war's end Israel controlled the West Bank (including East Jerusalem), the Gaza Strip, Egypt's Sinai Peninsula, and Syria's Golan Heights. The area conquered was more than three times as large as Israel just six days earlier, and included lands holy to Judaism. More than one million Palestinians came under Israeli control and an additional 200,000 to 300,000 Palestinians became refugees.[153]

---

[150] Morris (1987, 2004); Khalidi (2006: 2-3, 126).
[151] Morris (2001: 269-301); Kimmerling and Migdal, 177.
[152] Khalidi (1997: 179-180); Morris (2001: 303); Kimmerling and Migdal, 238-239, 244-252.
[153] Morris (2001: 302-346).

East Jerusalem and adjacent areas of the West Bank were promptly made part of an expanded Jerusalem municipality. With Arab rejection of peace in exchange for the return of occupied territories, Israel made clear its unwillingness to return to its pre-1967 borders in other areas as well. Although never officially adopted, the Israeli government acted according to a plan devised by Labor cabinet minister Yigal Allon in July 1967, which remained unofficial Labor policy thereafter. The Allon Plan envisioned that about two-thirds of the West Bank would eventually be returned to Jordan, certain areas would be retained that would enhance Israeli security, and settlement would be avoided in areas with significant Palestinian population.[154]

De jure annexation of the entire West Bank and Gaza Strip was considered unacceptable by the Israeli government, primarily because awarding citizenship to the Palestinians who remained there would have endangered Israel's status as a Jewish state. However, Israel in effect gradually created a policy of de facto annexation of the territories. Large tracts of land were seized in order to establish Israeli military bases in the West Bank and Jewish settlements. The West Bank's aquifers were exploited overwhelmingly for Israeli use. The Palestinian population was utilized by Israeli businesses as a source of cheap labor and a captive market for Israeli products.[155]

Fatah launched attacks against Israel later in 1967, hoping to spark a popular rebellion amongst Palestinians within Israel and the OPT. The brief campaign was an unqualified failure though and the anticipated uprising failed to materialize. Fatah developed a new strategy of carrying out guerrilla attacks against Israeli targets from bases it established in

---

[154] Ibid., 328-331; Kimmerling and Migdal, 287.
[155] Friedland and Hecht, 165; Morris (2001: 338); Kimmerling and Migdal, 283-286.

Jordan later in 1967. These attacks elevated Arafat's status, and within a year he became

chairman of the PLO and Fatah became its dominant group. But by 1970 the PLO threatened

to overthrow the Jordanian government, leading Jordan to forcibly evict the PLO. The PLO

leadership subsequently reestablished its central command in Beirut and went on to form a de

facto state-within-a-state in Lebanon. The PLO launched periodic small attacks into Israel

from Lebanon's Palestinian refugee camps, which were met with more significant Israeli

counterattacks.[156]

Various Palestinian organizations also turned to international terrorist attacks against

Israelis, Jews, and allies of Israel in order to raise the profile of the Palestinian cause.

Between 1968 and 1977, twenty-nine airplanes were the target of either successful or failed

hijackings. A Fatah terrorist organization, Black September, gained tremendous attention by

taking eleven Israeli athletes hostage at the 1972 Olympics in Munich and killing them. Israel

responded to these incidents by launching counterattacks on terrorist bases, assassinating

terrorist leaders, and dramatically improving its security measures. As a result, the campaign

was largely over by 1977.[157]

The PLO continued its attacks from southern Lebanon though, leading Israel to launch a

limited military campaign in 1978 and a full-scale invasion in 1982 that successfully

destroyed the PLO presence in Lebanon. With the PLO leadership subsequently reestablished

in distant Tunisia and its armed units dispersed far away from Israel, the organization was

dramatically weakened and no longer posed a threat to Israel.[158]

Israeli policy in the OPT transformed with the election of a right-wing government led by

[156] Morris (2001: 365-376, 499); Kimmerling and Migdal, 254, 261-268.
[157] Morris (2001: 376-386); Kimmerling and Migdal, 255-258.
[158] Morris (2001: 499-558).

Menachem Begin in 1977. Begin's Likud party had formed a close relationship with the religious-Zionist movement that aimed to settle and retain all of the occupied territories. Although Israeli governments led by the Labor party had invested heavily in the settlement of East Jerusalem and certain strategic areas of the OPT, the new government focused its efforts on creating a Jewish presence in areas of religious significance that were situated amongst major Palestinian population centers. Large tracts of private Palestinian land were confiscated in order to build these new settlements. The Allon Plan was completely abandoned, and the new objective was the permanent incorporation of the West Bank into Israel.[159]

Israel employed several tactics to squelch Palestinian dissent in the OPT. Political freedoms were extremely limited and the press was strictly censored. Israel paid existing local leaders who were willing to cooperate with its administration and actively suppress Palestinian nationalists. Most important though was Israel's military presence in the OPT, which routinely used violent intimidation, torture, and collaboration to maintain control over the Palestinian population. Israel utilized legal procedures typical of wartime, routinely expelled problematic Palestinian activists, imposed curfews, shut down businesses and schools when it deemed necessary, and required travel and work permits. These tactics were able to maintain order in the OPT until 1987.[160]

A popular uprising known as the Intifada (shaking off) broke out in the West Bank and Gaza Strip in December 1987, transforming the Palestinian struggle from an external terrorist and guerilla campaign into a violent civil conflict. Instigation for the revolt was completely

---

[159] Lustick (1980; 1988: 46-59).
[160] Morris (2001: 339-343, 386); Kimmerling and Migdal, 280.

local and it was unexpected by the PLO, which had never been able to entrench itself in the OPT. On December 8, 1987 a traffic accident in the Gaza Strip occurred in which an Israeli driver caused the death of four Palestinians. Angry Palestinians subsequently attacked a nearby Israeli army post with stones. By the next morning, confrontations became increasingly violent and then proceeded to spread throughout the OPT in the next two days. Order had deteriorated for the first time since Israel had occupied the territories in 1967. The uprising came under the coordination of a new local leadership that referred to itself as the Unified National Leadership of the Uprising in the Occupied Territories and stated the goal of establishing an independent Palestinian state. Instructions were communicated to the public through printed leaflets which eventually featured the signature of the PLO as well. Crowds of stone throwing boys confronting Israeli soldiers became the Intifada's trademark, but other violent and nonviolent tactics were also employed. Two Islamic groups, Hamas and Islamic Jihad, also put their own particularly violent stamp on the uprising.[161]

Israel unsuccessfully attempted to put down the Intifada through moderate force and mass imprisonment. Very early on, Defense Minister Yitzhak Rabin concluded that only a negotiated solution could restore order. The view that Israel's security needs were not best met by controlling and colonizing the OPT became widespread amongst the Israeli public and defense establishment. Much of the Zionist left began supporting a two-state solution to the conflict, but other Israelis moved to the right, with polling indicating that nearly half of Israeli Jews supported some degree of ethnic cleansing.[162]

---

[161] Khalidi (1997: 200); Morris (2001: 561-586); Kimmerling and Migdal, 286, 296-311.
[162] Morris (2001: 586-594, 598-599, 602).

Pressured by the local leadership in the OPT, the PLO moderated its position. On November 15, 1988, Arafat rhetorically declared the independence of the State of Palestine. While the declaration did not explicitly recognize Israel's right to exist or define the territorial extent of the Palestinian state, it rooted its legitimacy in United Nations General Assembly Resolution (UNGAR) 181, which called for the partition of Palestine.[163]

The Intifada brought the Palestinian problem to the center of international attention and convinced a large segment of the Israeli public that military control of the West Bank and Gaza Strip was not a viable long term option. It became clear that neither side would be able to achieve its objective through force, at least not at an acceptable cost. The Palestinians were unable to remove Israel from the territories and Israel was unable to restore order.[164]

What Caused the Intifada?

A review of the history reveals that violent conflict between Jews and Arabs over Israel-Palestine occurred in several distinct phases and involved multiple actors. The first period of violent conflict was between Palestine's Jews and Arabs, beginning with the displacement of Palestinian farmers through exclusionary Zionist land purchase around 1908 and continuing through the British Mandate until the establishment of the State of Israel and the dispersal of the Palestinian people. At this point, conflict over Israel-Palestine transformed from a civil conflict into an interstate conflict between Israel and its Arab neighbors. This period of conflict culminated in the 1967 Arab-Israeli War, though it continued in a more limited form thereafter. The Palestinians played only a very minor role in this phase of conflict. The next distinct dimension of conflict was the terrorist and guerilla campaign waged by several

---

[163] Ibid., 605-607; Kimmerling and Migdal, 304-305; Khalidi (2006: 194-195).
[164] Khalidi (1997: 201); Morris (2001: 596); Kimmerling and Migdal, 300.

Palestinian organizations outside of Israel-Palestine, most notably the PLO, against Israeli targets both within Israel and internationally. Although this phase began in limited form before the 1967 war, it came into full force afterward. This conflict was essentially ended through Israel's military victory against the PLO in Lebanon in 1982. The Israeli-Palestinian civil conflict that resulted in the Oslo peace process only began in December 1987. Significantly, the Intifada did not include any meaningful participation by the Palestinian citizens of Israel. Rather, it was distinctly a revolt by the Palestinians of the OPT.[165]

Therefore, any credible explanation of the Intifada must explain why the Palestinians of the OPT were fully involved while the Palestinians of Israel proper were not. Despite the fact that the Israeli government referred to the Palestinian citizens of Israel as "Israeli Arabs," the overwhelming majority regarded themselves and were seen by other Palestinians as part of the Palestinian people and identified with the Palestinian narrative and national symbols.[166] This leads to the conclusion that the cause of the Intifada was the conditions that existed within the OPT, rather than the content of Palestinian identity.[167]

The cause of the Intifada is clear from a review of the history. Israel's system of rule in the OPT was highly unequal, as the small Jewish minority was given superior rights while the Palestinian majority was harshly discriminated against and left without political power. The territories were administered for the benefit of Israeli Jews with little regard for the Palestinians. This is consistent with the explanation of violent civil conflict as deriving from unequal distributions of power in divided societies.

---

[165] Morris (2001: 562, 602); Kimmerling and Migdal, 200, 202.
[166] Khalidi (1997: 207); Sa'di, 190; Kimmerling and Migdal, 169-213.
[167] This is not to say that the Palestinian citizens of Israel received full legal equality, as they clearly did not (Khalidi 2006: 191). However, their mistreatment was not sufficient to cause a violent revolt as occurred within the OPT.

It could be argued that the Jewish Israeli value of maintaining a Jewish state was responsible for Israel's denial of rights to the Palestinians in the OPT. However, the actual cause of ethnic inequality in the OPT was the Jewish state's de facto expansion into the territories and not the Jewish state per se. Under the counterfactual scenario that Israel had never occupied and de facto annexed the West Bank and Gaza Strip in such a manner, the Intifada would not have occurred. Israel's unequal system of control over the OPT was therefore a necessary condition for the occurrence of the violent civil conflict that began in 1987.

This unequal system also appears to be sufficient to have caused the violence, as the Intifada would have likely occurred even if other previous events or ethnic values were counterfactually manipulated, such as if Palestinian refugees had not been created in 1948 and the right of return was therefore not an issue. And while the parties each wanted to control Jerusalem's holy sites, there is no evidence to suggest that the Intifada was caused by conflicting claims over these sites. It appears equally likely that the Intifada would have occurred if Jerusalem had no importance to Jewish Israelis or Palestinians.

The only element of Jewish Israeli or Palestinian identity that contributed to the ethnic inequality in the OPT was the religious-Zionist value of Israeli control over the entire Land of Israel. An end to Israeli-Palestinian violent civil conflict would therefore require a redistribution of power between the ethnic antagonists which would necessarily require a violation of the central religious-Zionist value.

Case 2: A Historical Background to the Troubles

English intervention in Ireland can be traced as far back as 1169, when the Normans

invaded and established control over parts of the island and created the Lordship of Ireland.

English control declined over time, but intensified during the rule of Henry VIII who

declared himself to be King of Ireland in 1541. After Queen Elizabeth's English forces

defeated a Gaelic rebellion in the northern province of Ulster in 1603, a settler presence was

established on confiscated lands in 1607.[168]

Under the Ulster plantation, settlers flooded in from Scotland and England. The

newcomers cleared many of the Gaels from the land and utilized others for labor, built

twenty-three new settlements, and avoided intermarriage with the native population. Religion

reinforced the distinction between the two communities, with the natives being Catholic and

the settlers Protestant. A series of Penal Laws were instituted to systematically disadvantage

the Catholic population. The stability of the Ulster plantation was not secured until 1690

though, when the Protestant William of Orange defeated the Catholic James II in the Battle

of the Boyne.[169]

During the 1700s, the Kingdom's discriminatory measures targeted Presbyterians as well

as Catholics. Protestants opposed to the existing forms of legal discrimination based upon

religious identification formed the Society of United Irishmen in Belfast in 1791 with the

goal of creating a unifying Irish identity and radically reforming the Irish Parliament. In 1798

the United Irishmen led an armed rebellion against England with the aim of establishing an

independent Irish republic. The violence was only localized though, and failed to draw

---

[168] Arthur, 1; Bardon (1992: 33-74, 95-124).
[169] Arthur, 2-3; Buckland, 3; Bardon, 124-164.

significant Catholic participation. At the same time, the Penal Laws were being repealed, and soon after the Act of Union was passed which resulted in Ireland's full integration into British institutions in 1801 as the United Kingdom of Great Britain and Ireland was established. These factors all but ended political cooperation between Catholics and Presbyterians and united Protestants once again in common cause.[170]

Developments in Britain led to the emergence of true democracy there beginning in the 1860s. Inspired by these advances and the rise of nationalist movements on the European continent, Charles Stewart Parnell established himself as the preeminent Irish nationalist leader of the period. Despite being Protestant himself, Parnell's National League and Irish Parliamentary Party, both founded in 1882, adopted a distinctly Catholic tone with the clergy taking a pronounced role. Irish Catholics also attempted to assert a more distinctively Gaelic culture and rid themselves of English influence. In the 1885 election, Parnell's party won the vast majority of Irish seats. April 1886 saw the introduction of the first Home Rule Bill at Westminster, which proposed giving Ireland a large degree of autonomy. The bill failed though, as did a second Home Rule Bill that was offered in 1892.[171]

A lengthy period of Conservative rule subsequently delayed consideration of the issue. Ulster's Protestants effectively organized a united opposition during this period that was motivated by the population's ethnic, national, religious, and economic ties to Britain and fears of being drawn into an assertively Catholic, Gaelic, and economically inferior polity. Opposition to the 1909 Ne Temere papal decree consolidated Protestant resistance to being drawn into a Catholic dominated Ireland. So when the general election in December 1910

---

[170] Arthur, 4-5; Bardon, 220-222, 232-239; Cochrane, 36.
[171] Arthur, 8-11; Buckland, 9; McGarry and O'Leary, 362.

gave the Irish Nationalists the balance of power and a third Home Rule Bill was introduced in 1912, the Protestant opposition was mobilized.[172]

The Protestant churches took the lead in promoting the Ulster Covenant in 1912, which committed Protestants to upholding Ulster's place in the United Kingdom with the implied threat of violence if required. The mass importation of weapons began and the armed Ulster Volunteer Force was established. In Britain, the Conservatives and much of the Army backed the Ulster Unionists, with nearly two million on the mainland signing a covenant against Home Rule.[173]

Although the Home Rule Bill passed in 1914, the outbreak of World War I postponed its implementation and relegated the Irish question to lower priority status. Irish republicans turned to force to achieve independence, launching the Easter Rising in April 1916 and rhetorically establishing the Irish Republic. The insurrection was quickly put down by a brutal British response, but served to radicalize Catholic opinion in Ireland. The Irish Republican Army (IRA) launched an armed struggle to oust the British from the island in January 1919. Ulster's Protestants became convinced that some form of partition was inevitable and debate turned to devising the most desirable border. It was decided that three of Ulster's nine counties should be abandoned due to their significant Catholic majorities, leaving Northern Ireland 66 percent Protestant. This led to the enactment of the Government of Ireland Act in June 1921, partitioning Ireland into two autonomous parts. The guerilla war against Britain ended when the Anglo-Irish Treaty was signed on December 6, 1921.[174]

---

[172] Arthur, 9-11; Buckland, 10.
[173] Arthur, 12-13; Buckland, 12; McGarry and O'Leary, 190.
[174] Arthur, 13-14, 18; Buckland, 17-21.

The IRA then turned its attention to fighting the North, but this campaign was halted on June 28, 1922 when an internal dispute over the signing of the Anglo-Irish Treaty sent the South into a civil war. The treaty supporters emerged victorious, and although still aspiring ultimately to Irish unification, their leader Michael Collins took a more conciliatory stance toward the North.[175]

The institutions put in place by Britain in 1921 were designed with insufficient attention to the divided nature of society in Northern Ireland. It was naively expected that proportional representation (PR) alone would provide adequate protection to the Catholic minority. Single-member district plurality voting then replaced PR in 1929, and from that point on representation remained remarkably consistent with the Unionists taking about three-quarters of the seats. The Protestant majority ruled for its own benefit with little regard for the Catholic minority. Districts were gerrymandered and voting in local elections was determined by property tax paying in order to give the Unionists control over local governments in communities with sizeable Catholic majorities. Local and provincial government employment and other benefits were then doled out in a partisan manner. Law enforcement and justice were also applied in an extremely sectarian fashion. From 1922 to 1972 the Special Powers Act was in effect, which gave the government powers similar to those of martial law although it was completely unnecessary during virtually the entire period.[176]

In protest of the Unionist refusal to share power, all Nationalist parliamentarians abstained for eighteen months beginning in May 1932. After this period, some members periodically

---

[175] Arthur, 18-19; Buckland, 39, 43-48.
[176] Arthur, 19-29, 36, 47-51, 101; Buckland, 23, 51-52, 62-64.

walked out in protest of Unionist abuses.[177] Armed confrontation was unpopular though, as

an IRA bombing campaign in Britain against partition in 1939 and 1940 failed to garner

popular support amongst either Northern or Southern Irish Catholics.[178]

   In 1949 the South became the Republic of Ireland and withdrew from the Commonwealth.

In response, Britain gave Northern Ireland a more secure status within the Union by passing

the Ireland Act of 1949, confirming that the province's sovereign status would not change

without the consent of its parliament. Britain also rewarded Northern Ireland for its

contributions to the Second World War effort, putting the province on secure financial

footing and providing its people with extensive social services. The Unionist government

could not resist the temptation to apply this new aid in a discriminatory manner though,

widening the gap in employment and housing and increasing sectarian polarization.[179]

   While Northern Ireland was fairing worse economically than the rest of the United

Kingdom, it offered considerably more materially than the South, even for Catholics. So

despite relative inequality between Protestants and Catholics in Northern Ireland, some

Catholics were beginning to seek a greater role in the province's affairs while still

maintaining the goal of eventual Irish unity. The Northern Catholic preference for democratic

rather than violent means was clearly demonstrated by the lack of support that an IRA armed

campaign from 1956 to 1962 drew.[180]

   A Catholic movement under the name National Unity was formed in 1959 and became the

National Democratic Party in 1964. It supported a united Ireland, but conditioned this upon

---

[177] Buckland, 70.
[178] Ibid., 59; McGarry and O'Leary, 51.
[179] Arthur, 18-19, 74, 82; Buckland, 83, 86-92, 101.
[180] Arthur, 57, 70, 75, 89; Buckland, 102-104.

majority consent of the North's people. It also accepted the legitimacy of Northern Ireland's constitution and supported internal reforms through electoral politics. Although it won only one seat at the 1965 general election, it pushed the Nationalist Party to adopt a similarly conciliatory strategy and in February 1965 become the Parliament's first official opposition.[181]

Terence O'Neill assumed the premiership of Northern Ireland in 1963. O'Neill set ambitious targets for new housing and employment and sought to reform local government, aiming to improve relations between Protestants and Catholics. The strategy showed signs of success, as intercommunity relations began improving noticeably. O'Neill's reforms led to significant Protestant anger though, particularly amongst the working class due to the perception that Catholics were receiving preferential treatment.[182]

Polling indicated that a majority of Protestants endorsed the use of violence in order to maintain their privileged position. Paramilitary organizations formed in 1966, including the Ulster Volunteer Force (UVF) and the Ulster Protestant Volunteers. Discontent turned increasingly violent in June 1966, when members of the UVF shot random Catholics outside of a bar, killing one. O'Neill responded by using the Special Powers Act to outlaw the organization.[183]

The Northern Ireland Civil Rights Association (NICRA) was formed in February 1967 to campaign for equal rights for Catholics. The NICRA adopted principles of non-violence and was silent on the aspiration of a united Ireland. Its expressed goals were one vote per person in local elections, an end to gerrymandering, an end to government discrimination

---

[181] Arthur, 57-58, 93, 102-103; Buckland, 109, 114.
[182] Arthur, 85-89, 94-97; Buckland, 119-120.
[183] Arthur, 95-96; Buckland, 120-121.

(particularly in the allocation of public housing), an end to the Special Powers Act, and the creation of a new non-partisan police force.[184]

The NICRA began leading large protest marches in August 1968. The campaign led to a Protestant backlash movement led by the Reverend Ian Paisley. In confrontations that resulted between the two sides, the police largely came to Paisley's aid. The police brutally attacked civil rights protestors at an October march, injuring 78 civilians. In response, the Nationalist Party gave up its role as the official opposition and Catholic relations with the police were further damaged. A Marxist student group, the People's Democracy (PD), also formed in response to the events, espousing far more radical aims than the NICRA.[185]

The British government subsequently pressured Northern Ireland's government to accede to the NICRA's demands. O'Neill's government announced a reform package on November 22, 1968, to which the NICRA responded by calling a month long cessation of civil rights protests. However, opposition came from both sides. O'Neill faced an internal revolt within the Unionist Party to these reforms, and the PD ignored the NICRA's call. The PD held a four day march from Belfast to Derry beginning on January 1, 1969. On January 4, the police responded with extreme recklessness against the Catholics of Derry's Bogside, leading a local militia to seize control of the area and declare 'Free Derry' that night.[186]

Unionists became increasingly upset with O'Neill's reforms, especially as they failed to end the Catholic revolt. O'Neill called a general election as a referendum on reform, leading to a decline in supporters of his agenda. Protestant objection to reform was particularly strong amongst the working-class who feared that Catholic gains would be at their expense.

---

[184] Arthur, 103, 108; Buckland, 118; McGarry and O'Leary, 270, 314.
[185] Arthur, 103-105; Buckland, 118-123.
[186] Arthur, 108-109); Buckland, 124-125; McGarry and O'Leary, 47.

Paisley championed their cause, promising to protect their traditional privilege. From the end of March 1969, the UVF undertook a bombing campaign, leading the IRA to follow suit in April.[187]

Increasing violence led to the radicalization of both communities, making compromise more difficult. On April 22, 1969 O'Neill accepted the principle of equal voting rights in local elections, provoking further Unionist opposition. Unable to take the reform process any further, O'Neill resigned from office on April 28 and was replaced by James Chichester-Clark. Sectarian violence only increased, with Derry and Belfast being the epicenters. An Orange Order march in Derry on August 14 led to riots that quickly spread to Belfast. Over the next few days Northern Ireland experienced the most significant death and destruction the province had seen since the 1920s.[188]

More reforms were attempted with mixed results, but Northern Ireland had already descended into chaos. 'The Troubles,' as the violent conflict in Northern Ireland came to be known, had begun. The British Army intervened in August 1969, which fueled a rebirth of militant republicanism in the Catholic ghettos. The IRA was unprepared to defend vulnerable Catholics from loyalist violence, leading to a split within the IRA in December 1969 which produced a more extremist variant, the Provisional Irish Republican Army (PIRA). In January 1970 the IRA's political wing, Sinn Féin, followed suit. The PIRA saw the breakdown of Unionist control as an opportunity to achieve a united Ireland, and conducted an armed campaign toward that end.[189]

The PIRA campaign led to increasing Protestant pressure on the Northern Ireland and UK

---

[187] Buckland, 126-128.
[188] Arthur, 108, 110; Buckland, 129-131.
[189] Arthur, 110-111, 123-124; Buckland, 139, 142-145.

governments to abandon reform and focus on restoring security. Britain attempted to reform policing in Northern Ireland in October 1969, but the new force was similarly partisan. The Conservative Party came to power in Britain in 1970 and instituted harsher security measures in Northern Ireland, leading to greater Catholic support for the PIRA. The PIRA's attacks had primarily targeted the British Army, but in 1970 they shifted to a more clearly offensive strategy aimed at affecting a speedy British withdrawal, carrying out extensive attacks in Northern Ireland and to a lesser degree in Britain against a variety of targets.[190]

Heavy-handed British security measures further alienated Northern Catholics. The new moderate nationalist party, the Social Democratic and Labour Party (SDLP), withdrew from Parliament on July 15, 1971 after the British Army shot Catholics in Derry.[191] A new policy of internment without trial was instituted by Britain on August 9, 1971. It was met with widespread Catholic outrage and led to a civil disobedience campaign and a Catholic boycott of local government. Reports of torture were common and thoroughly poisoned relations between the Army and the Catholic community. Moreover, the policy failed to control the violence. An anti-internment march in Derry on January 30, 1972 resulted in the British Army killing 14 civilians, leading to an unprecedented level of Catholic opposition. The event became known as 'Bloody Sunday.' London imposed direct rule on Northern Ireland, causing outrage amongst Protestants.[192]

Sectarian violence and the killing of security forces only increased in the following year. The PIRA saw the fall of the Northern Ireland government as creating an excellent opportunity for forcing a British withdrawal and achieving a united Ireland, and thus

---

[190] Arthur, 111-112, 131; Buckland, 146-149; McGarry and O'Leary, 51.
[191] Buckland, 151.
[192] Arthur, 112-114; Buckland, 150.

ratcheted up their campaign. By February 1972 a Protestant backlash to the PIRA campaign was underway, featuring assassinations, bombings, and various attacks on IRA and Catholic targets. The PIRA only intensified its efforts, setting off 26 explosions in Belfast on July 21, 1972. Nine civilians and two soldiers were killed, and 130 were injured, many badly mutilated. 'Bloody Friday,' as the day became known, only further radicalized Protestant militants.[193] Northern Ireland's Troubles would grind on for nearly three decades, with neither side being able to resolve the conflict through force.

What Caused the Troubles?

An analysis of the history of Northern Ireland does not support the conclusion that the Troubles were caused by a conflict between the Irish Catholic desire for the unification of Ireland and the Ulster Protestant desire to maintain the Union with Great Britain. While it is true that these values were indeed contradictory, the evidence does not suggest that the Catholic protest movement was driven by a desire to unify Ireland, although Catholics obviously aspired to this, and the Protestant backlash was not motivated merely by a desire to uphold the Union, but rather to maintain the privilege that Protestants enjoyed under Northern Ireland's system of government.

Rather, the true cause of the violent civil conflict that began in 1969 was the unequal system of government that operated within the divided society that was Northern Ireland. Ulster Protestants used strict majoritarian rule in Northern Ireland to run the province for their partisan benefit with little regard for the interests of the Catholic minority. Efforts to remedy this situation peacefully were largely unsuccessful and Catholic protests were met

---

[193] Arthur, 115-116; Buckland, 154, 160-161; McGarry and O'Leary, 260.

with violent repression, thus leading to civil unrest. The violent conflict did not begin with the republican paramilitary campaign to unite Ireland; rather this goal was pursued in response to the breakdown of Northern Ireland's government and the opportunity this presented.

Under the counterfactual scenario that power-sharing had been in place in Northern Ireland after 1920, the Troubles would not have occurred despite the contradictory desires of Irish Catholics and Ulster Protestants regarding the province's sovereign status. Institutional inequalities were therefore a necessary condition for the occurrence of the Troubles. The unequal distribution of power within Northern Ireland was also sufficient to cause the violent conflict, as the Troubles would have likely occurred even if Irish Catholics had not aspired to Irish unification. The problem was therefore unequal institutional arrangements in a divided society rather than conflicting ethnic narratives.

The implication of this is that a negotiated agreement to end the violent civil conflict in Northern Ireland would not necessarily require that either or both of the ethnic groups concede their deeply held identity-based value, Irish unification for Irish Catholics and the maintenance of the Union for Ulster Protestants. The necessary element of a negotiated settlement would be the restructuring of power relations between Northern Ireland's two ethnic communities.

What Causes Ethnic Civil Conflict?

Although the preceding analysis examined only two cases, the hypothesis that contradictory ethnic narratives cause violent civil conflict to occur is not supported. Rather, both the Israeli-Palestinian and Northern Ireland cases support the hypothesis that unequal

distributions of power in divided societies lead to the outbreak of violent conflict. The consequence of this finding is that in such cases power inequalities must be addressed in order to end violence, but conflicting ethnic narratives may not need to be altered.

CHAPTER 5: ASSESSING THE IMPACT OF INCLUSION VERSUS POSTPONEMENT OF IDENTITY-BASED ISSUES

The Negotiation Process: Designing a Formula

Negotiation processes can be seen as occurring in three phases. First, the parties diagnose the problem and agree to attempt resolution of the conflict through negotiation. Next, a formula is agreed upon outlining the issues for which a resolution will be sought and defining in broad terms what the criteria will be for arriving at a solution that addresses these agreed upon issues. In the final phase, the details are negotiated that provide solutions to the issues that the parties have decided to address, resulting in a negotiated settlement. In reality, these phases are rarely so clearly divided, and backtracking frequently occurs from the detail phase to the formula phase as problems become evident. These phases, especially the development of a formula, may occur gradually over many years with initially vague agreements being replaced by increasingly specific agreements over time.[194]

In order for a negotiation formula to successfully resolve a particular conflict, it must naturally address the cause of the dispute. This means that any successful negotiated settlement to violent civil conflict must resolve the underlying cause or causes of violence. While it is certainly preferable for a negotiation formula to be as comprehensive as possible and address all of the issues of dispute between the parties, it should be remembered that the purpose of negotiation is not to permanently end all disagreements between the parties, as disagreement is a normal part of politics. Rather, the purpose of civil conflict negotiation is to remove the condition that caused the occurrence of violence and restore or create normal

---

[194] Zartman and Berman, 9, 101, 134-136, 147.

functioning politics between the parties. It is therefore possible to postpone permanent resolution of certain issues that it is determined would inhibit agreement on the fundamental issues that must be resolved in order for a meaningful agreement to be reached. Zimbabwe's Lancaster House negotiations provide an example of this, as agreement on the makeup of a new national army was postponed until after elections for the new government were conducted. Procedures can even be agreed upon for resolving these postponed matters at a future time.[195]

While the literature regarding approaches for addressing ethnic identity-based issues in civil conflict negotiation clearly presents the unique difficulty of inducing concessions on these elements, in that they resist compromise through rewards and punishments, my examination of the Israeli-Palestinian and Northern Ireland conflicts does not support the literature's underlying assumption that conflicting elements of ethnic identity are the cause of violent civil conflict. If these conflicting elements of identity were the cause of civil conflict, they would certainly need to be addressed. But as I determined that the actual cause of violence was the unequal institutional arrangements in these divided societies, it may have been possible to simply postpone for future resolution the conflicting identity-based issues while reaching an agreement that dealt with the fundamental cause of violence and restored order. I will therefore assess the impact of including for permanent resolution versus postponing conflicting identity-based issues on the outcome of civil conflict negotiations.

---

[195] Ibid., 109, 123, 125, 184; Zartman (1995a: 21). This process of postponement has alternatively been referred to in the negotiation literature as fractionation by Roger Fisher (1964) and issue disaggregation by P. Terrence Hopmann (1996: 80-81).

Methodology

In this chapter, I will test the hypothesis that inclusion for permanent resolution versus postponement of conflicting identity-based issues affects the outcome of civil conflict negotiations. I will analyze the negotiation processes of the two civil conflicts that I have already examined, Israel-Palestine and Northern Ireland. As these cases both share in common the presence of conflicting identity-based issues but, as will be shown, differ in whether they included or postponed the central identity-based issues from the negotiation formula for permanent resolution, I will be able to use the comparative method[196] with the most similar research design.[197] In addition, I will use the counterfactual approach[198] to test my hypothesis within each case.

First, I will conduct historical analyses of each negotiation process to determine which disputed identity-based issues were included for permanent resolution in the settlement formula utilized and which were postponed for future resolution, and then determine the impact that this inclusion or postponement had on the negotiation of details and the outcome of the process. The use of counterfactual analysis will help determine the impact within each case.

This historical analysis will primarily utilize insider accounts of each negotiation process. As negotiation processes are not public events with official transcripts, these insider accounts offer the best evidence of what items proved to be most difficult in negotiation and which were uncontroversial. All insider accounts are not equally useful though, as many have been written by partisan individuals who misrepresent what actually occurred. I therefore use

---

[196] Lijphart (1971).
[197] Burnham et al. (2004: 63).
[198] Fearon.

sources that are as neutral as possible. For the Israeli-Palestinian negotiations this was particularly difficult. I rely primarily upon the account of the French journalist Charles Enderlin[199] who had the most complete access to participants in the negotiations and was therefore able to put together a comprehensive account. Participants from both sides have agreed that Enderlin's account of the negotiation process is the most accurate available. I also utilize the analysis of the scholar Jeremy Pressman,[200] who reviewed all available accounts in order to synthesize a brief reconstruction of the negotiations over details. For Northern Ireland, unbiased accounts were written by firsthand participants in the talks. The most useful of these were by the American mediator to the talks that produced the Good Friday Agreement, George Mitchell,[201] and Tony Blair's chief negotiator from 1997 to the end of the process, Jonathan Powell.[202]

After examining both cases and performing counterfactual analyses, I will also compare the two cases to each other to determine the impact of including for permanent resolution versus postponing conflicting ethnic identity-based issues on the outcome of civil conflict negotiations. I will test my hypothesis with both of these approaches because there are weaknesses to each method. The counterfactual approach is imperfect because it is impossible to know for certain what would have happened if an independent variable were changed. The comparative method is flawed because there will always be more than one difference between even the most similar cases, so it is impossible to determine conclusively that a certain independent variable is responsible for a difference seen in outcome. By

---

[199] Enderlin.
[200] Pressman (2003).
[201] Mitchell (1999).
[202] Powell.

utilizing both of these methods I will be able to perform a better test of my hypothesis than if I used only one.

Case 1: The Israeli-Palestinian Negotiation Process

Motivated by the stalemate of the Intifada and mutual fears of increasing international isolation, the American administration of President George H. W. Bush was able to convince the parties to seek a negotiated resolution to the conflict. The first step in the Israeli-Palestinian negotiation process was the Madrid Peace Conference in October 1991. Palestinian representatives formed a joint delegation with Jordan, signaling a renewal of the previously discarded Amman Agreement of 1985 that sought to establish a confederation between Jordan and a future Palestinian state. The Palestinians were not officially represented by the PLO, but rather by prominent figures from within the West Bank and Gaza. After the international conference, the Israeli and Palestinian representatives engaged in bilateral negotiations in Washington, D.C. In response to the Madrid conference, unrest in the OPT began to decrease. However, the negotiations were strongly condemned by the rejectionist Palestinian forces including the PFLP, Hamas, and Islamic Jihad, and deadly attacks by these groups increased.[203]

Israeli elections were held on June 23, 1992 that resulted in a dramatic shift to the parties supportive of concessions to the Palestinians. The major campaign issue had been the peace process, and its foremost advocate, Yitzhak Rabin of the Labor Party, replaced the hardline Yitzhak Shamir of Likud as Prime Minister. With both the new Israeli leadership and the PLO leadership frustrated with the lack of progress in the overly public negotiations in

---

[203] Khalidi (1997: 201); Morris (2001: 594, 615); Kimmerling and Migdal, 263, 310-311, 321-330.

Washington, a new secret channel of talks opened up between Israel and the PLO in London on December 4, 1992. These negotiations quickly moved to Norway, where they were facilitated by the Norwegian government. This resulted in the signing of the Declaration of Principles on Interim Self-Government Arrangements, better known as the Oslo Accords, on September 13, 1993. The Intifada was officially called off as a result.[204]

The goal set forth in the Oslo Accords was the negotiation between Israel and the PLO of "a permanent settlement based on Security Council resolutions 242 (1967) and 338 (1973)" to the Israeli-Palestinian conflict.[205] United Nations Security Council Resolution (UNSCR) 242 was passed in the aftermath of the 1967 Arab-Israeli War. It emphasized that territory acquired by force was illegitimate and called for Israeli withdrawal "from territories occupied" in the war. In return, UNSCR 242 called for all of Israel's neighbors to make peace with it and establish demilitarized zones. It also stated that it was necessary to reach "a just settlement of the refugee problem."[206] This formula of Israeli military withdrawal from territories occupied in the 1967 war in exchange for peace from its Arab neighbors became known as the 'land for peace' formula.[207]

However, interpretation of UNSCR 242 by Israel and its Arab neighbors differed. The source of disagreement revolved around the meaning of "from territories occupied." Israel maintained that this did not necessarily mean all territories gained by Israel in the war, while the Arab states and the PLO asserted that a full withdrawal was required.[208] The other ambiguity concerning UNSCR 242 was that it did not call for the establishment of a

---

[204] Kriesberg (2001: 382); Morris (2001: 594, 615-622); Kimmerling and Migdal, 330-331.
[205] Declaration of Principles on Interim Self-Government Arrangements (1993: Article I).
[206] United Nations Security Council (1967).
[207] Morris (2001: 346).
[208] Ibid.

Palestinian state, and it did not specify who is to control the West Bank and Gaza after Israeli withdrawal.

UNSCR 338 was adopted during the 1973 Arab-Israeli War. It called for the full implementation of UNSCR 242 through negotiations "between the parties concerned."[209] Again, this resolution was ambiguous about which parties were to negotiate an end to the Arab-Israeli conflict and to what extent the Palestinians were to be involved. The Oslo Accords clarified this point by recognizing that the Israeli-Palestinian conflict was to be resolved between Israel and the PLO.

The Oslo Accords called for negotiations on the details of an agreement, referred to as permanent status negotiations, to start by the beginning of the third year of an interim period. It was clearly stated that the permanent status negotiations were to cover all outstanding issues between the parties, including the final status of Jerusalem, the Palestinian refugees, settlements and final borders, and security arrangements.[210]

In sum, the Oslo Accords adopted the 'land for peace' formula created by UNSCR 242 and reiterated by UNSCR 338. It did not commit explicitly to Palestinian statehood at the time, but as will be seen, this was clearly accepted as the formula later on. The Oslo Accords agreed that the permanent status negotiations would cover all issues of conflict between the parties, including issues that were recognized as central to the identities of the opposing ethnic groups, such as Jerusalem, refugees, and borders. The formula for negotiated agreement established in the Oslo Accords was therefore comprehensive, leaving no significant issues unresolved.

---

[209] United Nations Security Council (1973).
[210] Declaration of Principles, Article V.

The Accords provided for the establishment of an interim Palestinian autonomous

authority. This new Palestinian Authority (PA) was led by the PLO leadership that returned

from Tunisia. In what were intended to be interim arrangements, the occupied territories

were divided into three areas. The PA was placed in charge of security and civil

administration in Area A and civil affairs in Area B. Israel retained security authority in Area

B and both security and civil duties in Area C.[211] These transitional arrangements were based

upon the Framework for Peace document devised in the Israeli-Egyptian negotiations.[212] As

these designations concerned only interim arrangements, my consideration of developments

in this area will be limited. The focus of the following analysis will be on the permanent

status negotiations.

Although polling indicated that approximately two-thirds of both Israelis and Palestinians

(within the OPT) supported the Oslo Accords, opposition to the agreement was significant.

Before the stage of permanent status negotiations was even reached, spoiler violence was at

work on both sides in an attempt to derail concessions on central identity-based issues. An

attack by Baruch Goldstein, a radical religious-Zionist settler, killed 29 Muslim worshipers at

the Tomb of the Patriarchs in Hebron on February 25, 1994. This massacre led to significant

Palestinian riots, to which the Israeli military responded violently and killed approximately

thirty Palestinians and injured hundreds more. The peace process suffered a serious blow on

November 4, 1995 when Rabin was assassinated at a peace rally in Tel Aviv by Yigal Amir,

---

[211] Enderlin, 13; Khalidi (2006: 150).
[212] Morris (2001: 472-473); Kimmerling and Migdal, 320.

a 27 year old religious-Zionist motivated by a desire to prevent further territorial concessions to the Palestinians.[213]

Palestinian militant organizations that were opposed to any territorial compromises over historic Palestine and refused to integrate into the PLO and PA carried out many deadly attacks against Israeli civilians, killing a far greater number of Israelis after the signing of the Oslo Accords than were killed during the Intifada. Hamas was responsible for most of these attacks, mainly bus bombings, with Islamic Jihad carrying out several as well. Both groups received significant assistance from Iran. Although the Oslo Accords made the PA responsible for preventing terrorist activity emanating from areas under its control, this effort was very limited so as to avoid damaging Arafat's domestic credibility. These attacks led large segments of the Israeli public that were previously in favor of concessions to question the wisdom of the peace process, and were clearly responsible for Benjamin Netanyahu's narrow electoral victory over Rabin's successor, Shimon Peres, on May 29, 1996. The attacks also led Israel to impose stifling security restrictions on the Palestinians, causing grave damage to the Palestinian economy and leading to a significant erosion of confidence in the peace process.[214]

Netanyahu's assumption of the Israeli premiership had dire consequences for the peace process, which his government essentially set out to derail. After the signing of Oslo, Rabin had restricted settlement development in the West Bank to the major settlements near Israel proper that Israel intended to keep, a strategy that Arafat had privately accepted. Netanyahu initiated plans to dramatically accelerate settlement growth in all of the West Bank and

---

[213] Morris (2001: 622, 624); Enderlin, 3-4; Kimmerling and Migdal, 316.
[214] Morris (2001: 566, 594, 622, 625-627, 640); Enderlin, 16, 31-33, 41, 43; Khalidi (2006: 152, 200-202).

reinstated the monetary incentives for settlement that Rabin had canceled. Ariel Sharon, as National Infrastructure Minister, oversaw a massive road building effort to connect settlements to Israel and isolate the autonomous Palestinian zones, and invested heavily in upgrades to the electricity network and water pipelines. Arafat demanded a halt to Netanyahu's plans, but he was openly rebuffed.[215]

During Netanyahu's premiership, permanent status negotiations were not begun as stipulated in the Oslo Accords, and only minor concessions were made on interim arrangements. An Israeli withdrawal from part of Hebron was carried out in January 1997, and later in the year the Wye River Memorandum was signed. Israel failed to fully implement the territorial withdrawals called for in the Wye agreements, and the PA did not fulfill the security commitments they were supposed to undertake, although they upheld more of their obligations than Israel. Palestinian terrorist attacks continued in 1997, leading to further Israeli security restrictions on the occupied territories.[216]

On May 17, 1999 Ehud Barak of the Labor Party defeated Netanyahu in the election for Israeli Prime Minister. Barak ran on a campaign of achieving an Israeli-Palestinian peace agreement, and his impeccable military credentials and strong support from an array of security officials would enhance his ability to offer territorial concessions in permanent status negotiations. The new Knesset (Israel's parliament) saw fifteen parties elected. As Labor held only 26 of the Knesset's 120 seats, Barak needed to attract a broad array of political parties in order to form a governing coalition. The Sephardi and Mizrahi ultra-Orthodox party Shas was to play a crucial part in Barak's coalition with 17 seats, placing limitations on

---

[215] Enderlin, 51-52; Khalidi (2006: 199).
[216] Enderlin, 66, 72, 97, 108.

Barak in negotiations regarding Jerusalem. In the coalition agreement, Barak was forced to explicitly commit to four principles for a permanent status agreement. These included the retention of a unified Jerusalem as the sovereign capital of Israel, no withdrawal to the pre-1967 borders, no foreign army in the land controlled by the Palestinians, and most settlement dwellers remaining in place. Barak also committed to submit the agreement to a referendum.[217] Barak and his negotiation team therefore faced both parliamentary and public opinion constraints in reaching a peace agreement.

The Sharm el-Sheik Memorandum was signed on September 4, 1999, calling for more interim steps and setting a timetable for the permanent status negotiations. In the coming months, both parties delivered their opening positions. The Palestinians called for a full Israeli return to the 1967 borders, but later offered Israeli annexation of four percent of the West Bank to be compensated for by an exchange of territory from within Israel proper. Israel opened by calling for the annexation of twenty percent of the West Bank and subsequently reduced this to 13.3 percent.[218]

In Sweden on May 20, 2000, Palestinian and Israeli negotiators developed the Framework Agreement on Permanent Status (FAPS) that further clarified the formula to be used. They reiterated that United Nations Security Council Resolutions 242 and 338 would form the basis for the agreement. The FAPS explicitly stated that the permanent status agreement would result in the establishment of a Palestinian state, a point that had been left ambiguous in the Oslo Accords. Israel and Palestine would establish normal diplomatic relations and would be prohibited from forming military alliances threatening to either state. It was agreed

---

[217] Ibid., 106, 109, 112, 114.
[218] Ibid., 119, 124, 145-148.

70

that all Palestinian prisoners would be released by Israel upon the reaching of a permanent status agreement. The parties also discussed the Palestinian refugee issue for the first time, agreeing to UNSCR 242 as a basis for doing so. As we have already seen, UNSCR 242 was especially vague in this respect, calling only for "a just settlement of the refugee problem." Palestinian negotiators wanted return to Israel with compensation to be an option, while the Israelis agreed to compensation but wanted the only options for permanent settlement to be Palestine, the refugee's current place of residence, or a third country. Israel was also willing to accept a limited number of family reunification cases. Later, Palestinian negotiators backtracked on the FAPS when leaks of it to the Palestinian press drew criticism.[219]

Barak's governing coalition began to crumble as soon as a permanent status negotiating summit was announced on July 5, 2000. The right-wing National Religious Party and Yisrael B'Aliyah withdrew immediately, and when Barak refused to commit to certain red lines for the negotiations the moderate ultra-Orthodox Shas party removed its 17 members, leaving the coalition with only 42 seats out of a total of 120. Although Shas supported the concession of territory in order to save human life according to the religious principle of *pikuach nefesh* (preservation of life), their position on Jerusalem remained unyielding. Although now in the minority, Barak was legally permitted to maintain his office.[220]

The Camp David summit was held in Maryland from July 11 to July 25, 2000 with the goal of resolving all outstanding issues. The negotiations were mediated by American President Bill Clinton and his team and were organized into three issue areas. The first concerned issues of borders, territory, settlements, and security (for a short time the issue of

[219] Ibid., 153-158.
[220] Yuchtman-Yaar and Hermann (2000: 35); Enderlin, 171-172; Mualem (2008).

security was separated from these other issues but then soon reintegrated), the second was Jerusalem, and the third was the Palestinian refugee issue.[221] In what follows, the negotiations on these three issue areas will be examined separately although the negotiators moved back and forth between these issues during the summit.

Regarding territory, Israel sought to annex enough of the West Bank to incorporate 80 percent of the settlers in contiguous territorial pieces. They first estimated that this would require the annexation of six to eight percent of the West Bank. Clinton backed Israel on this goal. Arafat displayed great flexibility, at first expressing the willingness to allow Israel to annex as much as eight to ten percent of the West Bank if it was compensated for by an exchange of territory from within Israel proper. The Palestinians seemed to quickly determine that this was too generous for an initial offer though, and backtracked to acceptance of Israeli annexation of three to four percent of the West Bank if compensated for by an exchange of territory. They also made clear that West Bank territory annexed by Israel should not involve areas with Palestinian population and should not disturb the territorial contiguity of the West Bank. The Israelis eventually accepted the principle of exchanging territory, but offered rather undesirable land near Gaza.[222]

Israel's opening offer at Camp David was to annex 10.5 percent of the West Bank and retain another ten percent of the West Bank (the Jordan Valley) for security purposes for twenty years. They also asked for the retention of five security positions in the West Bank, control over airspace, and for Palestine to be a demilitarized state. The Palestinians rejected this offer on the grounds that a 10.5 percent annexation was too much and the retention of the

---

[221] Enderlin, 177, 183, 189, 193-194; Pressman, 8.
[222] Enderlin, 188, 196, 206, 213, 224; Pressman, 17.

Jordan Valley for twenty years was not acceptable. The sides were on full agreement over the Gaza Strip, with Israel offering evacuation of all settlements there. During the summit, the Palestinians submitted a map to the Israelis of their offer for final borders, allowing some settlements to be retained, although not with the territorial buffers around them that Israel desired. The settlements that the Palestinians agreed could be annexed by Israel included Ariel and the Etzion bloc.[223]

Differences between the parties on security issues were not particularly significant. Although each side envisioned slightly different wording for how the issue of demilitarization of the Palestinian state would be framed, there were no substantive differences on the matter. The Palestinians also accepted some American military presence on their territory for a certain amount of time and the idea of third party monitoring at border posts. The parties were also able to agree on the issue of control over airspace.[224] These security arrangements were derived from the Israeli-Egyptian Framework for Peace document.[225]

Jerusalem was the dominant issue of the Camp David summit, which was appropriately characterized by Israeli negotiator Shlomo Ben Ami as "the Jerusalem summit."[226] The sovereign status of the *Haram al-Sharif*/Temple Mount was clearly the most contentious issue, and debate over it consumed a disproportionate amount of time and attention by the negotiators. Arafat felt constrained in his ability to negotiate over it not only by Palestinian

---

[223] Enderlin, 207-208, 213, 242; Pressman, 22-23.
[224] Enderlin, 246-251.
[225] Morris (2001: 472-473).
[226] Enderlin, 219.

public opinion, but based on the belief that the site belongs to all Muslims in the world.[227]

Arafat told his negotiating team at one point that "The most important thing for me is the *Haram al-Sharif*."[228] On more than one occasion, Arafat made theatrical appeals to Clinton that he would be assassinated if he gave up sovereignty over the *Haram*,[229] once declaring "I won't go down in Arab history as a traitor."[230] The Palestinians firmly rejected the possibility of any form of shared sovereignty with Israel,[231] and infuriated the Israelis and Americans by rejecting the claim that there had ever been any Jewish connection to the site.[232]

The most generous Israeli offer at Camp David was for the *Haram al-Sharif*/Temple Mount to be put under Palestinian custody but with Israel retaining limited sovereignty.[233] The Israeli negotiators recognized that for an agreement to be acceptable to their public it could not weaken the Israeli claim to the Temple Mount, which in private Israeli discussions was described as "the heart of Jewish culture"[234] and "the basis of Zionism."[235] The Israeli negotiators requested a prayer space for Jews on the Temple Mount, potentially for a synagogue. This idea was received with fury by the Palestinian team, and came to represent Israel's sinister intentions.[236] For their part, the Israelis were clearly offended by the Palestinian team's refusal to even acknowledge that the Temple Mount has significance to Jews and to Israel.[237] So for both sides, the issue of the *Haram al-Sharif*/Temple Mount

---

[227] Ibid., 179; Pressman, 19.
[228] Enderlin, 206.
[229] Ibid., 238, 253.
[230] Ibid., 253.
[231] Ibid., 209.
[232] Ibid., 205; Pressman, 19.
[233] Enderlin, 207.
[234] Ibid., 221.
[235] Ibid., 223.
[236] Ibid., 203-204; Pressman, 19.
[237] Enderlin, 218.

created a highly toxic atmosphere at Camp David.

Far less discussion revolved around the rest of Jerusalem. The Palestinians demanded control over the Christian holy sites as well as the Islamic ones, but were willing to accept the Jewish Quarter and the Western Wall being under Israeli sovereignty. The Israelis proposed Palestinian autonomy over East Jerusalem's inner Arab neighborhoods and a special administration under Israeli sovereignty for the Muslim, Christian, and Armenian quarters within the Old City. The Israelis also expressed their interests in what they termed Jerusalem's "sacred basin," (also referred to as the Holy Basin) which included the Jewish cemetery on the Mount of Olives and adjoining parts of Jerusalem significant to Judaism that predate the walled Old City. On the other hand, Israel was eager to be rid of municipal Jerusalem's outer Palestinian neighborhoods in order to avoid increasing the number of Arab citizens of Israel. The Palestinians agreed to Israeli annexation of Jewish neighborhoods established in East Jerusalem after 1967, which included approximately 200,000 Jews.[238]

Although the issue did not receive nearly as much attention as Jerusalem, there were significant differences between the parties at Camp David concerning the Palestinian refugee issue. The Israelis wished for the issue of former Jewish refugees from Arab countries to be linked with the Palestinian refugee issue, which the Palestinians were unwilling to accept in large part because they played no role in creating the situation. For a large portion of the Israeli public, especially Mizrahi Jews and the Shas party, the addressing of Jewish property claims was considered a necessity if the claims of Palestinian refugees were to be addressed. The Palestinians wanted the Israelis to accept the blame for the creation of the Palestinian

---

[238] Kemp and Pressman, 44; Enderlin, 182, 207, 212, 220, 244; Pressman, 18, 23.

refugee situation, and the Israelis insisted that they were not responsible. Both sides simply repeated their previous positions on the right of return. The Palestinians insisted that it should be up to each individual refugee to decide, and Israel rejected the right of Palestinian refugees to return to Israel.[239]

At the end of the Camp David summit on July 25, Arafat, Barak, and Clinton agreed to continue negotiations with the goal of reaching a final agreement in September. Their statements to the press had a damaging effect though, as Barak and to a lesser degree Clinton placed the blame for the failure of the summit on Arafat and the Israeli and international press agreed with this assessment. Still, public opinion polling demonstrated that most Israelis felt that Barak had already compromised too much.[240]

After the Camp David summit, secret negotiations were conducted between the Palestinians and Israelis. Between July 31 and September 28, 2000, the negotiators met forty times. While it was agreed that Israel would compensate Palestine with as much land from within Israel proper as it annexed from the West Bank, Barak later backed away from commitment to this principle due to the intense parliamentary pressure he was under. Negotiation on Jerusalem continued to make little progress. Barak responded very favorably to French President Jacques Chirac's proposal of shared sovereignty over the entire Old City, and also suggested the possibility of Palestinian sovereignty above ground at the *Haram al-Sharif*/Temple Mount and Israeli sovereignty below, or alternatively no sovereignty at all for the site. The Palestinians were far more rigid in their position, claiming they were unable to make any compromise due to religious rulings by all major Islamic authorities in the Arab

---

[239] Enderlin, 196-200, 208; Pressman, 19; Ravid (2008).
[240] Enderlin, 259-266.

world. The only alternative the Palestinians offered to their full sovereignty was the full sovereignty of the Islamic Conference. Arafat continued to stubbornly refuse to accept that the site had any significance whatsoever to Jews.[241] Chief Palestinian negotiator Saeb Erekat explained the position to the Israeli negotiators by saying "If I don't deny what you believe, I'm denying my own religion!" Erekat went on to explain to Enderlin, "This is one of the crucial aspects of the misunderstanding: for Islam, there was never a Jewish Temple at *Al-Quds* (Jerusalem) but a 'distant mosque.'"[242]

The negotiation process was dealt a significant blow with the outbreak of serious and sustained violence beginning in late September 2000. While the cause of the Second Intifada has been bitterly disputed between the parties, it can best be attributed to the confluence of several factors. First, Palestinians in the occupied territories had grown increasingly restless and frustrated by the increased restrictions on movement and damage to the economy caused by Israeli security restrictions and continued settlement growth during the peace process. Under these conditions, Israeli opposition politician Ariel Sharon of the Likud party visited the Temple Mount/*Haram al-Sharif* on September 28, 2000. The purpose of Sharon's visit was to demonstrate to Israelis that, unlike Barak, he would never consider ceding sovereignty over Judaism's holiest site. Palestinian protestors who saw themselves as defending the site from attack reacted violently to Sharon's visit, and Israel's harsh security response led to an outburst of violent activity led by the Fatah paramilitary organization Tanzim. Arafat calculated that the violence would put additional pressure on Israel to offer greater concessions and decided not to exert his power to restrain the militants. The result was a

---

[241] Ibid., 267, 271-272, 275-278, 281.
[242] Ibid., 272.

mutual escalation of violence that continued for several years, radicalized both publics, and led to the imposition of severe security restrictions on the occupied territories that had a devastating effect on Palestinian life.[243]

Barak's negotiating room was further decreased on November 27 by the passage of a bill which stipulated that an absolute majority in the Knesset would be required to make any territorial concessions in Jerusalem. Due to the Knesset's makeup at the time, this effectively made any compromise on the issue impossible.[244] On December 9 Barak announced his resignation to face Sharon for election. The next day negotiations resumed for the first time since the Second Intifada's outbreak.[245]

On December 23, 2000 President Clinton presented the parties with his proposal of the parameters within which an agreement should fall. He determined that 94 to 96 percent of the West Bank should go to the Palestinian state with 80 percent of Israeli settlers remaining under Israeli sovereignty. Israel would compensate for land annexed by swapping territory equal in size to one to three percent of the West Bank and allowing safe passage from the West Bank to Gaza. The West Bank would be contiguous, and the areas annexed and the number of Palestinians affected would be minimized. An international security presence would be stationed in Palestine that could only be withdrawn by mutual consent, and it would monitor the agreement's implementation. This would provide the credible third party guarantee on implementation that has been recognized as a virtual prerequisite and a prime indicator of negotiated success. Israel would withdraw from all Palestinian territory except the Jordan Valley over a three year period, and then would complete its withdrawal from the

---

[243] Ibid., 287-327; Pressman, 27-28, 37, 39-40.
[244] Enderlin, 328.
[245] Ibid., 329.

Jordan Valley within another three years. Three early warning stations would be placed in the West Bank. Palestine would be sovereign over its airspace, but would allow Israeli use of it for agreed purposes. Palestine would be termed a "non-militarized" state, but would have a strong Palestinian security force and an international force to secure its borders and provide deterrence.[246]

The Clinton formula for Jerusalem, including within the Old City, was that "Arab areas are Palestinian and Jewish ones are Israeli."[247] Two ideas were presented for the *Haram al-Sharif*/Temple Mount. Both options called for Palestinian sovereignty over the *Haram al-Sharif* and Israeli sovereignty over the Western Wall. The difference between the two ideas was that under the first Israel would have sovereignty over the sacred space behind the Western Wall, and therefore underneath the *Haram*, where the remains of the Jewish Temples were regarded as being, and under the second possibility "functional sovereignty" would be shared for this area.[248]

For the Palestinian refugee issue, Clinton determined that Israel should acknowledge Palestinian suffering caused by the 1948 war (although implicitly not responsibility for it), and would assist the international community in addressing the problem.[249] Clinton's position on resettlement was much closer to Israel's than that of the Palestinians, in that he asserted that the solution must be "consistent with the two-state approach...the state of Palestine as the homeland of the Palestinian people and the state of Israel as the homeland of the Jewish

---

[246] Ibid., 333-335; Pressman, 8-9.
[247] Enderlin, 335; Pressman, 8-9.
[248] Enderlin, 336.
[249] Ibid.; Pressman, 9.

people."[250] He suggested that the parties either "recognize the right of Palestinian refugees to return to Historic Palestine" or "their Homeland," as opposed to their homes. Clinton suggested five possible final destinations for each refugee: the new state of Palestine, those areas currently within Israel that would become part of Palestine in the land swap, their current host country, a third country, or Israel. The first two options would be available to all Palestinian refugees, and the other three would depend upon the consent of the state involved. As a result, UNGAR 194 would be considered by the parties to be implemented.[251]

The agreement's implementation would result in the end of the Israeli-Palestinian conflict and all its claims would be considered permanently resolved. The United Nations Security Council would issue a resolution stating that Resolutions 242 and 338 had been implemented, and all Palestinian prisoners would be released.[252] The Israeli and Palestinian teams both had some significant reservations regarding the Clinton proposals, especially over the *Haram al-Sharif*/Temple Mount, where both sides maintained their claims of full sovereignty over the site.[253]

Arafat and Barak gave their teams the go-ahead for one final negotiating session at Taba, Egypt, held from January 21 to January 27, 2001. No mediators were used, nor were any Americans present. Miguel Moratinos of the European Union was present in an observer role, and his account of the talks provides the only nonpartisan insight into what actually

---

[250] Enderlin, 337.
[251] Ibid., 337-338; Pressman, 31. UNGAR 194 addressed the issue of Palestinian refugees from the 1948 Arab-Israeli War, resolving that "refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible" (United Nations General Assembly 1948: Paragraph 11).
[252] Enderlin, 338.
[253] Ibid., 339-340, 346; Pressman, 15-16, 20.

occurred there. For the most part, the Clinton parameters were used as the basis for the negotiations.[254]

Both sides presented maps of their envisioned final borders. Israel wanted to retain six percent of the West Bank while the Palestinians offered 3.1 percent. In addition to the settlements that the Palestinians already had agreed that Israel could annex, they also conceded the large Ma'ale Adumim settlement but disagreed with Israel over the extent of land connecting it to Israel proper. Although both sides accepted the principle of territorial exchanges, the issue of proportionality was not agreed to. The parties agreed that the Gaza Strip would be under full Palestinian sovereignty.[255]

Minor differences remained on security and implementation issues. The wording of how Palestine's demilitarized status would be framed was not agreed upon. The parties both accepted that there would be three early warning stations in the West Bank. The Israeli side accepted Clinton's proposed withdrawal timetable, but the Palestinians suggested that Israel remove its presence from all of the Palestinian state except the Jordan Valley within 18 months and from the Jordan Valley within an additional ten months. The Palestinians also accepted the possibility of international forces being stationed in Palestine for additional time.[256]

Both sides accepted the Clinton formula for dividing Jerusalem on the basis of Arab neighborhoods to Palestine and Jewish neighborhoods to Israel. The parties also agreed that in the Old City Palestine would have sovereignty over the entire Muslim and Christian quarters and most of the Armenian Quarter, with Israel having sovereignty over the entire

---

[254] Enderlin, 347-348, 351; Pressman, 9, 21.
[255] Enderlin, 348, 352; Pressman, 23.
[256] Enderlin, 356-357.

Jewish Quarter and part of the Armenian Quarter. Israel repeated its interest in retaining

some control over the Holy Basin, which included the Jewish cemetery on the Mount of

Olives, the City of David, and the Kidron Valley. Israel was open to shared or international

control of the area, while the Palestinians wanted full sovereignty but expressed willingness

to respect Israel's concerns in some manner. The Palestinians agreed to Israeli control of the

Western Wall, but disagreed over what the extent of the Western Wall actually was. Most

significantly, the issue of the *Haram al-Sharif*/Temple Mount was not resolved.[257]

On the issue of Palestinian refugees, both sides accepted that the just settlement called for

in UNSCR 242 must implement UNGAR 194. However, there was a fundamental

disagreement as to the meaning of UNGAR 194, with the Palestinians asserting that it

guaranteed every individual refugee the right of return while the Israelis did not interpret it as

guaranteeing return. So despite agreement to this referent, the Palestinians continued to stress

that each refugee would have the free choice to return to their home within Israel, while the

Israelis reiterated Clinton's five options. The Israelis also accepted the idea of admitting a

very limited number of refugees in addition to the family reunification cases they had offered

earlier, and considered expressing regret for the creation of the refugee problem. While some

sources claimed that certain Palestinian negotiators suggested limiting the number of

returning refugees to somewhere between 150,000 and 1,500,000, Moratinos insisted that the

Palestinians never presented any numbers.[258]

Although the positions of the parties moved closer together at Taba, it was agreed that

with the Israeli election coming so soon it would be inappropriate to reach a final agreement

---

[257] Ibid., 352-354; Pressman, 38.
[258] Enderlin, 355-356; Pressman, 29, 31-32.

even if it were possible. The sides therefore agreed to end negotiations and issue a positive public statement.[259] On February 6, 2001 Ariel Sharon won the greatest landslide victory in Israeli history, taking over 62 percent of the vote. The outbreak of the Second Intifada had critically undermined Israeli support for the peace process and had validated the Israeli right, which had argued that the Palestinians should not be armed as they would turn their weapons against Israel. Sharon chose to discontinue the negotiation process and significantly escalated the violent assault on the Palestinians. The peace process had come to a decisive end.[260]

The Impact of Inclusion Versus Postponement in Israel-Palestine

Reviewing the different elements of Jewish Israeli and Palestinian identity, certain elements proved to pose significant barriers to an agreement according to the formula agreed upon by the parties while others did not. I will address each of these issues of Jewish Israeli and Palestinian identity and utilize counterfactual analysis where appropriate.

First, the Israeli sacred value of the Jewish state was not threatened under the formula agreed upon in the Oslo Accords, that being the 'land for peace' formula of UNSCR 242. By calling for territorial partition in Israel-Palestine, Israel would be able to maintain a Jewish state. The other possible formula for restructuring power relations as was necessary to resolve the conflict would have been to create a unified power-sharing government. However, this would have violated the central identity-based value of Jewish Israelis, maintaining a Jewish state. While never openly stated, it can be assumed that this is the reason why the Israel government and public did not consider this option.

The central identity-based value of a significant minority of Israeli Jews, Israeli control

---

[259] Enderlin, 349-350; Pressman, 9.
[260] Morris (2001: 673-674); Enderlin, 304, 359-360; Pressman, 22.

over the entire Land of Israel, was clearly violated by the Oslo formula. Although the level of

Israeli resistance to territorial concessions was not significant enough to bring down the

peace process democratically, some highly significant acts of spoiler violence did result. The

most significant of these was the assassination of Rabin. Violation of this value was simply

unavoidable under any formula that could have been acceptable to a sufficient percentage of

the Palestinian population and restructured power relations though. Even assurances that a

peace agreement would not have resulted in the removal of settlers would have been

insufficient, as the critical element of this value was Jewish control over the Land, not simply

a Jewish presence in it. Therefore, despite the danger that violating this value posed, it was

necessary in order to resolve the most fundamental cause of the Intifada.

It is more questionable whether or not the Oslo formula based upon UNSCR 242 violated

the Palestinian identity-based value of regaining all of historic Palestine. This is largely

dependent on whether one viewed the achievement of a Palestinian state beside Israel as a

permanent renunciation of claims over the rest of historic Palestine or as a step toward the

recovery of the entire land. Defining the purpose of the agreement as reaching a "permanent

status" may have violated this value for some Palestinians, and therefore eliminating that

terminology from the negotiation formula may have reduced Palestinian opposition and

spoiler violence. While the fact that many Palestinians would have viewed the establishment

of a Palestinian state beside Israel as only a step on the path to recovering all of historic

Palestine may have been unsettling to many Israelis, it should be recognized that such

Palestinian aspirations would have been largely inconsequential due to Israel's overwhelming

military advantage. It also does not appear possible that any alteration to this formula would

have reduced Palestinian rejectionist opposition.

The wisdom of including a permanent resolution of the Palestinian refugee issue amongst the necessary issues to be resolved was highly questionable. The Israeli value of maintaining a Jewish state and the Palestinian right of return, as it was traditionally defined, were mutually exclusive. By accepting a two-state formula, it was implicit that the right of return could not be implemented as it fundamentally violated the principle of each ethnic group having their own state. However, it is clear that the Palestinian people were not prepared to concede or reinterpret the right of return. Including the Palestinian refugee issue for permanent resolution undermined support for the peace process amongst both ethnic publics. Palestinian insistence on allowing the return of refugees convinced Israelis that Palestinians were unwilling to accept the existence of the Jewish state,[261] and it has been suggested that one of the motivations for the Second Intifada was the fear of Palestinian refugees that the right of return was going to be forfeited.[262]

However, simply postponing the refugee issue for later consideration would likely have been acceptable to both sides. For Jewish Israelis their central value of maintaining a Jewish state would have been honored, and Palestinians would not have been forced to concede the demand for a right of return that was so vital to their identity. It should be recognized that failing to permanently resolve the refugee issue would not mean leaving Palestinian refugees languishing in camps in their existing desperate circumstances. The establishment of a Palestinian state would have created a practical solution to the plight of the refugees, as all Palestinians would have inevitably been allowed to live there. It is important to note that

---

[261] Morris (2001: 671); Alpher (2005: 4); Shamir and Shikaki (2005: 315).
[262] Morris (2001: 664); Khalili (2004: 7, 9-10).

when UNSCR 242 was drafted it was not assumed that an Israeli withdrawal from occupied territories would result in the creation of a Palestinian state. Therefore, a permanent resolution of the refugee issue may have been necessary at that time, but was not when the establishment of a Palestinian state was agreed to during the Oslo process. Under this counterfactual scenario, those with refugee status would not have been forced to forfeit their claims, but at the same time Israel would have been able to maintain the existence of the Jewish state and their rejection of the right of return. In sum, it appears that including the refugee issue for permanent resolution contributed to the failure to reach an agreement, while postponing the issue would have facilitated it.

The most problematic identity-based issue addressed in the Israeli-Palestinian negotiations was the sovereign status of Jerusalem. The fact that what was of greatest importance to the identity of each side in this respect was exactly the same became obvious at the Camp David summit. The issue of the *Haram al-Sharif*/Temple Mount dominated the negotiations, and the Palestinian denial of the site's sanctity to Jews and the Israeli insistence on renewing Jewish prayer at the site created a highly toxic atmosphere between the negotiators and the opposing societies. Furthermore, Sharon's provocative walk on the Temple Mount/*Haram al-Sharif* would have been devoid of meaning and would therefore not have occurred if the sovereign status of the site was not being negotiated at the time. The negotiation of this issue therefore played a critical role in the outbreak of the Second Intifada and the collapse of the peace process.

Some scholars have suggested that the Israeli and Palestinian claims over Jerusalem are actually quite reconcilable. As there are areas of municipal Jerusalem that Israeli Jews are

willing to concede and other areas that Palestinians do not covet, it has been argued that each

side could simply redefine Jerusalem in a manner that would create two separate

municipalities.[263] What these scholars fail to recognize is that there are limits to the extent to

which identity-based values can be reinterpreted. The conflict over Jerusalem is not a vague

dispute over the city's residential neighborhoods. Unfortunately, both sides want the exact

same thing in Jerusalem, most of all sovereign control over the *Haram al-Sharif*/Temple

Mount. The failed Israeli-Palestinian negotiations made this abundantly clear, and it should

have also been clear before the inherently flawed formula of permanently resolving

Jerusalem's status was agreed upon in the Oslo Accords. Barak accurately portrayed the

Israeli limitation on concessions in Jerusalem when he stated, "No Israeli prime minister will

ever confer exclusive sovereignty over the Temple Mount [on the Palestinians]. It's been the

cradle and the heart of the identity of the Jewish people for 3,000 years."[264] Palestinian

negotiator Yasser Abed Rabbo similarly articulated the Palestinian limitations on conceding

sovereignty over the site when he explained, "If we were to yield on this issue, we'd risk

being accused of treason by the entire Muslim community."[265] Ignoring the parties'

contradictory claims did not cause them to disappear, nor would it in the future.

Rather than seeking to resolve holy Jerusalem's sovereign status once and for all, a more

appropriate formula would have been to agree to resolve the territorial and security issues in

the occupied territories that were necessary to address the essential issue of restructuring

power relations while postponing permanent resolution of the issue of sovereign status in

Jerusalem's Holy Basin. Under this formula, the status quo would have remained in place in

---

[263] Lustick (2000, 2004); Bazerman, Tenbrunsel, and Wade-Benzoni (2008: 116); Atran and Axelrod, 236.
[264] Enderlin, 274.
[265] Ibid., 269.

the interim with Israel retaining de facto sovereignty, but without its control internationally recognized and with the Palestinians maintaining their claims. While it is certainly preferable to resolve all outstanding issues through negotiation if possible, the critical issue that needed to be resolved between the Israelis and Palestinians was the restructuring of power relations, not sovereignty over Jerusalem's holy sites. Even in the likely scenario that an agreement resolving claims over Jerusalem's holy sites would not have been reached after postponement, violent conflict would have been unlikely to reoccur with power relations restructured and a Palestinian state established. In sum, putting the issue of Jerusalem on the agenda for permanent resolution in the formula phase was absolutely critical to the failure of negotiations in the detail phase, while postponing the issue would likely have facilitated agreement on the critical issue of restructuring power relations between the parties.

On the most critical issue of the Israeli-Palestinian conflict, the restructuring of the highly unequal relationship in the occupied territories, the differences between the two parties proved to be minor. Skeptics could point to the high initial offer by the Israelis as evidence that they were unwilling to make the necessary concessions in this area, but it could better be explained as smart bargaining strategy.[266] The parties' final positions are a far better indication of the compromises they were willing to make, as is Arafat's early claim that he was willing to accept Israeli annexation of eight to ten percent of the West Bank if compensated for by swapped land. Both sides agreed on which significant settlements would be annexed to Israel and that Israel would compensate the Palestinians with land from within Israel proper. The gap that remained at Taba was minor, revolving around the precise amount

---

[266] Zartman and Berman, 167.

of West Bank land that Israel would incorporate in order to connect the annexed settlements to Israel proper and the specific pieces of land to be swapped. While it is impossible to determine conclusively, it appears likely that an agreement could have been reached that would have resolved this problem if the issues of Jerusalem and Palestinian refugees had been postponed until after the issue of territory was addressed.

In sum, a review of the Israeli-Palestinian negotiations utilizing counterfactual analysis leads to the conclusion that the decision to include the central identity-based issues of Jerusalem and Palestinian refugees for permanent resolution during the formula phase was critical to the failure of the process, while postponement of these issues would likely have allowed a successful outcome. Therefore, the inclusion for permanent resolution or postponement of central identity-based issues had a dramatic impact on the outcome of the Israeli-Palestinian negotiation process.

Case 2: The Northern Ireland Negotiation Process

The first attempt made to restore order to Northern Ireland was a settlement imposed by Britain in 1973 that the SDLP, the cross-community Alliance Party, and much of the Unionist Party accepted. The main components of the agreement were that Northern Ireland would remain part of the United Kingdom as long as a majority of the province's people desired, a new assembly using PR would replace the Northern Ireland Parliament, an executive would be established with power-sharing between parties representing both communities, and the Republic of Ireland would be given a voice in the North's affairs through the establishment of a Council of Ireland. Elections for the assembly were held on June 28, 1973, with pro-agreement parties winning a clear majority. The Sunningdale

Agreement was finalized on December 9, 1973, and the SDLP, Alliance, and most of the Unionist Party formed the power-sharing executive and entered government on January 1, 1974.[267]

The new government soon collapsed though as the result of a loyalist general strike in May 1974. The main complaint of those unionists who opposed the Agreement was in regards to the Council of Ireland, which they saw as a step toward the unification of Ireland. The key element of the two week loyalist strike was a reduction of electricity output that brought industry to a standstill. The British Army declined to take serious action against the strikers, and Unionist members of the executive resigned on May 28, 1974. The British government suspended the new Northern Ireland Assembly the following day and direct British rule was subsequently imposed.[268] Britain made a few unsuccessful attempts at encouraging a diplomatic solution to the conflict in the following years, but the main focus was on keeping Northern Ireland's economy running and reducing violence.[269]

Beginning in the early 1980s, John Hume of the SDLP argued that the Northern Ireland question should be resolved in what came to be known as three "strands." The first strand would create a new power-sharing arrangement between unionists and nationalists in Northern Ireland. The second strand would establish institutional arrangements between Northern Ireland and the Republic of Ireland. The purpose of the third stand was to create a new body addressing issues within the islands of Ireland and Great Britain.[270]

---

[267] Arthur, 116-117; Buckland, 165-169.
[268] Arthur, 117; Buckland, 169-173.
[269] Arthur, 118-120, 141.
[270] Mitchell, 14.

The Anglo-Irish Agreement was made between the United Kingdom and the Republic of

Ireland on November 15, 1985 regarding the future of Northern Ireland. The two

governments agreed that Northern Ireland would remain part of the United Kingdom until a

majority of the province's people wished to join the Republic of Ireland.[271] This formula for

Northern Ireland's sovereign status became known as the consent principal,[272] but can also be

thought of as repeatable plebiscites on sovereign status. While not ignoring the existence of

the sectarian dispute regarding sovereign status, the governments of Ireland and the United

Kingdom decided that permanent resolution of the question should be postponed. Plebiscites

within Northern Ireland would be the mechanism by which the issue would be addressed in

the future. The Union would be preserved for the time being, but Irish Catholics could

maintain their hopes of achieving a united Ireland. While Ulster Protestants would certainly

have been more reassured if their place in the Union were permanently secured, ultimately

their core identity-based desire was not violated. And while Irish republicans clearly wanted

to achieve the unity of the island immediately, they did not have to forfeit the content of their

identity. The higher Catholic birthrate made the goal of a united Ireland appear achievable in

the future through democratic means.[273]

The Anglo-Irish Agreement also stated that Northern Ireland should have a devolved

government within the United Kingdom, and that a return to this status must be achieved

with the cooperation of both communities in the province and in a way acceptable to both.[274]

---

[271] Anglo-Irish Agreement (1985: Article 1).
[272] Mitchell, 16.
[273] McGarry and O'Leary, 179, 372-373, 403-404.
[274] Anglo-Irish Agreement, Article 4.

The Agreement also called for cross-border cooperation in a number of areas between Northern Ireland and the Republic of Ireland whether devolution was or was not achieved.[275]

The Anglo-Irish Agreement marked the beginning of genuine cooperation on the Northern Ireland issue between the British and Irish governments.[276] The Agreement was strongly opposed by unionists, with the new Ulster Clubs organizing a united front and Paisley leading the "Ulster Says No" campaign. Again, the unionist opposition focused on the involvement of the Republic in the North's affairs, which was feared was a step toward Irish unity. Loyalist paramilitaries responded with increased violence.[277] Republicans were also displeased with the Irish government for formally conceding to the consent principle, but most nationalists were supportive.[278] The Agreement put pressure on the parties within Northern Ireland to participate in negotiating a settlement because the United Kingdom and Ireland threatened to force a new arrangement upon them if they did not.[279]

Peter Brooke, the British Secretary of State for Northern Ireland, announced an initiative to explore the potential for negotiations amongst Northern Ireland's constitutional political parties in January 1990. Until the PIRA was willing to give up violence Sinn Féin would not be allowed to participate, nor would loyalist parties affiliated with paramilitary groups. Brooke adopted the three strand formula created by Hume and was able to convince the British and Irish governments, the Ulster Unionist Party (UUP), Paisley's Democratic Unionist Party (DUP), Alliance, and, of course, the SDLP to accept it as the basis for talks beginning on April 30, 1991. The unionists sought to be rid of the consent principle agreed

---

[275] Ibid., Articles 9, 10.
[276] Mitchell, 16; Powell, 61.
[277] McGarry and O'Leary, 194, 261, 344; Mitchell, 16.
[278] McGarry and O'Leary, 34-35.
[279] Powell, 61-62.

upon by Britain and Ireland in 1985 and have Northern Ireland's place in the United Kingdom made permanent as the price for agreeing to internal compromise. The SDLP, representing Irish Catholics, was unwilling to forfeit the prospect of eventually achieving a united Ireland and considered the Anglo-Irish Agreement the basis for any future settlement. The talks ended on July 3, 1991 because the unionist parties refused to continue as Britain and Ireland committed to proceeding with an Intergovernmental Conference scheduled for later that month. The failure of the talks was followed by an escalation of violence by loyalist and republican paramilitaries.[280]

The Downing Street Declaration was issued by British Prime Minister John Major and Irish Taoiseach (prime minister) Albert Reynolds on December 15, 1993, reinforcing and elaborating on the 1985 Anglo-Irish Agreement. Specifically, it recommitted to the consent principle for sovereign status, a new devolved government within Northern Ireland, cross-border institutions for the island of Ireland, and a new institution encompassing the British Isles, including Ireland.[281] The Irish government committed to examine and look to rectify those elements of itself which made the Republic threatening and offensive to unionists, and to support amendment of its constitution to reflect its commitment to the consent principle if an overall settlement were reached.[282] Paramilitary groups were called upon to end their use of violence, and an invitation was extended to all political parties in Northern Ireland to participate in the diplomatic process on the condition that they commit to pursue their objectives through exclusively peaceful means.[283] As with the 1985 Agreement, both

---

[280] O'Leary, 162-163, 165-166, 170.
[281] Downing Street Declaration (1993: Articles 2, 4, 5, 9).
[282] Ibid., Articles 6, 7.
[283] Ibid., Article 10.

93

unionists and republicans were displeased with the new Declaration. Ulster Protestants were particularly alarmed that the new language defined the people of Northern Ireland as part of the people of Ireland.[284]

Under President Bill Clinton the United States played an important role in resolving the Northern Ireland conflict. Clinton was the first American president to make resolution of the conflict a high priority. Although it angered the British government tremendously at the time, Clinton's decision to allow Sinn Féin leader Gerry Adams entry into the United States in January 1994 proved to be highly beneficial. The visit validated Sinn Féin as a legitimate participant in the search for a negotiated solution and demonstrated to PIRA members that more could be accomplished through diplomacy than continued violence. In addition to realizing that it would not be possible to force British withdrawal, the PIRA also faced strong pressure from within the Irish Catholic community to end their violent campaign. On August 31, 1994 the PIRA declared a cease-fire, which was reciprocated by the loyalist paramilitaries in October.[285]

Ten parties, including all significance players, were eligible to participate in negotiations chaired by former United States Senator George Mitchell that began on June 10, 1996. As Major had committed in September 1994, any agreement that would come from these talks would have to be accepted by the parties in Northern Ireland, the people of Northern Ireland in a referendum, and the British Parliament. Although the decommissioning of partisan militias was rejected as a precondition for entry to the talks, each party was required to commit to principles of nonviolence and eventual disarmament. It was accepted that making

---

[284] McGarry and O'Leary, 34-35, 104-105, 344.
[285] Ibid., 54, 58, 61, 383-384, 395-396; Mitchell, 9, 113; Powell, 77-79, 311.

decommissioning a precondition for talks had already delayed the process for more than a decade. The Mitchell Principles excluded parties on both sides of Northern Ireland's political divide at times, including Sinn Féin and the loyalist Ulster Democratic Party. The DUP and the United Kingdom Unionist Party (UKUP), in competition for rejectionist Protestant support, also did not fully participate in the talks. In July 1997 the two parties exited for good. Extremists that were not affiliated with any of the participating parties also tried to derail the negotiations through terrorist violence, but these attempts were fairly limited.[286]

Tony Blair of the Labour Party became the new British Prime Minister in May 1997. Blair had considerably more room to pressure the UUP because, unlike Major's government, he was not dependent upon their parliamentary support. Blair saw his role as one of a neutral facilitator and mediator who would seek to reconcile the two sides within the province. Bertie Ahern became the new Irish Taoiseach in June 1997 and cooperated well with Blair on resolving the conflict. The leaders put additional pressure on the parties within Northern Ireland to come to a compromise agreement by threatening to work out a settlement without them and bring it to the voters in referendums in the North and South of Ireland.[287]

The negotiations utilized the three strand formula that has already been discussed, and the parties would maintain their disagreement over Northern Ireland's proper sovereign status and adopt the consent principle for revisiting the issue in the future. The formula for a Northern Ireland peace agreement was made somewhat more detailed with the January 12, 1998 Heads of Agreement that was issued by the British and Irish governments. In addition to reiterating the three strands and the consent principle, the governments also noted that the

---

[286] McGarry and O'Leary, 372; Mitchell, 35-36, 46, 48, 50, 54, 60, 107, 109-111, 117, 129-130, 136-137, 142; Powell, 14, 81, 86.
[287] Mitchell, 88, 101, 105-106; Powell, 31-32, 80, 312.

issues of decommissioning, security, policing, and political prisoners would need to be addressed and made clear their intention to make the appropriate changes to the Irish Constitution and British law to reflect acceptance of the consent principle. Although they had privately acknowledged it earlier, Sinn Féin responded to the Heads of Agreement by publicly accepting for the first time that the negotiations would not result in a united Ireland, eliminating the last opponent to the consent principle and leaving Northern Ireland's long-term sovereign status indeterminate.[288]

The substantive negotiations over the details of the three strands began in October 1997. It was clear that a resolution of Strand One, the creation of new institutions within Northern Ireland, would have to result in the establishment of power-sharing between the two communities. Without power-sharing there would be no way to ensure that Northern Ireland would not simply revert to the majoritarian dictatorship that was central to the creation of the conflict. The UUP and the SDLP, as the largest parties for their respective communities, would negotiate the Strand One issues directly after Strand Two was agreed upon.[289]

Strand Two addressed the development of North-South bodies for the island of Ireland. In addition to being important to Northern Catholics, especially republicans, the Irish government also viewed the establishment of cross-border institutions as compensation for its agreement to concede its constitutional claim to the North. Of the three stands, Strand Two was by far the most difficult to reach agreement on as unionists feared that these bodies would be the precursor of a united Ireland. The new all-Ireland institutions were negotiated directly by Ahern and Blair, but the parties within Northern Ireland needed to approve what

---

[288] Mitchell, 85, 133; Powell, 21, 28.
[289] Mitchell, 120, 143, 163.

the two leaders agreed upon. After much difficulty, Ahern and Blair were able to reach an agreement, but the UUP angrily rejected the proposal due to the explicitly independent nature of the cross-border bodies. The Prime Ministers therefore revised their proposal with the goal of making the new institutions more acceptable to unionists without losing nationalist support. A North/South Ministerial Council would be established that would bring together the executives of the two governments to coordinate policies on issues such as agriculture, transportation, and tourism. The key to mutual agreement was making the functioning of the Northern Ireland Assembly and the North/South Ministerial Council interdependent so as to guarantee unionists that the cross-border institutions would not function unless the Assembly was in place and to guarantee nationalists that the new Assembly would not be established and the North-South bodies discarded. Both sides were able to accept this compromise. The creation of all-Ireland institutions was a major concession for Ulster Protestants to make.[290]

With Strand Two resolved, leaders of the UUP and the SDLP directly negotiated Strand One issues. Without any meaningful difficulties they were able to quickly agree upon power-sharing arrangements for the new Northern Ireland Assembly. The Assembly would be elected by proportional representation with committee membership, chairmanship, and ministerial appointments to be determined in accordance with party strength. Key decisions would require a measure of support from both communities. An Executive would be established based upon principles of power-sharing between the two communities and party strength.[291]

---

[290] Good Friday Agreement (1998: Article 4); Mitchell, 120, 149, 152, 154, 159, 165-168, 171, 175-176; Powell, 73-74, 90-92, 98, 108.
[291] Good Friday Agreement, Article 3; Mitchell, 176; Powell, 98.

Strand Three addressed the establishment of a new body that would coordinate on issues within the British Isles and was intended to counterbalance the North/South Ministerial Council. This was essentially a symbolic gesture used to reassure unionists and was not at all controversial. Negotiations over the details of Strand Three were apparently brief and uneventful as the insider accounts did not even mention their occurrence. A British-Irish Council would be established that would bring together representatives of Britain, the Republic of Ireland, Northern Ireland, Scotland, Wales, the Isle of Man, and the Channel Islands to discuss ways of cooperating on issues similar to those addressed by the North/South Ministerial Council. A British-Irish Intergovernmental Conference would also be established that would allow the Irish government to give input to Britain regarding Northern Ireland matters not devolved to the province's government and to facilitate cross-border cooperation within the island over issues that were not devolved to the North such as security.[292]

With the approval of the relevant parties, the Good Friday Agreement[293] was announced on April 10, 1998, and it was to be subject to approval by referendums in both the North and South of Ireland.[294] Regarding the issue of Northern Ireland's sovereign status, the consent principle was reaffirmed with plebiscites on the issue not to occur more frequently than every seven years.[295] Tony Blair's chief negotiator accurately referred to the Agreement as "an agreement to disagree," as Ulster Protestants maintained their commitment to upholding Northern Ireland's place in the United Kingdom and Irish Catholics still sought the

---

[292] Good Friday Agreement, Article 5; Powell, 21-22.
[293] The official name of the agreement was simply the Agreement, and it has also been referred to as the Belfast Agreement. For disambiguation, I refer to the agreement as the Good Friday Agreement.
[294] Mitchell, 180-181.
[295] Good Friday Agreement, Article 2.

unification of Ireland.[296] The Agreement openly stated that "We acknowledge the substantial differences between our continuing, and equally legitimate, political aspirations."[297] However, the parties agreed to pursue their aspirations through peaceful means. Although accepting the consent principle was particularly difficult for republicans, the Agreement in no way signaled a concession of the aspiration to achieve Irish unity.[298]

The right of Northern Ireland's people to hold both British and Irish citizenship was recognized and would remain in effect if Northern Ireland were to eventually become part of a united Ireland. This would enable those of Irish identity in the North to participate in the Republic's institutions and provide a critical safeguard to Ulster Protestants should Irish unification eventually occur. The Irish and British governments also committed to making the appropriate changes to the Irish Constitution and British law regarding Northern Ireland's sovereign status to reflect agreement to the consent principle.[299]

Commitments to human rights were made, notably upholding the right to seek change to Northern Ireland's sovereign status through peaceful means and calling for equal employment opportunities. Progress toward reconciliation was urged, but commitments in this area were vague. Ambiguous appeals were also made for the protection of the Irish and Ulster-Scots languages and the creation of symbols and emblems that would respect the sensitivities of both communities. The demand for recognition of the Irish language had been

---

[296] Powell, 108.
[297] Good Friday Agreement, Article 1.
[298] Powell, 13, 108.
[299] Good Friday Agreement, Article 2.

an important point for Sinn Féin, and recognition of the Ullans dialect helped moderate

Protestant concerns in this respect.[300]

The Agreement contained various provisions that could be seen as falling under the rubric

of security. The parties reaffirmed their intention to decommission weapons, with the goal of

completing this task within two years of the Agreement's approval through referendum. The

plan for accomplishing this was left vague, and the two year date was presented as an

aspiration rather than a deadline. These commitments were left ambiguous in order to win the

approval of Sinn Féin. However, as a reassurance to unionists, it was implied that a failure to

decommission weapons could result in exclusion or removal from office. Tony Blair also

gave the UUP additional written assurances in a letter that a delay in PIRA decommissioning

could result in Sinn Féin not being allowed to enter the government.[301]

The British government committed to demilitarize its security presence in Northern

Ireland and remove emergency powers, but again it was left ambiguous as to how soon this

would occur as it would be contingent upon a reduced threat level.[302] The goal of creating a

police force and criminal justice system that is nonpartisan and representative of Northern

Ireland's community make-up was agreed upon, but the details for accomplishing this were

left particularly vague with reviews being called for to provide recommendations for later

consideration. The possibility of devolving policing and justice powers to Northern Ireland's

government was left open.[303] Commitments were also made for the early release of prisoners

affiliated with paramilitary groups that had ceased violent activity. This provision was of

---

[300] Ibid., Article 6; Powell, 84, 100-103.
[301] Good Friday Agreement, Articles 3, 7; Mitchell, 179-180; Powell, 105.
[302] Good Friday Agreement, Article 8.
[303] Ibid., Article 9.

critical importance to both republicans and loyalists, and although it was offensive to unionists they were able to concede it as to them the issue was of secondary concern.[304]

The Agreement called for two referendums to be held on May 22, 1998. Within Northern Ireland voters would be asked to support or reject the Agreement, and in the Republic of Ireland voters would be asked to approve changes to the Irish Constitution reflecting acceptance of the consent principle for the North's sovereign status. With majority approval in both referendums, the British and Irish governments would take the necessary steps to bring the terms of the Agreement into effect. Elections to the Northern Ireland Assembly would then be held on June 25, 1998, after which all bodies called for in the Agreement would be established.[305]

Ian Paisley led the unionist campaign against the Agreement even before it was officially reached, although its impact was muted by loyalist participation in the process and support for the Agreement. The Agreement led to division within the UUP, with some of its parliamentarians joining in the campaign to vote no on the referendum. Opposition to the Agreement amongst Northern Catholics was far more limited. This was clear before the referendum when Sinn Féin delegates voted at their convention to change their policy on abstentionism to the Northern Ireland Assembly by a vote count of 331 to 19. A small percentage of republicans did oppose the Agreement though as it failed to immediately result in Irish unification, and dissidents formed the 32 Counties Sovereignty Committee and the Real Irish Republican Army (RIRA) in protest.[306]

---

[304] Ibid., Article 10; Mitchell, 171-172; Powell, 97.
[305] Good Friday Agreement, Article 11.
[306] Mitchell, 176-177; Powell, 106, 112-114.

The referendums were held on May 22, 1998. In the South, 94 percent approved. While a simple majority was all that was technically required to approve the Agreement within Northern Ireland, it was recognized that in order for the Agreement to be seen as credible it would need to win a majority within both communities. With 81 percent of eligible voters participating, 71 percent voted in favor. The difference was significant between the two communities though, as 96 percent of Catholics approved compared to 55 percent of Protestants. The creation of cross-border institutions within the island of Ireland made the Agreement particularly difficult for unionists to swallow.[307]

The elections to the new Northern Ireland Assembly were held as called for on June 25. The UUP remained the largest party, but its vote share declined in comparison to past elections and the DUP gained, demonstrating widespread Protestant opposition to the newly approved agreement. Sinn Féin gained considerably, as a vote for the party was no longer a vote for continuing the conflict, but the SDLP remained the largest nationalist party.[308]

Protestants upset with the Good Friday Agreement attempted to use their annual parades in the summer of 1998 to derail its implementation. Although parade violence had been a regular occurrence in the past, especially in the previous three years, the 1998 disturbances were the most significant and dangerous to the peace process. Controversy centered on the Drumcree march, in which Protestants were prohibited that year from taking their traditional provocative route through a Catholic area. As part of a violent protest campaign, Protestant rioters carried out an arson attack that killed three Catholic children on July 12, 1998. The

---

[307] Mitchell, 187-188; Powell, 109, 117.
[308] Powell, 117-118.

tragic incident disgusted even most supporters of the march, and as a result the controversy

died down and the effort to derail the peace process failed.[309]

The next attempt to derail the Good Friday Agreement came on August 15, 1998 when the

RIRA detonated a bomb in Omagh, killing 29 and injuring hundreds. Although many

republicans were unhappy with compromises made by Sinn Féin and the PIRA, the fact that

the attack's victims were civilians rather than police officers or soldiers all but destroyed the

RIRA's credibility. Sinn Féin's leadership harshly condemned the attack, and by September

7 the RIRA announced a complete ceasefire. From that point on, the RIRA posed little threat

to the implementation of the peace agreement.[310]

After the signing and approval by referendum of the Good Friday Agreement, the

constructive ambiguity used in order to gain republican approval regarding the issue of

paramilitary decommissioning caused serious problems in its implementation. The

fundamental dilemma was that the PIRA refused to disarm without the implementation of the

power-sharing Executive, while the UUP would not enter into the power-sharing Executive

without PIRA disarmament. Sinn Féin's leadership was also convinced that PIRA

decommissioning needed to be delayed in order to avoid a split within the republican

movement, but this slowed down the process significantly. Adams and Sinn Féin's chief

negotiator Martin McGuinness privately committed to PIRA disarmament, but were

unwilling to make such pronouncements publicly. Both communities became restless about

---

[309] Ibid., 120-137.
[310] Mitchell, 184; Powell, 138-139.

the other side's unwillingness to implement their end of the bargain, and Sinn Féin and the UUP continued to demand that the other take the first step.[311]

In November 1999, Sinn Féin and the UUP were finally able to reach a compromise on moving ahead with decommissioning. This led to the establishment of the Northern Ireland Executive on November 29. Articles 2 and 3 of the Constitution of Ireland were repealed, and on December 2 the first meeting of the Executive was held. Later in December, the British-Irish Council called for in Strand Three met for the first time. By the end of the month the progress started to unravel though as Sinn Féin backtracked on its commitment to PIRA decommissioning. This led to the suspension of the Executive in February 2000.[312]

In May 2000 Sinn Féin and the UUP agreed to restore devolved rule and reestablish the Executive. The British Army carried out some demilitarization and the PIRA responded by dumping some weapons. However, the slow progress led to increasingly firm stances within both communities. This was made evident in the June 2001 UK general elections which saw significantly increased representation for both the DUP and Sinn Féin at the expense of the UUP and the SDLP. This only encouraged Sinn Féin to slow the decommissioning process.[313] A major shift in Sinn Féin thinking occurred, however, as a result of the September 11, 2001 terrorist attacks in the United States. The attacks resulted in serious pressure against the PIRA as global resolve against terrorism hardened. In October, the PIRA decommissioned a significant amount of their weaponry.[314]

---

[311] Powell, 109, 113, 139-158.
[312] Ibid., 165-172.
[313] Ibid., 178-181, 195.
[314] Ibid., 202-203.

PIRA activities continued though, further souring Protestant attitudes toward the Good

Friday Agreement. A police raid on Sinn Féin's Stormont offices on October 4, 2002 turned

up materials regarding the targeting of Northern Ireland police officers. The province's

institutions were suspended once again on October 15, bringing the return of direct British

rule. The PIRA finally carried out another act of decommissioning in October 2003, but

would not allow the third party monitor to announce exactly what had happened. The

ambiguity of the event greatly eroded unionist confidence in the PIRA's commitment to

decommissioning.[315]

Elections to the Northern Ireland Assembly on November 26, 2003 made the DUP and

Sinn Féin the largest parties within their respective communities. Although this led to initial

skepticism about the prospects for the restoration of devolved rule, in February 2004 the

DUP expressed willingness to share power with Sinn Féin if they took sufficient steps to end

PIRA paramilitarism and criminality, carry out decommissioning, and accept changes to

Strands One and Two of the Good Friday Agreement.[316] Soon Sinn Féin and the DUP started

secret contacts through a journalist intermediary, and British diplomats shuttled back and

forth between the two parties. All parties agreed to seek resolution to the issues highlighted

by the DUP. Sinn Féin warned, however, that the PIRA would not be able to recover all of

the weapons that they once had as some were in the hands of the RIRA.[317]

Sinn Féin's trustworthiness was severely undermined in the eyes of unionists as the result

of a large bank robbery perpetrated by the PIRA in December 2004. The PIRA's credibility

was also damaged within their own community as a result of the February 14, 2005 killing of

---

[315] Ibid., 205-209, 232-233.
[316] Ibid., 236, 239-240.
[317] Ibid., 242-246.

republican Robert McCartney. After his family bravely spoke out against PIRA violence, the organization further degraded their image by openly threatening to shoot McCartney's killers. As a result, the PIRA faced both internal and external pressure to finalize their transition to democratic politics through Sinn Féin. Gerry Adams made an appeal to the PIRA on April 6, 2005, arguing that republican violence had become counterproductive and Sinn Féin was now a better path toward the achievement of their political objectives. The PIRA undertook unilateral decommissioning, and on September 26 the independent monitor confirmed that all of their weapons were beyond use.[318]

With PIRA disarmament complete, Paisley was ready to move forward to the negotiation of a final agreement with Sinn Féin to restore Northern Ireland's devolved government. Talks began October 11 in St. Andrews, Scotland. A large number of changes were made to Strands One, Two, and Three of the Good Friday Agreement, but they were all highly technical and mundane, and therefore unworthy of a detailed discussion for our purposes. Various commitments were also made on other issues, most notably in regards to the Irish and Ulster Scots languages. The details of policing and justice devolution were left unresolved. On October 13, 2006 the St. Andrews Agreement was reached.[319] In reality, what was new in the text of the St. Andrews Agreement was of very little significance. The major differences between the Good Friday Agreement and St. Andrews were the participation of the DUP and the fact that PIRA decommissioning had been accomplished. In the end, the DUP's part in the agreement made peace in Northern Ireland more stable than it would have been if an agreement was concluded by the UUP, as now all major parties had signed on.

---

[318] Ibid., 262-273.
[319] St. Andrews Agreement (2006); Powell, 277, 282-289.

The St. Andrews Agreement did not mark the end of negotiations, as some minor details still remained to be resolved. Most of these items were resolved in the following month. In late January 2007 the PIRA and Sinn Féin agreed to cooperate with the police, and Adams encouraged republicans to join the force. Elections were held to the Northern Ireland Assembly on March 7, 2007, with the DUP and Sinn Féin maintaining their dominant positions within their respective communities. On March 23, three days before the scheduled reestablishment of the Northern Ireland Executive, the DUP decided to delay going into government until May in order to avoid splitting the party. Blair asked the DUP to meet face-to-face with Sinn Féin for the first time ever and agree with them to the postponement. For their part, Sinn Féin was also interested in getting their own concessions on terrorist trials and an Irish language act. The parties agreed to meet and Blair committed to act on Sinn Féin's two points.[320]

The public nature of the meeting between Adams and Paisley provided a valuable symbol that the long conflict was truly at an end. The swearing in ceremony proceeded on May 8, 2007, with Paisley as First Minister and McGuinness as Deputy First Minister. Both gave gracious speeches and shook hands, inaugurating a new era in Northern Ireland politics.[321] In January 2010 the last major paramilitary group disarmed. At the time of writing, the issue of policing and justice devolution is still unresolved and a few small incidents of dissident republican violence have occurred,[322] but it appears that for all intents and purposes the Northern Ireland conflict is over.

---

[320] Powell, 289-292, 299-306.
[321] Ibid., 306-307.
[322] Gergely (2010); McDonald (2010).

The Impact of Inclusion Versus Postponement in Northern Ireland

It is vital to recognize that even at the end of the peace process the two ethnic groups had not settled their disagreement over Northern Ireland's ultimate sovereign status. Ulster Protestants will continue to seek the maintenance of the province's status as part of the United Kingdom and Irish Catholics will continue to pursue Irish unification. However, the cause of the Troubles, the unequal distribution of power between the two communities within Northern Ireland, has been rectified, allowing the violence to be brought to a sustainable end. In order to determine if the postponement of a permanent solution to Northern Ireland's sovereign status did indeed enable a negotiated agreement, I will assess what would have occurred in the counterfactual scenario that the parties agreed that a negotiated agreement must include a permanent resolution of this issue.

Five options for permanently resolving the sovereign status of Northern Ireland were advocated by politicians and academics during the Troubles. The first option was for Northern Ireland to be permanently integrated into the United Kingdom, either with or without devolution. Although Ulster Protestants clearly favored this option, it would not have been acceptable to Catholics, especially republicans, because the possibility of a united Ireland would disappear.[323]

The second option would have been for Northern Ireland to be permanently integrated into the Republic of Ireland. Under Irish sovereignty, Northern Ireland could also have been autonomous or treated the same as anywhere in the South. Although this option would have been preferred by Irish Catholics in the North and the Republic, as well as amongst many

---

[323] O'Leary, 154-155, 159.

Britons on the mainland, Ulster Protestants clearly were strongly against Irish unification as it would have meant an end to the Union. Therefore, a negotiated settlement between the parties in Northern Ireland could not have resulted in this outcome.[324]

The third option would have been a repartition of Ireland, with a smaller, more ethnically homogeneous Protestant Northern Ireland being permanently integrated into the United Kingdom, and the remainder of the island being the Republic of Ireland. The logic behind this option was to separate the ethnic antagonists from one another more effectively than was done with the original partition of Ireland.[325] Due to the intermixed nature of the two communities in Northern Ireland, it would have been impossible to divide the island into two contiguous parts without considerable population transfers. Therefore, partition would have been unacceptable for practical reasons. Even if it were practical though, partition would not have been an acceptable option due to the content of Irish Catholic identity. While partition would have upheld the Union, albeit with a smaller Ulster, and thus would not have disrupted the content of Ulster Protestant identity, it would have ensured that a united Ireland would never be achieved, thus violating this central value of Irish Catholic identity.

The fourth option would have been an independent Northern Ireland. Northern Ireland would have become a state, permanently divorced from both the United Kingdom and the Republic of Ireland. This option had been discussed by politicians and scholars throughout the British Isles.[326] Northern Ireland statehood would have been rejected by both Ulster Protestants and Irish Catholics though, as the Union would have ceased to exist and the

---

[324] Ibid.
[325] O'Leary et al. (1993: 102).
[326] Ibid., 98.

109

possibility of Irish unity would have disappeared. This possibility would have therefore violated the central identity-based values of both parties.

The final option that had been discussed was a system of shared sovereignty for Northern Ireland. Under this scenario, responsibility for Northern Ireland would have been shared between the United Kingdom and the Republic of Ireland.[327] While perhaps this would have been the most stable permanent solution for Northern Ireland's sovereign status as both communities would have been protected by their preferred state, significant opposition would have existed on both sides that would have prevented negotiated agreement on this outcome. Ireland would not have been united under Irish sovereignty, and therefore republicans would have strongly resisted this solution. As we saw, Ulster Protestants found the relatively minor cross-border institutions of Strand Two difficult to accept; they surely would have strongly rejected a solution in which the Republic shared sovereignty. In fact, the most outspoken proponents of the shared sovereignty model openly recognized that it would not have been possible to gain majority approval for the plan amongst Northern Ireland's people and suggested that it simply be imposed by the British and Irish governments.[328] Therefore, shared sovereignty was not a negotiated solution, at least not between Northern Ireland's two communities.

In sum, all five of the possible options for a permanent resolution of Northern Ireland's sovereign status would have been unacceptable to Ulster Protestants, Irish Catholics, or both communities. Polling conducted with regard to these five options supports this conclusion.[329] Therefore, it is reasonable to assume that a negotiated agreement to the Northern Ireland

---

[327] Ibid., 23-24.
[328] Ibid., 111.
[329] Ibid., 105.

conflict would not have been reached if a permanent resolution of Northern Ireland's sovereign status was considered a necessary component of the negotiation formula. It can then be concluded that the postponement of this issue through mutual acceptance of the consent principle enabled a negotiated agreement to be reached in Northern Ireland.

By leaving the question of Northern Ireland's sovereign status in limbo, each community was able to uphold the content of their ethnic identity intact. Ulster Protestants could be satisfied because the Union would remain in place for the foreseeable future. Irish Catholics could also accept this formula as it did not ask them to concede their hopes for Irish unification in the future. The higher Catholic birthrate gave them reason to believe that they would one day become the majority in Northern Ireland and therefore may eventually be able to achieve Irish unification through democratic means.

The decision that cross-border institutions had to be created as part of an agreement did increase Ulster Protestant fears about an erosion of the Union though. The large discrepancy between Protestant and Catholic approval rates of the Good Friday Agreement in the referendum indicates that omitting this issue from the formula could have dramatically lessened these fears while achieving broader overall approval. But at the same time, it is doubtful that republican approval would have been nearly as high with this issue omitted, so it may have been necessary in order to end the violent conflict. It is difficult to criticize a formula that ended up being successful, but it does appear that some of the difficulty that was removed by postponing permanent resolution of Northern Ireland's sovereign status was reinserted by seeking to establish all-Ireland institutions.

Comparison of the Israeli-Palestinian and Northern Ireland Negotiations

Besides the difference of including for permanent resolution versus postponing issues that required violating central identity-based values from the negotiation formula, there were other important differences between the Israeli-Palestinian and Northern Ireland negotiation processes. The spoiler violence that occurred during the Israeli-Palestinian peace process was far more significant and damaging than what was seen in Northern Ireland. Whereas the United States played a productive role as a mediator in Northern Ireland by compensating for the relative weakness of the Northern nationalists, American mediation was counterproductive in the Israeli-Palestinian negotiations in that its partisan approach added to Israel's strength.[330] The cooperation of outside actors also contributed to the resolution of the Northern Ireland conflict, as Britain and Ireland played productive roles, and external support for partisan militias was limited. In contrast, Iran played an important role in supporting Palestinian terrorism and American aid contributed to Israeli settlement growth, both of which had a highly negative effect on the peace process.[331] In sum, these factors made success more likely in Northern Ireland than in Israel-Palestine.

But despite these factors, my analysis of the Israeli-Palestinian negotiations revealed that it was still very likely that a Palestinian state would have been created and the cause of violence removed if the issues of Jerusalem's holy sites and Palestinian refugees were set aside until after statehood was achieved. The difference between the parties regarding the territorial partition of Israel-Palestine was miniscule, and it is reasonable to believe that an agreement would have been reached had the negotiations focused on this issue. The Israeli

---

[330] Enderlin, 239; Maney et al. (2006: 192).
[331] Khalidi (2006: 196-198).

Labor Party's most vital coalition partner, Shas, was fully willing to support this outcome, as was a clear majority of the Israeli people.[332] However, the inclusion of Jerusalem on the negotiation agenda led to the defection of Shas and Israeli opposition to Barak's concessions at Camp David. Palestinian support for a two-state solution also appeared to be sufficient, but their positions on Jerusalem and Palestinian refugees made agreement impossible with a sufficient Israeli coalition.

Despite all the positive factors working in favor of the Northern Ireland negotiations, my analysis revealed that had a permanent resolution of Northern Ireland's sovereign status been made a necessary component of an agreement during the formula development phase, the negotiation process would have ended in failure. It was only because the issue was postponed into the future through adoption of the consent principle that negotiated success was possible.

In sum, the inclusion for permanent resolution of issues that required compromise on values central to the identities of Jewish Israelis and Palestinians was critical to the failure of the Israeli-Palestinian negotiation process. The postponement of the issue that required compromise on values central to the identities of Irish Catholics and Ulster Protestants was equally critical to the success of the Northern Ireland negotiations. The hypothesis that inclusion for permanent resolution versus postponement of conflicting identity-based issues affects the outcome of civil conflict negotiations is therefore supported.

---

[332] Polling conducted in August 2002 revealed that 78 percent of Israeli Jews believed that the Palestinians have the legitimate right to a state (Kimmerling and Migdal, xvii).

CHAPTER 6: CONCLUSION

This thesis sought to determine what the most successful negotiating approach is when dealing with issues that involve values central to the identities of ethnic civil conflict participants. The current scholarly literature addressing the negotiated resolution of ethnic civil conflict either ignores the importance of the content of ethnic identity, or alternatively assumes that conflicting ethnic values cause violent conflict to occur. In the latter case, it is recommended that ethnic antagonists exchange concessions on values central to their identities, reframe the discussion on sacred ethnic values, or utilize reconciliation initiatives. As the key to conflict resolution is inherently linked to the cause of conflict, it is essential to properly assess the cause of a particular conflict before designing a solution. The critical flaw of the literature that assigns blame to the content of ethnic identity is that it provides insufficient evidence that this is indeed the culprit.

Therefore, in order to determine the best approach for dealing with contradictory ethnic narratives in civil conflict negotiations I first had to determine the impact that identity-based values have on the outbreak of violent civil conflict. I selected two cases, the Israeli-Palestinian and Northern Ireland conflicts. Because negotiations were undertaken following the stalemates that resulted from the Intifada and the Troubles respectively, I sought to determine what caused the Intifada and the Troubles to occur. Rather than the ethnic values of the antagonists, the best explanation for both of these conflicts was the highly unequal distribution of power between the groups in these divided societies. This was therefore the key problem that needed to be addressed, not their ethnic narratives.

114

As these two case studies did not support the conclusion that it is necessary to alter central identity-based values in order to end violent civil conflict, I asked whether the inclusion for permanent resolution versus postponement of issues that involve values central to the parties' ethnic identities from the negotiation agenda during the formula development stage affects the outcome of negotiation processes. I utilized the counterfactual approach on analyses of the Israeli-Palestinian and Northern Ireland negotiation processes, and then compared the two cases to each other. My findings supported the conclusion that the most practical and successful way to effectively end violent civil conflict in cases where conflicting ethnic narratives are involved is simply to postpone issues that would require either or both parties to concede values central to their identities.

The key to consider when deciding which identity-based issues to include for permanent resolution in a negotiation formula and which to postpone is whether inclusion would prevent adequate support from the public or governing parties in the negotiation of details phase, as such support is necessary in order for the negotiation process to succeed.[333] It is certainly not necessary to obtain the support of the entire public, but the mainstream of each side must be included and those in the opposition need to be isolated. It is important to not attempt to isolate the mainstream of either side, as this will certainly result in the continuation of the violent conflict.[334] Therefore, attempts to force concessions on identity-based issues that would result in the alienation of the mainstream of either public, such as on the continued existence of the Union or the eventual unity of Ireland in the Northern Ireland case or on

---

[333] Zartman and Berman, 212.
[334] Zartman (1995a: 22; 1995b: 339-341).

Jerusalem or the right of return in the Israeli-Palestinian case, must be avoided if at all possible.

There are certainly dangers to attempting to violate the deeply held identity-based values of even relatively small minorities though. Although these dissenters may not be able to prevent concessions democratically, they often try to derail the negotiation process through violent means.[335] This was clearly seen amongst spoilers on both sides during the Israeli-Palestinian peace process, and the consequences were disastrous. Therefore, it may be wise to avoid violating the identity-based values of even significant minorities if this would not prohibit the construction of an agreement that would address the essential issues. If it is necessary to violate these values in order to reach a useful agreement, as was the case with the religious-Zionist value of maintaining Jewish control over the entire West Bank, there is apparently no alternative to confronting this minority as best as is possible.

As this thesis examined only two cases, it would be useful in the future for scholars to test my hypotheses on all relevant cases in order to determine if my conclusions are indeed valid. But judging based upon this limited sample, it appears that those who have identified the content of ethnic identity as a cause of violent civil conflict may have been mistaken. As a consequence, negotiators, mediators, and conflict scholars may want to consider the virtues of postponing the permanent resolution of these most sensitive issues until after the true cause of ethnic civil conflict is addressed.

---

[335] Zartman (1995b: 341).

BIBLIOGRAPHY

Abu Zayyad, Ziad. 1993. "The Historical, Cultural, Religious and National Significance of Jerusalem." In *Jerusalem: Perspectives Towards a Political Settlement*, ed. Chaim Shur. Tel Aviv: New Outlook.

Agassi, Joseph. 1993. "The Heavenly Jerusalem and the Earthly Jerusalem, - The Confusion of the Two Spells Disaster." In *Jerusalem: Perspectives Towards a Political Settlement*, ed. Chaim Shur. Tel Aviv: New Outlook.

Alpher, Yossi. 2005. "The Future of the Israeli-Palestinian Conflict: Critical Trends Affecting Israel." *United States Institute of Peace Special Report* 149: 1-14.

Amichai, Yehuda. 1973. *Songs of Jerusalem and Myself*, trans. Harold Schimmel. New York: Harper & Row.

Amichai, Yehuda. 1988. *Poems of Jerusalem: A Bilingual Edition*. New York: Harper & Row.

Anderson, Benedict. 1983. *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. London: Verso.

Anderson, Benedict. 1991. *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. 2nd ed. London: Verso.

Anglo-Irish Agreement. 1985. http://www.foreignaffairs.gov.ie/uploads/documents/anglo-irish%20agreement%201985.pdf.

Arian, Asher. 1993. "Israel and the Peace Process: Security and Political Attitudes in 1993." *JCSS Memorandum* 39.

Armstrong, Karen. 1996. *Jerusalem: One City, Three Faiths*. New York: Knopf.

Armstrong, Karen. 1998. "The Holiness of Jerusalem: Asset or Burden?" *Journal of Palestine Studies* 27 (3): 5-19.

Arthur, Paul. 1980. *Government and Politics of Northern Ireland*. Harlow, UK: Longman.

Atran, Scott, Robert Axelrod, and Richard Davis. 2007. "Sacred Barriers to Conflict Resolution." *Science* 317: 1039-40.

Atran, Scott, and Robert Axelrod. 2008. "Reframing Sacred Values." *Negotiation Journal* 24 (3): 221-46.

Bardon, Jonathan. 1992. *A History of Ulster*. Belfast: The Blackstaff Press.

Bazerman, Max H., Ann Tenbrunsel, and Kimberly Wade-Benzoni. 2008. "When Sacred Issues are at Stake." *Negotiation Journal* 24 (1): 113-17.

Bishara, Azmi. 1993. "The Myth of Jerusalem." In *Jerusalem: Perspectives Towards a Political Settlement*, ed. Chaim Shur. Tel Aviv: New Outlook.

Brookeborough, Viscount, W. Brian Maginnis, and George B. Hanna. 1956. *Why the Border Must Be: The Northern Ireland Case in Brief*. Belfast: Government of Northern Ireland Publications.

Brynen, Rex. 1997. "Imagining a Solution: Final Status Arrangements and Palestinian Refugees in Lebanon." *Journal of Palestine Studies* 26 (2): 42-58.

Buckland, Patrick. 1981. *A History of Northern Ireland*. New York: Holmes & Meier Publishers.

Burnham, Peter, Karin Gilland, Wyn Grant, and Zig Layton-Henry. 2004. *Research Methods in Politics*. New York: Palgrave Macmillan.

Carson, William A. 1956. *Ulster and the Irish Republic*. Belfast: William W. Cleland.

Cochrane, Feargal. 1997. *Unionist Politics and the Politics of Unionism Since the Anglo-Irish Agreement*. Cork: Cork University Press.

Cohen, Abner. 1969. *Custom and Politics in Urban Africa: A Study of Hausa Migrants in Yoruba Towns*. London: Routledge & Kegan Paul.

Cohen, Shaye J. D. 1999. *The Beginnings of Jewishness*. Berkeley: University of California Press.

De Figueiredo, Rui J. P., and Barry Weingast. 1999. "The Rationality of Fear: Political Opportunism and Ethnic Conflict." In *Civil Wars, Insecurity, and Intervention*, ed. Barbara F. Walter and Jack Snyder. New York: Columbia University Press.

Declaration of Principles on Interim Self-Government Arrangements. 1993. http://unispal.un.org/unispal.nsf/0/71DC8C9D96D2F0FF85256117007CB6CA.

Downing Street Declaration. 1993. http://www.foreignaffairs.gov.ie/home/index.aspx?id=8734.

Enderlin, Charles. 2002. *Shattered Dreams: The Failure of the Peace Process in the Middle East, 1995-2002*, trans. Susan Fairfield. New York: Other Press.

Ervine, St. John. 1949. *Craigavon: Ulsterman*. London: Allen & Unwin.

Fearon, James D., and David D. Laitin. 2000. "Violence and the Social Construction of Ethnic Identity." *International Organization* 54 (4): 845-77.

Fearon, James D. 1991. "Counterfactuals and Hypothesis Testing in Political Science." *World Politics* 43 (2): 169-95.

Fisher, Roger. 1964. "Fractionating Conflict." In *International Conflict and Behavioral Science: The Craigville Papers*, ed. Roger Fisher. New York: Basic Books.

Friedland, Roger, and Richard Hecht. 1996. *To Rule Jerusalem*. Cambridge, UK: Cambridge University Press.

Gallagher, Frank. 1957. *The Indivisible Island: The History of the Partition of Ireland*. London: Gollancz.

Gellner, Ernest. 1983. *Nations and Nationalism*. Ithaca, NY: Cornell University Press.

Gergely, Andras. 2010. "Northern Irish Militants Disarm, Dissident Threat Remains." *Reuters*, January 6. http://www.reuters.com/article/idUSTRE6052EZ20100106.

Gillis, John R., ed. 1994. *Commemorations: The Politics of National Identity*. Princeton, NJ: Princeton University Press.

Ginges, Jeremy, Scott Atran, Douglas Medin, and Khalil Shikaki. 2007. "Sacred Bounds on Rational Resolution of Violent Political Conflict." *Proceedings of the National Academy of Sciences* 104 (18): 7357-60.

Gold, Dore. 1993. "Aspects on Israeli Consensual Policies on Jerusalem." In *Jerusalem: Perspectives Towards a Political Settlement*, ed. Chaim Shur. Tel Aviv: New Outlook.

Good Friday Agreement. 1998. http://www.foreignaffairs.gov.ie/uploads/documents/Anglo-Irish/agreement.pdf.

Grabar, Oleg, Mohammad al-Asad, Abeer Audeh, and Saïd Nuseibeh. 1996. *The Shape of the Holy: Early Islamic Jerusalem*. Princeton, NJ: Princeton University Press.

Grabar, Oleg. 2006. *The Dome of the Rock*. Cambridge, MA: The Belknap Press of Harvard University Press.

Greenberg, Joel. 1998. "Big Parade in Jerusalem; Arabs Call It Big Bluster." *The New York Times*, May 25: A-3.

Gurr, Ted Robert. 2000. *Peoples Versus States: Minorities at Risk in the New Century*. Washington: United States Institute of Peace.

Hamas. 1988. "The Charter of Allah: The Platform of the Islamic Resistance Movement (Hamas)." http://www.thejerusalemfund.org/www.thejerusalemfund.org/carryover/documents/charter.html.

Healy, Cahir. 1945. *The Mutilation of a Nation: The Story of the Partition of Ireland*. Derry: Derry Journal.

Herzl, Theodor. 1896. *The Jewish State*. In *The Zionist Idea: A Historical Analysis and Reader*, ed. Arthur Hertzberg. 1959. New York: Atheneum.

Hess, Moses. 1862. *Rome and Jerusalem*. In *The Zionist Idea: A Historical Analysis and Reader*, ed. Arthur Hertzberg. 1959. New York: Atheneum.

Hobsbawm, Eric, and Terence Ranger, ed. 1983. *The Invention of Tradition*. Cambridge, UK: Cambridge University Press.

Hopmann, P. Terrence. 1996. *The Negotiation Process and the Resolution of International Conflicts*. Columbia, SC: University of South Carolina Press.

Imber, Naftali Herz. 1878. "Hatikvah." http://www.jewishagency.org/JewishAgency/English/Jewish+Education/Focus+Areas/60Israel/Hatikva/tikva.

Israel Museum. 2009. http://www.english.imjnet.org.il.

Jarman, Neil. 1997. *Material Conflicts: Parades and Visual Displays in Northern Ireland*. Oxford: Berg.

Kaufman, Stuart J. 2001. *Modern Hatreds: The Symbolic Politics of Ethnic War*. Ithaca, NY: Cornell University Press.

Kaufman, Stuart J. 2006a. "Symbolic Politics or Rational Choice? Testing Theories of Extreme Ethnic Violence." *International Security* 30 (4): 45-86.

Kaufman, Stuart J. 2006b. "Escaping the Symbolic Politics Trap: Reconciliation Initiatives and Conflict Resolution in Ethnic Wars." *Journal of Peace Research* 43 (2): 201-18.

Kaufmann, Chaim D. 1999. "When All Else Fails: Evaluating Population Transfers and Partition as Solutions to Ethnic Conflict." In *Civil Wars, Insecurity, and Intervention*, ed. Barbara F. Walter and Jack Snyder. New York: Columbia University Press.

Kemp, Geoffrey, and Jeremy Pressman. 1997. *Point of No Return: The Deadly Struggle for Middle East Peace*. Washington: Carnegie Endowment for International Peace.

Khalidi, Rashid. 1992. "Observations on the Right of Return." *Journal of Palestine Studies* 21 (2): 29-40.

Khalidi, Rashid. 1997. *Palestinian Identity: The Construction of Modern National Consciousness*. New York: Columbia University Press.

Khalidi, Rashid. 2006. *The Iron Cage: The Story of the Palestinian Struggle for Statehood*. Boston: Beacon Press.

Khalili, Laleh. 2004. "Grass-Roots Commemorations: Remembering the Land in the Camps of Lebanon." *Journal of Palestine Studies* 34 (1): 6-22.

Kimmerling, Baruch, and Joel S. Migdal. 2003. *The Palestinian People: A History*. Cambridge, MA: Harvard University Press.

Kriesberg, Louis. 2001. "Mediation and Transformation of the Israeli-Palestinian Conflict." *Journal of Peace Research* 38 (3): 373-92.

Licklider, Roy. 1995. "The Consequences of Negotiated Settlements in Civil Wars, 1945-1993." *American Political Science Review* 89 (3): 681-90.

Lijphart, Arend. 1971. "Comparative Politics and the Comparative Method." *American Political Science Review* 65 (3): 682-93.

Lijphart, Arend. 1977. *Democracy in Plural Societies: A Comparative Exploration*. New Haven: Yale University Press.

Lijphart, Arend. 1985. *Power-Sharing in South Africa*. Berkeley: Institute of International Studies, University of California.

Lustick, Ian S. 1980. "Israel and the West Bank after Elon Moreh: The Mechanics of De Facto Annexation." *Middle East Journal* 35 (4): 557-77.

Lustick, Ian S. 1988. *For the Land and the Lord: Jewish Fundamentalism in Israel*. New York: Council on Foreign Relations.

Lustick, Ian S. 2000. "Yerushalayim and al-Quds: Political Catechism and Political Realities." *Journal of Palestine Studies* 30 (1): 5-21.

Lustick, Ian S. 2004. "Yerushalayim, al-Quds and the Wizard of Oz: Facing the Problem of Jerusalem after Camp David II and the al-Aqsa *Intifada*." *The Journal of Israeli History* 23 (2): 200-15.

Maney, Gregory M., Ibtisam Ibrahim, Gareth I. Higgins, and Hanna Herzog. 2006. "The Past's Promise: Lessons from Peace Processes in Northern Ireland and the Middle East." *Journal of Peace Research* 43 (2): 181-200.

McDonald, Henry. 2010. "Northern Ireland Policeman Fighting for Life After Car Bomb Explosion." *The Guardian*, January 8. http://www.guardian.co.uk/uk/2010/jan/08/northern-ireland-man-injured-car-bomb.

McGarry, John, and Brendan O'Leary. 1995. *Explaining Northern Ireland: Broken Images*. Oxford: Blackwell Publishers.

McNeill, Ronald. 1922. *Ulster's Stand for Union*. London: John Murray.

Mitchell, George J. 1999. *Making Peace*. Berkeley: University of California Press.

Morris, Benny. 1987. *The Birth of the Palestinian Refugee Problem, 1947-1949*. Cambridge: Cambridge University Press.

Morris, Benny. 2001. *Righteous Victims: A History of the Zionist-Arab Conflict, 1881-2001*. New York: Random House.

Morris, Benny. 2004. *The Birth of the Palestinian Refugee Problem Revisited*. Cambridge, UK: Cambridge University Press.

Mualem, Mazal. 2008. "Shas Escalates Threat to Quit Olmert Gov't Over Jerusalem Talks." *Haaretz*, January 22. http://www.haaretz.com/hasen/spages/947215.html.

Nazzal, Nafez. 1993. "The Significance of Jerusalem for Moslems." In *Jerusalem: Perspectives Towards a Political Settlement*, ed. Chaim Shur. Tel Aviv: New Outlook.

Norris, Pippa. 2008. *Driving Democracy: Do Power-Sharing Institutions Work?* Cambridge, UK: Cambridge University Press.

O'Leary, Brendan, Tom Lyne, Jim Marshall, and Bob Rowthorn. 1993. *Northern Ireland: Sharing Authority*. London: Institute for Public Policy Research.

O'Leary, Brendan. 1992. "Public Opinion and Northern Ireland Futures." *The Political Quarterly* 63 (2): 143-70.

O'Neill, David. 1948. *The Partition of Ireland: How and Why it Was Accomplished*. Dublin: Gill and Macmillan.

Palestine Liberation Organization. 1968. "Palestinian National Charter." http://www.un.int/palestine/PLO/PNAcharter.

Pinsker, Leo. 1882. *Auto-Emancipation: An Appeal to His People by a Russian Jew*. In *The Zionist Idea: A Historical Analysis and Reader*, ed. Arthur Hertzberg. 1959. New York: Atheneum.

Powell, Jonathan. 2008. *Great Hatred, Little Room: Making Peace in Northern Ireland*. London: Bodley Head.

Pressman, Jeremy. 2003. "Visions in Collision: What Happened at Camp David and Taba?" *International Security* 28 (2): 5-43.

Price, Monroe E. 1995. *Television, the Public Sphere, and National Identity*. Oxford: Oxford University Press.

Ravid, Barak. 2008. "Shas to Seek Payout for Jews Deported from Arab Countries." *Haaretz*, November 25. http://www.haaretz.com/hasen/spages/1040797.html.

Raz-Krakotzkin, Amnon. 2003. "History Textbooks and the Limits of Israeli Consciousness." In *Israeli Historical Revisionism from Left to Right*, ed. Anita Shapira and Derek J. Penslar. London: Frank Cass.

Rubinger, David, and Ruth Corman. 2007. *Israel Through My Lens: Sixty Years as a Photojournalist*. New York: Abbeville Press.

Rubinstein, Danny. 1993. "The Historical Perspective." In *Jerusalem: Perspectives Towards a Political Settlement*, ed. Chaim Shur. Tel Aviv: New Outlook.

Sanbar, Elias. 2001. "Out of Place, Out of Time." *Mediterranean Historical Review* 16 (1): 87-94.

Sayigh, Rosemary. 1977. "Sources of Palestinian Nationalism: A Study of a Palestinian Camp in Lebanon." *Journal of Palestine Studies* 6 (4): 17-40.

Sa'di, Ahmad H. 2002. "Catastrophe, Memory and Identity: Al-Nakbah as a Component of Palestinian Identity." *Israel Studies* 7 (2): 175-98.

Scham, Sandra. 2004. "High Place: Symbolism and Monumentality on Mount Moriah, Jerusalem." *Antiquity* 78 (301): 647-60.

Schenker, Hillel. 1993. "Jerusalem, Jerusalem: A Political Roadmap." In *Jerusalem: Perspectives Towards a Political Settlement*, ed. Chaim Shur. Tel Aviv: New Outlook.

Segev, Tom. 1993. *The Seventh Million: The Israelis and the Holocaust*, trans. Haim Watzman. New York: Hill & Wang.

Shafir, Gershon. 1996. *Land, Labor and the Origins of the Israeli-Palestinian Conflict, 1882-1914*. Berkeley: University of California Press.

Shamir, Jacob, and Khalil Shikaki. 2005. "Public Opinion in the Israeli-Palestinian Two-Level Game." *Journal of Peace Research* 42 (3): 311-28.

Sheleff, Leon. 2001. "Jerusalem: Figment of the Imagination." *GeoJournal* 53 (3): 297-309.

Sherman, Daniel J., and Irit Rogoff. 1994. *Museum Culture: History, Discourses, Spectacles*. Minneapolis: University of Minnesota Press.

Shikaki, Khalil. 2003. "Results of PSR Refugees' Polls in the West Bank/Gaza Strip, Jordan and Lebanon on Refugees' Preferences and Behavior in a Palestinian-Israeli Permanent Refugee Agreement." Palestinian Center for Policy and Survey Research (PSR). http://www.pcpsr.org/survey/polls/2003/refugeesjune03.html.

Shikaki, Khalil. 2006. "Willing to Compromise: Palestinian Public Opinion and the Peace Process." *United States Institute of Peace Special Report* 158: 1-16.

Shragai, Nadav. 2007. "Poll: 96% of Israeli Jews Won't Give up Western Wall for Peace." *Haaretz*, May 13. http://www.haaretz.com/hasen/spages/858892.html.

Shur, Chaim. 1993. "Welcome Address." In *Jerusalem: Perspectives Towards a Political Settlement*, ed. Chaim Shur. Tel Aviv: New Outlook.

Smith, Anthony D. 1993. "The Ethnic Sources of Nationalism." *Survival* 35 (1): 48-62.

St. Andrews Agreement. 2006. http://www.dfa.ie/uploads/documents/st_andrews_agreement.pdf.

Stewart, A. T. Q. 1977. *The Narrow Ground: Aspects of Ulster, 1609-1969*. London: Faber & Faber.

Tibawi, A. L. 1963. "Visions of the Return: The Palestine Arab Refugees in Arabic Poetry and Art." *The Middle East Journal* 17 (5): 507-26.

United Nations General Assembly. 1948. United Nations General Assembly Resolution 194. http://unispal.un.org/UNISPAL.NSF/0/C758572B78D1CD0085256BCF0077E51A.

United Nations Security Council. 1967. United Nations Security Council Resolution 242. http://domino.un.org/UNISPAL.NSF/d744b47860e5c97e85256c40005d01d6/7d35e1f729df491c85256ee700686136?OpenDocument.

United Nations Security Council. 1973. United Nations Security Council Resolution 338. http://domino.un.org/UNISPAL.NSF/d744b47860e5c97e85256c40005d01d6/7fb7c26fcbe80a31852560c50065f878?OpenDocument.

Walter, Barbara F. 1997. "The Critical Barrier to Civil War Settlement." *International Organization* 51 (3): 335-64.

Walter, Barbara F. 2002. *Committing to Peace: The Successful Settlement of Civil Wars*. Princeton, NJ: Princeton University Press.

Walter, Barbara F. and Jack Snyder, ed. 1999. *Civil Wars, Insecurity, and Intervention*. New York: Columbia University Press.

Yuchtman-Yaar, Ephraim, and Tamar Hermann. 2000. "Shas: The Haredi-Dovish Image in a Changing Reality." *Israel Studies* 5 (2): 32-77.

Zartman, I. William, and Maureen R. Berman. 1982. *The Practical Negotiator*. New Haven: Yale University Press.

Zartman, I. William. 1995a. "Dynamics and Constraints in Negotiations in Internal Conflicts." In *Elusive Peace: Negotiating an End to Civil Wars*, ed. I. William Zartman. Washington: The Brookings Institution.

Zartman, I. William. 1995b. "Conclusions: The Last Mile." In *Elusive Peace: Negotiating an End to Civil Wars*, ed. I. William Zartman. Washington: The Brookings Institution.

Zerubavel, Yael. 1995. *Recovered Roots: Collective Memory and the Making of Israeli National Tradition*. Chicago: University of Chicago Press.