Overcoming Relational Barriers to Agreement

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Perhaps the greatest obstacle to the achievement of peace between the Israelis and Palestinians is the widespread conviction within both societies that the other side's true goals and aspirations, if realized, would create an unbearable future for their own side. Insofar as traditional peace processes focus on negotiating and implementing "efficient" agreements without addressing a standard "enemy relationship" and the distrust and fear it encompasses, those processes are unlikely to succeed. The Four-Question Framework developed by the Stanford Center on International Conflict and Negotiation (SCICN) offers a new and different design for a peace process that would address the relational barriers that prevent progress toward peace.

The biggest obstacle to the achievement of peace between Israel and the Palestinians may not be the numerous intractable issues (Jerusalem, borders, refugees, and security) or, what is a major subtext within the talks, the activities of various spoiler factions (e.g., jihadists and the radical violent element among the Israeli right) seeking to impede, if not block, progress. Rather, it is likely the widespread conviction among both Israelis and Palestinians that the other side's true goals and aspirations, if ever reached, would create an unbearable future for their own side. Israelis fear (with some justification) that the ultimate Palestinian and broader Arab goal would be the demise of a Jewish state in the Middle East, and Palestinians fear (also with some justification) that Israel's real preference would be a greatly enlarged Israeli state with a greatly reduced Palestinian presence.[1]

The appropriate term for the relationship between the two parties today is, thus, "enemies" – a term that suggests more than the antagonistic disagreements that comprise the difficult but nevertheless standard political engagements of adversaries. We would reserve the term enemies for a state of affairs in which either or both sides in the conflict believe that the other seeks its destruction – if not as individuals, then as a sovereign and functioning political community.[2] In an enemy relationship, each side feels that what prevents the other side from pursuing its maximalist goals is not a lack of will but the lack of means (or at least means that have acceptable political costs).

Enemy relationships mean that a process focusing on negotiating and implementing an agreement between the parties is unlikely to produce the peace that it is ostensibly designed to create. In enemy relationships, the primary consideration is not how much any agreement improves the immediate circumstances of the two parties, but an agreement's impact on the relative balance of power between them and the prospects of eventual domination. The goal of minimizing the risk of such future domination, indeed, the guarantee of future social and political survival, is what assumes paramount importance.

This state of affairs differs from more standard adversarial relationships in which the parties try to package and trade interests such that each party, because of its needs, priorities, existing resources, or perceived opportunities, cedes what it values less than the other party in order to gain what it values more than the other party. The goal is that of an "efficient" agreement, one that exhausts the possibilities of trades that would simultaneously or even sequentially improve the position of both sides.[3] In this regard, the difference between enemy and adversarial relationships is the differences between zero sum and non-zero sum interactions.

Another important difference between enemy and adversarial relationships is the effectiveness of conciliatory gestures. Overtures that might be welcomed in adversarial relationships fail in enemy relationships because they don't address the existential concerns that arise from each side's assessment of what it feels the other's true intentions are. One hears many Palestinians protest that they only want an end to the occupation and the recognition of their human rights; many Israelis respond that what the Palestinians see as legitimate entitlement is actually the first step in a slippery slope toward

unacceptable ultimate Palestinian objectives. One hears many Israelis claim that they have made numerous generous offers and expressed a willingness to make difficult concessions to the Palestinians in the past without receiving meaningful concessions in return. In turn, many Palestinians respond that what the Israelis consider generous is humiliating and actually only the first step in a process that will ensure continued Israeli domination and denial of justice. Each side views what it offers and what it receives against a background of fear with respect to the other side's maximalist goals. Both sides, with some justification, claim that the other side is not a "serious" negotiating partner.[4]

In such circumstances, the first barrier to be overcome in the pursuit of peace is a psychological or relational one. The following statement by President Anwar al-Sadat of Egypt before the Knesset in November 1977 eloquently captures this relational barrier and the road to its successful resolution:

> Yet, there remains another wall. This wall constitutes a psychological barrier between us, a barrier of suspicion, a barrier of rejection; a barrier of fear, of deception, a barrier of hallucination without any action, deed or decision. A barrier of distorted and eroded interpretation of every event and statement. It is this psychological barrier which I described in official statements as constituting 70 percent of the whole problem. Today, through my visit to you, I ask why don't we stretch out our hands with faith and sincerity so that together we might destroy this barrier.[5]

To overcome that barrier and create a climate wherein the parties' priority shifts to that of drafting terms that address the well-being of the citizenries, a reduction in enmity and establishment of greater trust is essential. Work on the interface of theory and practice at the Stanford Center on International Conflict and Negotiation suggests that having representatives of the two parties address the following four interrelated questions provides an important starting point:[6]

a. *The question of a shared future*. Are the parties able and willing to articulate a future for the other side that it would find bearable? No agreement,

or at least no lasting agreement or even the achievement of substantial progress toward stable politics is possible unless each party feels it could live a reasonably tolerable existence if the other side's basic aspirations were to be realized. The vision of a shared future is not necessarily a shared vision of the future. Disagreement about the specific policies, institutions, and political arrangement is bound to persist. Indeed, the future that one or both sides seek may be far from what the opposing side wants or would deem fair. But each side must recognize the need to consider and articulate the place the other side will fill in the future it seeks. Furthermore, it must communicate that vision to the other side with an awareness that if it is likely to be deemed intolerable – if the day-to-day life of the individuals and communities on the other side will not offer both dignity and a lifestyle that if not better than the present in most respects is at least not appreciably worse – no amount of persuasion or appeals to principle are likely to bear fruit. This question, we feel, is the most fundamental one, and unless it is addressed, the process of negotiation or even the attempt to create good will is almost certain to be an exercise in futility.

b. *The question of trustworthiness*. Can the two sides trust each other to honor commitments and take (all of) the intermediate steps necessary toward that shared future? In the context of longstanding conflict, each side feels that it is the other that bears responsibility for the onset of the conflict, has broken past promises, and has otherwise proven unable or unwilling to make the types of difficult compromises necessary for progress toward a settlement. Given these sentiments, both sides face a critical question: why should we trust you now? What has changed to make things different? In other words, both parties need to be convinced that there is some new basis for trust, some new awareness on the part of the other side or perhaps some change in circumstance that means that the other side now will both agree to and honor, even if not unreservedly embrace, terms it previously rejected. Hearing the other side propose a future in which one is offered a bearable place, and above all seeing the other side act in a way that suggests it accepts that vision of a shared future, can be that change.

c. *The question of loss acceptance*. Can the parties accept the losses that a settlement will inevitably entail for them; are they truly ready to make the necessary compromises, including ones that they said they never would make? A deep mutual sense of loss pervades the aftermath of virtually every negotiated peace agreement. This is because a real peace achieved by negotiated agreement, as opposed to one achieved by outright victory, demands an abandonment of the hopes and dreams that fueled the conflict and that allowed them to reduce their dissonance about the price they were paying in that conflict. Both sides, furthermore, are bound to feel that they are the ones making the more painful and difficult concessions while the other side is surrendering nothing of consequence – certainly nothing to which they were ever entitled. One important purpose served by dialogue prior to agreement is that it can help both sides come to appreciate the extent to which the concessions being made by the other side for the sake of peace are truly painful – that they, no less than their own concessions, represent the abandonment of cherished hopes and dreams.
d. *The question of just entitlements.* Can the parties work to accept an agreement that does not meet what they perceive to be the requirements of justice; and are they willing to work together to alleviate or rectify the most serious injustices that are apt to remain in the aftermath of agreement? Every peace agreement imposes not only losses but seemingly unjust losses on the parties. The goal of reaching a settlement that is deemed to be just by the parties and by the different constituencies comprising the two sides is impossible to achieve. The question therefore is not whether the agreement will be deemed just – it will not be – but whether the parties feel that the injustices the agreement imposes are bearable. No less important, both parties, and especially those constituencies within each party that could become "spoilers," must come to feel that the benefits of the peace at hand are likely to outweigh the injustices it imposes. The common task challenging both parties is to work together to make the answer to this question "yes," which in turn demands that they also work together to address the needs of those most likely to be adversely affected by the terms of that peace.

Conclusion

A peace process constructed around this four-question framework thus would focus less on reaching conclusive outcomes than on reshaping relationships to achieve more positive interactions and both the existence and awareness of shared peaceful intentions. This shift in focus points to a change in conception of what creating peace entails. Rather than assuming that stable peaceful futures will result from exchanges of concessions and agreements, we suggest that the reverse is true. In other words, rather than agreements producing peaceful relationships, it is peaceful, trusting, relationships that make agreements possible.[7]

In the Israeli-Palestinian context, the four-question framework would not change the substance of the issues that divide Israelis and Palestinians. What it would change is the relational context in which the parties approach these issues. The specific core issues that appear intractable when viewed through the current lens of distrust about ultimate intentions and willingness to honor commitments – borders, security, Jerusalem, and refugees – can become quite tractable if the proposed four-question framework transforms the existential stakes for the two parties.

For example, the peaceful relationships envisioned by the four-question framework might alter the negotiating climate in the following ways:

a. Borders would become less important because they are not seen as a defense against the incursion of the other.
b. Sharing holy places would become more feasible because the prospect does not heighten fears of either terrorism or humiliation.
c. The return of refugees would become less threatening because one imagines them living in peace and becoming good neighbors. Moreover the acceptance of compensation for lost property rather than exercising a right of return might become more acceptable if it were seen not as a humiliating surrender but as a step toward a better life in a new sovereign state.

The goal in tackling and transforming enemy relationships through the four-question framework is not to replace negotiation but to make the negotiation of efficient agreements that improve the immediate and long-term prospects of the two sides a realistic possibility. The shift in approach called for in this short essay will not be easy to accomplish, and frustrating

setbacks will be inevitable. It will require leadership on both sides that is not only astute but courageous. Those who call for moderation, accommodation, realism, and ultimately peace generally do so at considerable personal risk. But we believe that addressing relational dynamics addressed by four questions is the most fruitful path to follow in traveling the long road to a peaceful shared future.

Notes

1 A study by Ifat Maoz and Clark McCauley documents the fact that respondents who perceived high collective threat and zero-sum relations were markedly less willing than their peers to support possible agreements that included concessions to Palestinians. See Ifat Maoz and Carl McCauley, "Threat Perceptions and Feelings as Predictors of Jewish-Israeli Support for Compromise with Palestinians," *Journal of Peace Research* 46, no. 4 (2009): 525-39.

2 Carl Schmitt, *The Concept of the Political* (New Brunswick, NJ: Rutgers University Press, 1932).

3 Roger Fisher and William Ury, *Getting to Yes (*Boston, MA: Houghton Mifflin, 1981).

4 We have seen this dynamic at play many times in Northern Ireland regarding parades, flags, housing, policing, and just about every other contentious issues that arise between unionists/loyalist and republicans.

5 Anwar al-Sadat, *Peace with Justice*, International Relations Archive, Mount Holyoke College, http://www.mtholyoke.edu/acad/intrel/speech/sadat.htm.

6 For a more extensive presentation of this framework, see Byron Bland, Brenna Powell, and Lee Ross, "Barriers to Dispute Resolution," in *Understanding Social Action, Promoting Human Rights,* eds. R. Goodman, D. Jinks, and A. Woods (Oxford, UK: Oxford University Press, 2012), pp. 265-91, http://www.law.stanford.edu/sites/default/files/child-page/370999/doc/slspublic/Powell,%20Bland,%20Ross,%20Relational%20Barriers.pdf.

7 A recent study by Kahn, Halperin, Liberman, and Ross explored the role of negative intergroup sentiments play, beyond that of political affiliations and identities, in creating and exacerbating barriers to agreement in the context of the Israeli-Palestinian conflict. The authors conclude: "The most obvious implication of our studies is that hatred and anger, and the absence of positive intergroup sentiments and or moral sentiments of guilt or shame, may be an important obstacle both to the type of interest-based agreements that would benefit all concerned and to the type of relationship-building programs that can humanize adversaries and create the trust necessary for more comprehensive agreements. Indeed, trying to produce

such agreement through careful crafting of efficient trades of concessions, without attending to relational barriers may be an exercise in futility." See Dennis T. Kahn, Eran Halperin, Varda Liberman, and Lee Ross, "Intergroup Sentiments, Political Identity, and their Influence on Responses to Potentially Ameliorative Proposals in the Context of an Intractable Conflict," *Journal of Conflict Resolution* (May 2014).