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## Grounds for Peace; Territoriality and Conflict Resolution

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*Changes toward the de-territorialising of sovereignty and the corresponding emergence of various global institutions, associated with globalisation, can offer new incentives and possibilities for the resolution of seemingly intractable ethno-national conflicts, by rethinking them in a transnational context. Peace processes in Northern Ireland and Israel shared a common vision, associating conflict resolution with global integration, but differed profoundly in their structures, dynamics and outcomes. The Good Friday Agreement in Northern Ireland was based on a complex power-sharing model between Protestants and Catholics, which would supposedly allow both to express their national identity. On the other hand, the peace process between Israel and the Palestinians, despite the vision of the globalised 'New Middle East', was based on partition that would lead to the making of two separate states. The dynamics and outcomes of the peace processes in Israel/Palestine and Northern Ireland provide for a comparative study of these approaches in the wider context of globalisation and their contribution to the transformation of the conflict and, consequently, its stability.*

### INTRODUCTION

Territoriality is associated with the positive values of security, identity and belonging, but is also the cause for disputes between ethnic and national groups claiming exclusive rights over a certain territory. Such claims underlay many protracted or intractable ethnic conflicts.<sup>1</sup> If existing state boundaries are the source of zero-sum conflicts over territorial control, the 'unbundling

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of territoriality<sup>2</sup> associated with globalisation seems to offer a handy solution to conflicts that have been considered intractable. The shift of the balance from solely defined territorial politics to non-territorial forms of organisation and identity constitutes a new logic that conjures up the possibilities of new notions of citizenship, democracy, community and government.<sup>3</sup> These changes, toward the de-territorialising of sovereignty and the corresponding emergence of various global institutions, can offer new incentives and possibilities for the resolution of seemingly intractable ethno-national conflicts, by rethinking them in a transnational context.<sup>4</sup>

Visions of peace in Israel and Northern Ireland, emerging in the early 1990s and the following peace agreements, seemed to lend support to the arguments that globalisation creates new opportunities to transform seemingly intractable conflicts through their de-territorialisation. The peace processes in Northern Ireland and Israel shared a common vision, associating conflict resolution with global integration, but differed profoundly in their structures, dynamics and outcomes.<sup>5</sup> The Good Friday Agreement in Northern Ireland was based on a complex power-sharing model between Protestants and Catholics, which would supposedly allow both to express their national identity. Essentially, the agreement re-defined the very concept of Northern Ireland.<sup>6</sup> On the other hand, the peace process between Israel and the Palestinians, despite the vision of the globalised 'New Middle East', was based on partition that would lead to the making of two separate states.

Partition and shared governance are two approaches to resolve ethno-national conflicts. The dynamics and outcomes of the peace processes in Israel/Palestine and Northern Ireland provide for a comparative study of these approaches in the wider context of globalisation and their contribution to the transformation of the conflict and, consequently, its stability. The initial agreements in both cases attempted, by different means, to put into motion a process in which a protracted conflict of a zero-sum nature would be transformed. A decade after their initiation, the difference between the two peace processes is significant. In Northern Ireland peace process, despite setbacks and difficulties reflected in the election results in 2003, the region avoided relapsing to violence. Conversely, the Israeli–Palestinian process has violently collapsed and a one-sided partition is about to be enforced by Israel's unilateral building of a fence. The developments of the peace process in Northern Ireland will be used in this article as a backdrop to an understanding of the collapse of the Israeli–Palestinian process. Several questions that engage with territoriality and conflict transformation will be posed. First, why have the sides to the conflict chosen partition/shared governance as a strategy to resolve the conflict? Second, what advantages do the processes draw from global developments? Third, what effect have the strategies chosen had on the dynamics of the peace process and have they been able to change the zero-sum nature of the conflict? And, fourth, what impact have they had on the level of reconciliation and the stability of agreements reached?

## TERRITORIALITY, PROTRACTED CONFLICTS AND RESOLUTION

Territoriality can be defined as a form of behaviour that uses territory as an instrument for securing a political outcome<sup>7</sup> or the geographical expression of power that involves material and emotional requirements and the construction of boundaries that 'give physical substance and symbolic meaning to notions of "us" and "them" and "ours" and "theirs"'.<sup>8</sup> Territory is an important component in the formation of social, spatial and national identities. The measure of control over a territory has been constructed as fundamental to a personal and societal control over one's self and expressed most clearly embodied in the modern formations of nations and states.<sup>9</sup> The territorial boundaries of states, however, are often a source of contention as they are contested either by counter claims of other states<sup>10</sup> or by the existence of ethnic minorities from within who challenge the state's boundaries.<sup>11</sup> As such, exclusive claims of territory, associated with the nation-state, are often the source of conflicts, in which national sovereignty entails a relation of domination and a denial of security, recognition and effective participation to minority groups that are not part of the nation.<sup>12</sup> The asymmetry of power between the powerful group in control of the territory and weaker group(s) denied recognition and a greater share of power within the same territory creates structural conditions that define the nature of the conflict and sets limits to the possibilities of resolution.<sup>13</sup>

Protracted conflicts are long-term, ongoing conflicts that permeate all aspects of society and are perceived to be intractable. They are characterised by the apparently total lack of concern the parties have for each other and by a zero-sum dynamic that renders them impervious to conventional conflict resolution methods.<sup>14</sup> While territoriality is often central to the evolution of protracted ethno-national conflicts these conflicts, because of their longevity, violence and asymmetry, extend beyond a specific issue that may be resolved by simple solutions. Protracted conflicts involve not only material interests, but also issues of identity and culture, so a successful resolution must engage with questions of justice, recognition, mutual engagement with the past, and forgiveness. Therefore, the resolution of protracted conflicts is a complex process that must contend with various issues of present, past and future – grievances, trust and mistrust, security concerns, redistribution of resources – and, above all, must provide a formula for transforming the conflict by creating a political framework enabling coexistence and fostering reconciliation. If territoriality and sovereignty are at the core of the protracted conflict, this formula can be based, either on an agreed partition of the territory between the disputants, or on a political framework that would allow them to share it. The formula of peace – an outcome of available resources, existing structures and political decisions – can have important implications for its stability and endurance.

The dynamics of relations between the groups that the agreements set in motion are crucial, because their negotiation and formal signing are

rarely an end point. Peace is a long-term process that requires support structures or 'post conflict peace building', to avoid a relapse into conflict.<sup>15</sup> The ability to keep the parties on the track of the peace process and dissuade them from returning to violence depends on the ability to transform the relations from zero-sum to cooperation, recognition and reconciliation. While conflicts can be 'managed' by various means so that violence is minimised this fall short of their transformations, a long-term process that includes changes in attitude towards the 'enemy', mutual confidence building, mutual security and a dialogue that would stimulate the wish to settle the conflict.<sup>16</sup> The success of a peace process, therefore, can be measured, first, by its ability to end violence and, second, to create the institutions and support structures that would discourage the parties from taking up arms again.<sup>17</sup>

### PARTITIONS AND POWER SHARING

The idea of partition has recently attracted fresh attention as the inevitable (though not ideal) solution to protracted ethnic conflicts. Before the First World War, partition was a tool of the empires, dividing territories between themselves or using them to strengthen their rule. After the war, partition took place either as devolution of authority granting independence to nations or as a solution to ethnic conflicts perceived to be irreconcilable.<sup>18</sup> Partitions were employed in both Ireland and Palestine, a result of the changing world order after the First World War, and were described as 'divide and quit', a new policy that enabled Britain to relinquish control over territories it could no longer rule.<sup>19</sup> The idea of partition corresponded to the modern ideology of self-rule, namely, that nations are entitled to territorial sovereignty and thus partition was a natural solution for territorial disputes. Thus partitions were used in order to create homogenous, national territorial units. Unfortunately, the geographic reality proved this task all but impossible. In most actual cases of partition, successor states were not ethnically 'pure', often leaving minorities frustrated by boundaries they perceived as unjustly drawn. As a result, the act of partition was often the prelude to new conflicts, as in Northern Ireland and Israel.

The idea of partition regained popularity in the late twentieth century as a solution for the growing number of violent intrastate civil conflicts. The partition of states engulfed in ethnic civil wars, even if accompanied by population transfers, was depicted as the lesser of two evils. Thus, for example, in face of the atrocities of war in the former Yugoslavia, scholars of international relations recommended to American policy makers that they abandon the faith in multiethnic societies and adopt an agenda of partition.<sup>20</sup> Partitions that involve population transfers, or objectionable border adjustments, have been criticised on moral grounds, but their utility for conflict resolution and, to a larger extent, transformation, is also questionable.

Embedded in the framework of territoriality they tend to be zero-sum in nature, rather than transformative and, consequently, despite an illusion of finality, they are often a temporary solution that fails to engage the deep roots of the conflict. Thus, if the boundaries after partition remain disputed, the partition involves the uprooting of populations with material and emotional damage, inequality remains high and is attributed to past injustices or past grievances are not addressed, the partition is likely to contain the seeds of a renewed conflict. These doubts are supported by a recent study that finds that partitions do not help prevent the recurrence of ethnic wars.<sup>21</sup>

In contrast to partitions, power-sharing agreements are based on a political restructuring of existing entities and an attempt to change the zero-sum nature of the conflict. Traditional power-sharing agreements focused on resource distribution and decision making-processes within the state that transcend the 'winner takes all' formula.<sup>22</sup> These arrangements, as critics have argued, are difficult to achieve and even more difficult to put into practice<sup>23</sup> and, somewhat like partition, they accept at face value the primacy and permanency of ethnic divisions and promote segregation instead of social contact and cooperation.<sup>24</sup> As such, they are also vulnerable to zero-sum dynamics, in which both sides struggle to maximise their gains at the expense of the 'others'. However, the rethinking of national-territorial sovereignty associated with globalisation may suggest new modes of power-sharing and the 'de-territorialisation' of the conflict, stripping away its territorial base and enabling its transformation.

## GLOBALIZATION AND PEACE

The contemporary 'unbundling' of territoriality,<sup>25</sup> associated with globalisation, creates new incentives and institutions for accommodating formerly exclusive and zero-sum territorial claims. These incentives and institutions apply both to peace processes based on partition and territorial compromise and to those based on power sharing. The emergence of a global economy based on non-territorial entities, such as multinational firms, 'offshore' economic spaces and macro-regional blocs, has significant influence on territoriality.<sup>26</sup> Globalisation, however, is far from being a smooth linear process that erases borders. Rather, it is a process that creates winners and losers with conflicting political agendas and different perceptions of territoriality. Fixed territoriality and effective state sovereignty remain important for those seeking protection from the ravages of the market or a stable source of identity and belonging. While borders are blurred by global flows, they are re-drawn by ethnic and class tensions. Resistance to globalisation promotes not only de-commodification for social protection, but also re-territorialisation and re-nationalization.<sup>27</sup> Thus, territorial conflicts and sovereign states are very much a part of the present but, with the exercise of caution, new incentives

and institutions associated with globalisation can influence – although in a variety of ways – the resolution of territorial conflicts.

In a world of global production networks, access to capital and technology depends on strategic alliances with those who control global production networks, rather than on control of any particular piece of territory.<sup>28</sup> Accordingly, access to the emerging system of political cooperation and economic development among the major states could be major source of inducement for peace.<sup>29</sup> ‘Peace dividends’, the term commonly used to describe the incentives for conflict resolution, are portrayed in win–win terms; namely, that entire regions across communities would benefit from global integration. Economic incentives may increase the chances for compromises but, especially if they are unevenly distributed, do not necessarily resolve the conflict.

Globalisation, therefore, can positively influence peace processes based on partition or power sharing agreements by creating incentives for compromise. But, while globalisation can create new incentives that set peace process in motion, it may in the longer run implicate differently each type of agreements. Partition agreements, even in the context of globalisation, can maintain the zero-sum nature of the conflict, especially if peace dividends are unequally distributed between the parties. Power-sharing agreements, on the other hand, can draw on the unbundling of territoriality associated with globalisation as a new organising principle of political and social life that extends beyond the material benefits. Specifically, the development of regional and transnational entities can provide new non-territorial political frameworks with fresh opportunities for minority groups, for participation and the assertion of identity. Additionally, technological, economic and political developments create new possibilities for the practice of governance, citizenship, democracy, individual and communal rights.

Drawing on these developments, power-sharing agreements carry greater potential for conflict resolution than agreements based on partition. Two qualifications are necessary. First, while power-sharing agreements have transformative potential they can also turn into zero-sum negotiations that replicate the conflict. Second, power-sharing and partition are not necessarily à-la-carte choices for leaders of the rival parties. Rather, the choice is shaped by histories, political economy, third parties and other factors beyond leader’s control. Explaining success or failure of the peace processes, therefore, must account for the context in which they developed and related advantages or disadvantages.

## SETTING THE QUESTIONS

Territoriality bears directly on the nature and dynamics of protracted conflicts, where disputants make exclusive claims for control. As described above,

power sharing and partition are two paths for conflict resolution, based on different rationales that prescribe a different future. The discussion of the conflict transformation of partition and power-sharing must take into account the context of globalisation, in which parties to conflicts and the peace process interact, as it implies new incentives and institutions upon which conflict resolution can draw. The purpose of the body of this article, based on two case studies, is to examine, first, how the path for conflict resolution was determined, and, second, what were the implications of the path upon which each process was set.

The general hypotheses is that the stability of the peace process depends to a large extent on the ability of the parties to transform and overcome the zero-sum nature of the protracted conflict and that, consequently, non-partition agreements have a greater potential for transformation. The peace processes in Israel/Palestine and Northern Ireland used in this work, provide textbooks examples of partition and shared government on the one hand but, on the other, share many characteristics in their earlier stages that justify comparison. The different outcomes, relatively low levels of violence and greater stability in Northern Ireland and the violent collapse of the peace process in Israel/Palestine, can be related to the paths chosen.

After describing the similarities of the visions and initial stages of the two peace processes in the next section, the article will explain the Northern Ireland case as an example of a non-partition solution that drew on regional and global resources and managed to partially transform the conflict. The Northern Ireland peace process will serve as the backdrop to analyse the collapse of the Israeli–Palestinian process. The following section will demonstrate that partition overshadowed all other aspects of the Israeli–Palestinian peace process and reproduced the zero-sum dynamic of the conflict. I will conclude with a discussion of Israel’s unilateral building of a fence and its implications for future peace.

## VISIONS OF PEACE

The dramatic unfolding of the peace processes in Israel and Northern Ireland in the 1990’s seemed to confirm the relation between globalisation and peace. The visions of peace that emerged in Israel/Palestine and Northern Ireland highlighted changes associated with globalisation: the declining value of territory, the rising value of economic integration, the benefits of regional cooperation and the expansion of transnational networks. Shimon Peres’ idea of the ‘New Middle East’ captured the promise of globalisation, arguing that in the world of the twenty-first century new security constraints override national concerns and diminish the importance of borders. Under



these new conditions, Peres argued, relations in the Middle East could shift from a zero-sum conflict into an all-advantageous peace.

If war is the source of regional distress, the one and only solution is peace. In addition to the direct economic advantages of peace, a wide spectrum of fantastic opportunities will open up, with backing from local and foreign sources as well as government and international aid. It will take a generous infusion of capital to create a lasting peace. But not only will the investors and producers benefit, the consumers – the thousands who now live under poor conditions – will gain. The continued advance towards economic compatibility among the countries of the region will enable the ultimate establishment of a regional system aimed at growth, development and prosperity.<sup>30</sup>

In Northern Ireland, similar ideas were rising among the Protestant business and middle classes, concerned with the economic situation and the general deterioration of living conditions. Strengthening economic ties with the south, involvement with the EU, and resolution of the conflict, was part of an agenda shared by a growing number of Protestants. These ideas were best articulated by John Hume, leader of the Catholic SDLP which, since the 1990s, had advocated a policy of a 'United Ireland in an EC context'. Quick to catch on the rhetoric of the EU and globalisation to advance their cause, their statement closely resembled the 'New Middle East'.

As we enter the 21st century, the world around us is changing fast. The old social and economic model of individual nation states is being superseded in the West by a model of a Europe of the Regions, with those Regions vying with one another for business and wealth ... If the strategy is to be meaningful, it must be set firmly in an all-island and, indeed, a European context. It could even be argued that it should be set in a global context.<sup>31</sup>

The possibility of attracting multinational capital and supra-national subsidy (via the EU), argued Hume, changes the conflict from a 'zero sum game' to 'the prospect that bitter conflict is replaced by cooperation and partnership without anyone being cast as victor or vanquished and without anyone losing distinctiveness or identity'.<sup>32</sup>

Perceptions of peace in Israel and Northern Ireland seemed to converge on the virtuous cycles of globalisation and peace with the benefits stemming from global integration and the declining value of territoriality. Moreover, already in the earlier stages of the peace processes (the 1993 agreement in Israel and the 1994 cease fire in Northern Ireland) a dramatically improved economic climate seemed to confirm the predictions. But, as will be demonstrated below, the peace processes differed in their formulae, dynamics and, consequently, their outcomes.

## THE GOOD FRIDAY AGREEMENT – CONCEPT AND DYNAMICS

The conflict in Northern Ireland is the result of what has been described as a textbook example of state- and nation-building failure. Because neither partition, which would require wide population transfers, nor power sharing seemed feasible the conflict was perceived as intractable. Power-sharing or consociationalism seemed impossible, because of the geographical intermix that was preventing autonomy, high levels of political, social and economic inequality between the groups and, above all, because of the unequivocal demands by the unionists to maintain the status of Northern Ireland and by the nationalists to unite the north with the Republic. The collapse of the Sunningdale Agreement in 1973 confirmed the inapplicability of power sharing.

Surprisingly, the Good Friday Agreement (GFA) reached by the parties, four years after the cease-fire of 1994, was described as the 'clearest example of fully blown consociationalism that exists today'.<sup>33</sup> Critics of the agreement argue that it falls short of a deep-reaching conflict transformation because it institutionalises the ethno-national divisions, rather than striving for their elimination or reduction.<sup>34</sup> Defenders of the agreement argue that it promotes mutual respect and peaceful coexistence and, as such, could in the future promote the transformation of identities.<sup>35</sup> The agreement, on the one hand, affirmed the territorial divisions as the first strand providing for a democratic assembly for a sovereign Northern Ireland. But, not only did the democratic structure of the future Northern Ireland incorporate consociational elements, the second and third strands of the agreement re-established its relationship with both Britain and the Irish Republic and 'de-territorialized' Northern Ireland.

While the agreement provided for the essential tenants of consociationalism – a grand coalition, power sharing, cultural autonomy and group vetoes<sup>36</sup> – its potential to transform the conflict rests on a changed context within Northern Ireland<sup>37</sup> and wider supportive regional and global settings. Significant changes within Northern Ireland include the demographic balance pointing towards a future Catholic majority, social and economic advancements made by Catholics, a troubled economy and a 'hurtful stalemate', an overall acknowledgement that violence has failed to advance the cause and that non-resolution is costly. The de-territorializing aspects of the agreement and its being embedded in wider regional and global settings that foster a new dynamic created opportunities missing in previous attempts at reconciliation.

The improving relations between the UK and Ireland were formalised in the 1985 agreement that allowed a role for Eire, the Republic, in designing the future of Northern Ireland and affirmed that Britain was not interested in remaining in Ireland. Essentially, both governments stated that they had no territorial claim to Northern Ireland and that its future had to be decided by

its people. In a joint declaration issued by the two governments in 1993, Britain stated again that it had ‘no selfish strategic or economic interest in Northern Ireland’ and pledged to uphold the democratic wish of the people of Northern Ireland – including the possibility of a united Ireland achieved by peaceful means. The Irish government reciprocated by committing itself to the wishes of the people of Northern Ireland and stating that it ‘would be wrong to impose a united Ireland, in the absence of the freely given majority of the people of Northern Ireland’.<sup>38</sup> The change introduced in the Irish constitution reflected the de-territorialising developments. If the old Article 2 stated that: ‘The national territory consists of the whole island of Ireland, its islands and territorial seas’, the new article set an example of de-territorialisation:

It is the entitlement and birthright of every person born in the island of Ireland, which includes its islands and seas, to be part of the Irish nation. This is also the entitlement of all persons otherwise qualified in accordance with law to be citizens of Ireland. Furthermore the Irish nation cherishes its special affinity with people of Irish ancestry living abroad who share its cultural identity and heritage.

The EU’s social and economic integration, especially since the Single European Market was completed in 1992, has provided another cycle with new incentives and institutional support for peace. Cross-border links between north and south, previously rejected by unionists in the fear that they would lead to unification, could now be presented as an application of European cross-border cooperation in the British–Irish context.<sup>39</sup> The impact was most evident in the business class, who saw the immediate benefits of the EU. The development of the EU, therefore, could be argued to work against the very logic of the territorial conflict and to provide a safeguard against future political-demographic developments. The incentives and institutions associated with the EU have made cooperation between the communities not only legitimate but also rational. Within the ‘neutral’ EU context, groups campaigning over issues like unemployment, environmental protection and women rights could establish networks of cooperation.

The GFA institutionally anchors the relation of Northern Ireland to both the Republic and the UK and leaves the sensitive issue of sovereignty to a decision by the majority of the people of Northern Ireland. Thus, on the one hand, the contemporary status of Northern Ireland is affirmed and legitimised, and, on the other hand, there remains a possibility for a change in the future, based on a majority decision. This flexibility answers both Protestant and Catholic demands and is accompanied by two safeguards. First, any future majority decision will be founded on

the principles of full respect for, and equality of, civil, political, social and cultural rights, of freedom from discrimination for all citizens, and of

parity of esteem and of just and equal treatment for the identity, ethos, and aspirations of both communities. (1, v)

And, second, the people of Northern Ireland can choose between British and Irish identity and citizenship, a right unaffected by any future change in the status of Northern Ireland (1, vi).

The three strands of the agreement (democratic institutions in Northern Ireland, North–South Ministerial Council and a British–Irish Council) balance each other and create a complex form of sovereignty that redefines the very concept of Northern Ireland. The constitutional change is complemented by attention to a wide range of specific issues that pertain to everyday life and are central to the transformation of the conflict. Institutions like the human rights commission, statutory equality commission and a commission for police reform address issues of equality, human rights, policing and justice. Other issues addressed included sustained economic growth, social inclusion, planned economic development, strengthening of anti-discrimination legislation and a progressive elimination of the differential unemployment rates between the two communities. Respect, understanding and tolerance for linguistic diversity are also acknowledged, backed by the Council of Europe Charter for Regional or Minority Languages, for the promotion and facilitation of the study and use of the Irish language. Finally, reconciliation is also addressed through support for organisations that promote engagement, mutual understanding and respect between the communities.

The GFA, therefore, seemed to de-territorialise the conflict and supply both parties with a potentially satisfactory formula of citizenship and sovereignty. For the Protestants, the agreement provides legitimacy for the existence of Northern Ireland and a hope for the end of violence, economic regeneration and an improved quality of life. For Catholics, it provides a chance for the ending of structural inequality, stronger linkages with the Republic and a greater respect for their culture. If the peace holds, therefore, nationalists can claim that they have achieved their goals – cultural, economic and political – without formal sovereignty that becomes of relatively little importance. Similarly, Protestants can claim that they have managed to achieve peace at the price of a relatively small reduction in their status.

However, despite the initial success of drafting, signing and approving the agreement in a referendum, the actual implementation has proven difficult. First, specific issues like the decommissioning of arms by the IRA and other groups, and police reforms, remain unresolved, leading to a series of setbacks and leaving the agreement vulnerable to its opposition. Second, sovereignty is still regarded as an issue on which it is difficult to compromise. Third, while a growing number of people identify themselves in non-sectarian terms, politics and society in Northern Ireland are still very sectarian in nature, with limited success for parties outside the ethno-national blocs and with no swing voting between the two blocs. Fourth, there are no indications

that the two communities desire to mix and form a new cross-cutting identity.<sup>40</sup> And, fifth, as a result of all the above, genuine reconciliation, despite the efforts made, is still limited.<sup>41</sup>

The enduring accomplishment of the peace process, despite the setbacks discussed above, is the establishment of a consensus for non-violent dialogue.<sup>42</sup> This change can only be explained by the dynamic that has significantly reduced the zero-sum nature of the conflict, even if falling short of reconciliation. The framework of the agreement and the wider developments discussed above have expanded the space for the development of civil society that involves both communities. There is an emerging 'politics of civil society' and about 5,000 voluntary and community groups, many working to transform the conflict, as well as a rise in the number of cross-community reconciliation and contact schemes concerned to break down sectarian boundaries, including the churches and trade unions involved.<sup>43</sup>

Thus, the balance sheet of the GFA is mixed with, on the one hand, significant steps towards reconciliation and, on the other hand, unresolved issues that threaten to derail the peace process. The difficulties in the agreement were reflected in the continuous difficulties of the elected assembly and in the elections of 2003 when the radical parties in both sides gained strength. Obviously, the non-territorial character of the agreement forces continuous engagement between the parties that could result in a renewed conflict, since Catholics and Protestants are still parties to an unresolved dispute. But, the agreement's ability to accommodate, even if temporarily, the territorial demands of the parties, together with an extensive period of cooperation, drawing on global and regional resources, could, in the long run, transform identities and lead to 'normal politics' in which the divisions are on 'issues' rather than solidified 'identities'.

## ISRAEL: PEACE AND PARTITION

The Israeli–Palestinian conflict, reached a painful stalemate in the late 1980s after the Palestinian uprising (*Intifada*) has taken its toll on both sides and contributed to their realisation of the limits of force and the cost of the conflict. Two competing discourses of peace had been operating since the early 1990s in Israel. The first, the New Middle East, outlined a concept of peace based on regional cooperation, global economic integration and the declining value of territorial issues. The second, based on what was described as *realpolitik* perceptions and on demographic concerns, outlined a peace-based on partition. While the rhetoric of the New Middle East remained in the background of the peace process, with the reality of the regional setting and the structural relations between Israel and the Palestinians, both less favourable than the Northern Irish setting, partition gradually overshadowed cooperation.

The Oslo Agreement between Israel and the PLO, signed in 1993, attempted to set forth a peace process that would be based on mutual recognition, co-existence, mutual dignity and security. The two sides agreed to the establishment of a Palestinian Interim Self-Government Authority for a transitional period not exceeding five years, leading to a permanent settlement and an eventual implementation of Security Council Resolutions 242 and 338.<sup>44</sup> Partition seemed to be the logical solution, answering both Israel's desire to maintain its Jewish status and the Palestinian demands for independence. Three significant obstacles, however, challenged the possibility of partition. First, since the 1970s Israel has built a system of settlements across the West Bank and Gaza, so by 1993 over 100,000 Israelis were living on the land of what was supposed to be a Palestinian state. Second, Palestinians who fled or were deported from Israel in the 1948 war were demanding, for themselves and their progeny, 'the right of return' from the refugee camps and other places of habitation to their original homes. And, third, both sides were laying uncompromising national and religious claims to the city of Jerusalem.

The core of the agreement was a partition of land and good neighbourly relations between Israel and the Palestinians, based on six strategic elements: gradual implementation and evolving negotiations, a shift from unilateral security to security cooperation, advancement of political separation through support of the Palestinian entity, making peace with Jordan, establishment of relations with the countries of the region and the mobilisation of global support.<sup>45</sup> The agreement attempted to maintain a balance between cooperation and partition. Partition was to be achieved gradually, through a series of interim agreements involving Israeli withdrawal and established cooperation. The difficult issues mentioned above, which could not be resolved at this stage, were deferred to a later stage, in hope that trust and cooperation built in the interim agreements would facilitate their resolution.

Cooperation was central to the agreement, but with a lack of a supportive regional framework and the deep structural inequalities between Israelis and Palestinians, it became dependent upon, and secondary to, partition. The regional development of a 'new Middle East' was the supposed *outcome* of a successful peace process, rather than a supportive existing framework, like the EU. While the idea gained some popularity among Israeli policy makers and business elites, Arab counterparts were concerned about Israeli economic domination and were often reluctant to cooperate. Overall, because regional cooperation depended upon the political developments of the peace process, its contribution was, at most, limited. Cooperation between Israelis and Palestinians was no less difficult. After 25 years of occupation in which Palestinians were deprived of citizenship rights and employed as day labourers in the Israeli market, Israelis and Palestinians had few, if any, opportunities to meet Israelis as equals. With the remaining

high levels of inequality and mistrust, cooperation had to be 'invented' and inserted to cross the economic, cultural and political divide.

In its early stages, under the influence of the New Middle East, policy makers hailed global integration and economic growth as the common interest of Israel and the Palestinians. The signing of the Oslo Accords indeed led to an improved business confidence, significant economic growth and hastened the globalisation of the Israeli economy. These peace dividends, however, like many developments associated with globalisation, were unevenly distributed among Israelis and were practically non-existent for most Palestinians whose economy was nowhere geared to global integration. Israeli response to Palestinian terrorist attacks by the imposition of a series of closures on the territories further undermined the Palestinian economy and diminished the prospects of peace dividends. Security cooperation fared even worse than the economic level, as even common goals were difficult to agree upon. Early cooperation ended due to Israel's demand that the Palestinians take measures against the Islamic fundamentalist groups and Palestinian reluctance to cooperate without advancement in the peace process. Israel's resort to unilateral measures of closures in reaction to terrorism has been perceived by the Palestinians as unjust collective punishment, adding to their mistrust and frustrations, and further diminishing their motivation to cooperate.

With limited cooperative measures, the peace process has gradually focused on the partition and developed a zero-sum dynamic of territoriality that neither approaches transformation and nor brings the sides any closer to agreement on the issues not subject to partition. The core of the peace processes has become a series of agreements, based on Israeli redeployments the extent of which has been a constant source of tension between Palestinian demands for sovereignty and Israel's security demands. The negotiations, as an Israeli representative described them, were overburdened by the tension between 'the commitment to a new partnership and the lingering mentality of a zero-sum game'.<sup>46</sup> With the deferral of the thorniest issues to the final status negotiations both sides were concerned with expanding their gains and were frustrated with the tactics of the other side. The Palestinians were expecting to reach the final status negotiations after most of the West Bank and the Gaza Strip territories had been transferred to their control, while Israel was aiming to retain more territories as negotiation cards for the final status agreement. During the negotiations, Israel's final status plans remained obscure, not only to the Palestinians, but even to the Israeli negotiators who, lacking sufficient knowledge of the strategic aims, adopted a hard line approach on tactical issues that led to crises with the Palestinians, often resolved through the direct intervention of Yitzhak Rabin or Shimon Peres.<sup>47</sup>

The Palestinian expectations that the interim agreements would transfer maximal territorial control to the newly established Palestinian Authority

clashed with Israeli demands for security. With all settlements remaining intact until the future final phase negotiations (and also growing in size and numbers) Israel's security demands were extensive, including the control of all the major roads of the West Bank. The result was a series of complex agreements that divided the West Bank and Gaza into three different territories.<sup>48</sup> In the 'A' areas, the large cities, the Palestinians received full administrative and security control. In the 'B' areas, villages and rural, the Palestinians would have administrative control and in areas 'C', settlements and main roads, Israel would have full control.<sup>49</sup> After the proposed redeployments, the maps created a patchwork of small and unconnected areas under full Palestinian control, falling far short of Palestinian expectations. The agreements were the outcome of intensive negotiations that resulted in complex and detailed documents (the interim agreement of 1995 was about 400 pages long) but failed to reduce the friction between Israel and the Palestinians. The interim agreements, according to Hirschfeld, one of the Israeli architects of the Oslo process, were not what the planners had intended.

We wanted a gradual process to contain extremism, establish trust and to demonstrate, during the advancement towards the agreement on the final status, that it is possible to have pragmatic coexistence and coordinate policies. The interim agreement was too complex and obscure to reach those goals.<sup>50</sup>

The implementation of the agreements was no less difficult. Each side was blaming the other for breaching the agreement and refusing to cooperate before the other party fulfils its obligations. Israel was concerned with the Palestinian Authority's lack of commitment to combat fundamentalist terrorism and the continuation of inflammatory anti-Israeli propaganda in the Palestinian media and schools. The Palestinians were frustrated by Israeli military checkpoints across the West Bank and Gaza and perceived the continuation of building in the settlements as an Israeli attempt to determine unilaterally the borders of the final agreement. The continuing postponement of the final status negotiations and the step-by-step approach, according to the Palestinians, created a conditional process based on the subjective assessment by the Israeli government as to whether the Palestinians were 'behaving satisfactorily' and thus were 'deserving of a further measure of self-determination'.<sup>51</sup>

The violent collapse of the Camp David negotiations in 2000 cannot be separated from the history of the previous seven years. Despite the attempt to break away from Oslo's interim steps in favour of a comprehensive package of peace, Camp David was a continuation of the old dynamics, pushing its zero-sum nature to the edge and overburdened by the history of the previous seven years of negotiations. Barak turned Oslo on its head, discarding interim steps and developing a comprehensive package within an all-or-nothing



approach. But Israel and the Palestinians were entering the final phase negotiation in Camp David after seven years that not only left them little confidence in each other, but also with difficult domestic settings that made compromise evermore difficult. The continuing reality of, on the one hand, the continuation of settlements, checkpoints and economic instability, and, on the other hand, anti-Israeli propaganda, terrorism and lack of action against Palestinian fundamentalists groups left both publics sceptical of the other's commitment to peace.

The delay of redeployments by Israel, including redeployments by Barak's government, has given the Palestinians full control of only 17.2 per cent of the West Bank and most of the Gaza Strip. Entering the negotiations, Palestinians were expecting the agreement to include a full Israeli withdrawal to the 1967 border. Israel, on its behalf, was planning to keep 'settlement blocs' and areas required for its security. These demands, according to Barak, did not prevent a far-reaching proposal the rejection of which by the Palestinians proved they were not ready for peace despite an unprecedented generous offer of territory.<sup>52</sup> The Palestinian account of the talks, however, was entirely different.<sup>53</sup> The negotiations began with an Israeli offer of about 88 per cent of the West Bank (and 100 per cent of Gaza), climbing later to 91 per cent and even adding some compensation of Israeli land.<sup>54</sup> While some development was achieved on territorial questions, the negotiations failed to resolve the unbridgeable issues that were deferred to the final phase – the status of Jerusalem and the Temple Mount/Haram al-Sharif and the right of return of the Palestinian refugees. On the one hand, neither of these issues could be resolved by partition but, on the other, no legacy or institutions of cooperation were available for non-territorial cooperative solutions. The situation thus led eventually to the breakdown of the talks and Barak's concluding statement that all understandings reached were 'null and void'.

The collapse of the peace process and the conclusion of the Israeli political elite that compromise is impossible raised the idea of 'unilateral disengagement' as a new and popular solution to the conflict. The concept of a fence between Israel and the Palestinians has been a part of the political discourse in Israel, often a fallback position, a security measure Israel could or should use unilaterally, if the Palestinians fail to cooperate. The fence strategy first used in the Labour party's 1996 election campaign failed to win the election but four years later, after the failure of Camp David and continuing attacks by Palestinian suicide bombers, the idea of a fence gained more popularity. Various groups advocating the fence raised their voice, demanding that the government provide the necessary funding. Uzi Dayan, a retired major general and the head of the 'Forum for National Responsibility', described the fence as a security measure with long-term significance for the preservation of Israel as a Jewish and democratic state against the 'demographic threat'.<sup>55</sup> The fence, therefore, was not only a short-term security

measure, but also a part of a wider strategy that would eventually create peace. The 'Council for Peace and Security', a voluntary organisation made up of retired military personal with dovish views, explained that since the political process had reached a dead end Israel, should move towards unilateral separation. Separation would ease the strain on the security budget, enhance Israel's defence capabilities, narrow the friction points with the Palestinians, reduce the danger of regional escalation and contain the 'negative' demographic process in which Jews are becoming a minority between the Jordan and the sea. In the long run, this partition could be the base for a renewed peace process.

The attempt of the Labour Party to use the idea of unilateral separation in the 2002 election has failed to make the difference. But with the growing cycles of suicide violence largely immune to Israel's defence measures, the idea received a life of its own. Surveys indicate that a majority of Israelis support a unilateral disengagement, even at the price of evacuation of (some) settlements.<sup>56</sup> In the summer of 2002, under public pressure, the Likud government began the construction of a fence between the territories and Israel.

## CONCLUSIONS

The ability of the leaders of the parties to the conflict in Northern Ireland to draw on regional and global resources facilitated the draft of a peace process based on de-territorialisation. This process, in turn, facilitated initial reconciliation and transformation of the conflict. The peace process in Northern Ireland has both re-defined issues of citizenship and sovereignty, and facilitated cooperation across communities. While it is still too early to describe the peace in Northern Ireland as stable and permanent, its contrast to the Israeli-Palestinian peace process is striking. The success of the power-sharing agreement in Northern Ireland depends on the ability of the parties to cooperate and, therefore, cooperation is an essential component of the process. The partition agreement in Israel/Palestine, on the other hand, leans toward a zero-sum dynamic that undermines cooperation and limits the transformation of the conflict.

The path of partition taken by Israel and the Palestinians was a result of popular demand and choices made by leaders, but also of three conditions beyond the participants' control. First, the lack of a supportive regional framework that provides incentives and safeguards for a non-territorial solution. Second, lack of civic cooperation or equal engagement between Israel and the Palestinians before the agreement. And, third, the political agenda of a Palestinian desire for a state and Israeli concern with existence of a Jewish state. Partition, was, on the one hand, the core and fall-back position of the negotiations, but on the other hand, impossible,

without bridging issues that were not dividable. Under these pressures, the peace process for Israel has oscillated between two ideas shared at most partially with Palestinians. The first, based on a neo-liberal world view, expects economic growth to resolve territorial questions and the second, considers that partition could separate Israel from the Palestinians and provide greater security for Israelis, with or without peace. The neo-liberal vision of the New Middle East gave way early in the process to territorial negotiations and to a zero-sum dynamic that marginalised cooperation. Thus, while some progress was made in the interim agreements, deep-level conflict transformation was not achieved. The negotiations in the seven years since the signing of the Oslo Agreement have fallen short of a common vision of peace and have failed to supply the confidence-building measures necessary to resolve non-territorial issues as the failure at Camp David attests. Thus, the peace process shifted, first from the New Middle East to the territorial negotiations of Oslo and, when these failed, to a unilateral imposition of partition.

What are the implications of a peace programme based on the concept of 'we are here and they are there'? Partition, it has been argued above, could be a basis for peace if it creates ethnically homogeneous territories without extensive human suffering, if it can grant civic rights to ethnic minorities, if the territories are based on borders that are perceived by both sides as fair and facilitates measures of reconciliation that engage with both the past and the present. In these terms, the new fence built by Israel is a short-term solution with devastating economic and social consequences that is unlikely to reduce frictions and make 'good neighbours'. The unilateral fence and the we/they demographic threat that invades the political discourse also have grave implications for relations between Jewish and Palestinian/Arab citizens of Israel. The adoption of the 'Jewish State' discourse by both right and left excludes the Arab minority, deepens the Jewish-Arab cleavage and endangers democracy.

The peace process between Israel and Palestinians has been constrained by two exclusive alternatives: a partition that cannot be implemented and a bi-national state that appeals only to a tiny intellectual minority on either side. These two options, however, must be expanded if peace is to become a reality. Peace must include, on the one hand, multiple citizenships and shared sovereignty, where partition is impossible and, on the other hand, institutions that foster civic cooperation and the interaction of Israelis and Palestinians as equals. Reality calls for, at least in the near future, a border between Israel and the Palestinians. But, borders and the peace agreements that set them up are a starting rather than an end point. For a transformation of the conflict, new alternatives will have to be explored and conflict resolution measures taken to transcend the zero-sum nature of territoriality that has overtaken the Israeli-Palestinian peace process.

## NOTES

1. J. Agnew, 'Beyond Reason, Spatial and Temporal Sources of Ethnic Conflicts', in L. Kriesberg, T. Northrup and J. Thorson, (eds), *Intractable Conflicts and their Transformation* (Syracuse, NY: Syracuse University Press 1989) pp.41–52.
2. J. Ruggie, 'Territoriality and Beyond: Problematizing Modernity in International Relations', *International Organization*, 47/1 (Winter 1993) pp.139–175.
3. D. Jacobson, 'New Frontiers: Territory, Social Spaces and the State', *Sociological Forum*, 12/1 (1997) pp.121–134.
4. J. Anderson, 'Rethinking National Problems in a Transnational Context', in D. Miller (ed.), *Rethinking Northern Ireland* (London and New York: Longman 1998) pp.125–145.
5. A comparison between Israel and Northern Ireland is a necessarily fraught exercise given that the territorial dimensions of the two situations are somewhat different. Yet, the similarities in the transitions towards peace and, more important, the different trajectories and outcomes of the two peace processes can provide important theoretical and 'practical' insights.
6. J. Anderson and J. Goodman James (eds) *Dis/Agreeing Ireland* (London: Pluto Press 1998).
7. P.J. Taylor, 'The State as Container: Territoriality in the Modern World-System', *Progress in Human Geography*, 18/2 (1994) pp.151–62.
8. J. Penrose, 'Nations, States and Homelands: Territory and Territoriality in Nationalist Thought', *Nations and Nationalism*, 8/3 (2002) pp.277–97; see also A. Paasi, *Territoriality, Boundaries and Consciousness* (New York: Wiley 1996).
9. Penrose (note 8); R. Sack, *Human Territoriality: Its Theory and History* (Cambridge: Cambridge University Press 1986).
10. P.K. Huth, *Standing Your Ground: Territorial Disputes and International Conflict* (Ann Arbor, MI: University of Michigan Press 1996).
11. Taylor, 'The State' (note 7).
12. E.F. Azar, 'Protracted International Conflict: Ten Propositions', in H. Starr (ed.), *The Understanding and Management of Global Violence* (New York: St Martins Press 1999) pp.23–35.
13. R.L. Rothstein, 'In Fear of Peace: Getting Past Maybe', in idem. (ed.), *After the Peace* (Boulder and London: Routledge 1999) pp.6–7.
14. H. Starr, 'Introduction', in Starr (note 12).
15. The term was coined by the former UN Secretary-General Boutros-Ghali, quoted in F.O. Hampson, *Nurturing Peace: Why Peace Settlements Succeed or Fail* (Washington DC: USIP 1996) p.4.
16. A. Jamal, 'The Palestinians in the Israeli Peace Discourse: A Conditional Partnership', *Journal of Palestine Studies*, 30/1 (Autumn 2000) pp.36–51.
17. Hampson (note 15).
18. R. Kumar, 'The Troubled History of Partition', *Foreign Affairs*, 76/1 (January–February 1997) pp.22–35.
19. In Ireland, partition was implemented in 1921 while in Palestine it took a UN decision to implement partition.
20. J. Mearshimer and S. Van Evara, 'When Peace Means War', *The New Republic*, 18 December 1995.
21. N. Sambanis, 'Partition as a Solution to Ethnic War', *World Politics*, 52 (July 2000) pp.437–83.
22. See, for example, A. Lijphart's 'Consociational Democracy', *World Politics*, 21 (1969) pp.107–125.
23. S.I. Spears, 'Africa: The Limits of Power-Sharing', *Journal of Democracy*, 13/3 (July 2002) pp.123–6.
24. J. Anderson and J. Goodman, 'Nationalism and Transnationalism: Failures and Emancipation', in J. Goodman and J. Anderson (eds), *Dis/Agreeing Ireland* (London: Pluto Press 1998) pp.21–2.
25. Ruggie (note 2).
26. K. Ohmae *The End of the Nation State* (New York: The Free Press 1995) pp.7–8.
27. This may be the reason why the wish at least to slow down globalisation comes also from the boosters of this process, now distressed over the instability it generates.
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30. *Ibid.*, pp.93–4.
31. *Regional Development Across the North*, SDLP discussion paper, June 2000.

32. J. Hume, 'A New Ireland in a New Europe', in D. Keogh and M. Haltzel (eds), *Northern Ireland and the Politics of Reconciliation* (Cambridge: Cambridge University Press 1993) p.231.
33. A. Reynolds, 'A Constitutional Pied Piper: The Northern Irish Good Friday Agreement', *Political Science Quarterly*, 114/4 (1999) pp.613–37.
34. R. Taylor, 'Consociation or Social Transformation?', in J. McGarry (ed.), *Northern Ireland and the Divided World* (Oxford: Oxford University Press 2001) pp.36–52.
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36. D. Horowitz, 'Explaining the Northern Ireland Agreement: the Sources of an Unlikely Constitutional Consensus', *British Journal of Political Science*, 32 (2002) pp.193–220.
37. J. Ruane and J. Todd, 'The Belfast Agreement: Context, Content, Consequences', in J. Ruane and J. Todd (eds), *After the Good Friday Agreement* (Dublin: UCD Press 2000) pp.1–29.
38. S. Farren, "The SDLP and the Roots of the Good Friday Agreement" in M. Cox, A. Guelke and F. Stephen (eds.) *A Farewell to Arms?* (Manchester: Manchester University Press, 2000) pp.49–61.
39. Ruane and Todd (note 37).
40. McGarry (note 35).
41. J. Stevenson, 'Irreversible Peace in Northern Ireland?', *Survival*, 42/3 (2000) pp.5–26.
42. Ibid.
43. Taylor, *Consociation* (note 34).
44. Resolution 242 adopted on 22 November 1967 called for peace based on the withdrawal of Israel from territories occupied in the war and Arab state's recognition of Israel. Resolution 338 adopted on 21 October 1973 called for a cease fire in the 1973 war and the implementation of Resolution 242.
45. Y. Hirschfeld, *Oslo: A Formula for Peace* (Tel-Aviv: Yedioth 2000) (in Hebrew).
46. V. Savir, "The Process" (Tel Aviv: Yedioth 1998) (in Hebrew)
47. Hirschfeld (note 45).
48. The first agreement signed in Cairo in May 1994 transferred Jericho and large parts of Gaza to the Palestinians and facilitated the return of Arafat from Tunisia and the initial establishment of the Palestinian Authority. The second major agreement signed in September 1995 transferred more cities to the Palestinian Authority and divided the West Bank into areas A, B and C.
49. In Hebron, the existence of a small Israeli settlement inside the city led to an agreement signed on January 1997 divided the city into H1 areas under Palestinian control and H2 areas under Israeli control in order to maintain and protect the small Israeli settlement inside the city.
50. Hirschfeld (note 45).
51. R. Khalidi, 'A Palestinian View of the Accord with Israel', *Current History*, 93/580 (1994) pp.62–6.
52. Based on an interview with Benny Morris, 'Camp David and After', *New York Review of Books* 49/10 (13 June 2002).
53. A. Hanieh, 'The Camp David Papers', *Journal of Palestine Studies*, 30/2 (2001) pp.75–97.
54. R. Pundak, "From Oslo to Taba: What next wrong", *Survival*, 41/3 (Autumn 2002) pp. 31–50. Morris (note 52).
55. Lecture given at the Herzliya Conference 2002, available at <<http://www1.idc.ac.il/ips/content/2002transcripts.asp>>.
56. See the Steinmetz Center surveys (e.g. May 2002) available at <<http://spirit.tau.ac.il/socant/peace/>>