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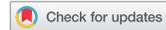
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# Decolonization as reconciliation: rethinking the national conflict paradigm in the Israeli-Palestinian conflict

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## ABSTRACT

This paper argues that thinking about reconciliation in the Israeli-Palestinian conflict requires a paradigmatic shift in conflict analysis. The international community has approached the Israeli-Palestinian conflict as a national conflict between Zionism, as the national movement of the Jewish people, and the Palestinian National Movement. The partition plans proposed before 1947 until the recent “two-state solution” formula have all been based on this assumption. I argue that the premise of national conflict is fundamentally flawed, and, therefore, reaching a settlement based on partition – let alone reconciliation – is becoming increasingly unlikely. A new paradigm (in the Kuhnian sense) is needed that applies a settler-colonial framework to the conflict while also taking into consideration the national component. Reconciliation in this conflict is conceived as decolonization within a transitional justice framework. This approach overcomes major pitfalls in the hegemonic discourse on reconciliation in this conflict, including the symmetrical analysis and psychologizing the process.

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## Introduction

The term “reconciliation” is loosely used within and across disciplines and spheres of discourse, except for in the context of transitional justice (Rouhana 2011). In political discourse and international media, for example, the term includes a wide scope of outcomes: reaching an agreement over a border dispute, approaching a ceasefire, or initiating a political negotiation between parties. In many cases, academic discourses also fail to provide a specific definition that identifies reconciliation as a process intended to reach peaceful relations founded on the transformation of power structures and political relationships. The term gains its clearest meaning within the politics of transitional justice – the transformation of authoritarian regimes and

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regimes involved in mass human rights violations into democracies that face their histories and seek to overcome past atrocities by introducing social reconciliation and restorative justice (see also Crocker 1999; Dwyer 1999; Van Zyl 1999). When minorities in Western democracies challenged the ability of a majoritarian political system to eliminate explicit forms of discrimination, ethnic hierarchies, and political and cultural inequalities, the concept of a “politics of difference” nourished the debate on reconciliation and provided the term with its most necessary substance. Most notably this debate led to more effective ways to introduce past injustices and historical accountability into the definition of democracy and equality, and generated ideas about how to better guarantee democratic processes (see e.g. Bashir and Kymlicka 2008; Rouhana 2008). The interaction between the two – introducing multicultural and democratic citizenship as integral to post-transition societies and recognizing the historical dimension in the politics of difference – continues to influence how the concept of reconciliation is defined.

In my work, I have distinguished between *reconciliation* and two other qualitatively different processes in the conflict studies literature: *conflict settlement* and *conflict resolution* (Rouhana 2004). First introduced in 2004, other scholars later adopted the distinction among the three processes, (see e.g. Kelman 2006) including those who studied reconciliation in the Israeli-Palestinian conflict (e.g. Hammack 2010; Vollhardt 2009). I argued that the three processes differ in terms of the end goals between parties in conflict, the extent to which publics are involved in the agreements, the nature of the desired societal and political relationship, the importance of mutual acceptance to the parties, the examination of past injustice and collective responsibility, the prerequisites for changes in political institutions and constitutional arrangements, and the psychological dynamics involving the societies. Previously, the literature had addressed the distinction between political settlement and conflict resolution, most notably by Burton (1990) and adherents of human needs theory (Richmond 2001).

In brief, *conflict settlement* is a process in which the parties to a conflict, through negotiation mediation, seek an agreement of formal termination of a dispute based on calculations of mutual interests and reflecting the power relations that exist on the ground at the time the settlement is reached. Conflict settlements often do not reflect equitably the parties' broader collective needs and do not address the weaker party's long-term interests. A settlement is not typically intended to effect a deeper transformation of relations between societies or reach genuine mutual recognition between the parties. *Conflict resolution processes* seek to address the underlying causes of conflict and reach an agreement designed to address the

basic political needs and concerns of both sides regardless of the power relations between them. Within these processes – usually negotiated by political elites – the aim is to achieve peaceful relations not only between governments, but also between societies. Burton's Basic Human Needs theory (see e.g. Burton 1990; Kelman 2006; Mitchell 1990) heavily influenced the conceptualization of this process, which is most appropriate for addressing social conflicts that involve mutual violence and deep grievances related to identity and recognition.

I argue that these methodologies and approaches are not appropriate for addressing conflicts that involve massive and asymmetric human rights violations such as mass killings, military occupation, systematic human rights violations, colonization, ethnic cleansing, and war crimes, particularly when the parties' futures are interdependent and the societies are not separate. The above approaches, for various reasons, purposely and wilfully avoid core issues such as historical responsibility, justice, truth, and other transitional justice-related issues.

In contrast to the two processes described above, *reconciliation* is a process that seeks a genuine, just, and enduring end to the conflict and a profound transformation of the dynamics of relationships between the societies through a course of action involving intertwined political and social changes. Reconciliation addresses both politically structural issues such as distribution of power and constitutional arrangements as well as intangible issues such as historical truth and historical responsibility (Rouhana 2004, 2011). As such, this process has psychological correlates for the parties involved that emerge concurrently with its unfolding. However, the process is in essence social and political – it demands reaching agreements not only based on restructuring the power distribution, democratic arrangements, and constitutional guarantees for equality and human rights within a framework of restorative justice, but also on reaching inter-subjective agreements on historical truths and reckoning with the historical responsibilities for the mass violations of human rights that have occurred. As a result, this process becomes founded on *mutual legitimacy* that is gained within a new moral and political framework.

In previous papers, in line with the transitional justice literature, I identified four key issues that must be addressed for a reconciliation process to achieve its goals (Rouhana 2004): justice, truth, historical responsibility, and restructuring the social and political relationship between the parties within a framework that guarantees constitutional rights, democracy, and equality of groups and individuals. In this paper I seek to apply the reconciliation process to the Israeli-Palestinian conflict while considering a different analytical paradigm.

## Reconciliation in the Israeli-Palestinian conflict

During the last quarter century, since the beginning of direct negotiations between Israel and the PLO (first secretly in 1992 and then openly in 1993), it is hard to point to significant steps toward a political settlement between Israelis and Palestinians, let alone reconciliation as defined above. The main issues that define reconciliation such as justice, truth, and historic responsibility, were, by and large, absent from the formal negotiations. The senior Israeli official who participated in the first meeting that brought together PLO and Israeli officials, reported that after a brief exchange about history

[we] arrived at our first understanding. Never again would we argue about the past. This was an important step, for it moved us beyond an endless wrangle over right and wrong. Discussing the future would mean reconciling two rights, not readdressing ancient wrongs. (Savir 1998, 15)

In addition, the Israeli prime minister and foreign minister set a major condition before starting what became known as the Oslo process: the parties would not resort to international arbitration, such as security-council resolutions. The Palestinians acquiesced and so history and justice were permanently excluded from the negotiating process.

This absence of any discussion of real reconciliation has characterized the approach to the “peace process” since the negotiation started in 1993. Discourse among Israelis who support a political settlement with the Palestinians – even those who support a two-state solution – has been dominated by the call for full separation from the Palestinians. Israeli politicians and the media frequently recite the phrase “we are here and they are there”, overlooking any discussion of the requirements for reconciliation. Among Palestinians, the discourse has centred on a “just and durable peace”, which exceeds a political settlement as defined above. Palestinians have consistently sought to include the return of Palestinian refugees in their formula for peace: a Palestinian state on the territories occupied in 1967, East Jerusalem as its capital, and the return of refugees. For many Palestinians, this formula addresses a major element of justice: the return of refugees.

The hegemonic academic discourse on reconciliation in the Israeli-Palestinian conflict suffers from three main pitfalls this paper seeks to overcome. First, the paradigm that has guided the thinking on reconciliation assumes a conflict between two national movements – Zionism and the Palestinian National Movement (PNM) – over a land on which they both have legitimate claims. This paradigm has almost completely ignored the settler-colonial analysis of the conflict. Second, hegemonic discourse imposed a symmetrical analysis that in effect obscured the fundamental elements of the conflict. Third, much of the analysis overemphasized the psychological side of reconciliation at the expense of the political side.

### ***The national conflict paradigm***

The Palestinian-Israeli conflict, according to mainstream Western academic approaches, represents a clash between two national movements (see e.g. Tessler 2009). The United Nation's General Assembly's resolution 181, grounded in this interpretation, offers the partition of Palestine into two states as the most desirable solution. Official and unofficial conflict resolution efforts have focused on how to reach this outcome, especially after the Oslo Accords in 1993. By then Israel had recognized the PLO and the latter had recognized Israel's right to exist – a mutual but asymmetrical recognition.

This paradigmatic conception (in the Kuhnian sense, see Kuhn 2012) of the conflict as a clash between two national movements differs from the mainstream Zionist and Palestinian understandings of the conflict. The mainstream Zionist movement does not see the Palestinians as a nation and conceives of the conflict as a fight between a nation returning to their God-promised ancient homeland and the “Arab inhabitants” of that homeland. For Zionism, it is a conflict between the obvious right of the Jewish people to return to their Biblical lands and establish an exclusive state and the Arab groups who have resisted this project. From its inception, mainstream Zionism and later Israeli political thought and practice denied Palestinian nationalism. Israel's recognition of the PLO in 1993 and the establishment of the Palestinian Authority in the West Bank and Gaza led many to a limited acknowledgment of Palestinian nationalism, as many Israelis began to consider a two-state solution.

Palestinians, too, did not originally conceive of the conflict with Zionism as a national fight. Before and immediately following the Zionist project's successful establishment of the state of Israel in part of historic Palestine in 1948, Palestinians framed the conflict within a settler-colonial paradigm. From the early days of the Zionist project – even before the formation of a distinct Palestinian national identity, Palestinians saw the Zionist movement as a settler-colonial project that aimed to take over their homeland (Said 1979; Sayegh 1965). Therefore, Palestinians defined their goals in terms of halting Jewish colonial settlement in Palestine, thwarting the project of constructing a Jewish homeland on their lands, and achieving national independence from the British Mandate. Until 1948, the Palestinians also resisted the Western powers' plans for the partition of Palestine into two states – one Arab and one Jewish – and rejected by consensus the UNGA's partition resolution 181.

When the Palestinians in exile revived the PNM in the 1960s, the PLO and all its factions identified Israel as a settler-colonial state. The PLO understood this settler colonialism in similar terms to French settler colonialism in Algeria, and thus conceptualized resistance within a decolonization framework articulated by many peoples in the Third World. The Palestinians did not seek a

return to the borders of the UNGA's partition plan (which gave Israel about fifty-five per cent of Palestine while it in effect conquered a total of about seventy-eight per cent of the country), nor did they call for the retreat of Israel to the borders of the partition plan. They did not demand – nor did the Arab countries – the establishment of a Palestinian state in the West Bank and Gaza or within borders the 1947 UN Partition Plan designated to the Arab state. For the Palestinian leadership at the time, demanding anything less than “return and liberation” (which in Palestinian discourse meant the return of the expelled Palestinians to their homes, and the liberation of all of Palestine from Zionist rule) signified a final collapse of Palestinian existence and Palestinian identity.

The PNM's objective remained clear from the establishment of the PLO in 1964 until 1974, when the Palestinian National Council (PNC), after long deliberations, accepted a document known as the “Ten Points Document”. The document, which called for establishing a Palestinian state “on any liberated part of Palestine”, laid the foundations of a gradual shift to a new paradigm that implicitly began to articulate the Palestinian conflict with Israel as a “national conflict”. Approving this document reflected the Palestinian understanding that within the existing international and regional balance of power after 1973, the demand of “return and liberation” along the lines of the Algerian model became unattainable. Egypt and Syria instigated the 1973 October War to liberate their own occupied territories; liberating Palestine was not one of their objectives. The war also revealed the Arab states' limitations to using armed confrontation with Israel. At the same time, international pressure, specifically from the Soviet Union, pushed the PLO to accept a two-state formula in return for diplomatic support.

This paradigm peaked with the resolutions submitted at the PNC's nineteenth meeting, which openly endorsed a two-state solution in November 1988 (see Khalidi 1990). Since then, mainstream Palestinian political discourse has gradually shifted from a discourse consistent with a paradigm of a national liberation movement in conflict with a settler-colonial project to embracing a discourse consistent with a paradigm that assumes, even if not clearly articulated, that the conflict is between two national movements that claim the same land. In the latter paradigm, it is logical to negotiate the terms of partition, compromises over borders, security conditions, economic relations, and even issues-related to refugees – as long as the envisioned solution is formulated in a way that avoids historical accounts, restorative justice, and the return of the vast majority of refugees.

The Palestinian political demand for a two-state solution that emerged tacitly in the 1970s and explicitly in the late 1980s is incompatible with a settler-colonial paradigm that emphasizes decolonization rather than partition. It is remarkable, then, to observe how early Palestinian academic discourse on Israel and settler colonialism, which was integral to the analysis

of the Palestinian case (Abu-Lughod and Abu-Laban 1974; Hilal 1976; Sayegh 1965), gradually gave way to a literature emanating from the two-state framework. With the Oslo agreements, the political thought that demands partition has become consolidated among the majority of the Palestinian political class.

As I argue elsewhere (Rouhana 2014) Zionism, indeed is a national movement, but this dimension of Zionism should be taken into consideration within a more analytically appropriate paradigm – the settler colonial.

### ***The return of history and the settler-colonial paradigm***

Whether conflict resolution efforts guided solely by the national conflict paradigm could have achieved the ultimate goal of political settlement or political reconciliation by partitioning Palestine into two states is an important question, but one that falls beyond the scope of this paper. What is becoming increasingly obvious, however, is that many Palestinians are more aware of the failure of the national conflict paradigm in achieving partition. Indeed, the Palestinian public, the elites, and youth, have dramatically lost their trust in the possibility of achieving a Palestinian state (Hatuqa 2013; Jerusalem Post 2015). In addition, many Israelis increasingly believe that the Zionist project is in trouble precisely because Israel is unable to disentangle itself from the occupation (Ravid 2016). Recently, Palestinian and other academic circles have generated alternative paradigms to the two-state solution, which have permeated both global academic and intellectual discourse, and some political discussions on the conflict. That these alternative paradigms, most commonly a bi-national “one-state solution”, have so quickly begun to influence international discourse on Palestine illuminates the seriousness of the difficulties of partition.

In parallel to the discourse that challenges partition, many scholars currently accept the premise that the Zionist project that aimed to establish a Jewish state in Palestine is a settler-colonial project (for just a few examples, see Lloyd 2012; Mamdani 2015; Pappé 2012; Robinson 2013; Rouhana 2014; Sabbagh-Khoury 2015; Shalhoub-Kevorkian 2015; Shihade 2011; Veracini 2010; Wolfe 2006). This project continues to unfold across mandatory Palestine, including Israel (see Amara 2014).

The literature on Zionism and settler colonialism points to important features of Zionism that place it squarely within the settler-colonial paradigm. Among the most important features are the following: (a) Demographic riddance of the native population (when their labour is not needed). This riddance took the form of elimination in many settler-colonial cases; in the 1948 war Zionist forces executed an ethnic cleansing. Since then Israel has applied strict demographic limitations on entrance of Palestinians to Israel and later to the West Bank. (b) Control of space, which, inside Israel itself manifested in the massive expropriation of Palestinian citizens' land and its

transfer to Jewish ownership in a process that left the Arab citizens who constitute about seventeen per cent of the population in control of less than 3 per cent of the state's lands (Jabareen 2017). Control of space extends also to the Israeli domination of occupied Palestinian lands in the West Bank and the transfer of major segments of this land to Jewish ownership; (c) Cultural erasure, which took place systematically by Israel and was directed at Palestinian identity, history, geographic names, and cultural expressions. This effort has not been as successful as the previous two (Rouhana and Sabbagh-Khoury 2014). (d) Political domination, which extends over Palestinians in all parts of mandatory Palestine, and is almost total, whether they are settler-colonial citizens inside Israel as Rouhana and Sabbagh-Khoury (2014) theorize, under military occupation in the West Bank, or under siege in Gaza.

However, the examination of Zionism (and Israel) only through a settler-colonial lens is not analytically comprehensive and might overshadow other defining features (see Rouhana 2014). Zionism is also a national movement with a strong religious component that fuses with nationalism. As a national movement, Zionism established national organizations, revived an ancient language, and created a vibrant society. Most importantly, Zionism successfully created a national consciousness with a particular land as its object. But Zionism is not a national liberation movement, even if Zionist jargon purposefully presents it as such in more than one sense: liberating Jews from a diasporic existence and maltreatment in Europe; and liberating the Jewish homeland from the British Mandate. (Hence the 1948 war is called "the war of liberation".) Zionism, even as a national movement, could not have achieved the typical goal of national movements – statehood – without being a colonial project and using settler-colonial strategies in order to establish its state. The effect of this combination of settler colonialism and nationalism on the dynamics of conflict (and on reconciliation) should be examined. Zionism embodies an ideology of exclusive nationalism. Because separateness from the natives and exclusivity are defining features of this nationalism, the presence of the natives became, by definition, an obstacle to the goal to establish an exclusive Jewish state. Separateness and exclusivity were pursued through the eliminatory component of the settler-colonial project and have resulted in the expulsion of the natives.

The fact that Zionism was both a settler-colonial project and a national movement has been detrimental to the dynamics of the conflict with the Palestinians. Zionism's combination of being both a colonial project that did not seek to create a racial hierarchy in which the natives could be incorporated to the benefit of the colonial society, and its exclusive nationalist goals, explains why the expulsion of the natives was favoured over their subjugation. Some Zionists, when they do acknowledge the expulsion of the Palestinians, argue that it only occurred because of circumstantial conditions of war. Benny Morris is one of a handful of "new historians" (Morris 2009) who

articulate this explanation, although it seems to simply fulfil the elaborate justificatory system of Zionism. And when Zionists admit expulsion was a deliberate act, as in the recent case of Ari Shavit's description of the Lydda expulsion (Shavit 2013), this displacement of Palestinians from their homes and homeland by force is considered as the worthy price of the success of Zionism, and the worthy price of a Jewish state.

Another distinct feature of Zionism is the fusion of religious claims and religion with the national and the settler-colonial. For example, in Israel Jewish religion and Jewish nationalism overlap completely. An individual's nationality is Jewish only if they are Jewish in their religion. If they leave the Jewish faith, they will no longer be Jewish by nationality (see Bishara 2017). Furthermore, religious claims are central to the justificatory system of the colonial claim to Palestine. Even secular Zionism used religious arguments to establish the claim and to transform Jewish cultural ties to biblical history into a modern political claim: the sovereign (and exclusive) right over Palestine.

These historical and ideological features should problematize the simplistic application of a settler-colonial framework to Zionism and its century-long conflict with the Palestinians.

### ***The symmetrical analysis of rights, recognition, and legitimacy***

As mentioned above, the national conflict paradigm is most conducive to a symmetrical analysis, which in turn is used to support this paradigm. By taking two examples from leading scholars on the Israeli-Palestinian conflict, I will try to demonstrate that this pervasive analysis, in many of its manifestations, obfuscates the fundamentals of the conflict and does not contribute to reconciliation as defined here.

In one of the most comprehensive volumes on the Israeli-Palestinian conflict, the author states that his volume, "seeks not only to present a balanced and accurate history of the Israeli-Palestinian conflict, it also strives to encourage a sympathetic understanding of the parties involved" (Tessler 2009, viii). The author then explains that his work proceeds on the assumption that "both Jews and Arabs have legitimate political rights in Palestine; that the validity of these rights does not depend on the absence of corresponding rights possessed by the other party to the conflict and that these rights are inalienable". So he clearly takes what he calls a "normative" and symmetrical position on the conflict. He also asserts that most Israelis, Palestinians, and members of the international community support the establishment of a Palestinian state in the West Bank that "would live in peace with the Jewish state next door". (viii) Tessler's normative view of balance is reflected in his support for the establishment of a Palestinian state and a specifically "Jewish" state, which he mistakenly assumes that most Palestinians support. But the

evidence overwhelmingly shows that Palestinians refuse to recognize Israel as a Jewish state (see Ghanim 2014).

The author clearly assumes that both Jews and Arabs<sup>1</sup> have legitimate rights to the land. The assertion that Jews have “rights” to Palestine is at the core of Zionist claims, and this assertion of “rights”, (not historical connections) is stated as a matter of fact. Tessler’s symmetrical approach is further revealed when he writes that

only if each party to the conflict is persuaded that the other ... has valid claims and has been motivated over the years by legitimate national aspirations is there likely to be agreement on any formula for compromise and peace, no matter how reasonable that formula might be. (xix)

Tessler’s views echo the extensively and repeatedly explicated views of one of the most influential scholars in the field of conflict resolution, Herbert Kelman. Kelman’s work on mutual denial of nationhood and the need for mutual recognition and legitimacy constitute the foundational analysis for why the two sides in the Israeli-Palestinian conflict, as well as the international community, should accept the symmetrical solution of a Palestinian state and a Jewish state, as proposed by Tessler. For example, in his discussion of “mutual denial of national identity” in the Israeli-Palestinian conflict, Kelman claims that what

is especially pronounced, if not unique, about this conflict, is that it is marked by a principled non-recognition at the very basic level. Neither side fully recognizes the other’s national identity and its right to exist. ... Thus the core element of the Israeli-Palestinian conflict is mutual denial of the adversary’s national identity. (Kelman 1978, 167)

Kelman wrote this statement long before the Oslo Agreements, and it has been repeated in different forms since then. Its importance emanates from the symmetrical reference that Kelman seeks to establish between Zionism and Palestinian nationhood. In effect, he is symmetricizing the Palestinians’ denial to recognize Zionism – not simply the reality of Israel’s existence – and Israelis’ denial to accept the existence of Palestinians as a nation. Thus, he argues that to address this mutual denial the two sides must mutually accept each other’s nationhood: Palestinians should accept Israel’s legitimacy, which is “a confirmation of the moral basis” of the Jewish state. Thus

various conceptions of Zionism and Israel that are offered – such as those describing Zionism as a form of racism, Israel as a settler state or outpost of western imperialism – evade the fact that Zionism is a nationalist movement and Israel is the political expression of that movement. (167)

In return, Israelis should accept the Palestinians’ existence as a national group and recognize their nationhood. Thus, the parties have to deal with the

symmetric denial by offering mutual symmetric acceptance. Both the denial and the acceptance are treated symmetrically.

Using basic human needs theory Kelman argues that, “each side needs recognition (in the psychological sense) from the other to satisfy its need for identity, justice, and security” (Kelman 1987, 357). This can be achieved in a “framework based on mutual recognition of the other’s right to self-determination in the land they both claim” (358). Again, Palestinians must recognize Zionism (in the psychological sense) mutually with Israelis’ recognition of the right of Palestinian self-determination in the West Bank and Gaza.

The two examples above both presume that reconciliation can be achieved based on mutual recognition of a Jewish state and a Palestinian state, as Tessler argues, or Zionism and Palestinian nationhood, as Kelman has tirelessly argued. Both scholars, like many others, fail to see why Palestinians cannot recognize a Jewish state or Zionism, even though this inevitable Palestinian response has been clearly stated by many Palestinian scholars and political leaders (Bishara 2017; Falah 2015; Jabareen 2014; Khalidi 2011; Rouhana 2006) This failure is rooted in the shortcomings of the symmetrical analysis and the refusal to accept that Zionism is an active, ongoing settler-colonial project, both in the West Bank and inside Israel. It is precisely because Palestinians consider Zionism a (continuing) settler-colonial project that they cannot lend legitimacy to the Jewish state. This blind spot is both a cause for the symmetrical analysis and is strengthened by it. Reconciliation between Israelis and Palestinians will benefit from discarding this type of analysis and advancing new foundations for true reconciliation.

### ***Psychologizing the reconciliation process***

The national conflict paradigm, which posits that partition is the most commonsense arrangement for both Israelis and Palestinians, also emphasizes that the parties’ resistance to reaching an agreement emanates from psychological barriers. According to this rationale, if only the mutual fear, mistrust, denial, and dehumanization can be addressed, then the parties will be able to achieve a peaceful agreement and perhaps even reconciliation. Thus, Tessler believes

that one of the greatest obstacles to peace has been each side’s distrust of the other and, in particular, the fact that this distrust has been fed by stereotypes, misconceptions, and propaganda that lead each side to see its adversary as uninterested in, and unworthy of, genuine compromise. (Tessler 2009, ix)

This statement conflates two fallacies: (a) psychologizing the political and (b) symmetricizing a greatly asymmetric process. In Tessler’s view, the primary obstacles to reconciliation are psychological rather than substantive political issues such as full-fledged settler-colonial policies the stronger party

relentlessly implements, or the demand of the disadvantaged party for parity in a system of colonial privileges. Elaborating on these views, Tessler argues that the tendency of Israelis and Palestinians (and their foreign supporters) is to view the other as motivated by “unchangeable impulses and even hatreds” (ix). He reaches the climax of this argument when he states that he

remains convinced that one of the biggest obstacles to peace, and arguably the biggest obstacle of all, is psychological in character. Peace will be possible if, and almost certainly only if, each side and its supporters reject the view that the Israeli-Palestinian conflict is a struggle between good and evil, accept the legitimacy of the other side’s aspirations, and conclude from the history reported in this book that neither party has a monopoly on behaviour that is deserving either of respect or of condemnation.

The danger in such an approach is to over-psychologize the conflict and thus obscure its true nature: the power structures, the hierarchies of dominance, the politics of ethnic privileging, and the guiding political and ideological outlooks of each group.

This psychologizing approach is popular among many scholars who study reconciliation in the Israeli-Palestinian case. In a review I conducted earlier (Rouhana 2011), I found that the dominant approach sees reconciliation as essentially a psychologically driven process detached from power relations and illegitimate political practices, such as state-sanctioned discrimination and military occupation. For example, Maoz (2004) refers to reconciliation as “a cluster of cognitive and emotional processes” (225). Noor, Brown, and Prentice (2008) suggest that “at the heart of reconciliation lies the psychological process effecting shifts of one’s ‘mind and heart’ concerning the conflict and the opponent group” (99), which has to address lack of trust and empathy. Kelman (2006) defines reconciliation in terms of a necessary identity change in each party that requires “the removal of the negation of the other as a central component of one’s own identity” (119). Bar-Tal and Bennink (2004) claim that “the essence of reconciliation involves socio-psychological processes consisting of changes of motivations, goals, beliefs, attitudes and emotions by the majority of society members” and that “the first condition for reconciliation is legitimization and humanization of the rival” (366).

This approach is characterized by the assumption that the essence of the reconciliation process is psychological, removing psychological manifestations from the context of a broader social and political dynamics. It ignores that the psychological, which indeed contributes to perpetuating the conflict, is largely shaped by these dynamics. This is why the psychological emphasis is often made at the expense of the political requirements of reconciliation, central to which is the transformation of an unjust political order into a new order that addresses past injustice. There are many scholars who do see the reconciliation process as linked to social and political

prerequisites and not in purely psychological terms (see e.g. Spears 2008; Stephan 2008). Spears (2008), for example, writing from within the tradition of social identity theory, defines reconciliation as “the stage after group conflict in which real group differences have been made clear, and resolved through struggle, and where groups come to term with the shift in power and status” (338). Groups in a post-conflict situation grant mutual legitimacy; but this becomes possible because of their new equal status and power relations, and because the groups recognize, acknowledge, and work to rectify the illegitimacy of the past system, and fully embrace and engage in the current effort to achieve social justice. This analysis is entirely different than the prevailing discourse in the Israeli-Palestinian conflict, which requires the two groups to mutually recognize each other, despite one group’s defining political view of ethnic exclusivity and ethnic privileges that has been generating settler-colonial policies for decades.

### **The future of reconciliation in the Israeli-Palestinian case**

Guided by the settler-colonial paradigm I propose that reconciliation, although difficult to achieve in the near future, should be pursued as decolonization within a framework of transitional justice. I also argue that this paradigm can help explain why the pursuit of a political settlement based on partition has failed. I will first focus on how the colonized and the colonizer conceive of the dominant political settlement, and how these asymmetric conceptions makes the settlement unlikely to be reached. Then I will explore the requirements for reconciliation in a settler-colonial context.

### ***Settlement based on partition in a settler-colonial conflict***

The experiences of conflict between settler regimes and native populations have varied depending on the historical era in which each project has emerged, the nature of the colonial project, and the nature and potency of the resistance. Despite the variations, those who resist colonialism have always faced severe human rights violations, ethnic cleansing, crimes against humanity, or extreme forms of structural, political, and military violence. Nevertheless, **historically, native populations have not demanded partition, and few settler-colonial projects have ended with a partition of the land between the colonizers and the colonized.** Settler-colonial projects have generally evolved in other forms such as extermination of most of the native population (North America), or the defeat and expulsion of the settlers (Algiers). Most relevant to our case is the emergence, after periods of domination and a long, persistent, and visionary struggle by the native population, of a new political order that includes both settlers and natives, such as in South Africa, Zimbabwe, and one can possibly argue, Northern Ireland.

In the Israeli-Palestinian conflict, one major problem with achieving a political agreement based on partition – even if the terms of the agreement have been reached based on parameters of balance of power (for example, the Clinton Parameters of 2000) – are the views that each side holds about the *nature* of such an agreement. Which of the three types of peacemaking described above should be considered? Is it a political settlement or is it reconciliation? The answer to this question immediately introduces questions of historical responsibility and historical justice to the public domain.

Let us assume the Palestinian leadership will, by choice or through international pressure accept a political settlement of two states. For their constituency to support this acceptance, the leadership would have to present it as such: a political settlement in which Palestinians live in coexistence with Israel, without reaching a resolution to the historical dimensions of the conflict, and without achieving justice. Within the parameters of a political settlement based on partition (such as the Clinton Parameters), Israel would not take responsibility for the refugee problem, face the truth of the ethnic cleansing that occurred in 1948, or accept a just solution to the refugee problem at the centre of which is fulfilling the right of return. This will remain, from the point of view of the Palestinian public a *political settlement*. For the native population, a settlement based on partition is only temporary.

Let us assume, too, that the international community, various US guarantees to Israel, and economic incentives can persuade an Israeli government to accept such an agreement. From an Israeli perspective, the extent of concessions that Israel will have to offer – including major territorial withdrawals, removing settlements, concessions on its policies on Jerusalem and recognizing a Palestinian state in reality – cannot be justified by the Israeli public if this arrangement is not seen as a final *reconciliation*. That is, Israel will seek to achieve from the Palestinians – and for that matter, from the Arabs – an agreement that guarantees an end to the conflict and to all historical claims, and recognition of its legitimacy as a Jewish state. This would close the door on the possibility of the return of refugees, and would signify Palestinian consent that Palestinian citizens of Israel will continue to be constitutionally unequal. These Israeli demands are rooted in the profound historical insecurity that Israelis hold about their collective existence in the region – precisely because a settler-colonial project inherently inhabits a site of insecurity when the state lacks legitimacy in the eyes of the natives.

Security, legitimacy, and the nature of the potential political arrangement become intertwined. For Israel to release its total control of the Palestinians, it has to feel secure. But in order to feel secure, Israel, as a Jewish state, needs to achieve legitimacy from its Palestinian victims as well as from the surrounding Arab states; for this security to be achieved Palestinians and the Arabs must explicitly accept it as a legitimate state. They must accept that the history of the encounter that led to Israel's establishment and the creation of the

Palestinian refugee problem was inevitable, understandable, and morally justifiable. Israel will thus seek the empathy of its victims, or at least the understanding or validation of its narrative about the reason Zionists settled in Palestine, claimed the land, and established a Jewish state. This can only happen if Palestinians (and the Arabs) recognize Zionism and recognize Israel as a Jewish state – the same arguments proposed in the context of mutual recognition by many scholars, the limitations and unfeasibility of which I described above.

In this scenario Israel demands in return for a “settlement” it offers the Palestinians a historical reconciliation with Zionism and the erasure of history prior to the 1967 Israeli occupation of the West Bank and Gaza. Historical memory in such an agreement begins not with Israel’s creation but with Israel’s 1967 occupation of the West Bank and Gaza in order to conveniently bury the heavy history related to the pre- and post-1948 conflict.

### ***Reconciliation as decolonization***

My proposed conceptualization of reconciliation between Israelis and Palestinians is based on the understanding that the Zionist project originated and continues to unfold as a settler-colonial project, with features of a national movement and other unique characteristics. **Reconciliation between the parties in a settler-colonial conflict should be approached with the intention of decolonization.** Such an approach, of course, cannot adopt frameworks of symmetrical analysis as most of the current work on conflict resolution and reconciliation in the Israeli-Palestinian conflict does. Instead, reconciliation as decolonization begins with acknowledging the power structures and asymmetry between colonized and colonizer as the point of departure, with the explicit goal of transforming them into structures of equality and reciprocity in a new democratic political order.

I therefore suggest that reconciliation in this conflict should be conceived as decolonization within a transitional justice framework. This is a dramatic shift from the current “conflict resolution efforts”, official and unofficial, and I have no illusions that such a shift can take place swiftly or in the near future, or that the obstacles – such as realities of segregation on the ground, strong animosities, local resistance, non-existent international support, and regional coalitions – are easily surmountable. But a main point of this paper is to argue that for such a shift to have a chance to start compete with the failed existing paradigms, its parameters and principles must be broadly defined, hence the need for a new intellectual project. After these principles are outlined or in parallel to such a process, defining the political structure will have to follow. For example, what do scholars mean by calling for a bi-national state? Who are the two nations and what principles shape their relationship? What democratic structures are necessary?

I do not claim in this paper to have conceptualized a comprehensive framework for decolonization within a transitional justice context. But broadly speaking, such a framework should provide the mechanisms for examining the history of settler colonization, the moral and political framework that propelled it, the injustice it caused to the native population, how responsibility for this project should be assigned, and what mechanisms will be available for restorative justice. The framework should define the privileges that the colonizers enjoy by virtue of their ethnic affiliation, and the characteristics of the new political order in which both national groups will enjoy equal status, mutual acceptance, and security. Such framework should include four inter-related processes:

- ***The moral imperative:*** This will be based on decolonization within a transitional justice context seeking to transform the power structures that characterize colonizers and the colonized and address the asymmetrical injustice and massive human rights violations. The new moral foundation is defined by social justice, truth, historical accountability, and the establishment of institutions that reflect this framework. Such a framework makes use of tools of transitional justice appropriate to this particular conflict, including truth commissions, measures for restorative justice and reparations, historic reckoning and the use of apology or acknowledgment. These tools cannot be applied mechanically, without negotiations within the new moral framework. The challenges of transitional justice usually take centre place: How do we advance transitional justice without threatening a new democratic arrangement established on these foundations?
- ***The political:*** Reconciliation as decolonization is a process in which new democratic institutions are created and constitutional transformations are introduced in order to guarantee a future based on equality and democracy and protect against violations of human rights. The constitutional form that guarantees such a future – whether it is integration, federation, bi-nationalism, autonomy, or something else – will be founded on restorative and distributive justice, fair distribution of resources, and power sharing.
- ***The social-psychological:*** The reconciliation process entails cognitive, emotional, and behavioural changes that support the transformation. These changes become possible within the broader process. These are mainly consequences of the reconciliation framework, although once instigated, they promote its continuation. Similarly, psychological healing can be facilitated and easier to achieve within such moral and political frameworks.
- ***The involvement of publics and elites:*** These processes are public and involve new political behaviour on the part of the publics and elites of both

societies. Within such frameworks, state institutions can be legitimately employed to generate public and open support that translates into mutual legitimacy for these frameworks and the transformation they guided.

Finally, this type of reconciliation will enable the legitimacy of the Jewish Israeli presence in Palestine. This will require an explicit, open, and public acceptance of the Israeli Jewish national group on fully equal terms and a completely legitimate basis within the new order. The mutual recognition that some scholars so tirelessly but hopelessly argued for will become more likely after decolonization in a joint and mutually accepted political framework. Admittedly though, there are currently no significant political forces on the ground pushing in this direction.

## Note

1. Note specifically that the author refers not to Israelis or Israeli Jews, but to Jews in general.

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