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Twenty Years after the Oslo Accords: A Perspective on the Need for Mutual Ethical Recognition

It is commonly understood that the peace process between Israelis and Palestinians, which culminated in the signing of the Declaration of Principles on Interim Self-Government Arrangements (DOP) on the lawn of the White House in Washington D.C. on September 13, 1993 – known as the Oslo Accords – did not lead to a serious breakthrough in the relations between the two peoples. The current negotiations focus on the same topics that were defined in the agreement, which have been the center of talks over the last two decades. The deep mistrust between the two sides and the major gaps in the balance of power has blocked serious and genuine negotiations that might have led to a resolution. As we look toward moving the process forward, we should concentrate on who the players are, how they perceive themselves, how they view the other side, how they define the conflict, and their willingness to reckon with their mutual identities.

Taking into consideration the complexity and intensity of the conflict, one cannot belittle the importance of the DOP and the institutional changes it led to, especially the establishment of a Palestinian entity in limited areas of the West Bank and Gaza Strip. It is the first time the Israelis have agreed that the Palestinians form a political entity which expresses their national aspirations. It is also the first time the Palestinians have agreed to accept Israel as a *fait accompli* state that cannot be ignored. The exchange of letters of recognition between the Israeli Prime Minister, Yitzhak Rabin, and the Chairman of the Palestinian Liberation Organization (PLO), Yasser Arafat, was conceived as an initial step towards reconciliation and ending the conflict.

Although the signing of the DOP has resulted in major optimism and enthusiasm throughout the entire globe, the current stalemate in the bilateral relations and the deep mistrust between the two leaderships demonstrate that the Oslo process did not manage to change the fundamental positions on both sides, and that the power relations between them impose a structural reality that has so far narrowed the chances for significant progress.

Much has been written about the Israeli-Palestinian talks and many of the people involved have written extensively about the hardships of these negotiations

and the possibilities for success. Many have shown that the two sides were very close to reaching an agreement, and others have demonstrated the major gaps between their genuine perspectives on the meaning of the two states, land exchanges, Jerusalem, et cetera. Some have blamed the Palestinians for the failure of negotiations, others have accused the Israeli government, and still others have viewed both as equally responsible. There are almost no more secrets as to the details of the negotiations and the positions of the two entities.

Therefore, the following analysis is not going to be another narrative of the negotiations from a perspective of the past two decades. It rather argues that the lack of progress in peace talks and the deep mistrust are rooted at deep epistemological and psychological level, namely the challenge of genuine mutual recognition that could lead to resolving the conflict.

This paper claims that the dominant conception of recognition demanded by the two sides, which could be portrayed as ontological recognition, is counterproductive to reconciliation. This demand for recognition is based on negation, since the dominant self-perception of both sides has been antagonistically constructed. This means that the recognition between Israelis and Palestinians entails

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the dilemma of affirming its negation and validates de-legitimizing the self.

The paper also claims that ethical transitional recognition is needed here, entailing a lengthy, open dialogue that facilitates the transformation of the prevailing self-perceptions into mutually inclusive identities. Israelis and Palestinians must be willing to let go of their prevailing exclusive narratives of the self, and open up to the idea of remolding their identities to enable the fusion of their future horizons. It is a gradual, comprehensive process where the foundations of the dominant collective identity such as national history, peoplehood, territoriality, and sovereignty must be reconstructed and made open for dialogue with the other.

The first part of this paper draws the relationship between recognition and conflict resolution in intractable conflicts and shows that recognition is not only relevant in intractable conflicts but essential to resolving them. The challenges of recognition in intractable conflicts will be briefly analyzed. The second part presents the difficulties that Israelis and Palestinians have accepting the basic foundations of their counterparts. The theoretical challenges of recognition are applied to the specific case of the Israeli-Palestinian conflict. The concluding part draws some lessons from the challenges and points to ethical, transitional recognition as the only way out of the labyrinth.

The Labyrinth of Recognition

The Israeli-Palestinian struggle could be analyzed from various perspectives. It could illustrate many dilemmas that we face in intractable conflicts. The conflict's material, historical, strategic, symbolic and cultural aspects provide sufficient complexity to legitimate endless analytical approaches. This complexity feeds our theoretical understanding of conflicts and assists in contemplating possible paths to resolution and reconciliation.

Notwithstanding this complexity, one has to look for a fundamental dimension of the conflict that could shed light on its various aspects and illuminate the inevitable stumbling blocks in order to reach a settlement. This dimension does not have to simplify the entire situation and its complexities, but could help make it easier to understand. The dilemma of mutual recognition and its meanings and implications is a good point of departure (Doxtader, 2007; Henderson and Wakeham, 2009; Heins, 2011).

The relevance of recognition for understanding the complexity of intractable conflicts and their resolution has been deeply established in the literature (Heins, 2011). Although initial debates concerning the challenges of recognition have dealt with internal social strife and the construction of social identities, various scholars have moved the debate to the collective and state level. Axel Honneth addressed the complexity of recognition between states in response to critiques of his study of dilemmas at the individual level (2012). It has become a well-established assumption that mutual recognition forms a primary source of struggle among groups and states (Heins, 2011). Heins makes clear that struggles for recognition are not individual, but rather collective (2011:217).

Furthermore, recognition is not limited to the master/slave dialectics, which reduce it to relations of domination (Williams, 1997). Although one cannot ignore the possibility of recognition proceeding from, constituting and solidifying an authentic identity, it is also not possible to diminish the contingent ethical dimensions of recognition that open the door to collaboration, mutual engagement, reciprocity, identification, and symmetrical relations (Schmidt am Busch and Zurn, 2010). Furthermore, it is not possible to avoid the historical, social, political and economic circumstances that condition recognition. Recognition is not a mere approval of the other, or a statement of equal worth which does not commit to the other side's autonomy and ignores the dominant power relations (Bannerji, 2000). Rather, it is about political organization that guarantees the termination of exploitation and domination, enables true autonomy and freedom, and cures past injustices by establishing new institutional structures based on equality.

The Israeli-Palestinian conflict and the stalemate in the peace process indicate several dilemmas of recognition. In and of themselves, the dilemmas shed light on the problematic relationship between Israelis and Palestinians, despite two decades of in-and-out peace talks. The most important dilemmas are the following:

1) The Challenge of Identity and Inclusiveness

One of the major challenges of recognition is the identity of the parties involved. In a complex conflict, we cannot take who gets recognized and who is doing the recognizing for granted. Not only does the mere self-perception of the parties pose a theoretical

dilemma for the one doing the recognizing, but also a practical one since he could be exercising his power by the mere act of recognizing. Furthermore, one has to pay attention to who is included and who is excluded in the process of recognition, since the boundaries of identity of the recognized other could be a point of dispute.

The construction of identity is crucial in conflict situations. It has historical, material, cultural, psychological, cognitive and moral dimensions. If the nature of the relationship between the two sides is to be defined, identity must be placed in a historical context and the relationship must be considered in connection with the material, territorial, and human surroundings. In circumstances where the mere definition of identity is under dispute, the conflict between the opposing parties becomes portrayed as existential. The need for identity transformation becomes crucial for resolving the conflict.

2) The Challenge of Power Relations and Responsibility

As Phippen put it, recognition is a form of social relation in which the freedom of the "sovereign" agent is revealed and implemented (2000). In other words, recognition does not inherently dismantle power relations. Rather, it takes place within the existing power relations which determine recognition to a large extent. This means that through the act of recognition in a situation of domination, the recognizing side affirms not only his/her identity, but also the relations of domination themselves. The mere process of recognition becomes a strategy of one side affirming the subordination of the other.

3) The Ontological and Territorial Challenge

Defining the reality of a conflict is one of the most disputed aspects in a situation of struggle. The conflict could be seen as a difference between the parties' perceptions of their relationship. Therefore, one of the challenges becomes what exactly it is that one recognizes and based on which definitions. Whereas one side can define the nature of the conflict as material, another can define it as cultural, and yet another as existential. It is well known in the literature on recognition that the conceptual tools used to determine the nature of the conflict have major implications for the proposed solutions and the means used to promote them.

The realities of intractable conflicts have territorial, cultural, psychological and symbolic dimensions. The cultural, symbolic and psychological elements comprise the first challenge; the territorial aspect

must be given special attention. The link between identity and a specific territory is central to validating the legitimacy of the self. This is particularly true in conflicts where special ownership rights and an indivisible bond between peoplehood and territory compete with historical and indigenous rights.

4) The Challenge of Sovereignty

The sovereignty of social and political agents has become a key issue of debate in the last two decades. The Hegelian dialectics of recognition have generated a lot of discussion regarding an improved understanding of the master/slave dialectics and the nature of different agents mutually recognizing dependence and independence. Much of the discussion on sovereignty revolves around the meaning of the concept and its internal contradictions, especially when speaking of intersubjective relations. This is true when speaking about nations, above all those that share a disputed land and cannot fully separate. The question of who is the sovereign to determine what happens in a given territory or for a group of people is paramount to understanding and resolving any political conflict, particularly a national one.

This complexity brings to the fore the meaning of sovereignty in Israel/Palestine and the potential contradictory significance of hostile and antagonistic versus peaceful relations. The Israeli-Palestinian reality necessitates the question of sovereignty as defined by realism theory, but is a peaceful existence possible in Israel/Palestine? The exclusive realist interpretation of Israel's sovereignty makes compromises difficult to achieve. If we are to speak of genuine mutual recognition in Israel/Palestine, we need a flexible definition of sovereignty. This means that both political entities need to gradually change in order to enable shared sovereignty, which could be implemented in various institutional forms that the two sides agree on. To comprehend how these theoretical challenges manifest in the Israeli-Palestinian conflict, we will now elaborate on their practical meanings.

Major Challenges of Conflict Resolution in Israel/Palestine

1) Identity and the Challenge of Inclusiveness

As mentioned above, the identity of the people doing the recognizing and those being recognized forms one of the major stumbling blocks in conflict resolution and reconciliation. One of the primary dilemmas discussed in the literature of recognition

is the affirmative versus transformative dimensions (Fraser, 1997). The scope of the recognized identity is not sufficiently determined. When it comes to protracted identity conflict, one of the main problems revolves around the scope of the identities and who is included and who is not included in them. This challenge is a chief obstacle in the Israeli-Palestinian conflict and could be sub-divided on several levels.

The first level has to do with asymmetrical attitudes towards the other, which becomes crucial when we talk about significant gaps in the balance of power, such as in the Israeli-Palestinian case. It is sufficient to say that the Israelis' demand for recognition from the Palestinians is based on the assumption that the Palestinians are one people whose members are universally committed to any agreement signed between the PA leadership and the Israeli government. However, a deep look at the genuine Israeli position towards Palestinian rights shows that it is based on a counter assumption, namely that different Palestinians have different rights (Jamal, 2000). In other words, the established Israeli standpoint is that resolving the Palestinian problem does not involve all Palestinians and all of Palestine (Ben-Ami, 2006; Arieli, 2010). Israel demands that each Palestinian group accept the status quo established after 1948. In terms of the refugee problem, the Palestinians in Israel and the Palestinians of the occupied territories (OPTs) face different fates with slight modifications. This attitude is reflected in the talks between Israelis and Palestinians, where the Israelis are unwilling to accept that the state's Palestinian citizens are part of the conflict and that their status should be determined from within, rather than outside, the peace negotiations. The official Israeli position views the status of Palestinians in the state as an internal affair and – according to the Israeli narrative – reflects the fragmented view of the Palestinian people.

Notwithstanding this viewpoint, one cannot ignore the fact that several Israeli officials, including an Israeli foreign minister, Avigdor Liberman, raised the possibility that a portion of the Palestinian community in Israel should be part of the deal and exchanged with the settlements in the OPTs (Arieli, Schwartz, Tagari, 2006). This idea of demographic exchange demonstrates the dual Israeli position where on the one hand, the Palestinians are viewed

as a unified enemy that should be subordinated to strategic Israeli interests, and on the other hand, the Palestinian community should accept the Israeli perception that it is a fragmented entity.

When it comes to the Israeli demand for recognition from the Palestinians, the basic assumption is that Jews are one unified nation, notwithstanding where they live and their legal affiliation to Israel. Accordingly, the Jewish people is entitled to self-determination, which means the State of Israel. Based on that, the Israeli negotiating team demands that Israel be recognized as a Jewish state in the national, cultural and historical sense. This means that Jews are one people and have the right to live in Israel even when they are citizens of other states. All Jews are potential Israeli citizens and therefore, the State of Israel belongs to them. This affiliation is an organic bond that goes beyond principles of citizenship. This belief becomes very clear when the national connotation of "Israeliness" is compared and contrasted with its civic meaning. The Israeli state views Jews across the world as part of its identity and invests a lot of resources in strengthening the connection between Jews and the State of Israel. When comparing this relationship with the link the Israeli state promotes between itself and its Palestinian citizens, one notices that the presumed bond is not only instrumental to Israel maintaining its power, but secondary in terms of importance, emptying any meaning from bona fide civic culture. This position manifests most clearly in the recently discussed law proposal to define Israel as the "National Home of the Jewish People".²

The cultural dimension of the Israeli demand for recognition has to do with the Jewish culture as the hegemonic civilization in Palestine. This demand takes on two different meanings. The first has to do with the dominance of the Hebrew language in the Israeli public sphere. One of the best examples is the interpretation that the Israeli High Court of Justice gave to the status of Hebrew and Arabic as official state languages (Saban and Amara, 2004). The former president of the court, Aharon Barak, justifies and thoroughly explains the primary position of Hebrew vis-à-vis the secondary position of Arabic in more than one verdict, despite the fact that both languages are recognized as official languages (Saban and Amara, 2004). The second level of the cultural hegemony can be illustrated

² <http://www.haaretz.co.il/news/politi/1.2055462>.

by the "Traditional Sites Plan" presented by the second Netanyahu government, where sites under the jurisdiction of the Palestinian Authority were included. The plan alluded to the Israeli government's dominant view that the entire area west of the Jordan River is under its cultural authority and forms an integral part of the cultural bond between the Jewish people and the land of Israel.

The historical aspect is the most crucial when it comes to the Israeli expectation and demand for recognition from the Palestinians. The ruling Zionist perception of the relationship between the Jewish people and the land of Israel goes back to the divine promise in accordance with the biblical story, leaving no space for alternative views and excluding any competition with other peoples for the same land (Gans, 2010). The chief Zionist narrative established an exclusive, possessive relationship between the Jewish people and the land of Israel. This relationship is eternal and not subject to change according to the occasional opinion of the general public. Israeli legislation on land ownership and the fact that 93 percent of Israel is state land indicates the complexity of this position. Furthermore, legislation in the case of Jerusalem and the current referendum law on territorial concessions show that the official narrative concerning the historical bond between the Jewish people and the land of Israel is not only a matter of belief, but has clear legal ramifications.

Thus, whenever Israel demands recognition from the Palestinians, especially of the state's identity as Jewish, this automatically entails the recognition of the Zionist narrative with all its implications. Such a demand nullifies the historical relationship between the Palestinians and Palestine.

We face a different challenge when it comes to the Palestinian demand for recognition, but that is not less problematic than the Israeli one. The Palestinians' basic assumption is that they are the indigenous people of Palestine, were colonized by a settler-immigrant movement, and expelled by force from their homeland. They demand recognition of their self-perception and of the past wrongs committed by the Zionist movement. This demand implies correcting past wrongs by recognizing the right of all refugees to return to the original places where they once lived. This does not have to mean the return of all refugees but has to be acknowledged in principle, something that counters the Jewish claim on the land and Jews acting in self-defense when facing a Palestinian attack on their rights.

Another Palestinian belief is that the Jewish population which immigrated to Palestine is alien to the land. Although the Palestinian negotiating team does not state this aloud, the Jews who arrived in Palestine before 1948 are not related to the Jews who inhabited Palestine 3,000 years ago. Therefore, they have no right over the land and their arrival is adverse to the basic rights of Palestinians over the land.

Based on that premise, any Palestinian compromise with the State of Israel does not and cannot entail recognition of the Zionist narrative, the Jewish story of the land, and their subsequent rights over the land. The basic Palestinian stance is that the colonization of Palestine and the founding of Israel created demographic and political-legal facts which are accepted, either for moral or realistic reasons. This means that the most Palestinians could accept recognizing Israel as a fact without recognizing it as a right, as long as it defines itself as it does.

2) The Dilemma of Symmetry - Asymmetry

As explained above, one of the most central dilemmas of conflict resolution, peace negotiations and reconciliation is the issue of symmetry - asymmetry. Each party's role in the conflict and responsibility for it are highlighted differently when viewed from the perspective of symmetry - asymmetry. The way in which both entities' roles and responsibilities are perceived has major ramifications for the possibility of reconciliation and the form it takes. It is obvious that each side has an interest in reducing its responsibility for the conflict and accusing the other side.

Furthermore, we differentiated between the ethical meaning of the symmetry - asymmetry dilemma and its practicality. Whereas one of the conflicting sides may stick to the principle of symmetry, the other may reject it. In this regard, one has to consider the link between power relations and the imperative need for symmetry. In cases of major power gaps, the asymmetrical becomes the ethical choice. This idea is embedded in Levinas' philosophy of recognition, countering the established idea of symmetry in the understanding and application of recognition promoted by other theorists such as Honneth, Taylor, Ricoeur and others (Williams, 1997).

When viewing the Israeli-Palestinian conflict and peace efforts from the view of the symmetry - asymmetry dilemma, we notice that it forms one of the major obstacles to reconciliation. The

negotiations between Israelis and Palestinians have been established on the presumption of symmetry, despite that this belief has not been brought to the fore. The negotiations take place as if the two sides were equally responsible for the consequences of the conflict. Both parties' original stances concerning the conflict's causes, the responsibility of the other party, and the gaps in power between them invalidate the symmetrical foundations on which the peace talks are based. This negation has led to much dissatisfaction and frustration on both sides, especially for the Palestinians, who view themselves as the underdog. It is sufficient to interpret the descriptions of the Camp David negotiations between Yasser Arafat and Ehud Barak in summer 2000 to understand that ignoring the implications of symmetry leads to major difficulties in negotiating.

Looking at the meaning of symmetry and how the opposing parties view it can help us understand the possible implications. From the Israeli perspective, one of the most important meanings of symmetry is that the relationship between Palestinians in the OPTs and those in the Diaspora is similar to the relationship between Jews in Israel and the Jewish Diaspora. That is to say, the centrality of the Jewish Diaspora in the conflict and Israeli affairs resembles the situation of Palestinian refugees.

The Palestinians reject such symmetry for distorting the overall nature of the conflict. From the Palestinian perspective, the refugees are victims of the conflict, were expelled, and refused to go back to where they originally lived during and after the 1948 war. The Jewish Diaspora provides Israel with material, political and diplomatic resources to continue its policies of occupation, oppression and colonization. The Jewish Diaspora is not forced to remain outside the place it believes to be its homeland. On the other hand, the Palestinian Diaspora is not allowed to return to the area it considers being its homeland. The difference between the two situations is clear for Palestinians, but Israelis belittle or ignore it during negotiations.

Another aspect of the symmetry - asymmetry dilemma has to do with responsibility for the consequences and how they played out. This pertains to the opposing accounts of the conflict, starting with the 1948 war and ending with the outbreak of the second intifada in September 2000. The official Israeli narrative fully blames the Palestinians for the current outcome. This position is expressed in the Israeli interpretation of the following:

- how Palestinians treated Jewish immigrants during the British Mandate period,
- the Palestinians' rejection of the November 1947 UN partition plan,
- refugees fleeing and rejecting any plan to settle them in their home countries, and
- the Palestinians' role in the outbreak of the first intifada and their responsibility for whatever Israel did during and as a result of the Palestinian decision to launch a second intifada.

This understanding is reflected in the speeches and writings of Israeli officials, including those deeply involved in the peace negotiations such as Ehud Barak, former chief of staff of the Israeli army and former prime minister, Shaul Mofaz, former chief of staff and former defense minister, and Benjamin Netanyahu, former finance minister and current prime minister.

This view on who is responsible for casualties and the oppressive policies of the Israeli army in the OPTs establishes an asymmetrical relationship between the two sides. Israeli officials promote this asymmetry in order to blame the Palestinians and portray Israeli policies as a response to Palestinian actions. The Israelis blame the Palestinians for rejecting the partition plan and claim that the Palestinian leadership called for an evacuation during the 1948 war, thereby creating the refugee problem. Israelis also say that Palestinians have decided to use force, especially terror, in order to fight against Israeli peace efforts. Moreover, the official Israeli discourse portrays Mizrahi Jews as victims of authoritarian regimes that forced them to leave their home countries and confiscated their property (Shenhav, 2006).

When looking at the Palestinian perception, one cannot help but see the dominant asymmetrical view of the entire conflict. Despite recent changes in official Palestinian discourse and the amendment of the PLO Charter, Palestinians still view Jewish immigration to Palestine as a form of colonialism, where Jews, assisted by foreign powers, have colonized their homeland and expelled hundreds of thousands from their homes. The Zionist movement is viewed antagonistically and the policies of the Israeli state, especially the occupation of the West Bank and Gaza Strip in 1967, are seen as a clear illustration of the chauvinist nature of Jewish nationalism and its imperial character (Masalha, 2000).

The Palestinian perspective on the conflict is asymmetrical where the Zionist movement and the Israeli state are seen as fully responsible for what has happened to Palestinians since 1948. This stance also applies to the Israeli occupation of the Palestinian territories since 1967, the confiscation of Palestinian public and private lands, and the settlement policies, which establish demographic and geographic segregation similar to apartheid. Palestinian political discourse increasingly compares Israeli occupation policies to the apartheid regime in South Africa, which lasted from 1948 to 1994. The expansion of settlements, the paving of roads for Jewish settlers only, the closing of major commercial areas in Palestinian cities to facilitate Jewish movement, and the building of the separation wall, ignoring Palestinian basic needs form a clear indication of the racial ghettoization project that Israel has been promoting since the second Palestinian intifada. Many Palestinians point out the asymmetry between Israeli reality and their own through their daily experience in checkpoints and through the Israeli abuse of Palestinian tax funds to press their leadership to make concessions in matters of concern for them, such as the freeing of prisoners, the control over area C and the evacuation of Palestinians from areas considered to be part of Israel in the future. An increasing number of Palestinians view the peace negotiations as a creative Israeli policy to dismiss the asymmetrical reality, establishing a "legitimate" cover for the continuation of the illegitimate colonization policies.

3) What is the conflict about?

One of the foremost challenges of recognition has to do with the basic definition of the conflict, which must be resolved if one seeks to reach an agreement on the nature of the dispute. It is well known from conflict resolution theory that merely agreeing on how to define the conflict is a major step toward rapprochement (Wolff, 2009). Gaps in the basic perception of the conflict are part of the conflict itself and cannot be overcome unless addressed during peace negotiations.

When looking at the Israeli-Palestinian case, we find a serious disparity between the Israeli and Palestinian views, which has serious repercussions for the behavior of both parties. The Israeli perception has changed over time. Whereas the Israelis used to see the Palestinian problem in humanitarian terms for several decades and tried to convince the world that Palestinian nationalism does not exist, most of them

now agree that it is an issue of self-determination. There is a deep rift in Israeli society as to how to resolve this matter and the extent of Israel's responsibility for it. Nonetheless, even right-wing nationalists agree that there is a Palestinian national movement which represents the Palestinians and demands a political solution with major implications for Israel and its future.

The official Israeli position views the Palestinian problem as a matter of self-control in the West Bank and Gaza Strip. It has become clear that Israeli officials cannot ignore speaking about Palestinian political rights in the areas occupied in the 1967 war. Some of them go a long way to discuss how a two state solution would work. This stance, which has emerged in the last two decades, alludes to the possibility of a certain form of Palestinian statehood in the West Bank and Gaza Strip, but a state that is surrounded by Israeli settlements and army forces.

However, Israeli officials make clear that, if the negotiations are to be seriously continued, the Palestinians have to meet certain conditions such as recognizing Israel as a Jewish state, agreeing to territorial swaps, excluding the Palestinian citizens of Israel from a future Palestinian state, and limiting the right of refugees to return there. These demands diminish the significance of Palestinian national aspirations, thus invalidating Palestinian statehood, and do not address the roots of the conflict. The established Palestinian position states that Israel has already received 78 percent of their homeland. Negotiating over the remaining 22 percent is another compromise that the Palestinians cannot accept unless there are one-to-one territorial swaps.

The mainstream Israeli perspective does not address two chief aspects of the conflict which the Palestinians have to resolve in order to redefine it. The first is territoriality, whereby Israeli officials are unwilling to consider the 1967 borders and integrating the West Bank with Gaza as a basic principle of Palestinian statehood. One influential Israeli view has to do with the divine and historical right over the land of Israel. Israeli officials and academics establish a deep connection between special ownership rights and the cultural centrality of the land throughout history in Jews' self-perception. This connection makes compromise over parts of Israeli territory a serious challenge for any Israeli leader, especially in a reality where conservative and religious trends are becoming more dominant in Israeli politics.

From the official Israeli viewpoint, the 1967 war and its outcomes form the defining event of the conflict. This understanding, which most Palestinians completely reject, emphasizes that the 1948 war and the injustice done to the Palestinians are not the essence of the conflict, and therefore should not be central to the solution unless the Palestinians take responsibility for their part in the 1948 war. The refugee problem has to be resolved in a multilateral rather than bilateral framework, signaling how the Israelis misunderstand the unity of the Palestinian people. One can demonstrate the official Israeli stance by looking at the way in which Israelis view Palestinians with citizenship. Israelis often say they are not part of the solution, despite that they are perceived as part of the problem (Smootha, 1993). The deeper meaning of this outlook is that the territories within the Green Line – internationally recognized as Israeli territory – are not part of the conflict. These lands are not part of Palestine and have no Palestinian identity. This position is implemented in Israeli policies, cutting off any symbolic or material link with the Palestinian past in various ways such as by demolishing Palestinian villages, renaming areas, specific villages, and towns, and the denationalization policies applied toward Palestinian citizens (Jamal, 2007).

The Palestinians are reluctant to directly confront Jewish national rights in Palestine. Although they negotiate with Israel and are willing to agree to a historical compromise between the two national movements, they do not accept the Israeli perception of the conflict as one of borders. It is very difficult for them to recognize the Jewish existence in Palestine, but mainly the rights of Jews over the land. This is true since 50 percent of Palestinians live as refugees outside their homeland as a result of Israel's establishment. Defining the conflict by borders and statehood does not match the common perception among most Palestinians, who are fully aware of the balance of power and the difficulty of receiving international support for their position. Nonetheless, a large portion of the Palestinian people stick to the original view of seeing the conflict over the entire territory of Palestine, despite the willingness to accept a partial compromise that would lead to statehood. The widespread notion among Palestinians is that the conflict centers on the consequences of the 1948 war, and any resolution has to address the past wrongdoings which created the refugee problem. Furthermore, many Palestinians – some of whom agree to a

historical compromise with Israelis – remain loyal to the Palestinian narrative, which views Zionism as a settler-colonial movement with clear imperialist motives. Continuing to build settlements in the OPTs is an unmistakable evidence of the core definition of the conflict. Many claim that the problem is not with Jews and their need for security and statehood, but rather with the hegemonic ideology of the Israeli state, namely the "judaization" of the whole land of Palestine, the decrease in the number of Palestinian residents in Israeli-controlled areas, and stripping Palestinians of political power, including those with Israeli citizenship (Jamal, 2007).

The Israelis stress security and the strategic dilemma they face, but if Israelis fully recognize Palestinian nationalism, then Palestinians emphasize the issue of justice and thereby disagree with Israelis that the conflict is solely about self-determination.

4) The Challenging Perception of Sovereignty

The Israeli-Palestinian negotiations have so far demonstrated that both sides demand a fully independent and sovereign state. From the perspective of both sides, the meaning of "sovereignty" shows that they are talking about exclusive and supreme power of the state over a defined territory and population. Israel has been a sovereign state since 1948. However, since 1967 the meaning of sovereignty has been shaken as a result of the occupations in the West Bank and Gaza Strip, where hundreds of thousands of Palestinians live who dispute the territorial and demographic integrity of these areas. Furthermore, Palestinian refugees demand to return to where they once lived within the 1967 borders, thereby subverting the sovereignty of the Israeli state as the national home of the Jewish people. It is worth mentioning the Israeli expansionist policies in the OPTs, which lead to major internal disputes concerning the definition of sovereignty in a place where millions of Palestinians fight for independence and live under Israeli control with no political rights. The status of the settlements in the OPTs and the Palestinian demand for independence in zones with many settlers complicate the meaning of Israeli sovereignty, leading to complex political and legal reality where demographic and territorial separation become increasingly impossible.

Regarding the Israeli attitude towards the Palestinian demand for sovereignty, the Israeli government insists on demilitarizing the Palestinian state and requires either an Israeli or international military

presence on the Jordan River. In terms of economics, the Paris Protocol reflects the Israeli interest in keeping the West Bank and Gaza Strip under Israeli customs law and with the same currency. Such policies would reduce Palestinians' control over their life in a future Palestinian state and negate their sovereignty.

The Palestinian demand for a fair solution to the refugee problem, besides the demand for full independence, puts a heavy strain on their recognition of Israel as legally defined and conceived by the vast majority of its Jewish citizens. The prevailing Palestinian viewpoint, as reflected in the talks between the two sides, accepts Israel as a partner for peace and respects Israeli sovereignty within the 1967 borders. However, most Palestinians, including the negotiating team, do not recognize Israeli sovereignty *a priori* outside the negotiations process. Such a stance means that sovereignty has to remain an *a posteriori* issue in regards to settling the conflict. On the one hand, accepting Israel's sovereignty as defined by the Israeli state erases any possibility of resolving the refugee issue. On the other hand, not recognizing Israel as its citizens wish to be seen deepens mistrust and places the Palestinians in an inferior position vis-à-vis Israeli control of the entire territory west of the Jordan River.

The Palestinians find themselves in another catch-22 concerning sovereignty. Their demand for statehood does not match the Israeli *a priori* condition of demilitarization. The demand for a sovereign Palestinian state includes full control of its borders socially, economically and politically, in addition to the ability to defend itself. Such a demand legitimizes Israeli claims for sovereignty, including the defense of its demographic integrity, and matches Israel's official legal identity as a Jewish and democratic state.

However, the Israeli perception of sovereignty does not relate to consequences for Palestinian citizens, excluding them from the conflict's resolution, something that was addressed previously. Israel's current definition of sovereignty means it is the national home of the Jewish people. Israel is defined as a democratic state *de jure*, where the institutional structure and practices meet most conditions set by parliamentary democratic theory; *de facto*, however, sovereignty does not extend to the

majority of Israelis, but rather the majority of Jews. The Law of Return³ and the prevailing view of national security in Israel show the gap between legal definitions and practical policies. This gap agitates the Palestinian perspective concerning the recognition of Israel as a Jewish state.

Based on the above information, the dominant meaning of sovereignty as seen by both sides has to be modified to match the complex territorial and demographic realities established so far. A genuine mutual recognition embodies an alternative idea of sovereignty that is not based on mutually exclusive foundations.

Conclusion:

Based on twenty years of negotiations, one can confidently claim that it is possible to manage the Israeli-Palestinian conflict and maintain the status-quo in the short run, but such a policy adds new complexities to the conflict in the long run, since the realities on the ground intensify the geographic and demographic overlap between the two sides even more. The reluctance of both Israeli and Palestinian leaders regarding border issues and the meaning of Palestinian statehood is generating a more interwoven reality and deepening the colonization of Palestinian areas that form the main hindrance to a possible separation. This reality not only causes more frustration and mistrust that endanger the status quo and security of both sides, but also prevents recognition of the two nationalities as equal players that have rights which must be met. Taking the explosive reality of continued Israeli territorial expansion into account, it is possible to argue that a comprehensive and genuine reconciliation process is indispensable to avoid resulting cycles of violence. Recognizing both sides' equal rights is a major challenge that can explain the failure of the negotiations so far, and assist in promoting a different and peaceful future.

The Israeli-Palestinian conflict is partially rooted in the construction of the identity of the socio-political agents that clashed in 1948, leading to a new geo-political reality. We can only speak about an authentic peace process by bringing the two sides to mutually recognize this reality and express willingness to deal with its various dimensions. Based on other experiences, it is well known that

³ The Law of Return was enacted in 1950, two years before the Citizenship Law, granting every Jew the right to come to Israel and automatically become a full citizen.

this is not easy to achieve, especially in cases where the power gap is huge, the justifications for the status quo are shaken, and the legitimacy of the conflicting identities becomes questioned. Nonetheless, the mutually exclusive self-perceptions of the two sides and the lack of integration between their futures will have to change if a resolution is to be reached.

The challenges of recognition show that the Israeli-Palestinian conflict is far more complex than the engineers of the Oslo process thought. Their plan to put aside deep-rooted controversial issues such as refugees, borders, or Jerusalem was a necessary step at the time, but turned out to be a minefield that enabled opponents of the process to nullify its practical intentions. The DOP opened a Pandora's Box that has been hard to manage so far. The growing tension in the relations between the two sides and the fact that this tension will not suddenly disappear makes it clear that they have to replace their current strategy with a more comprehensive one. This strategy should be based on transitional justice and reconciliation that considers the dilemmas of recognition explained above, in order to avoid a breaking point in the antagonism between the two sides.

The gaps between the Israeli and Palestinian perspectives around key material, economic, strategic and existential issues are very wide. Attempting to avoid major differences and dealing with daily relations adds new complexities, which inevitably lead to unexpected behavioral patterns that endanger many on both sides. Israelis increasingly see Palestinians as a hindrance to the normalization of Jewish life in a sovereign state. More and more, Palestinians see the Israelis as apathetic to their aspirations for a dignified life in an independent political entity, and Israelis oppose any serious engagement with past wrongs committed against Palestinian refugees. Simultaneously, both parties understand that neither is going to disappear, and that neither will be able to realize their dream of a reality without challenges that question their basic rights to an identity and a homeland.

The current form of ontological recognition that spurred the Oslo process into action is characterized by domination and animosity. This type of recognition does not correspond to how the other side wishes to be viewed. Therefore, it does not lead

to reconciliation. Rather, it has deepened mistrust and resulted in a structural reality full of apathy and suspicion on one side and anger and despair on the other. The present circumstances do not meet the minimum requirements for peaceful conflict management. This explosive reality could burst at any moment and cause hundreds if not thousands of casualties.

The current situation calls for an alternative form of recognition that cannot only redefine the identities of the recognizing parties, but can also improve the quality of their relations in a way that promotes happiness and hope. Agonistic, ethical recognition overcomes domination and suppression and at the same time remains aware of differences and tension. It is based on open dialogue and establishes an interhuman space that dissolves the current relations of domination and continual colonization as well as denial and resistance.

As long as the strategic status quo and institutional reality undermine the legitimacy of ethical recognition and maintain exclusionary, antagonistic relations between the two sides, positive prospects for resolution will not appear on the horizon. Both parties are interdependent and mutual recognition forms a central component of how they view themselves. The dominant self-defined identities of both sides are incompatible with each other. They have to be reconfigured to include the other's perspective so they can enter into genuine dialogue. In other words, ontological recognition affirming the prevailing identities of the two sides does not benefit productive negotiations. There is a need for ethical recognition that is based on transforming the conflicting identities of Israelis and Palestinians, thus making room for more mutually tolerant self-perceptions.

This is not an easy task. Nonetheless, the lack of alternatives for both parties and the dangers of the current situation make ethical recognition indispensable. It is a long process of reconstructive change that neither side could accomplish alone. It is difficult to strategically remold the self and consequently the relationship between the two sides, but without doing so, another two decades of the Oslo process will not change today's antagonistic circumstances. Leadership and support from the outside is crucial for such a change to happen.

*** The content of the article is the responsibility of the author and does not necessarily reflect the position of RLS.**

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Impressum:
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