

## **AFTER THE JUNE WAR: PEACE OR JUSTICE, CONFLICT MANAGEMENT OR DEMOCRACY IN PALESTINE-ISRAEL?**

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### ABSTRACT

The post-June War period becomes predominantly, though not exclusively, an 'Israeli-Palestinian' conflict rather than an 'Arab-Israeli' conflict. What sort of state is the Palestine Liberation Organisation (PLO) wishing to establish? Since at least 1968, The Palestinian leadership has made explicit statements concerning governance, especially in favour of democracy and justice. Why was this ignored? The first aim of this study is not to draw out the situated nuances and contours for a complete description of the Palestinian perception of governance and international law, rather the aim is thematically to examine the Palestinian support for a more democratic form of governance. Secondly, this study attempts to examine the official Israeli record and reaction (or lack thereof) to these statements made by the Palestinians. Finally, these findings will be compared to conflict management and democratisation. The study ends with a question to the reader: what if more energy were placed into supporting democracy rather than managing conflict? Or, said another way, justice rather than peace?

KEYWORDS: Israel, Palestine, Occupation, UN Resolutions, PLO, Democracy, Justice, Conflict Management, Peace, June War, Rule of Law

### **Introduction**

The following attempts to discuss different types of statements made by the Palestine Liberation Organisation (PLO) and the Israeli government.

The first type is found in one document: ‘The Palestinian National Covenant, 1968’, while the second type covers a range of official statements made by both Palestinian and Israeli leaders from the period after the June War of 1967 until 1990. These documents contain several views and agendas, which can either be highlighted and explored or ignored for many years to come (Lukacs 1991):

*Article 9:* ‘Armed struggle is the only way to liberate Palestine and is therefore a strategy and tactics’.

*Article 24:* ‘The Palestinian Arab people believes in the principles of justice, freedom, sovereignty, self-determination, human dignity and the right of peoples to exercise them’.

A thematic analysis of these documents collected by Yehuda Lukacs suggests that Palestinians slowly transformed from ‘armed struggle’ to a focus on ‘justice’ and ‘democracy’ while the Israelis focused singularly on peace, security, settlement expansion and existential threat. Within this period peace was possible, and for a settlement not to be reached between Palestinians and Israelis certain fundamental discourses — *Article 24* — were ignored in favour of the existential threat posed by *Article 9*. This particular conflict and these particular speeches are part of a larger project about how we frame conflicts and which voices we hear and support. A number of specific questions remain unanswered, such as the role of international law, but the intention here is to raise important general principles about political discourse and which voices are heard and which are ignored. A number of areas are open for discussion purposely to engage the reader in big questions, such as ‘what is democracy?’ with the goal of this research to open and engage further exploration in peace, justice, democracy and conflict transformation, not to give my own tidy explanation. The following pushes for moving from relying on managing conflict to a strategy of pursuing democratisation, giving priority to themes of justice rather than peace.

Between June 5 and June 10 in 1967, Israel defeated forces of Egypt, Jordan, and Syria and occupied the Sinai Peninsula, the Gaza Strip, the West Bank, East Jerusalem, and the Golan Heights. A plethora of parties have been variously and intermittently involved, from the local inhabitants and waves of immigrants to regional and international powers, and the historical socio-political evolution of the conflict itself adds a complexity of its own. The history of the Arab-Israeli conflict contains all of these different dimensions, blurring issues and agendas.

It is a truism that every issue, every movement, every utterance, and every nuance in the Israeli-Palestinian conflict is contested, as they are within other protracted conflicts, and can be linked to other commitments, ideologies, and agendas (Ajami 1992; Laroui 1970; Abdalla

and Battah 1988). Even drawing the lines of the conflict between ‘Palestinians’ and ‘Israelis’ can be problematic, since real and vigorous differences exist within them (Shlaim 2001; Rogan and Shlaim 2010; Silberstein 2010). Since documents do not exist *ex nihilo* or in a vacuum, and are always historically and contextually embedded; examining all of these dimensions is beyond the scope of this paper. Therefore, the starting point of this study are the official Palestinian and Israeli documents themselves, extracted from the rich textures of context.

### **A Note on Methodology**

This study is limited to recorded official documents prepared by Yehuda Lukac under the auspices of the Center for Peace in the Middle East in Tel Aviv (Lukacs 1992). This study is not attempting to deal with the vast complexity of the Israeli–Palestinian conflict. The rather modest goal of this paper is to examine Palestinian and Israeli documents concerning official Palestinian statements that mention or describe or ignore official Palestinian documents. This paper is descriptive in that it is *not* attempting to get to the *meaning* of the statements: ‘Were they sincere?’, ‘Did they really believe that?’, or ‘Was this just empty rhetoric?’ Though these are important questions, this paper is not reaching into the psycho-socio-political dimensions of the intentions, assumptions, and beliefs of why these remarks were made or what they ‘ultimately’ mean. In this sense, the methodological stance of this paper is closer to positivist history, with the more humble assumptions being somewhere between content analysis and frame analysis in the qualitative tradition of narrative analysis.

It is not suggested that those recorded documents give a ‘thick’ description of the socio-cultural life of Israel-Palestine (Geertz 1964). However, carefully searching these documents reveals insights into the general political milieu of the period from 1967–1990. Missing from this analysis are the dynamics of the internal conflicts within both Israeli and Palestinian societies, the ongoing internal power struggles and the debates and difference of opinion within these societies. Also missing are the dynamics of institutional and organisational life, the intricacies of community life and the relation of system and psychology. Also missing is the phenomenology of the lived experience of daily life of Jews and Arabs, Israelis and Palestinians, and the influence of the Diaspora. Finally this work is not a sociological study of either Palestinian or Israeli societies, or a study of the 1,800 NGOs active in Israel.

Within the interpretive traditions various methodological approaches are available. Thematic analysis emphasises pinpointing, examining, and recording patterns (or ‘themes’) within data (Braun and Clarke 2006). This study examines the narratives presented in the official documentary

record of both Israelis and Palestinians from 1967–1990. The material is examined for thematic unity, change, and/or evolution. Then the themes are assembled as general narratives embedded within a conflict context. In the final section themes are evaluated from sources non-specific to the Palestinian-Israeli context. Largely silent in this study is the secondary literature on the Israeli-Palestinian conflict. The next step would be to re-examine the vast amount of secondary literature on the topic.

### **Palestinian Overview**

The history of the conflict is filled with many watersheds. One such fundamental turning point<sup>1</sup> for the Palestinians was the period from 1964 to 1970<sup>2</sup> during which time institutional developments and activities reached a level of comprehensive Palestinian political unity and political strategy that had never existed previously.<sup>3</sup> The events leading to this period, especially after UN Resolution 242, made one thing clear to the Palestinians: ‘Palestinians could rely on no one but themselves’.<sup>4</sup> Whether or not, or the extent to which, they were effective, ‘the Palestinians were at least taking action’ while giving substance that their movement ‘was one of true emancipation’ (Tessler 1994: 425–427). During this 23 year period, the Palestinian documentary record suggests an evolution in discourse. The Palestinians appear to be learning and adjusting their statements, assimilating the ever-emerging concentration in the international community towards democratic governance and issues of social justice and human rights. The emphasis shifts from armed struggle to democratic governance highlighting principles of justice and civil rights.

The institutional development of the PLO was accompanied by developments of the organisation’s political formula not only to articulate Palestinian issues and rights, but also to provide a formative basis upon which the conflict could be resolved (Abunad 1996). The ‘Palestinian problem’ was defined as a political problem, therefore requiring a political solution. The question is: what sort of political solution did the PLO offer?

1 ‘Turning point’, here more broadly applied, is a specific term used in negotiation research to designate a critical shift in interaction, qualitatively changing the trajectory of interaction. See, for example, Druckman (2003).

2 The Palestinian Liberation Organisation was established in 1964 and the ‘process of unification was complete in 1970’ (Tessler 1994: 429).

3 This is not to suggest that divisions were absent among the Palestinian leadership or the general population.

4 UN Resolution 242 assumed the conflict could be resolved in an exchange of land for peace, ignoring the circumstances of the displaced Palestinian population — the refugees amassing since 1948, and especially those resulting from the June War (Tessler 1994: 422–3).

The PLO sought to define the essence of the conflict as a struggle between Zionism and Palestinian nationalism and the consequences of Zionism that took possession of ancestral Palestinian land and displaced the indigenous Palestinian population. Beginning with the National Charter adopted by the PNC in 1968, the document stresses repeatedly the political and national rights of the Palestinians, the legal and legitimate Palestinian claim to the homeland, and the right of Palestinians for self-determination as represented by the PLO (Tessler 1975).

Palestinian leaders made explicit statements concerning self-governance that harmonise with received expressions of democratic governance, discussed later. One central component was an emphasis upon secularism, not Islamic nationalism. This emphasis upon secularism was founded upon a radical critique of the continuing 'weaknesses' in traditional Arab society that prevented them from embracing modern scientific and political cultures (Kerr 1971). Questions concerning the relationship of tradition to modern governance were raised: 'We must realize that the societies that modernized did so only after they rebelled against their history, tradition and values. . . We must ask our religious heritage what it can do for us in our present and future . . . If it cannot do much for us we must abandon it' (Syrian poet Adonis quoted in Tessler 1994: 436).

For Arab intellectuals, secularism was directed towards the future. The past half-century was filled with failure and disappointment; therefore, discarding elements of the past that contributed to this failure provided renewed hope. In diagnosing the failures, secularism became the cure of the self-perceived deficiencies of the past. In addition, secularism seemed to fit particularly well with the Palestinian situation. With a substantial Palestinian Christian minority, politics without religion served as a tool to further unify the Palestinian population. At the same time, secularisation served to contrast the Palestinians with their experience of Zionism. In the National Charter of 1968, Article 24 reads: 'The Palestinian people believe in the principles of justice, freedom, sovereignty, self-determination, human dignity, and the right of all people to exercise them'.

Nathan Brown raises some serious issues concerning not only the form, but even the possibility, of Palestinian self-rule (Brown 2003). One view of the Palestinian National Authority (PNA) is that it is merely an extension of Israeli occupation. However, for the Palestinian leadership the realities of occupation demand that sovereignty override other concerns: 'the demands of national unity are such that issues of governance, democracy, and corruption should not be raised too forcefully' (Brown 2003). At least two themes are evolving in the Palestinian governing documents: national sovereignty and democratic aspirations. While these themes are complementary they can lead in different directions and at times may

operate within tension with each other (Dahl 1970). In this context and writing on this possible dilemma in Palestinian political theory, Nathan Brown outlines three different purposes that constitutions can perform; first, they serve as an important indication of sovereignty; second, they organise power and authority, clarify responsibilities, and add legitimacy; finally, they can regulate the power of authority (Brown 2003). For example, if sovereignty is the primary goal, writing a constitution that restricts political authority might be undesirable. That Palestinian constitutional efforts reflect such cross-purposes has not resulted in the absence of a constitutional framework; rather, it only indicates the absence of a clearly authoritative document that clearly and equally satisfies the three sets of purposes. Perhaps sovereignty must come before the development of democratic institutions?

Palestinian constitutional efforts tend to emphasise Brown's first purpose — sovereignty. Palestinian political rule has often stressed democratic intentions, since the British Mandate for Palestine in 1923. However, few democratic structures truly existed. For Brown, no democratic structures could be built under the political conditions operating through the mandate or the subsequent wars (Brown 2003). But the verbal commitment to democratic constitutionalism made in 1948 has been 'repeated and never repudiated' (Brown 2003).

External conflicts and highly visible internal controversies tend to overshadow a far more widespread series of efforts to normalise a Palestinian political entity. In February 2001, Article 14 of the Palestinian draft constitution state the full democratic purpose: 'The rule of law and justice shall be the basis of governance, the motivation for the work of governing authorities, and the protector of the rights of the people and their democratic values'. Those who speak for an independent Palestinian state have done so twice (1948 and 1988). On four occasions (1948, 1988, 1996, and 1999) these efforts have led to the drafting of constitutional documents promoting democratic governance (Brown 2004).

### **Palestinian Documents**

Following the 1967 June War, the PLO issued a statement which included the Palestinian National Covenant setting the agenda of the PLO (Lukacs 1992: 290–291). The primary complaint of the statement is that the UN Security Council ignores both the 'right of the refugees' and 'the existence of the Palestinian people'. In 1968, the Palestine National Covenant, article 11, calls for Palestinian 'national unity, national mobilisation and liberation'. At this point, further statements are made concerning the goal of the Palestinians and the ideology behind the Palestinian movement. To repeat, the document contains several views and agendas, which were

either be highlighted or ignored for the next thirty years (Lukacs 1992: 291–295):

*Article 9:* ‘Armed struggle is the only way to liberate Palestine and is therefore a strategy and tactics’.

*Article 24:* ‘The Palestinian Arab people believes in the principles of justice, freedom, sovereignty, self-determination, human dignity and the right of peoples to exercise them’.

One interpretation is that armed struggle is the mode of conduct to be used for the ‘liberation’ of Palestine, while, presumably, appeals to principles of justice, freedom, and human dignity, etc., are the outcome of the revolution. In July of 1968, another document clarifies the Palestinian interlocutor, as consisting of ‘three interdependent forces: Israel, World Zionism, and World Imperialism’ (Palestine National Council Political Resolutions, 17 July 1968, in Lukacs 1992: 295–301). Not only was the ‘enemy’ named but caution was raised against ‘the danger of a political settlement’. Combining these above statements — Israel and Zionism as the enemy and armed struggle and danger of political solution — serves to overshadow numerous other official Palestinian statements and supports Israeli existential concerns.

However, another important thematic discourse runs throughout official Palestinian documents. This discourse concentrates on elements of democratic governance and the ideals of liberty, freedom, equality and self-reliance — article 24. In 1973, for example, the Palestinian Political Program seeks the establishment of the:

... democratic Palestinian society in which all citizens will enjoy the right to live in equality, justice and brotherhood, and which will be opposed to all kinds of ethnic, racial and religious fanaticism. This society will also ensure freedom of opinion, assembly, demonstration, and the freedom to strike and form political and trade union institutions and to practice all religions... [participating in] a unified Arab democratic society’. The document continues that the goal is to establish a ‘democratic regime’ through ‘equality of constitutional, legal, cultural and economic rights. (Palestine National Council, Political Programme, 12 January 1973, in Lukacs, 1992: 303–307)

Yasser Arafat, in 1974, even extends the Palestinian position to include the Universal Declaration of Human Rights to ‘support the causes of peace and justice’ (speech by Yasser Arafat to the UN General Assembly, 13 November, 1974 in Lukacs, 1992: 317–333). Arafat continues: the Palestinian ‘hope’ is to contribute ‘actively to the pursuit and triumph of the causes of peace, justice, freedom and independence’. This is important since ‘the world is in need of tremendous efforts if its aspirations to peace, freedom, justice, equality and development are to be realised, if its struggle

is to be victorious over colonialism, imperialism, neo-colonialism and racism in all its forms'. For Arafat, the question of Palestine is crucial 'in the name of every human being struggling for freedom' and to promote an enduring peace 'in a new world order' in which people can live 'free of oppression, fear, injustice and exploitation'. It is to this end that Arafat says, 'we propose this radical approach' towards a new world order — against oppression — that would allow 'our people to contribute all their energies and resources to the field of civilization and human creativity'. To this end, the PNC affirmed the struggles of 'all democratic countries and forces against . . . forms of racism . . . and aggressive practices' (Palestine National Council, Political Declaration, 22 March 1977 in Lukacs, 1992: 333–335). Here, the fate of Palestine is linked to liberty and overarching modern democratic values.

The themes of the 'rejection of tutelage' raised in the Palestinian documents is linked to a 'world liberation movement' as a 'struggle for freedom' (statement by the West Bank National Conference, Beit Hanina, Jerusalem, 1 October 1978 in Lukacs, 1992: 338–339). Another theme that has been emerging since 1967 is formally declared in 1979: the Palestinian revolution believes in 'the right to establish a democratic state'.<sup>5</sup> But do Palestinians understand democracy? To this the Palestinian documents add:

Palestinian leadership is a collective one. This means that decisions are the responsibility of all, both through participation in the adoption of decision and its execution. This takes place in a democratic manner where the minority adheres to the view of the majority, in accordance with the political and organizational programme and with the resolutions of the National Councils.

In 1980, the democratic impulse is clarified even further wherein it is confirmed that 'the principle of democracy governs relations in the Palestinian arena and that democratic dialogue is the proper way to develop these relations' (the Fourth General Conference of the Palestinian Liberation Movement, Fatah, Political Programme, Damascus, 31 May 1980 in Lukacs 1992: 345–349). It is clear that Palestinians understand democracy.

In carrying out the liberation, the Palestinian documents, while continuing the struggle against the 'racist, fascist Zionist enemy', do differentiate between Israeli society, Israelis who are Zionist, and Jews who

<sup>5</sup> 'Palestine National Council, Political and Organisational Programme, 23 January 1979' (Lukacs 1992: 339–344). It should be noted that later in the same document 'the PLO affirms the importance of alliance with the socialist countries, and first and foremost with the Soviet Union. 'The claim made in the document is that this is of tactical 'necessity in the context of confronting American-Zionist conspiracies against the Palestinian cause, the Arab liberation movement' (p. 343).



are not Zionist. In 1981, the Palestinian documents actually confirm the 'positive role which the democratic and progressive Jewish anti-Zionist forces play', and in 1988 actually sought the aid of 'all democratic forces and on the Israeli peace forces to play an effective role, as has always been the case, to confront the racist and fascist iron-fist policy until we can establish a just peace'. (Committee for the Occupied Homeland Report on Contact with Jews, Damascus 21 April 1981 (Lukacs 1992: 357) and Statement by the PLO Central Committee, 9 January 1988' (Lukacs 1992: 391–395)). The Palestinian focus on secular components of democratic governance is clear.

A rather astonishing phrase appears in a speech by Bassam Abu Sharif, PLO spokesman, in 1988: 'Peel off the layers of fear and mistrust . . . and you will find that Palestinians and Israelis are on general agreement on ends and means' (PLO View: Prospects of a Palestinian-Israeli Settlement in Lukacs 1992: 397–399). Both want 'lasting peace and security'. At this point, Palestinians are not appealing to Pan-Arabism to solve the conflict, but rather suggest 'direct talks between the parties'. Several times in this speech, the PLO spokesman refers to both parties' rights to 'democratic self-expression' and 'self-determination'. The speech concludes by addressing the fears of the Israelis:

As for the fear that a Palestinian State will be a threat to its neighbor, the democratic nature of the PLO — with its legislative, executive and other popularly-based institutions — should argue against it. If that does not constitute a solid enough guarantee that the State of Palestine would be a democratic one, the Palestinians would be open to the idea of a brief, mutually-acceptable transitional period during which an international mandate would guide the occupied Palestinian territories to democratic Palestinian statehood.

Not only have Palestinians been placed at the center of the conflict, Palestinians are offering a secular democratic solution to the conflict.

Yasser Arafat continues these themes, while emphasising an additional theme: justice as a corollary of law. Arafat states that the 'essence and crux [of the Arab-Israeli conflict] is the Palestinian cause'. He also presents perhaps his most lengthy affirmation of democratic principles when committing to principles of justice (Address of Yasser Arafat to the European Parliament, Strasbourg, 13 September, 1988 in Lukacs 1992: 403–411).

Justice is the corollary of law; it is also the corollary of peace. There can be no peace without justice. There can also be no permanent stability without real peace.

Because I am convinced that the aforementioned points are human rules, hence universal, allow me to say this: the proof of truthfulness and seriousness about affinity to democracy, freedom, national independence,

peace, and justice is the belief in the right of others to all that. To restrict these to one people or a group of peoples to the exclusion of others runs contrary to all what they mean, with preclusion becoming some sort of vicious selfishness concealing masked dictatorship. Democracy, freedom, national independence, human rights, peace, and justice are for all human beings. This is the course of history charted by the history of mankind.

Just in case anyone missed the point, Arafat continued:

I don't think it would be an overstatement on my part to say that we are a national liberation movement which has been able to intertwine the requirements of a revolutionary endeavor with our commitment to the rules of democracy. . .

No Israeli document from 1967 to 1990 appeals to democratic principles as often as Arafat does in this single speech (at least no Israeli document in Lukacs 1992: 171–268). The Israeli documentary record during this period lacks appeal to democratic rhetoric. It is Arafat, commenting on the 'iron fist' comparison to South Africa, who says Israeli policy 'exposed the true face of Israel, harming not only the Palestinians, but also Judaism and all democratic and progressive Israelis who reject these methods, practices, and crimes'. With a sweep of historical irony, Arafat criticizes the Israelis, living in the 'only democratic state in the Middle East', for being undemocratic.

In this speech, Arafat also concentrates on justice, issuing a commitment to 'just peace', and acknowledges the importance of the international legitimacy of human rights and international law. After 'denouncing terrorism', Arafat presents the Palestinian formula for a state:

This state will have a republican, democratic, and multi-party system; it will abide by the Universal Declaration of Human Rights and will not discriminate among its citizens on the basis of color, race, or religion.

Arafat continues: the state is to be a democratic system of governance, respecting the rights of minorities, aspiring for progress, adhering to principles of peaceful coexistence based upon justice 'in which confidence in the future will eliminate fear for those who are just'.

It is remarkable that, first, these themes continue to be present in the Palestinian statements throughout 1990, and second, that these statements are largely ignored. Acknowledging that 'unaided justice [has] been revealed as insufficient to drive the world's history along its preferred course' in the above speech, in a later December 1998 speech Arafat appeals to the countries of Western Europe and Japan to help 'open the vistas for peace and the just solution in. . . the Middle East' (address by Yasser Arafat to the UN General Assembly, Geneva, 13 December, 1988 in Lukacs 1992: 420–433).

Arafat admits that 'new challenges and responsibilities' face Palestinians to create an atmosphere of tolerance between Palestinians and Israelis for 'a climate of trust'. Salah Khalaf recognised the need for co-existence, an idea that 'in the past was remote' (address by Salah Khalaf to the International Center for Peace in the Middle East, 22 February 1989 in Lukacs 1992: 438–441). Khalaf claims 'When I say these words, I say them on the basis of a fixed strategy which we now, and after painful experience, work according to — and so that we may not deceive you'. Putting an end to 'fear' and 'mutual terror' is conditional upon a 'genuine desire' to co-exist. To this end — 'real peace' — Khalaf explains that 'We must work on our people to develop this desire, and you must equally work on yours'. Khalaf raises a final question: what is the alternative? For Khalaf, 'there is no way out except for peace with the Palestinians'.

In 1990, Arafat reiterated an earlier press statement (in his Geneva Press Statement, 15 December 1988 (Lukacs 1992: 434) and his letter to the Emergency World Jewish Leadership Peace Conference Organised by the International Center for Peace in the Middle East, Jerusalem, 17 February 1990 (Lukacs 1992: 436)): 'Our desire for peace is strategic and not tactical'. Rather than 'crushing the promise of the future with the myths of the past', Arafat pleads that 'a brave new world of liberty is dawning . . . as a universal goal of humanity'. He appeals to a peaceful two-state solution rooted in international law and supported by the international communities, including Arab nations, the European Community, Japan and African nations.

In summary, during the period from 1967 to 1990, Palestinian documents suggest a remarkable evolution in discourse. Article 9 — armed resistance — of the 1968 document is largely dropped and the discourse focuses on Article 24 — justice — while Palestinian discourse makes more references and specifies in greater detail a commitment to democracy. Palestinians appear to be learning and adjusting their statements while assimilating the evolving concentration in the international community towards democratic governance and issues of social justice and human rights.

### **Israeli Overview**

Israeli documents focus on several themes that receive repeated attention and reoccur throughout the documents — peace and security — while other themes are either never mentioned, or mentioned but with grave suspicion — Palestinian democracy and justice. Priority is given to the threat of existential and national security issues while the issues of potential collaborative solution — democracy and justice — are ignored or dismissed. The primary concern of the official Israeli position is the

existential condition of state survival. For example, beginning in 1968, Foreign Minister Abba Eban statement to the U.N. General Assembly says ‘There has been a twenty-year war conducted by the Arab States in varying degrees of intensity with the candid hope of Israel’s ruin and destruction’ (Abba Eban, 1968, in Lukacs 1992). In case anyone missed these implications, Eban continued, ‘Our nation still lives intimately with the dangers which then confronted us’ (Eban in Lukacs 1992: 173).

### **Israeli Documents**

The overarching Israeli theme of survival is located primarily in terms of security and peace, not in the themes of justice, democracy, or liberty. The Israeli narrative concentrates on the threat posed by Article 9 and not the possible solution posed by Article 24. Foreign Minister Yigal Allon, in a 1976 article outlining the Allon Plan, confirms this theme: ‘... [T]his is the first imperative facing us, the imperative to survive’ and this ‘obliges Israel to maintain constantly that measure of strength enabling it to defend itself in every regional conflict and against any regional combination of strength confronting it’ (Allon in Lukacs 1992: 190). For example: ‘With all the heavy damage that warheads and bombs can inflict, they alone cannot be decisive... as long as [Israel] is resolved to fight back’ (Allon in Lukacs 1992: 192). Long-term stability and security issues of Israel reach alarming levels ‘when it is realized that Israel not only faces the military strength of its contiguous neighbors, but may also have to face the combined strength of many other Arab countries’ (Yigal Allon in Lukacs 1992: 196). Israel’s commitment to security remains through 1988, with the statements by the Israeli Foreign Minister that peace must proceed in a context that addresses ‘Israel’s needs and interests, above all those concerning security’ (Arens in Lukacs 1992: 218).

This narrative continues, focusing on Article 9 and dismissing Article 24. In Basic Policy Guidelines of the Government of Israel, 23 December 1988, the goals of government are a ‘sustained effort to create the social, economic and spiritual conditions to attain Israel’s central aim: the return of Diaspora Jews to their homeland’ and to ‘act forcefully in order to curb riots, prevent violence, and restore order’ (Basic Policy Guidelines of the Government of Israel, 23 December 1988 in Lukacs 1992: 218). In an address by Likud Prime Minister Yitzhak Shamir to the Israeli Knesset in 1988, he described his suspicion towards the PLO: ‘[the PLO] has not changed its character or ways, its malicious covenant and the terrorism it perpetuates’ (Shamir in Lukacs 1992: 218). For Shamir — an advocate of Greater Israel and settlement expansionism — the aspiration of the PLO and PNC to create an independent Palestinian state in the West Bank and Gaza ‘entails serious risk for Israel ... [I]t involves a danger

that, in the long term, The Palestinian state would attempt to realize the Palestinians' aspirations for Greater Palestine (the 'right of return') by terrorism, subversion and/or by catalyzing an Arab coalition against Israel (the 'strategy of stages') (Shamir in Lukacs 1992: 221 and 231): 'Palestinian statehood is potentially extremely risky from a security standpoint, and is . . . dangerous for the fabric of Israeli society'. In May 1989, in a statement by Prime Minister Yitzhak Shamir on the Israeli Peace Initiative, the theme of Israeli security remains central: 'the basis of the Israeli-Arab conflict lies in the refusal of the Arab countries, except for Egypt . . . , to recognize Israel and to maintain peaceful relations with it' (Yitzhak Shamir in Lukacs 1992: 240). Palestinians rarely appear in these early documents. In fact, the term 'Palestinian' only appears as 'Palestinian Arab' in Lukacs' selection of important documents in October 1976 (the 'Allon Plan by Israeli Foreign Minister Yigal Allon, October 1976 in Lukacs 1992: 195). The term Palestinian enters first into the name of the conflict in August 1981, as the Israeli-Palestinian conflict (Fundamental Policy Guidelines of the Government of Israel as Approved by the Knesset, 5 August 1981 in Lukacs 1992: 199).

Against the proposition of an independent Palestinian state, Israel's response on 2 September 1982 warned that the PLO:

would concludes a pact with Soviet Russia and arm itself with every kind of modern weaponry. If the PLO could [attack Israel] from Lebanon . . . how much more so will the terrorists do so ruling over Judea, Samaria, and the Gaza district. Then a joint front would be established. . . with Jordan and Iraq behind her, Saudi Arabia to the south and Syria to the north. All these countries, together with other Arab States, would, after a while, launch an onslaught against Israel to destroy her. It is inconceivable that Israel will ever agree to such an 'arrangement' whose consequences are inevitable. (Lukacs 1992: 202)

Always foundational to the Israeli discourse is the need for security. Related to this goal, is 'A sustained effort to create the social, economic and spiritual conditions to achieve the state of Israel's central objective — the return of diaspora Jews to their homeland'.

For a brief period, however, Israeli documents do shift towards including the term 'Palestinians'. From the documents contained in Lukacs' volume, Moshe Amirav, more than anyone else, presents the most dramatic shift in the Israeli narrative concerning the Palestinians. In September 1987, Amirav recognises the right of 'both peoples to the land', recognises 'injustice done to both parties', directly mentions and includes the Palestinians as a necessary party to achieving a settlement, considers that the PLO is to be included in negotiations as the representative of the Palestinian people, and boldly insists on 'recognition of the right of the Palestinian people — not as refugees, but as people — to its own state

(Outline for Advancement of Negotiations Between the Likud and the PLO by Moshe Amirav in Lukacs 1992: 211–213).

Foreign Minister Shimon Peres, at the end of September, the same month as Amirav's 'Outline', continued the shift in the Israeli narrative. Peres states: 'in the West Bank and Gaza we notice an unannounced change'. The narrative sifts from despair to hope. Peres concludes that the 'goal is peace' since 'Palestinians seem to have concluded that violence leads nowhere. There is a readiness to negotiate'. Why? For Peres, 'We have all matured politically with the repeated failure... We, who sought justice and security, do not wish to deny them to others...' Peres' hope is on 'future oriented' leaders against the 'preachers of war' (Peres 1987). Both Amirav and Peres turned towards Article 24, though this shift was short-lived.

One year later, the Peres narrative is dropped and the narrative is dramatically and emphatically shifted back to the former security narrative (perhaps in Peres' words, to the 'past oriented' narrative?). Responding to Yasser Arafat's speech at the UN General Assembly session in Geneva, Prime Minister Yitzhak Shamir claims 'We are witnessing a deceitful PLO... aimed at misleading and creating the impression of growing moderation' (statement by Prime Minister Yitzhak Shamir on Yasser Arafat's Speech to the UN, Jerusalem, 13 December 1988 in Lukacs 1992: 215–219). The security issue returns to the foreground as the PLO is described as a 'terrorist organization ... whose goal is to harm Israelis, undermine the existence of the State of Israel, and bring about its destruction'. Shamir accuses Arafat of 'English double talk'. Once again, when security issues dominate the discourse the narrative returns to the similar features of 1967. But something has changed in the narrative. The term Palestinian is now included.

The same narrative that gave Peres hope inflames Shamir. Again, the emphasis is placed on 'internal unity'. Interestingly, here the term Palestinian has been transformed to 'Arab residents of Judea, Samaria and the Gaza District' and the PLO is defined as a terrorist organization and an imperative is raised towards 'preventing the establishment of a PLO state within Eretz-Israel' (address by Prime Minister Yitshak Shamir to the Knesset, 23, December, 1988 in Lukacs 1992: 220–221). In case anyone missed the emphasis, Shamir concludes: 'The PLO ... has not changed its character or ways, its malicious covenant and the terrorism that it perpetuates'. Matters concerning a peaceful settlement will again be conducted not with Palestinians, but with 'Palestinian-Arab representatives'.

Responding to the first Intifada, a new voice appears in Lukacs' volume, the Board of Trustees of the International Center for Peace in the Middle East. For the second time a substantial shift in narrative occurs. First, the situation is not terrorist activity, but 'a national uprising of the

Palestinian people who seek to end occupation'. Second, the conflict cannot be solved by 'military measures' and therefore it is stressed to 'terminate Israeli rule in the West Bank and Gaza'. Third, the analysis shifts and the emphasis is upon peace, because the former means to achieving security is, ironically, 'endangering the future of the state of Israel, its democratic principles, and its basic values'. This document represents an example of Peres' 'forward looking' approach to the conflict. New frameworks of analysis are introduced which contain explicitly new language for framing the conflict, the goals of the other party, and the means to end the conflict. Also, and noteworthy, this document does not come from the government.

In 1989, in 'A Peace Initiative by the Government of Israel, 14 May' (Lukacs 1992: 236–239) the description of the parties in the conflict included in the comprehensive peace settlement is informative. The conflict is not Israeli-Palestinian, but rather phrased 'Arab-Israeli', reaffirming the usual Israeli stance of 'not conducting negotiations with the PLO'. Palestinians are not 'citizens' but 'residents' or 'Palestinian Arab inhabitants of Judea, Samaria and the Gaza District' and Israel calls upon the international community to aid to 'rehabilitate them'. Again, these 'residents' are not Palestinian citizens or indigenous people of Palestine, but merely Arabs in need of rehabilitation. These themes continue through numerous official documents of this period. Yitzhak Shamir (statement by Prime Minister Yitzhak Shamir on the Israeli Peace Initiative, Jerusalem, 17 May 1989 in Lukacs, 1992: 239–244) goes further and comments on the proposed elections in the Occupied Territories: 'the elections will be free, democratic and secret, something which is not a common phenomenon in the Middle East, and is actually unprecedented, except in Israel'. Shamir continues that Israel's values do not have counterparts in the Middle East, again dismissing Article 24.

After appealing to national unity in Israel, Shamir provides an analysis of the recent developments among Palestinians that, according to him, emanated from the 'terrorist organisations' which 'jumped on the bandwagon of world sympathy'. It is both incorrect and dangerous, according to Shamir, to accept the changes in the Palestinian statements since they are 'deceitful declarations and promises, which merely distort reality'. Shamir is first concerned with the elimination of violence. It is in this context that he defines the 'problem of the Arab inhabitants of Judea, Samaria and Gaza'. It is clear from these statements where he believes the violence comes from — Palestinians. Shamir, near the end of his address, commits Israel to 'honor the democratic process' and acknowledges the 'noble goal and purpose' of the debate within Israel over the peace process. However, in his conclusion, he affirms, reading the accepted draft proposal of 5 July 1989, '... the nonparticipation of the Arabs of East Jerusalem in the elections'.

Following the dismissal of Shimon Peres from the cabinet by Yitzhak Shamir, Peres addressed the Knesset. Peres claims that Shamir voiced 'an antidemocratic and illegal pretext' that was evident in his style of acting as Prime Minister, a style that does not represent 'how a democratic party acts' (address by Labour Party leader Shimon Peres Proposing a Non-Confidence Motion to the Knesset, 15 March 1990 in Lukacs, 1992: 254–260). At this point, it is vague whether Peres is speaking to Shamir, to the Knesset, to the Israeli public, to Palestinians, or to the neighboring Arab countries. Most likely, he is speaking to all when he states: 'The moment democracy penetrates the Middle East, peace will follow suit. It is a fact that there is almost no war among democratic countries. What happened in East Europe will happen in the Middle East: Dictators will fall, antiquated methods of ends justifying the means will disappear, economic and social aspects will replace the strategic one, and everything will be determined through elections'. These statements by Peres seem in harmony with Article 24, although Article 24 is never mentioned nor are Palestinians as possible collaborators. Nonetheless, widening the scope of the parties involved and talking directly of broader democratic values heightens divisions in the Israeli government.

In response to the non-confidence motion which led to the fall of his government, Shamir addressed the Knesset: 'The Jewish nation is undergoing revolutionary processes'. These processes require 'national unity' because 'the enemies are at the gate' (address by Prime Minister Yitzhak Shamir at the Knesset in Response to the Non-Confidence Motion, 15 March 1990' in Lukacs 1992: 260–268). He added that the lack of national unity can create 'cracks that can be misused by our enemies'. For Shamir, national unity has priority over peace because 'the banner of the peace process' can be used as a 'camouflage and excuse to undermine the government'. Shamir is very clear that 'the previous [Peres] government spoke with two voices' and that he yearns for national unity because he believes 'true and stable peace only can be attained when Israel is strong, united, [and] self-confident'.

In 1990, the Israeli government issued basic policy guidelines, summarising the activities 'at the center... of the national government' (Basic Policy Guidelines of the Government of Israel, 10 June 1990 [Excerpts] in Lukacs, 1992: 268–270). The following 'programs' were declared as the 'central political goals': accepting more Jewish immigrants and adding Jewish settlements, 'ensuring the independence and sovereignty of the state, strengthening security, preventing war and achieving peace with all its neighbors'. The proposed methods of the government to achieve these goals include, first, increasing the strength of the Israeli Defense Force and its power of deterrence, to act forcefully against terrorism 'to uproot the phenomena of violence', and finally, continue the advancement of peace, with no mention of democracy.



While a few moments of overlap appear, Article 24 is never mentioned nor do Palestinians appear as possible collaborators towards a general peace process, and these are both eclipsed by concerns of security.

### **Summary and Next Step: Conflict Management or Democracy?**

Palestinian documents evolve with greater sensitivity towards Israeli security concerns, even explicitly naming Israeli concerns in their recorded documents. However, Palestinian aspirations rarely appear in Israeli recorded documents, and when Palestinians do appear, they appear in reference to Article 9 of the Palestinian National Convention 1968. (It is recognised that others, such as Peres, do add a greater complexity to the Palestinian narrative which undoubtedly contributes to his 'forward looking' approach.) The overwhelming majority of references to democracy appear in the Palestinian documents, along with the overwhelming majority of references to social justice and human rights.

The following authors are discussed because they have helped to shape the relatively new fields of conflict and peace studies and different forms of conflict resolution which have also had interesting implications for the Palestinian-Israeli conflict. Placed on a continuum, a typology can be developed that accentuates different emphasis between attempts that concentrate more specifically on ending violence — conflict management — and, at the other end of the continuum, attempts to resolve conflict by instituting procedures and systems of democratic governance, including principles of social justice — democratisation. What could have been done differently?

For Raimo Vayrynen, conflict moves simultaneously on different trajectories, pushed by a complex interaction of actors, issues, and interests (Vayrynen 1999). He also understands that '[c]ontrol and reduction [of conflict] requires a reorientation of conflict the importance of 'developing theory towards a greater emphasis on contingency approaches and the transformation of conflict' (Vayrynen 1999: 159). At the same time, the international community, according to Pauline Baker, has not formed a consensus regarding peacekeeping, peacemaking, and peacebuilding (Baker 1996). The 'new' framework of violent conflict — intrastate rather than interstate — as 'small wars' has not relieved, according to Baker (1996: 564), the international community of the burden of involvement:

- Failure to address problems posed by 'small wars' at an earlier stage makes matters worse
- Ethnic crises are durable and can cost enormous human and material damage
- Postponing intervention makes intervention more costly, more difficult, and more dangerous

For Baker, the question was not so much whether the international community should get involved in nation-building, but how it should get involved. Two frameworks, broadly, define the interventionist strategies. The first is conflict management; the second is democratisation (Baker 1996: 564). More specifically, in a post-Westphalian world, it should be noted that conflict termination that ends violence or a 'democratic peace' that respects human rights? This not only poses a dilemma at the heart of the pursuit of peace in the 21<sup>st</sup> century but also provides insight to examine the past.

Though agreeing on the common theme of peace and having a considerable overlapping of practices and perspectives, these two camps differ in substantive ways. Although not exclusive, the following points should be emphasised:

- Conflict-managers tend to be inclusive, to neutralise those who might obstruct negotiations. Democratisers tend to be exclusive, to punish or purge human rights offenders. Conflict-managers promote power sharing with all parties (even the 'bad guys') while democratisers want to sideline some parties, holding some accountable for their crimes and excluding them from power.
- Conflict-managers stress reconciliation as the primary goal of peace; democratisers stress justice as the primary goal of peace.
- Conflict-managers focus on pragmatic, confidence-building steps, creating personal trust among leaders; democratisers focus on principles that institutionalise the rule of law to build trust in the system.
- Conflict-managers are preoccupied with the process, emphasising nonviolent conflict resolution skills; democratisers are preoccupied with the outcome, emphasising constitutionalism and the legal protection of human rights (both political and civil).
- Conflict-managers call attention to the importance of the particular cultural values of societies in conflict; democratisers call attention to the importance of the universal standards of the international community.
- Conflict-managers assume moral equivalence and do not assign blame; democratisers identify offenders of human rights and hold them morally accountable.
- Conflict-managers argue that resolution is negotiable; democratisers argue that justice is nonnegotiable.
- Conflict-managers insist on the political neutrality of outside actors as a necessary condition of mediation; democratisers refuse neutrality and support those who stand for human rights and democracy (Baker 1996: 567).

The term *conflict manager* is used to denote those involved in a range of activities, from preventive diplomacy and mediation to various models

of dispute resolution. The term *democratiser* is used for those advocating human rights, democratic institutions, the development of the legal system and the rule of law, and the prosecution of those who committed atrocities and war crimes. Although these two camps share the common goal of ending conflict, they each favour different strategies for achieving this goal. For the democratiser, peace is no longer acceptable on any terms but must be linked to the concept of justice; therefore, peace is to be assessed by the moral quality of the outcome (Baker 1996).

In summary, conflict managers tend to focus on short term solutions that address the *precipitous* events that *triggered* the conflict; seeking above all an expedient end to violence. Democratisers tend to focus on longer term solutions that address the *causes* of the conflict searching for enduring (democratic) stability. Conflict managers view peace as a precondition for democracy, advocates for democratisers view democracy as a precondition for peace.

### **Peace or Justice?**

The debate between the conflict managers and the democratisers arises in the debates over how best to pursue and achieve peace and justice. These strategies are not without tensions. Similar to the traditional realist and idealist debates in international relations, this debate over peace strategies is nuanced by the tensions between justice and reconciliation, not only by the local actors and understandings, but also by regional and international actors and understandings. The thematic analysis above reveals that Israelis focused on peace and security — conflict management — while Palestinians transformed from an armed resistance to focusing on justice and democracy.

### **Which Path?**

Pauline Baker assessed these models according efforts in different countries that either emphasise the management model or the democratic model (Baker 1996: 568–569). According to Baker, illustrations of the manager's model are Cambodia, Mozambique; and Angola; these 'settlements' represent power-sharing with weak democratic foundations. The duration of peace rests primarily, in these examples, on the goodwill of the parties, not on the legal authority of the arrangements or the representative institutions they created. For Baker, examples of the democratiser's model are South Africa, Namibia, and El Salvador, where settlement included measures to ensure moral accountability and justice in the long term; in these conflicts the crisis was framed in human rights struggles. Each conflict must be viewed in its own terms, and solutions must be tailored

to the particular dimensions of the participants. However, Baker contends that ‘conflict settlements built on solid democratic foundations have a far better chance of achieving sustainable security’ (Baker 1996: 569). For Baker, sustainable peace requires democratic governance.

Typologies are logically polemical and, in reality, never exist in their pure forms in the world. Also, they need not be antithetical. Most likely, the twin goals of conflict management and democratisation need to be linked for sustainable peace. Precisely how and when the twin goals of violence termination and democratic governance are reconciled is a matter dependent upon, among other things, the case being examined.

### **Conclusion: Why Democratisation?**

Many scholars, since Immanuel Kant, have examined democratic governance, both promoting democratic governance and at the same time offering a positive assessment of the potential for democracy. Francis Fukuyama’s intentionally provocative phrase ‘the end of history’ portrays democracy as the summation of the quest for the perfect form of governance and also ‘the diminution of the likelihood of large-scale conflict between states’ (Fukuyama 1989). Among the list of like-minded scholars is Joshua Muravchik who summarised: ‘The greatest impetus for world peace is the spread of democracy . . . Not only is democracy conducive to peace among states, but it can be the key to resolving bloody battles within them’ (Muravchik 1996). So why not promote and demand the realisation of *Article 24* above?

One condition, what Neil Kritz (1996) terms the ‘priority’, for democratic governance is the ‘rule of law’. Kritz is careful to distinguish rule *of* law to rule *by* law. Broad concepts like democracy and the rule of law have many and different understandings. Rule *by* law serves power by clothing atrocities and violations with a veneer of legality. In these cases, courts, statutes and regulations are manipulated in the service of tyranny. In contrast, the rule *of* law does not simply provide one more tool by which those in government can wield and abuse power; to the contrary, the rule of law establishes principles to curtail and constrain (the abuse of) state power (Shapiro, 2003). Adherence to the rule of law is far more than a mechanical application of static legal technicalities. The rule of law involves, instead, an evolutionary search for institutions and processes that better facilitate stability through norms of justice. Beyond its focus on the limits of government, the rule of law extends to all members of society by establishing rules and procedures that constrain the power of all parties, hold all parties accountable for their actions, and prohibit the accumulation of an authoritarian concentration of power. Properly construed, democracy is designed to curtail the abuse of power (Shapiro, 2003). How does one create and ensure a democratic polity? Answering

this question requires a shift from democracy as a macro concept to an examination of those specific institutional structures and mechanisms that are essential to democracy and that distinguish it from a nondemocratic system. The result is a recognition and articulation of the basic elements of the rule of law. Essential to this idea is that the rule of law can constrain the abuses of power. *Article 24* and numerous subsequent official Palestinian statements support the rule of law in Palestine/Israel. It is less clear whether or not the Israeli focus on security support the rule of law for all those living in Israel.

Not only did the international community recognise the Arab-Israeli conflict with a new determination after the June War, but a new party emerged in the forefront of the conflict — Palestinians. However, listen to almost any speech delivered by an American president, and the commentary of many international political analysts from the West concerning the ‘Arab world’ and one theme reappears: the Arab world is neither prepared nor open to democratic principles of governance (despite the potential successes of the 2011 Arab Spring and the direct statements in *Article 24*). A thematic analysis of the collected works of official Israeli documents also reveals that the predominant narrative is couched in term of security and peace and not the long-range goals of democracy and justice. If democracy assures peace, or is crucially related to more peaceful relations, any presentation of pro-democratic sentiments in any part of the Arab world, especially from Palestinians, should be welcomed, celebrated, pursued, supported, and demanded. It would seem prudent for the Israeli government and international community to support and nurture any evidence of democratic sentiment and appeals to justice, as stated in *Article 24*. Oddly, almost all references to democracy appear in Palestinian, not Israeli documents. If resources and energy were placed in promoting *Article 24*, might not the years and decades following the June War have been more positive? I will leave it to the reader to contemplate why these Palestinian democratic aspirations have not been openly supported by the Israeli government and by much of the international community.

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