

UNIVERSITY OF NAIROBI

INSTITUTE OF DIPLOMACY AND INTERNATIONAL STUDIES

**A CRITICAL ANALYSIS OF THE DIPLOMACY OF WAR:
CASE STUDY OF PALESTINIAN-ISRAEL CONFLICT**

BY

OKU KAUNYA

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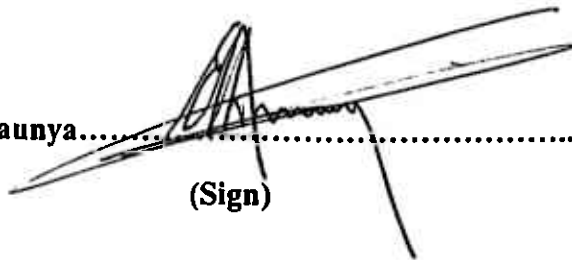
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**A Dissertation submitted in partial fulfillment of the requirement of the
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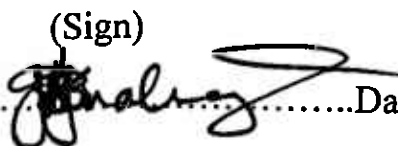
DECLARATION

This Dissertation is my original work and has not been submitted for Masters in any university.

Oku Kaunya..........Date.....29/11/2010.....
(Sign)

This Dissertation has been submitted for examination with my approval as University supervisor.

Prof. Makumi Mwangi..........Date.....30/11/10.....

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(Sign)

DEDICATION

I dedicate this study to all men and women, who sacrifice their valuable resources in the relentless endeavours to catapult crisis-ridden Africa into the core of the international system.

ACKNOWLEDGEMENTS

The completion of this work has been possible because of the tremendous amount of support and encouragement I have received from: The Office of the President, Ministry of State for Provincial Administration and Internal Security, Ministry of Foreign Affairs, Institute of Diplomacy and International Studies of the University of Nairobi and friends at the National Defence College. I would like to extend my gratitude to my supervisor Prof.Makumi Mwangi for his assistance in providing constant direction and guidance. I would also like to thank my family for the support and encouragement they gave me during this period.

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ABSTRACT

Since time immemorial, human beings have been preoccupied with making decisions about the phenomena of war and conflicts. The main concerns have been on whom the responsibility of deciding on the conduct of the war falls. It is generally accepted that war is a political decision. Wars or conflicts between states or communities are decided by the political leaders of those states. It follows therefore that the objectives and the conduct of wars must be guided and set out by the political leaders. This implies that the military then are only an instrument of politics. There has therefore, been debate on the role of political control over the use of force, violence or war.

This study was about diplomacy of war with particular reference to the Palestinian-Israeli conflict. More specifically, the study set out to examine and analyze the role of diplomacy in the resolution of the protracted conflict, and the underlying factors for the relative limited success of the diplomacy in resolving the conflict and hence tame the incessant violence. Diplomacy here was viewed as a tool of political control over the use of force and it is applied at all times, even during war since it helps not only to reduce the intensity of war, but also that it has the potential to bring about more enduring resolution of conflicts.

A critical analysis of the diplomacy of war of the Palestinian-Israeli conflict revealed that, underlying the limited success of diplomacy in the resolution of this conflict, are socio-political and economic factors at the local, regional, and international levels where the various actors in the conflict have overlapping or at times converging interests. Some of these factors include the irreconcilable historical-based values of the primary actors, the overbearing geo-strategic interests of the key external actors- the US and the neighboring Arab countries- and the inherent structural weakness of the UN peace and security mechanisms. To address these constraints to diplomatic intervention, the study has proposed measures that could build mutual cooperation and compromise among the actors as a strategy for addressing such conflicts.

LIST OF ABBREVIATIONS

DSC	Defence Staff College
DOP	Declaration of principles
EU	European Union
IDF	Israel Defense Forces
ITIC	Intelligence and Terrorism Information Center
NATO	North Atlantic Treaty Organization
NDC	National Defence College
NGO	Non-Governmental Organization
PLO	Palestinian Liberation organization
US	United States
UN	United Nations
UK	United Kingdom
UNWRA	United Nations Relief and Works Agency
IDP	Internally Displaced Persons
WFP	World Food Programme

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CHAPTER ONE

INTRODUCTION TO THE STUDY

1.0 INTRODUCTION

Clausewitzian theory on war, views war as a rational instrument of national policy and provides a theoretical basis for diplomacy of war.¹ This means that the decision to wage war is political, and must be rational in terms of the costs and benefits and instrumental in terms of having an objective. This study examines the role of diplomacy in the management of violence or war among states or societies. In this case diplomacy is viewed as an instrument of political control of the use of force, violence or war. In other words, the study assesses relationship between the political leadership and the military command in the management of decision making about war or conflict. The context for the study is the protracted Palestinian-Israeli conflict.

Use of diplomacy as a tool of political control of violence helps to not only reduce the intensity of violence in the conflict, but also normalize relations between states or communities. This is based on the assumption that states or communities still need to relate harmoniously with each other, even after the war and hence the need to continue discussions even during the war. Diplomacy in this respect then, helps to build positive relationships that bring about harmonious coexistence. Viewed as an instrument of politics, diplomacy also delimits the war by setting its objectives and hence placing control on the extent and intensity of violence.

The UN outlaws threat or use of force, and encourages member states to resort to peaceful means in dealing with disputes in their international relations. Diplomacy is the main means of

¹ Carl Von Clausewitz, *On War*, (Penguin Books Ltd.: London, 1962), p. 13.

maintaining peaceful relations among states.² Underlying this UN restriction is the principle of political control on the use of force or violence. But in the case of the UN, this principle finds its application in the multilateral level where the UN is involved in international diplomatic decision making for peace and security management.

Scholars have argued that military strategy is no longer purely concerned with victory, but it has become diplomacy of violence.³ War then has declined as an effective tool of foreign policy. The expectation of a military victory can no longer be reasonably entertained by either side.⁴ This however, is not true of some conflicts today such as the Palestinian-Israeli one which defies this argument. In this case war has continued to be used as an instrument of foreign policy even with undesirable outcomes.

Though political control of war through diplomacy has increased globally, the use of force continues to characterize Palestinian-Israeli relations since 1948 to date.⁵ However, events from 1991 have convinced the Israeli and Palestinian leaders that their interests might be better served by constructive diplomacy and compromise.⁶ This led to the Oslo Israeli-PLO agreement signed in September 13th 1993, laying the foundation for the peace process.⁷ Diplomatic leadership initiatives by Yasser Arafat and Yitzhak Rabin demonstrated political control element.⁸ However, this didn't stop future escalations of the conflict.⁹ More violence and less diplomacy were witnessed after

² Charter of the United Nations and the Statute of the International Court of Justice, (United Nations: New York, 1965), pp. 5-6.

³ Schelling C. Thomas. *Arms and Influence*, (Yale University Press: London, 1966), pp. 33-34.

⁴ Fliess J. Peter, *International Relations in a Bipolar World*, (Random House: New York 1968), p. 63.

⁵ Golani Motti, *Israel In Search of a War: The Sinai Campaign 1955-1956*, (Sussex Academic Press: Brighton, 1988), p.2

⁶ Laura Zittrain Eisenberg and Neil Caplan, *Negotiating Arab-Israeli Peace: Patterns, Problems and Possibilities*, (Indianapolis: Indiana University Press, 1998), p. 106.

⁷ Cordesman H. Anthony, *The Israeli-Palestinian War: Escalating to Nowhere*, (Westport, Praeger Security International, 2005) p. 1

⁸ Schulze E. Kirsten, *The Arab-Israeli Conflict*, (Addison Wesley Longman Ltd, Malaysia 1993) p. 119.

⁹ Cordesman H. Anthony , *The Israeli-Palestinian War: Escalating to Nowhere*, (Westport, Praeger Security International, 2005) p. 5.

assassination of Rabin in 1995 and after the failed negotiations and the rise of extremists leading to the wars of 2000 and 2008.¹⁰

1.1 STATEMENT OF THE RESEARCH PROBLEM

Whereas Israel and the Palestinians have been engaged in a protracted conflict since 1948, little results from diplomacy are evident in the relations between the two actors in the period prior to 1991.¹¹ Subsequent to the 1991 gulf war¹², with the help of the G. H. W. Bush administration, Israel and the PLO engaged in the peace negotiations leading to the Oslo agreement. This agreement provided for the Declaration of Principles on interim self-government arrangements which gave limited political autonomy to Palestinians in Gaza and the west bank. It also outlined the agreement between PLO and Israel to put an end to decades of confrontation and conflict, recognize their mutual, legitimate and political rights and strive to live in peaceful co-existence and mutual dignity, security and reconciliation vide an agreed political process.¹³

Rabin's assassination, inability of the actors to meet their obligations and the limited political control of violence especially from the extremists, undermined the otherwise promising diplomatic process.¹⁴ Continued mutual distrust¹⁵, preoccupation with searches for allied attention from especially the US, and Hamas growth to prominence, led to intensified tensions and violence.¹⁶

Underlying the diplomacy of war is the assumption that political control over the use of violence should act to limit the extent, intent and intensity of the war. Political or diplomatic control

¹⁰ Schulze E. S, op. cit. p. 80.

¹¹ Chomsky Noam and Achcar Gilbert, *Perilous Power: The Middle East and US Foreign Policy- Dialogues on Terror, Democracy, War and Justice*, (Penguin Books Ltd.: London, 2007), pp. 169-170.

¹² Mordechai Bar-On, (edited), *A Never-Ending Conflict: A Guide to Israeli Military History*,

¹³ Schulze, E.K., op. cit. P.119

¹⁴ Schulze, E.K., op. cit P.85-87

¹⁵ Said W. Edward, *The Politics of Dispossession: The Struggle for Palestinian Self-Determination (1969-1994)*, (Vintage: London, 1994), p. 414.

¹⁶ Schulze E. K., op. cit. p. 90-91

should produce enabling conditions for resolving the conflict and hence normalize relations. In the case of Israel- Palestine conflict, this dynamic doesn't seem to be consistently the case. The more the Palestinians are hurt the more they become resilient and the more they resort to asymmetric violence against Israelis. The more the Israelis are attacked, the more they revert to symmetric counter-attacks against the Palestinians¹⁷. This fact raises concerns over the utility relevance of the Clausewitzian principle of political control of the use over force in this conflict. Even Schelling and other scholars' arguments that coercive diplomacy, limited war and negotiation based on common interest and mutual dependence could provide lasting solutions to such conflicts¹⁸, fail to explain the continuation of this conflict over the years despite the application of these strategies.

It is interesting to note that the immediate escalation, just prior to the entry of the Obama administration, whose intensity led to the death of over 1300 Palestinians and 7 Israelis, the destruction of infrastructure and other heavy losses resulted in increased diplomatic effort. Some of these concerted activities included the appointment of the new special envoy to the middle East George Mitchell by the Obama administration and his address of the Moslems in Cairo, Egypt in June 2009, where he urged for concerted efforts by all to conclude the peace process.

Arising from this scenario, it is therefore imperative to address some critical questions: Can the effective application of the principle of political control over the use of force be discerned in the Palestinian-Israeli conflict? If so, why has diplomacy been unable to resolve this protracted war? Are there other underlying factors that have promoted this conflict? Is the calculated violence by the protagonists targeted at achieving some favourable interests for the actors?

¹⁷ Said W. Edward: *The Politics of Dispossession: The Struggle for Palestinian Self-Determination 1969-1994*, (London: Vintage, 1994), pp. 259-269

¹⁸ Schelling C. Thomas., *The Strategy of Conflict*, op. cit.P4

The continuation of this conflict portends far reaching consequences requiring diplomatic solutions not only for the Israeli, Palestinians and the Middle East region, but also the international community. The consequences include prolonged wars, political instability, human suffering, socio-economic instability, and general drawback to the International peace efforts.

1.2 OBJECTIVES OF THE STUDY

- a) Analysis of the challenges of diplomacy of war in the resolution of Palestinian-Israeli conflict.
- b) To determine effective strategies for addressing the challenges faced in application of diplomacy in dealing with the protracted conflict.

1.3 LITERATURE REVIEW

Literature about diplomacy of war in the Palestinian Israeli conflict, will be reviewed in this section in order identify gaps and the theoretical framework upon which this study will be anchored. The review will cover literature by accredited scholars who have conducted research in related fields of diplomacy and war, strategic studies, the Palestinian- Israeli conflict and relevant theories.

1.3.1 Literatures on Diplomacy

Barston posits that in wider conflicts, diplomacy is concerned with reducing tension, clarification; seeking acceptable formulae and through personal contact, 'oiling the wheels' of bilateral and multilateral relations.¹⁹ In the same light diplomacy can contribute to order. Adam Watson suggests: ' the central task of diplomacy is not just the management of order, but the

¹⁹ Barston R.P., *Modern Diplomacy*, 3rd edition, (London: Pearson Longman, 2006), p.4.

management of change and the maintenance by continued persuasion of order in the midst of change²⁰.

Boutros-Ghali contends that the most desirable and efficient employment of diplomacy is to ease tensions before they result in conflict- or, if conflict breaks out, to act swiftly to contain it and resolve the underlying causes. It is the concern of preventive diplomacy to check disputes from arising between parties, preventing the existing disputes from escalating into conflicts and limiting the spread of the latter when they occur.²¹

Conflict and diplomacy have co-existed for millennia and Mwangi explains that diplomacy has always come in after the conflicts have run their course, or after they have caused harm to society or between societies.²² He further argues that conflicts, more so protracted ones, have a memory and those using diplomacy to resolve conflict must come to terms with this memory, or else, their diplomatic efforts will not succeed.²³ It follows from this then, that those intervening in the protracted Palestinian- Israeli conflict need to appreciate the ripeness of the conflict and the significance of understanding the memory of conflict as implied by Mwangi. The success may also be determined by the type of bilateral (or multilateral) diplomacy: whether institutionalized, ad hoc, or summit.²⁴

According to Berridge, modern multilateral diplomacy has from the 20th century provided the best chance for resolving inter state conflicts through negotiations.²⁵ However, diplomatic negotiations as envisaged in Berridge's argument have not provided the expected solution in the

²⁰ Olatunde Ojo, D.K. Orwa and C.M.B. Utete, *African International Relations*, (Longman: London, 1985), pp. 18-27.

²¹ Boutros Boutros-Ghali, *An Agenda for Peace* 2nd edition, (United Nations: New York, 1995), pp. 45-46.

²² Makumi Mwangi, *Conflict in Africa: Theory, Processes and Institutions Management*, (CCR Publications: Nairobi, 2006), p.11.

²³ *Ibid.*, p.13.

²⁴ Makumi Mwangi, *Diplomacy: Documents, Methods and Practice*, (Institute of Diplomacy and International Studies: Nairobi, 2004), p. 68.

²⁵ Berridge G. R., *Diplomacy: Theory and Practice*, 3rd edition, (Pulgate: New York 2005), p.

Palestinian-Israeli conflict. Thus raising the question as to whether there exists other factors that need to be considered for the success of this method of conflict resolution or are there unique circumstances that hinder the application of the diplomatic process in the conflict under study?

Sartori defines diplomacy as a kind of communication involving the use of language by representatives of one state aimed at influencing the actions of others. To her deterrence is a form of diplomacy. She contends that diplomacy is particularly necessary when states' interests are not perfectly aligned, and have to bargain. In this case for state leaders to use diplomacy effectively, they must maintain honesty. Further, she criticises the realists' view that diplomacy is only effective to the extent that a state has an equivalent military strength and is willing to make good their threat.²⁶ It is worth noting that Sartori's criticism of the realists' view holds some water in the case under study in the sense that despite the strong Israeli military strength which realists expect to deter, the violence has persisted. That is, Palestinians have not been deterred by the strong military strength of Israel. In the same light, it can be argued Sartori's assumption that deterrence diplomacy used honestly can enhance bargaining and hence resolution of divergent interests of warring parties does not adequately explain the failed diplomatic efforts in resolving the case under study hence presents a major challenge.

1.3.2 Literature about War

On the other hand, war is viewed as a goal-oriented undertaking whose objective is to advance the interests of nation state. This then requires mobilization of the entire effort of the nation in the service of the political objective to be achieved through the military.²⁷ Hart posits that nations go to

²⁶ Sartori E. Anne, *Deterrence by Diplomacy*, (Princeton University Press, 2005), p. 2

²⁷ Rapoport Anatol (Edit) Carl von Clausewitz, *on war*, (Penguin Books Ltd. London, 1982) .p.13

war in pursuance of policy and the military objective is only the means to a political end; while the goal of war is a better state of peace.²⁸

In his discourse on the theory of war and the practice of military strategy, Clausewitz insisted as the centre of his argument that war and politics were inseparable: war was the continuation of policy by other means. This means policy makers must control the use of military means and should not seek objectives that are unattainable. Implicit in Clausewitz demand for subordination of war to policy are some decision-making problems for politicians and the military such as the one of the connection between Clausewitz's view of the relationship between war and politics and the problem of escalation.²⁹ Clausewitz theory of war established the basic premise that war naturally tends to escalate and expand to greater levels of destruction and violence, unless countervailing forces act to create a restraint.³⁰ In such case diplomacy which always co-existed with war (conflict), has normally come in to resolve the conflict.³¹

Clausewitz defines war as an act of violence intended by one actor to compel his opponent to fulfill his will. The fundamental assumption here is that the actor in a real war is a perfectly defined entity called the State.³² From Clausewitz conception of the relation between war and politics (Diplomacy and foreign policy) with reference to the ends and means of each, it appears the two are interchangeable. The function of the military is to implement the will of the state; the will of the state is tacitly assumed to be directed towards continually increasing its power vis-à-vis other States, hence to seek and seize opportunities to gain strategic advantages for future struggles. In short, the interests of the state and of the military coincide in Clausewitz conception of the state. Nevertheless in his

²⁸ Hart B. H. Liddell , *The Classic Book on Strategy: Strategy*, (Faber and Faber: London, 1954) .p.338

²⁹ Cimbala J. Stephen, *Force and Diplomacy in the Future*, (Praeger Publishers: New York, 1992) , p.5.

³⁰ Ibid. p.6.

³¹ Makumi Mwagiru, *Conflict in African: Theory, processes and Institutions Management*, (CCR Publications: Nairobi, 2006), p.11

³² Rapoport Anatol (Edit) Carl von Clausewitz, *on war*, (penguin Books Ltd.London,1982).p.14-15

philosophy of war Clausewitz gives priority to civilian authority over the military. The military is supposed to serve the state, not vice versa. The reasons for this distinction in Clausewitz mind is his estimate of the prospective open to the military and to the civilian leadership respectively. The military leader is a specialist and his horizon limited to military tasks specified. The statesman's horizon is wider encompassing both military and political power relations.³³

1.3.3 Perspectives on Diplomacy of War

Freeman jr. argues that the political, economic, military and cultural elements of power are aggregated by states to coerce other states to behave in a certain way. A show of force emphasizes the possibility of escalated or intensified confrontation. It is the use of force to persuade rather than to dictate.³⁴ Schelling defines diplomacy of war as the bargaining power that comes from the physical harm a nation can do to another.³⁵ Schelling adds on that coercion rather than waging war has great potential in bringing conflict to settlement. He further explains that strategy in conflict is not concerned with efficient application of force but with the exploitation of potential force which is the essence of bargaining and diplomacy of violence.³⁶ The effectiveness of this type of deterrence diplomacy is, however in question.

Freeman, Jr. captures the essence of diplomacy of war when he states; "Peace is the acceptance of the status quo as preferable to its violent overthrow. The price of peace is the deterrence of challenges to it by military measures short of war. Deterrence rests on perceived

³³ Ibid p.24

³⁴ Freeman W. Chas, Jr., *Arts of Power: Statecraft and Diplomacy*, (United States Institute of Peace Press: Washington DC, 2005) .p. 53-54.

³⁵ Thomas C. Schelling, *Arms and Influence*(London, Yale University Press, 1966) P.6

³⁶ Schelling C. Thomas, *The Strategy of Conflict*, Massachusetts, (Harvard University Press, 1980) p.5

readiness to punish those who might break the peace with levels of damage to the military forces, or by open displays of its capabilities and disclosure of plans to enhance them”³⁷

According to Schelling, “Strategy studies focus on conflict actor’s behaviour as rational, conscious and artful; they treat conflict crudely as a kind of contest in which the participants are trying to win. A study of conscious, intelligent, sophisticated conflict behaviour-of successful behaviour in a contest-aiming sense.”³⁸ Schelling the term is intended to focus on the interdependence of the adversaries’ decisions and on the expectations about each others behaviour. We may wish to control or influence the behaviour of others in conflict and we want therefore to know how the variables that are subject to our control can affect their behaviour.³⁹ John Baylis and others argue that the theory of limited war and the strategy of interdependence rather than independence have been found to be more effective in bargaining than total war.⁴⁰

Schelling whose leaning is of realist school of thought argues that deterrence, limited war and disarmament as well as negotiation are effective diplomatic strategies for resolving conflict among mutually interested and dependent participants in a conflict.⁴¹ There is a common interest in reaching outcomes that are mutually advantageous.⁴² It may involve threats of damage, including mutual damage as in a strike, boycott or price war or in extortion, but mutual benefit is sought to avoid the potential damage.⁴³

It has been argued that very existence of a nation depends upon its concept of the national interest and the means by which the national interest is promoted; therefore it’s imperative that the

³⁷ Freeman W. Chas, Jr., *Arts Of Power: Statecraft and Diplomacy*, (Washington DC, US Institute of Peace Press,2005),P.61

³⁸ Schelling C. Thomas, *The Strategy of Conflict*. p3

³⁹ Ibid p.4

⁴⁰ Baylis John, Booth Ken, Garnett John and Williams Phil, *Contemporary Strategy*, (Holmes and Meier: New York, 1987). P. 155-157.

⁴¹ Schelling C. Thomas, *The Strategy of Conflict*, op. cit.P4

⁴² Ibid P5

⁴³ Ibid p5

citizens and political and military leaders understand the fundamentals of strategy.⁴⁴ The existence of mutual national interest especially interest of peace and political stability as argued by Schelling is true in the case of Israel and Palestine. But his argument that vicious diplomacy involving use of coercion provides practical solutions to such conflicts fails to explain why the threats and counter-threats in the Palestinian-Israeli conflict have not yielded desired results.

1.3.4 Global Political Control over Use of Force

Political control over the use of force has been notable in some historical cases but in varying degrees of success. Hitler's crises including the 1934 Austrian Crisis, the 1936 Rhineland Crisis, the 1938 Sudetenland Crisis, and the 1939 Czechoslovakia and Dazing Crises where European powers used political control to defuse the crises, is a notable example.⁴⁵

One notable failed case was the US versus China over Korea crisis in 1950 where China's bluffing threats did not deter the US from attacking. Such expectations hinder the State's ability to use diplomacy in the immediate future, an ability that can be extremely valuable.⁴⁶

Wilmott argues that in 1941 the two major western powers; the United States and Britain in the Far East sought to deter Japanese aggression. They attempted to do so from positions of military inferiority relative to Japan. Both the British in Malaysia and the Americans in the Philippines employed policies of forward defense against Japan which had air superiority and superiority of numbers at the point of contact-ending with disastrous defeat of the two western powers.⁴⁷

⁴⁴ Holmes Andrew, Carl Von Clausewitz's ON WAR: A modern interpretation of a strategy classic,(Oxford(UK): Infinite Ideas Limited, 2010), pp.13-14.

⁴⁵ Craig A. Gordon and Alexander L. George *Force and Statecraft: diplomatic problems of our times*: third edition.(New York: Oxford Press 1995).

⁴⁶ Sartori E. Anne, *Deterrence by Diplomacy*: (Princeton University Press, New Jersey, Revised 2004), p,45

⁴⁷ Wilmott H.P., *Empires in the Balance: Japanese and Allied pacific strategies to April 1942*, (Naval Institute Press, Maryland, 1982),P. xiii -15

Diplomacy by deterrence failed in this instance because of the lack of appreciation of the opponent's strength and consequences of the war.

Political control was more effective in the 1961 Cuban missile crisis was a major highlight where the US threats and employment of blockade against Russia in Cuba made the latter to withdraw the missiles, hence end the crisis.⁴⁸ Another case is Vietnam war where American, South Vietnamese, Vietkong and North Vietnamese Negotiators met in Paris for a period of nearly five years, in an effort to bring an end to the war. This case is an interesting example of negotiating while fighting.⁴⁹

Political control at a multilateral level was also evident in the two recent Gulf war crises; (of 1990-1991) and (2000 -2003) the negotiations were used to build up allied war coalitions, with diplomatic success noted in the case of 1990-1991 war and diplomatic failure in the case of 2002-2003.⁵⁰

Finally, as noted elsewhere in this study, the Arab-Israeli peace process has entailed a lot of diplomatic negotiations before, during and after various wars with varying levels of success .For instance the Israeli-Egyptian peace agreements leading to the peace treaty of 1979 and the Israeli - Jordanian Peace treaty of 1994 were significant successes in the application of diplomacy of war. On the other hand the Oslo accords of 1993-1995, the Israeli-Syrian negotiations, and the Israeli-

⁴⁸ International Institute for Strategic Studies, *Evolution of Strategic Thought*, (Adelphi Paper Classics: Routledge, 2008) pp. 383-390.

⁴⁹ Craig A. Gordon and Alexander L. George. *Force and Statecraft: diplomatic problems of our times*(third edition).New York: Oxford Press 1995

⁵⁰ Craig A. Gordon. and Alexander L. George. *Force and Statecraft: diplomatic problems of our times*(third edition).New York: Oxford Press 1995

Palestinian negotiations of Camp David in July 2000 which is part of this study were outright failures.⁵¹

Barry Buzan posits that in the post cold war, “military threats have declined in utility as between the great powers and the new states. This change partly reflects the fact that even weak states can mount sustained and costly resistance to foreign occupation through use of asymmetric violence strategies, a reality confirmed most recently by the soviet experience in Afghanistan and September 11th 2001 terrorist attack of the US.⁵²

Realists such as Rousseau argue that war among states as among men is inevitable, as there is no automatic adjustment of interests. In the absence of a supreme authority there is then constant possibility that conflicts will be settled by force.⁵³ However the use of force in settling conflicts is prohibited by Article 2(4) of the UN Charter which also provides diplomatic tools of resolving conflicts in 33(i) when they occur.

1.3.5 Literature about Diplomacy of Palestinian-Israeli Conflict

Many explanations have been advanced to account for the protracted conflict. Schulze argues that competing Jewish and Arab (Palestinian) nationalisms are at the core of the conflict. He explains that Palestinian-Israeli conflict is rooted in the nineteenth century emergence of nationalism in the Middle East. That Zionism which is the Israeli nationalist movement came into direct competition with Arab nationalism including the Palestinian nationalism, as both Jews and Arabs laid claim to the same territory.⁵⁴

⁵¹ Berridge G.R., Keens-Soper Maureen, and. Otte T.G. *Diplomatic Theory from Machiavelli to Kissinger*. (New York: Palgrave. 2001)

⁵² Buzan Barry., *People states and fear: An Agenda for International Security Studies in the post-cold war era*, Harvester wheat sheaf, Hertfordshire 1991, P.154-156

⁵³ Waltz Kenneth, *The man state and war a theoretical analysis*, (Colombia University Press, New York 2001)

⁵⁴ Schulze E. Kirsten, *The Arab-Israeli Conflict*, (Addison Wesley Longman inc., New York 1999) p. 1

Though nationalism has characterized the struggle of Palestinians for self-determination and the Israeli defence of their statehood since 1948, failed diplomacy explains the continuing conflict and what Said calls politics of dispossession.⁵⁵ Said however posits that its only honest diplomatic engagement between the actors and their allies that can resolve the conflict. He says that for nearly three decades of conflict, no constructive dialogue between Palestinians and Israel or its main western ally the US took place. The first time such direct dialogue and diplomacy began was in 1988, following the realization by the Palestinian leaders of the wisdom there was in compromise, and Arafat's famous renunciation of terrorism in Geneva.⁵⁶

The role of the external actors especially Israeli's main ally- the US, is critical for the success of the diplomacy. It has been argued that Anwar Sadat's diplomatic visit of Jerusalem in 1977 and his humble acceptance of US mediation and terms leading to the Camp David agreements, made the US insist on full compliance with the peace agreement by Israel since US interests were guaranteed.⁵⁷ Young-Bruehl has on the other hand, argued that so long as the US interests are not catered for or threatened, the US will not be committed to diplomatic engagements meant to resolve the Middle East conflict, as illustrated in policies since 1969.⁵⁸

Said has argued that any attempt to pressure the US into diplomatic involvement either from the actors in the conflict or from other external actors including the Jewish lobby in the US, will play a role but only to the extent that they coincide with the overall US interests.⁵⁹

Diplomatic interventions in the Palestinian-Israeli conflict must therefore take into account the defined US interests in the Middle East. The clearest definition of these interests are attributed to

⁵⁵ Said W. Edward, *The Politics of Dispossession: The Struggle for Palestinian Self Determination 1969-1994*, (Vintage: London, 1994), p.xvi.

⁵⁶ Ibid. p.xx.

⁵⁷ Said W. Edward, *The Politics of Dispossession: The Struggle for Palestinian Self Determination 1969-1994*, (Vintage: London, 1994), pp. 104-106.

⁵⁸ Young-Bruehl Elizabeth, Arendt Hannah: *For the Love of the World*, (Yale University press: London, 1982), P.455

⁵⁹ Said W. Edward, *op. cit.* p. 211.

the Nixon administration which made it clear since 1969 that the Middle East is its number one hot spot, the most dangerous place on earth. He stated that the US is obliged to bring order through pacification and stabilization of the area due to entanglements and disorder arising from the Arab-Israeli conflict, inter-Arab rivalries and the struggle between powers.⁶⁰

More specifically, apart from political concerns, the underlying US interests are economic geo-political strategic and cultural factors.⁶¹ At the centre of the Palestinian-Israeli conflict is a long term divergence of interests of the two actors, and varying degrees of convergence and divergence of interests of external actors.

1.3.6 Literature of the Palestinian – Israeli Conflict

Mitchell observes that conflict arises whenever two or more parties have incompatible goals⁶². The Palestinian-Israeli conflict remains as one of the longest conflicts in the world spanning over half a century without a lasting solution.

The Palestinian-Israeli conflict is attributed to pursuit of foreign policies or diplomacy which is based on a high degree of continuity, inertia, and incremental decision-making that is rarely questioned by those who participate in the implementation process, contrary to the logic that “the uncertain nature of international affairs creates a demand for flexibility as a safety valve”⁶³. Handel posits that instead of exploring new, imaginative courses of action in order to cope with the uncertainty, political leaders usually cling to the ‘security’ of well known policies. As a result, most of the actions taken by states in foreign affairs are readily predictable. Moreover, the adherence to

⁶⁰ 'The Middle East', in *US Foreign Policy: Compilation of Studies*, vol. 2, Senate Foreign Relations Committee (Washington D.C., 1960).

⁶¹ Said W. Edward, *op.cit.* p. 208-209.

⁶² Mitchell C.R., *the Structure of International conflict*, (Macmillan Press Ltd, London).

⁶³ Lockhart Charles, 'Flexibility and Commitment in International Conflict', (*International Studies Quarterly* Vol. 22, No. 4 December 1978), p. 550

obsolete policies on major issues prevents the improvement of relations between states and diverts attention from more basic problems.⁶⁴

The failure to appreciate Kuhn's⁶⁵ argument that paradigm shifts become necessary as a response to scientific anomalies and crises appears to be at the root of continuing Palestinian-Israeli conflict. The problem calls for not the normal or routine diplomacy, but revolutionary or surprise diplomacy involving radical changes in well-established policies.⁶⁶ A major diplomatic surprise bringing a shift in policy is Sadat's decision to embark on a peace in 1977 by going to Jerusalem, he circumvented the prolonged negotiations, and accelerated the chance of achieving peace⁶⁷. In this respect, Sadat's peace initiative drew United States interactive involvement.⁶⁸

There were unsuccessful diplomatic efforts such as the 1968 attempt by then- Israeli defense Minister Dayan to arrange a meeting with the PLO's Yaser Arafat through an Arab intermediary (Fadua Tokan of Nablus) which was ignored. Dayan might have been ahead of time in the same way that Sadat was when he announced his peace initiative in 1977.⁶⁹ Dayan was a good example of attempts at engaging in diplomacy even during wartime.⁷⁰

Schulze argues that whereas the causative reasons are a subject of numerous debates, competing Jewish and Arab (Palestinian in particular) nationalisms are at the core of the conflict.⁷¹ He explains that Palestinian-Israeli conflict is rooted in the nineteenth century emergence of nationalism in the Middle East. That Zionism which is the Israeli nationalist movement came into

⁶⁴ Handel I. Michael, *War, Strategy and Intelligence*, (London, Frank Cass and Company Ltd. 1989), p. 283.

⁶⁵ Kuhn S. Thomas, *The Structure of Scientific Revolutions*, (Chicago: University of Chicago Press, 1973).

⁶⁶ Liska George, *Beyond Kissinger: Ways of Conservative Statecraft* (Baltimore: The John Hopkins University Press, 1975) p. 2.

⁶⁷ Handel I. Michael, *War, Strategy and Intelligence*, (London, Frank Cass and Company Ltd. 1989), P. 283-284

⁶⁸ *Ibid* p. 286.

⁶⁸ *Ibid*. p. 286

⁶⁹ *Ibid*. p. 87-88.

⁷⁰ Mearsheimer J. John, *Conventional Deterrence*, (Cornell University Press: New York 1983) pp. 134-154.

⁷¹ Schulze E. Kirsten, *The Arab-Israeli Conflict*, (Addison Wesley Longman inc., New York 1999) p. 1

direct competition with Arab nationalism and later with the Palestinian nationalism, as both Jews and Arabs laid claim to the same territory.

Jewish nationalism on the other hand mobilized around the Zionism, and revolving around the drive for self-determination generated by years of persecution and anti-Semitic treatment especially in Europe, the traditional religious and cultural ties to the land of Israel (Palestine) and the strong Zionism movement that stemmed from the belief that Jewish independence would be restored with the coming of the messiah.⁷²

According to Kirsten, the interests of external actors particularly Britain in the period prior to 1960, the Arab allies of Palestinians, and the US who is allied to Israel, have continued to impact positively and negatively the diplomatic control of the violence between Palestinian and Israel.⁷³ Clearly, whereas these largely historical factors may be relevant in explaining the origins of the Palestinian- Israeli conflict, none of the possible causes of the conflict advanced by Kirsten carries a plausible justification for the continuing conflict to date.

Cordesmann contends that divergent values, interests and war strategies/tactics has overtime shaped the behavior of the actors to the effect that they are now constantly involved in a cycle of violence escalation leading to nowhere.⁷⁴ In his view therefore, Cordesman⁷⁵ sees the Palestinian- Israeli conflict as a protracted mutual tragedy that has become locked in an explosive stalemate that could last for years. Tough in depth, Cordesman's analysis falls short of explaining why political control or diplomacy has actually failed.

⁷² Kirsten, *ibid.* p.2-3.

⁷³ *Ibid.* p.12.

⁷⁴ Cordesman, Anthony H. *The Israeli- Palestinian War: Escalating to Nowhere*, (Westport: Greenwood Publishing Group inc., 2005), pp. xv-xvi.

⁷⁵ *Ibid* p 1

Goldstein traces Israeli-Palestinian conflict to the unresolved territorial dispute between the two nations. From 1948 ceasefire, after Israeli war of independence, the only successful diplomatic endeavour was 1993-94 when autonomy was granted to parts of West Bank and Gaza Strip".⁷⁶

Harff and Gurr argues that: "Palestinian Conflict with Israel is first and foremost a nationalist one whose intensity is reinforced by religious differences". Thus the border dispute has continued to be the central source of conflict between Israeli & Palestinians which has most of the time degenerated into violent conflict.⁷⁷

Buchanan, traditionally in this inter-communal conflict, each of the sides has viewed itself as the sole legitimate collective in Eretz Yisrael /Palestine, seeing the ambition of the rival community as illegitimate.⁷⁸ He argues that the root cause of the conflict, psychological. The thrust of his book was the application of the Declaration of Principles on interim self-Government Arrangements or DOP as the basis for the legal framework for developing Israeli-Palestinian peace. He did not provide an analytical framework on the application of diplomacy of war in dealing with the conflict.

Whereas the Palestinian-Israeli conflict has had a long history spanning to over 50 years, the recent war in Gaza 2008/2009, should have provided an opportunity for effective application of the political control of use of force by the actors and their allies. However, this still remains a challenge even though there is continuing diplomatic interventions spearheaded by the US and linked to the Camp David agreement on final status Issues⁷⁹. However, the Israelis and Palestinians have continued to have deeply asymmetric goals and expectations over key issues⁸⁰. This has meant

⁷⁶ Goldstein Joshua S., *International Relations*, (Longman, New York, USA 2001), P. 208

⁷⁷ Harff Barbara and Gurr T. R., *Ethnic Conflict in World Politics: Dilemmas in World Politics*, 2nd Edition, (Maryland, West view Press, 2003) p.32

⁷⁸ Buchan Andrew S., *Peace with Justice: A history of the Israeli-Palestinian Declaration of Principles on Interim Self-Government Arrangement*, (McMillan, Basingstone England,2000),p.x

⁷⁹ Ibid P 50.

⁸⁰ Ibid P. 49

continuity of seemingly unending war⁸¹. The conflict has also become more complex in terms of tactics, interests and goals overtime⁸².

This study therefore provides additional body of knowledge on the subject international conflict resolution and strategic studies. In particular, it is hoped to provide a new dimension to the study of the increasingly complex and deep-rooted Palestinian-Israeli conflict, hence fill in the knowledge gap identified in this literature.

1.4 THEORETICAL FRAMEWORKS

The realist concept of power might be useful for analysis in this study in the context of Waltz's arguments.⁸³ But based on the key realist propositions namely: that states are the most important actors (state-centric assumption), States act as rational individuals in pursuing national interests (the unitary rational-actor assumption), and that they act in the context of an international system lacking central government (the anarchy assumption)⁸⁴, realism may not adequately help in analyzing the Palestinian- Israeli conflict.

The arguments about diplomacy and deterrence according to the deterrence theory of realist school are that the effectiveness of a threat is equivalent to the communicator's military strength or its resolve. The school of thought also emphasizes the importance of use of military force and/or power. According to what is often called "rational" deterrence theory, state leaders are rational actors, who in a crisis, try to decide whether or not war is in their interest. They do so, according to the

⁸¹ New York Times, *The New Meaning of an old Battle*, January 11th 2009, P.3

⁸² Goldstein, Joshua *S,olp cit p.cit* P.2

⁸³ Waltz Kenneth, *Theory of International Politics*.(Univ. of N. Carolina Press: Campbell Hill 2001), pp.102-128.

⁸⁴Schelling C. Thomas *Arms and Influence*, (London, Yale University Press, 1966).

theory, by calculating the expected costs and benefits of going to war and of remaining at peace.⁸⁵ Some of these elements may be useful but still not adequate for analysis.

This study has therefore used the liberal theory of international relations which contends that peace and cooperation are possible, and they can be achieved on the basis of the principle of reciprocity where states can develop organizations such as the UN and rules such as the international law, to facilitate cooperation. Kant considered being the father of liberalism, argued that states, although autonomous, could join a worldwide federation and respect its principles even at the cost of foregoing certain short term individual gains. To him, international cooperation was a more rational option for states than resorting to war.⁸⁶

1.5 HYPOTHESES

This study is guided by two main hypotheses, namely:

- a. Diplomacy of war as a strategy applied for resolving the Palestinian-Israeli conflict has encountered complex challenges related to historical, cultural, leadership, and international political factors that have rendered it ineffective.
- b. Diplomatic strategies focusing on multilateral and bilateral negotiations and mediation when effectively employed, could provide long term resolution mechanisms for the conflict.

1.6 RESEARCH METHODOLOGIES

This part focuses on the methods used to collect data which is analyzed herein and subsequently used to determine the outcomes of the diplomacy of war and how elements of diplomacy have been deployed in dealing with the conflict. The section consists of research design,

⁸⁵ Sartori Anne. *Deterrence by Diplomacy* (Princeton University Press, New Jersey 2005).P.6-7

⁸⁶ Goldstein S. Joshua and Pevehouse C. Jon, *International Relations* (8th edition), (Priscilla McGeehon: New York, 2008), pp.84-86.

population of study, sampling technique, data collection instruments, and data analysis and data presentation.

Research Design

This research project adopted a descriptive study involving diplomacy of war analysis and analysis of the Palestinian-Israeli conflict. The study analyzed and assessed key issues on this study area with special focus on the extent to which the war achieved the strategic aims of the parties to the conflict, and deployed the diplomacy principles. The question that guides the study all through was what challenges have inhibited the enormous potential of diplomacy in achieving peaceful resolution of this conflict and what strategies could address the challenges.. The researcher used purposive sampling technique to pick respondents who were interviewed as this was found to be the most appropriate method.

Data Collection Instruments

The main instrument of data collection will be an interview schedule which will be used in the conduct of personal interviews for the purpose of obtaining adequate and reliable data from the interviewees. Interview schedules had structured questions that were designed to give responses that were relevant to the study objectives. The personal interviews were also designed to enable the researcher maximize on collecting only very relevant data since the selected respondents comprised a very busy group who operate within extreme time pressure. Both primary and secondary data will be collected for the purpose of this research. Primary data will be collected through direct interviews of purposively selected interviewees from Diplomatic Officers of the relevant countries especially Israel, Arab League, and Egypt. Interview schedules designed to address the objectives of the study focusing on specific elements of diplomacy of war and conflict management.

Apart from the primary data obtained through the direct interview method, the study will also use secondary sources from library research materials; both published and unpublished which include: books, journals, periodicals, magazines, newspapers, UN Reports and bulletins obtained from National Defence College (NDC), Defence Staff College (DSC), University of Nairobi and United States International University. Lastly the study will use information from various Internet websites and authoritative written sources from Israeli and Palestine Scholars and practitioners to supplement these materials .The secondary data will provide details on the genealogy of Palestinian-Israel conflict, diplomacy of war literature and current facts on the Gaza conflict.

Data Analysis

The data collected was organized, analyzed and interpreted based on the study objectives by use of descriptive methods. Data is presented in the form of figures and percentages and the findings presented in a descriptive form to infer into diplomacy of war and conflict.

1.7 CHAPTER OUTLINE

This part summarizes the content of every chapter covered in this research study:

Chapter 1: Introduction to the Study. This chapter will comprise the introduction, statement of the research problem, the objectives of the study, literature review, theoretical framework, the hypotheses, the research methodology and chapter outline.

Chapter 2: Diplomacy of War: Conceptual Understanding. This chapter critically analyses the concept of the diplomacy of war and evaluates its utility in conflict phenomena. The chapter will mainly cover the theoretical and conceptual analysis of the principle of political control of the use of violence, and its significance in the study.

Chapter 3: Genealogy of Palestinian-Israel Conflict: This chapter provides a historical background of the conflict and the analysis of the main events in the current situation.

Chapter 4: Analysis of Role of Diplomacy (Political Control) in the Conflict: This chapter will seek to demonstrate that the Palestinian-Israeli Gaza conflict was not a matter of conjecture, but rather, it was as a result of strategic calculations by the actors to the conflict that targeted to impose a favourable order by military means. It will also analyze the diplomacy of war in this conflict and show linkage between the present strategies and the past ones employed by the parties to the conflict in their attempt to find a solution to the protracted war.

Chapter 5: Analysis of the Role of Violence in the Conflict: This chapter will examine and analyze the relationship between the outcomes of the conflict and the strategic interests of the parties to the conflict had pursued in their engagement in the armed conflict. In this regard this chapter will highlight evidence to demonstrate the extent of the achievement of the parties' strategic goals and their utility of diplomacy.

Chapter 6: Conclusion: In this chapter, a summary of the analysis of the Palestinian-Israeli conflict and the utility of the diplomacy as an instrument of political control over the use of force, or war.

CHAPTER TWO

CONCEPTUAL ANALYSIS OF DIPLOMACY OF WAR

2.0 INTRODUCTION

This chapter will cover the theoretical and conceptual aspects of the study. In particular, the concept of diplomacy of war will be analysed so as to clarify the theoretical and the contextual meaning of diplomacy, war and political control and their relationships as applicable in the study. In examining these concepts, Clausewitz's theory on war and more particularly his main argument about the political guidance of the use of force will provide a conceptual rallying point for the theoretical and conceptual analysis. His explanation on the relationship between politics and war best captured in the following quotes will be a point of reference: *"War is not merely a political act, but also a real political instrument, a continuation of political commerce by other means. This unity lies in the concept that war is only a branch of political activity; that it is in no sense autonomous."*¹

Consequently, a review of different international relations' theoretical perspectives on diplomacy and war in the perspective of political control and civil-military relations will be undertaken so as to provide a basis for anchoring this study on the Palestinian-Israeli conflict. The comparative review of the international relations theories will enable a better understanding of the diverse scholarly perspectives on the main themes of the study.

¹ Clausewitz Carl Von, *On War*, Edited by Rapport Anatol, (London: Penguin Books Ltd., 1968), p.119.

2.1 THEORETICAL PERSPECTIVES

2.1.1 Theories Underlying Diplomacy and War

Many theoretical explanations have been advanced by schools of thought in international relations to explain the nature of relations between states. The most dominant, though not adequate in analysis of this study, is realism which places political control of instruments of violence in the state and lays a lot of emphasis on self help and balance of power as a means of dealing with conflict. The realists' argument that foreign policy should be guided by the national interest is based on a particular conception of the international arena. Realists claim that its two key features are the self-regarding character of states and the anarchic "structure" of that arena. Traditional realists tend to argue that it is the selfish nature of human beings, and hence of states, that produces the anarchic structure of international politics. Hans Morgenthau, for example, contends that "International politics, like all politics, is a struggle for power" and that this struggle "is the result of forces inherent in human nature," namely, human selfishness and the lust for power.² The essential structure of the system is anarchy--the absence of a central monopoly of legitimate force.³

From their appreciation of the anarchic nature of international politics, realists draw the conclusion that states must be guided by their self-interest rather than by justice or moral principle. Morgenthau contends that a foreign policy based on moral principles, by definition relegates the national interest.

² Weigley F. Russel, "The *American and the Principle of Civilian Control from McClellan to Powel*", The Journal of Military History Special Issue, Vol. 57, October 1993, pp. 37-38.

³ Morgenthau Hans, *Truth and Power* (New York: Praeger Publishers, 1970), p. 61.

Neorealist, on the other hand, argues that it is the anarchic conditions of international relations that lead states to think primarily for themselves. Kenneth Waltz thus explains that “states in anarchy cannot afford to be moral. The possibility of moral behaviour rests upon the existence of an effective government that can deter and punish illegal actions. Since there is no supra-state political order in the world that enforces moral principles, rewards those who follow them, and punishes those who disobey them, states must secure their interests by whatever means they deem necessary, even if those means violate moral principle.”⁴ The realist views are however inadequate in explaining the protracted conflict between Palestinians and Israelis especially because they overlook the Universal moral principles, such as justice or equality which are the bedrock of international law. In fact some realists seem to have stuck to a 2000-year old thought by Sun Tzu arguing that states must use power to advance their interests and protect their survival against their armed and dangerous neighbours.⁵ This is more out of date because states today are more interdependent and more cooperating on security matters compared to Sun Tzu’s time. Greater cooperation and compromise is now possible between two enemies as long as they are able to appreciate their mutual interests that with compromise can lead to a win-win situation.

Political control according to the Marxist and dependency theorists is vested in the dominant class- the bourgeoisie –who are also the owners of capital who and exploit the working class (proletariat). At the international level, the dependency theorists argue that the industrialised countries of the North have perpetuated a dependency relationship with the less developed countries of the South, such that the poor remain continually exploited through poor

⁴ Waltz N. Kenneth, "The Origins of War in Neorealist Theory," in *The Origin and Prevention of Major Wars*, ed. Rothberg R. and Rabb T. (Cambridge: Cambridge University Press, 1988), pp. 42-43.

⁵ Tzu Sun, *The Art of War*, Translated by Samuel B. Griffith, (Oxford: Oxford University Press, 1963), p.22.

trade arrangements. They further argue that conflicts arise among these states when international trade conditions benefit one or two countries or groups while harming the others.⁶

According to Schelling, "Strategy studies focus on conflict actor's behaviour as rational, conscious and artful; they treat conflict crudely as a kind of contest in which the participants are trying to win. A study of conscious, intelligent, sophisticated conflict behaviour-of successful behaviour in a contest-aiming sense."⁷ Schelling the term is intended to focus on the interdependence of the adversaries' decisions and on the expectations about each others behaviour. We may wish to control or influence the behaviour of others in conflict and we want therefore to know how the variables that are subject to our control can affect their behaviour.⁸ John Baylis and others argue that the theory of limited war and the strategy of interdependence rather than independence have been found to be more effective in bargaining than total war.⁹

Winning in a conflict does not have a strictly competitive meaning; it is not winning relative to ones adversary. It means gaining relative to one's own value system; and this may be done by bargaining, by mutual accommodation and by avoidance of mutually damaging behaviour. If war to the finish has become inevitable, there is nothing left but pure conflict, but if there is any possibility of avoiding a mutually damaging war of conducting warfare in a way that minimizes damage or of coercing an adversary by threatening war rather than waging it the possibility of mutual accommodation is an important and dramatic as the element of conflict concepts like : deterrence, limited war and disarmament as well as negotiation are concerned

⁶ Spiegel et al L. Steven, *World Politics in A New Era*, (London: Thomson Wadsworth, 2004), pp.115-122.

⁷ Schelling C. Thomas *The Strategy of Conflict*. Massachusetts, Harvard University Press 1980, p.3

⁸ Ibid. P4

⁹ Baylis John, Booth Ken, Garnett John and Phil Williams, *Contemporary Strategy*, (Holmes and Meier: New York 1987). P. 155-157.

with the common interest and mutual dependence that can exist between participants in a conflict.¹⁰

Thus strategy as used by Schelling is not concerned with the efficient application of force but with the exploitation of potential force. It is concerned not just with enemies who dislike each other but with partners who distrust or disagree with each other. It is concerned not just with the division of gains and losses between two claimants but with the possibility that particular outcomes are worse (better) for both claimants than certain other outcomes. It is not concerned with 'constant-sum games' but "variable sum games": the sum of the gains of the participants involved is not fixed so that more for one inexorably means less for the other. There is a common interest in reaching outcomes that are mutually advantageous.¹¹ It may involve threats of damage, including mutual damage as in a strike, boycott or price war or in extortion, but mutual benefit is sought to avoid the potential damage.¹²

It has been argued that very existence of a nation depends upon its concept of the national interest and the means by which the national interest is promoted; therefore it's imperative that the citizens and political and military leaders understand the fundamentals of strategy.¹³

The liberal theory of international relations which contends that peace and cooperation are possible, and they can be achieved on the basis of the principle of reciprocity where states can develop organizations such as the UN and rules such as the international law, to facilitate cooperation is considered most appropriate for this study as it is relevant in explaining and

¹⁰ Schelling C. Thomas, *The Strategy of Conflict*. Massachusetts, Harvard University press 1980, p.4

¹¹ Ibid. p.5

¹² Ibid. p.5

¹³ Rapoport Anatol (Edit) Carl von Clausewitz, *Introduction to makers of modern strategy on war*, (penguin Books Ltd. London, 1982) p.13

predicting the Palestinian-Israeli relations. Kant considered being the father of liberalism, argued that states, although autonomous, could join a worldwide federation and respect its principles even at the cost of foregoing certain short term individual gains. To him, international cooperation was a more rational option for states than resorting to war.¹⁴ Political control over the use of violence or the military will therefore be analysed on the basis of this theory.

2.1.2 Relations Between Diplomacy and Conflict (War)

A good understanding of the relationship between diplomacy and the concepts of conflicts or war and cooperation, is critical to the analysis of the theory of diplomacy of war and the principle of political control over the use of force that is central in the analysis of this study. Barston posits that diplomacy is concerned with the management of relations between states and other actors. Through diplomacy, those states as well as other actors articulate, coordinate, and secure particular or wider interests, using correspondence, private talks, exchanges of views, lobbying, visits, threats and other related activities.¹⁵

Mwagiru explains that conflict and diplomacy have co-existed for millennia. Social interactions have always given rise to conflicts in society. And as conflicts have manifested themselves, governments have always faced the challenge of managing them, Diplomacy has always come to address the conflicts either prior to the conflicts becoming dysfunctional or after

¹⁴ Goldstein S Joshua. and . Pevehouse C. Jonn, *International Relations* (8th edition), (Priscilla McGeehon: New York, 2008), pp.84-86.

¹⁵ Barston R.P, *Modern Diplomacy*, 3rd edition, (London: Pearson Longman, 2006), p 1.

they have caused harm to society.¹⁶ A conflict in this case refers to incompatibility of goals about something that occurs between parties¹⁷.

2.1.3 Relationships between Diplomacy and Cooperation

On the other hand, diplomacy is about cooperation to prevent conflict or even to reduce conflict. It has been argued that diplomacy concerns include reducing tension, clarification; seeking acceptable formulae and through personal contact, 'oiling the wheels' of bilateral and multilateral relations.¹⁸ This means the concern of diplomacy is both peace and war.¹⁹

2.1.4 Diplomacy and the Concept of Political Control

In Clausewitz's conception, war is an instrument of policy. Clausewitz emphasizes that not only is war rooted in political causes, but also "in itself does not suspend political intercourse or change it into something different."²⁰ War is a product of political forces, and these forces continue to be at work as a war progresses. It is because of this that war is not autonomous. "Its grammar, indeed, may be its own, but not its logic."²¹ Diplomacy too is an instrument of policy. It is through engagement of diplomacy that the political interests are pursued even as the war progresses. Diplomacy concerns the management of relations between states and other actors in war as well as in peace time. Through negotiation and exchanges of communication, diplomacy helps to keep the protagonists communicating with each other and hence provides an

¹⁶ Makumi Mwangi, *Conflict in Africa: Theory, Processes and Institutions Management*, (CCR Publications: Nairobi, 2006), p.11.

¹⁷ Mitchell C.R., *The Structure of International Conflict*, (London: Macmillan, 1998), p. 12-18.

¹⁸ Barston R.P., *Modern Diplomacy*, 3rd edition, (London: Pearson Longman, 2006), p.4.

¹⁹ *Ibid.* p. 1.

²⁰ Clausewitz von Carl, *On War*, translated and edited by Michael Howard and Peter Paret, (Princeton: Princeton University Press, 1976), p. 606.

²¹ *Ibid.* p. 605

opportunity for reaching a peaceful outcome. Political control is therefore exercised through the deployment of the instrument of diplomacy.

2.1.5 Concept and Elements of Political Control

The concept of political control in this study is used within the understanding and Perspective set out in Clausewitz theory on war and strategy. In this theory, political control refers to the mandate or guidance bestowed on the civil authority. The focus in Clausewitz theory is the political guidance of the use of force. Clausewitz's elaboration on what ends and means are, Clarifies that his focus is very much on political guidance of the use of force. For Clausewitz, warfare is a special activity because of the special nature of its means, and the means of Warfare is always combat. He posits that at the lower (tactical) level of warfare, it is easy to be clear about the definition about both ends and means. In tactics the means are the fighting forces trained for combat; the end is victory. However, at the higher level of war, the ends are much more varied. Clausewitz's definition of strategy is the use of the engagement for the purpose of the war. As used here, the term "engagement" refers to distinct instances of combat. What is particularly worthy of attention in this definition is the fact that Clausewitz uses the vague formulation of "the purpose of the war." Clausewitz clearly and repeatedly establishes the concept that the ends of strategy "are those objects which lead directly to peace," and the nature of those objects may vary. The fact that Clausewitz refuses to argue that the purpose of war is always victory, and instead argues that the end is the politically desired peace, is a crucial one. It begins to establish the dominance of political considerations, and its role in resolving conflict or war through engagement of the political tool of diplomacy.²²

²² Rapoport Anatol (editor), Carl Von Clausewitz, *On War*, (Penguin Books Ltd.: London, 1968), pp. 122-137.

2.2 ELEMENTS OF POLITICAL CONTROL OVER THE USE OF FORCE

2.2.1 Nature of the Statesman

Due to the supremacy of civil over military authority, the statesman decides the object or the scope of the war. The assumption here is that the statesman acts with rationality and he is a strategic leader. Clausewitz emphasizes the need for a statesman to exercise strategic leadership. In the case of an irrational leader the control of the violence may

2.2.2 Nature of National Interests and Policies

The element of national policies such as the domestic and foreign policies are often used as tools of political control. Diplomacy and Foreign Policy. A country's defence and foreign policy can determine whether the country can go to war or not. Israeli defence policy for instance is that of deterrence and any perceived threats to its security from the enemies is likely to result in a preemptive attack on the neighbour.

Political control over the use of violence can also be determined by the domestic policy considerations. The main factor of domestic policy is the national interests which include security, national development and world order. Chandra argues that the domestic and the foreign policies of a state are intertwined with the elements of national interests –the main ones being those of security against aggression, development of higher standards of living, and the maintenance of conditions of national and international stability.²³

In this regard the domestic and foreign policies can restrain the decision and the continuation of war. This can be exercised by deploying preventive diplomacy or even conflict

²³ Chandra Prakash, *International Relations*, (New Delhi: Vikas Publishing House PVT Ltd. 1994), p. 5.

resolution instruments. But these political interests can vary from time to time as the war or conflict progresses.

Clausewitz points out that the political interests which lead to war can vary greatly, ranging between the extremes of national survival to cases in which a state hesitantly fights for an ally when it “no longer seems to reflect the state’s true interests.”⁵⁸ Wars can be either more total or more limited in character based on the political objectives that guide them. This observation begins to explain the variety of wars in human experience. Since war is an instrument of policy, a military objective should be sought which serves the political end. To the extent that the conduct of war is under the control of a rational government, the interests at stake should also determine the level of effort to be made. In sum: “The political object—the original motive for the war—will thus determine both the military objective to be reached and the amount of effort it requires.”²⁴

It is important to note here that foreign policy, which is defined as a statement of deliberately selected national interests is exercised through the use of diplomacy. It is the content or substance of a nation’s foreign policy efforts to promote its interests vis-a vis other nations through diplomatic engagements.²⁵

2.2.3 Governance System and Institutions

The nature of government system in place will either enhance or constrain the level of political control of use of violence. Since war is a continuation of politics by other means,

²⁴ Rapoport Anatol (editor), Clausewitz Von, Carl *On War*, (Penguin Books Ltd.: London, 1968), pp. 137-138.

²⁵ Chandra Prakash, *International Relations*, (New Delhi: Vikas Publishing House PVT Ltd. 1994), p.1-4.

democratic peace theorists argue that democratic governments are unlikely to go to war at least with each other. The assumption is that the leaders of such states are accountable to the public. Kant argues that democracies are much less likely than other types of states to go to war with each other particularly because the consent of the citizens is required to decide whether or not to declare war, and the citizens are likely to hesitate in engaging in such a dangerous enterprise.²⁶ However, this may be only true of democracies among themselves but not even democracies vis-a-vis other systems.

Some scholars have however, questioned Clausewitz's seemingly unclear limit on political control over military operations in time of war. One view is that the political leader should exercise, at most, limited control after hostilities have begun. Sun Tzu, who is believed to have written his great work *The Art of War* during the 4th century BC, appears to take this perspective. He argues that the decision to go to war must be a political decision, but that the general must be free to act autonomously once that decision is made.²⁷ This view has survived to the modern day. Within the American military experience, perhaps the most famous advocate of this position is General Douglas MacArthur. In a speech to Congress after his relief by President Truman, General MacArthur claimed that once war was forced upon them, there was no alternative but to apply every available means to bring it to a swift end. He further argues that War's very object is victory—not prolonged indecision.²⁸ MacArthur's position implies that there is little room for political factors to moderate a conflict once it has begun. There have also been those who have taken the opposing view and taken steps to ensure extensive political control over military operations. One leader whose conduct exemplified this principle was

²⁶ Spiegel, et al L. Stephen , *World Politics in A New Era*, 3rd edition, (Belmont: Thomson Wadsworth, 2004), p. 69.

²⁷ Tzu Sun, *The Art of War*, translated and with an introduction by Samuel B. Griffith, foreword by B.H. Liddell Hart, (Oxford: Oxford University Press, 1963); Oxford University Press Paperback, 1971, p.20

²⁸ Manchester William, *The American Caesar*, (New York: Dell Publishing Company, 1978) , p. 789.

Adolph Hitler. Not only did he override the strategic advice of his generals in the early days of World War II, he also became increasingly involved in the details of military operations as the war progressed.²⁹ American history also provides examples of political leaders who have taken this approach to the issue; several presidents have chosen to be active participants in the making of military strategy and the planning of campaigns. During the American Civil War, for example, President Abraham Lincoln was a very active commander-in-chief.⁵ More recently, President John F. Kennedy was deeply involved in the operational details of the quarantine during the Cuban Missile Crisis. Is such engagement appropriate oversight or troubling interference? In the case of the blockade, the Chief of Naval Operations who resisted Secretary of Defense McNamara's repeated requests for operational details certainly thought it was the latter.³⁰

2.2.4 External Environment

Influences of the external environment can also be a significant element of political control over the use of violence. This will take the form of the role played by external actors and international institutions. The UN Security Council for instance using the Un Charter Article 2(4) which outlaws the use of force can either restrain states from going to war, or even intervene through the application of multilateral diplomatic tools at its disposal to resolve the conflict. Other external factors such as the major powers, especially the US and the Arab states, exercise considerable influence in the conflict, and hence exert political control over the use of force from an external perspective.

²⁹ Raymond Aron, *Clausewitz Philosopher of War*, translated by Christine Booker and Norman Stone, (Englewood Cliffs: Prentice-Hall Inc., 1985), pp. 277-289.

³⁰ 6. Graham T. Allison, *Essence of Decision*, 2nd ed., (New York: Addison-Wesley Educational Publishers, Inc., 1999), p. 236.

2.3 DETERMINANTS OF WAR

2.3.1 Political Purpose of War

This is one of the most important aspects of diplomacy of war which concerns civil-military relations and the use of force on which Clausewitz is extremely clear. The argument in this aspect is that, since war is an act of policy, political considerations must dominate the conduct of war. The purpose of war is to achieve some political aim, therefore military objectives must be chosen on this basis. Sun Tzu concurs here that objective, budget and timelines must be set to avoid prolonged warfare.³¹ Because politics do not cease to function when war begins, political considerations will exert a continuous influence on the conduct of military operations. In order to carry out the state's policies, it is vital that the commander at the highest level be not only a good general with a thorough understanding of military means, but also a statesman with a strong grasp of national policy and the political context.

This last fact is important here because, given Clausewitz's elaboration on what those ends and means are, it is clear that his focus is very much on political guidance of the use of force. For Clausewitz, warfare is a special activity because of the special nature of its means, and the means of warfare is always combat³². At the lower (tactical) level of warfare, it is easy to be clear about the definition about both ends and means. "In tactics the means are the fighting forces trained for combat; the end is victory." However, at the higher level of war, the ends are much more varied. Clausewitz's definition of strategy is "the use of the engagement for the

³¹ TZU, SUN *The Art of war*, Foreword by James Clavell, London: Hodder and Stoughton 1995 p.20.

³² Clausewitz von Carl, *On War*, translated and edited by Michael Howard and Peter Paret, (Princeton: Princeton University Press, 1976), p. 63.

purpose of the war.”³³ As used here, the term “engagement” refers to distinct instances of combat. What is particularly worthy of attention in this definition is the fact that Clausewitz uses the vague formulation of “the purpose of the war.” Clausewitz clearly and repeatedly establishes the concept that the ends of strategy “are those objects which lead directly to peace,” and the nature of those objects may vary. The fact that Clausewitz refuses to argue that the purpose of war is always victory, and instead argues that the end is the politically desired peace, is a crucial one. It begins to establish the dominance of political considerations, a point that will be further developed shortly.

2.3.2 Centrality of National Interests in War

This second aspect that concerns the national or community interests is based on the clear expectation that political leaders will themselves be very engaged in the conduct of military operations. Clausewitz’s working assumption is that, from the initiation of war through the subsequent peace, the political leader’s decisions are based on the sum total of the interests of his political community. (At a minimum, Clausewitz seems to be arguing that this is the most useful perspective for the military leader to take regarding the political leader’s purposes.) Possibly in conjunction with the military commander, the political leader will determine the means he is willing to devote to a war, taking care to ensure that these means are proportionate to the ends being sought. In planning as well as during operations, it would be ideal if the military commander could sit in the cabinet so that political leaders could be involved in his activities. If a political leader does not have a strong background in military affairs, he can still maintain direction of operations by seeking military advice.

³³ Ibid. p. 177.

2.3.3 Special Roles of the Military

The third aspect concerns the expertise or specialised roles of the military. Though Clausewitz expects there to be operational details that are beyond the scope of political leaders, he does not draw an immutable line separating the realms proper to political control and military operational expertise. It seems consistent with his depiction of the great potential diversity of war to argue that this division would be particular to each specific case. When conflict is extremely intense or the purposes are total, it seems unlikely that tensions over minor operational details would arise. The great concerns of both political and military leaders for national survival may make minor operational details less of an issue in this case. Huntington concurs with Clausewitz on the operational expertise of the military in battle.³⁴

2.3.4 Role of Strategic Leadership

The role of strategic leadership as an aspect of diplomacy of war is strongly emphasised in Clausewitz theoretical explanation of the theory of war. Where Clausewitz is of less assistance is in thinking through any difficulties that may arise between military and political figures at the highest levels. One of the reasons for this is his assumption that policy knows the instrument it means to use.¹³³ It is not clear what action Clausewitz expects the military commander to take in a case in which the political leader does not, in fact, know the instrument he or she is attempting to use and gives potentially self-defeating orders. Clausewitz also does not discuss any exigencies in which the military commander must have autonomy in the conduct of military operations.

³⁴ Huntington Samuel, *Soldier and the State*, (Cambridge: Harvard University Press), 1957, p.77

Looking at this position then, Clausewitz challenges to both statesmen and commanders. Political leaders should think like strategists, being clear at the outset about purposes and means. Recognizing that these may change in the course of events.¹³⁴ Political leaders are expected to be the authority on domestic strengths and weaknesses, as well as the international environment. Clausewitz also seems to charge political leaders with the responsibility of being familiar with military means; at a minimum, this means being intelligent consumers of military advice.¹³⁵ At the same time, military leaders are also challenged. Not only are they called upon to be the experts in the grammar of war, they must always remain aware that war's purposes come from outside itself and that these political purposes must ultimately govern.³⁵

The chapter has analyzed the relationship between diplomacy and war. Diplomacy and war in this respect are viewed as instruments of politics. Addressed are the issues regarding the ideal relationship between the commander and the statesman in time of war and the balance between political control and military operational expertise by examining what Carl von Clausewitz has to say about civil- military relations and the use of force. The key considerations are the necessity of subordinating military means to political ends, the significance of strategic political and military leadership, the importance of being guided by the national interests or community interests such as those of survival, which then should dictate the goals and the extent of the war, and above all, the significance of consistently maintaining political control over the use of violence even during and after the war.

Consequently, therefore this study will Endeavour to employ the various elements that have been analysed in the foregoing discourse, to assist in the examining and evaluating the

³⁵ Clausewitz von Carl, *On war*, translated and edited by Michael Howard and Peter paret, (Princeton: University press, 1976), p. 112.

factors underlying the failure of diplomacy and the limited application of the principle of political control over the use of violence in the Palestinian-Israeli protracted war.

2.4 ASSUMPTIONS ON THE APPLICATION OF POLITICAL CONTROL OF THE USE OF FORCE

From the foregoing conceptual and theoretical analysis, the following assumptions have been made so as to provide the basis of analyzing in the study.

The first assumption is that the Rational Actor decisions to go to war are political. The political leader is guided by the national interests in deciding whether to go to war. He is also expected to follow through the war and make necessary interventions as he may deem fit. In this way he will exercise the diplomacy of war. This will enable the control of war from escalation and reversion to peaceful diplomacy.

The second assumption is that war must have a political object. War is not autonomous; it is a means to an end. The military must therefore be guided by the stated political aims of the war. In the case of Palestinian Israeli conflict, each side is guided by its national interests who it strives to achieve- the self-determination and search for statehood and the survival and defence of statehood for the Palestinians and the Israeli respectively.

There exist very strong external influences arising from interests of external actors particularly the United States of America and the Arab League countries to the extent the continued escalation or de-escalation of this conflict largely depends on the nature and level of the interplay of these interests and those of the primary actors.

The third assumption is that Clausewitz's theory on war and strategy will form the primary basis of analysing the Palestinian-Israeli conflict. In terms of international relations theories, the liberal school of international studies will enable explanation, description, and prediction of the behaviour of both the primary as well as the external actors in the conflict. Necessary recommendations will also be made on the basis of this theory.

CHAPTER THREE

GENEALOGY OF THE PALESTINE-ISRAEL CONFLICT

3.0 INTRODUCTION

This chapter will commence with a discourse on the historical origins of the Palestinian-Israeli conflict by tracing the main aspects in the first section. In the second section, key events from pre - 1948 period to 2008 will be analysed in respect to the utility of diplomacy in the control of war. The challenges on the application of political control over the use of violence will be examined in the respective parts of this section

3.1 HISTORICAL ORIGINS OF THE CONFLICT

The origin of Israeli-Palestinian conflict remains a subject of unending debate. Biblical enmity between Abraham's two sons Isaac and Ishmael, the advent of Islam, the Prophet Mohammed's quarrel with the Jews of Medina, the emergence of Zionism in the nineteenth century, and the British colonial policy in the early twentieth century are considered appropriate starting points. Schulze argues that competing Jewish and Arab (Palestinian) nationalisms are at the core of the conflict. He explains that Palestinian-Israeli conflict is rooted in the nineteenth century emergence of nationalism in the Middle East. That Zionism which is the Israeli nationalist movement came into direct competition with Arab nationalism including the Palestinian nationalism, as both Jews and Arabs laid claim to the same territory.¹

¹ Kirsten E. Schulze, *The Arab-Israeli Conflict*, (Addison Wesley Longman inc., New York 1999) p. 1

3.1.1 Zionism and Arab Nationalism

The competition between the two nationalisms presented the first point of friction in their relations. Arab and specifically Palestinian nationalism revolved around the concept of self-determination with strong sentiments against domination by Ottoman Turks in the 19th Century, the British in the early 20th century and the Zionists from the mid 20th century to date. Jewish nationalism on the other hand mobilized around the Zionism, revolving around the drive for self-determination generated by years of persecution and anti-Semitic treatment especially in Europe, the traditional religious and cultural ties to the land of Israel (Palestine) and the strong Zionism movement that stemmed from the belief that Jewish independence would be restored with the coming of the messiah.²

According to Kirsten, the competition between the two nationalisms was later heightened by the impact of the First World War in which Palestinians and Israeli supported the British against the Ottoman Turks fighting alongside Germany, which led to the defeat of the former. The British had earlier secretly promised Palestinians and Jews land in Palestine in return for their participation in the war. He says the competition was also worsened by the impact of Nazism, the Second World War and the British policies including its decision to withdraw from the Palestine mandate by handing it over to the newly formed United Nations. The UN approval of a partition plan for Palestine which lacked consensus of the two parties on 25th November 1947, and its recognition of the newly declared state of Israel on 14th May 1948, prompted the surrounding Arab countries of Egypt, Lebanon, Jordan, Syria and Iraq to attack Israel so as to liberate Palestine.³

Harff and Gurr argue that: "Palestinian Conflict with Israel is first and foremost a nationalist one based on self-determination and territorial claims whose intensity is reinforced by religious

² Schulze E. Kirsten, *ibid.* p.2-3.

³ *Ibid.* p.12.

differences". Hence the common territorial claims fuelled by nationalism and religious factors, has continued to be the central source of conflict between Israeli & Palestinians which has most of the time degenerated into violent conflict.⁴

Clearly, whereas these largely historical factors may be relevant in explaining the origins of the Palestinian- Israeli conflict, there is no plausible justification so far for the continuing conflict to date which seems to have evaded efforts at resolving. But the nationalism competition provided a strong challenge for future diplomatic efforts since it made reconciliation complex abolition.

3.1.2 The Impact of the First World War

Following the outbreak of the war in 1914, the Ottoman Empire entered the war on the side of Germany. This meant that in the Middle East Britain was effectively fighting the Ottoman Empire. In order to prevent the latter from taking over the Suez Canal, Britain secured alliance of local Arabs by promising that the Arab territory of the Ottoman Empire would be returned to Arab sovereignty (including Palestine according to the Arabs). This negotiation and correspondence was completed between the British High Commissioner in Cairo sir Henry McMahon and the Hashemite leader and the Amir of Mecca, Sharif Hussein in 1915.⁵

The promise of the Arab independence and statehood was not the only British pledge in the context of the First World War alliance policy. By the summer of 1917 the British government had also started to consider the Zionist movement as a potential ally.⁶ Russian-born chemist and excellent diplomat who was also Zionist spokesman in Britain Chaim Weizmann, convinced former British Prime Minister Arthur Balfour that Zionists were important for the British war effort. The Zionists

⁴ Harff Barbara and Gurr T. R., *Ethnic Conflict in World Politics: Dilemmas in World Politics*, 2nd Edition, Maryland, West view Press, 2003 p.32

⁵ Kirsten E. Schulze, *The Arab-Israeli Conflict*, (Addison Wesley Longman inc., New York 1999) p. 4.

⁶ Frazer T. G., *The Arab-Israeli Conflict*, St. Martin's Press, New York, 1955.

could help sustain the Russian front and in galvanizing the desperately needed American war effort. As a result, the British Foreign Secretary issued the Balfour Declaration on 2nd November 1917, stating that 'His Majesty's Government viewed with favor the establishment in Palestine of a national home for the Jewish people.'

It is important to observe that, neither the Balfour Declaration nor the Hussein-McMahon correspondence were specific about the actual borders of the territory promised to both Jews and Arabs. The result was that both Zionist and Arab nationalists believed Palestine had been promised to them; the seeds for the conflict had been sown.⁷

3.1.3 British Policies and the Palestinian Mandate

British troops entered Palestine in 1918 and set up a provisional military government in Jerusalem. Anticipating the future dismemberment of the Ottoman Empire, Britain and France had carved the Middle East into spheres of influence to prevent a power vacuum and Russian entry into the region. British military presence from 1918 onwards assured Britain that it was granted the mandate over Palestine by the League of Nations in 1922, fulfilling its strategic aims of ' assuring access to the Suez canal and the East, preventing French ambitions in Lebanon and Syria from drifting south, and creating a land bridge from the Mediterranean sea to the oil fields of Iraq⁸ The mandate provided Britain with the responsibility for placing the country under 'such political, administrative and economic conditions as will ensure the establishment of the Jewish national home and the development of self-governing institutions, and also for safeguarding the civil and religious rights of all the inhabitants of Palestine, irrespective of race and religion.' British policy was conflicting and contradictory considering its promises to both Arabs and Jews which led to increased suspicion of each

⁷ Schulze E Kirsten, *The Arab-Israeli Conflict*, (Addison Wesley Longman inc., New York 1999) p.5.

⁸ Stein, W. Kenneth, *The Land Question in Palestine 1917-1939*, University of North Carolina Press, Chapel Hill 1984 p.7.

other. A policy acceptable to both Arabs and Zionists was never achieved and the British policy on the ground was further inconsistency in the world politics. For instance, in the international arena Britain tended to support Zionism, while in Palestine, British officials favoured the Arabs, often influenced by concern for Muslim opinion in neighboring countries and India.⁹ Arab and Jewish suspicions of each other and of British intentions flourished in such an environment. Many Arabs believed that Britain was planning to hold onto Palestine until a Jewish majority had been achieved. Many Jews believed that Britain was secretly aiding and arming the Arabs as well as restricting Jewish immigration and land purchases in order to prevent the creation of a Jewish state. As British policy in Palestine stumbled, inter-communal conflicts started with the first Arab disturbances in 1920 and 1921.¹⁰ The failure to exert control over the violence at this stage is partly to blame for the later wars.

3.1.4 The Inter War Period

The period between the two world wars was characterized by institution-building in Palestine. Britain's first civilian governor Sir Herbert Samuel encouraged both Jews and Arabs to form their own institutions. Majority of the institutions which served as a framework for the new Israeli state, were established during this time, including political parties, the underground defence organization, and the Hebrew University of Jerusalem. Arab or indeed Palestinian institution-building did not take place at the same rate because they remained divided by religious, family, and regional loyalties¹¹ Unfortunately the Arabs did not establish their institutions in the same pace. It is also during this period that Jewish immigrations intensified especially due to Hitler's anti-Jews crusade in the 1930s which increased the urgency of finding a home for the Jews. Between 1930-1936 alone the Jewish population rose from 164,000 to 370,000. The change of the British policy by 1939 towards restriction of the immigrations to

⁹ Goldschmidt, Arthur Jnr, *A Concise History of the Middle East*, 5th edition, (Westview Press, Boulder, 1996).

¹⁰ Schulze E. Kirsten, *the Arab-Israeli Conflict*, (Addison Wesley Longman inc., New York 1999) p. 6.

¹¹ Ibid. p.6

15,000 per year angered the Jews but did not satisfy the Arabs either as they viewed the British to be aiding Israeli to get a critical population.

3.1.5 The Impact of the Second World War

The outbreak of the Second World War triggered by Germany invading Poland on 1st September 1939, and the events that followed had significant bearing on the direction of the conflict. Four important events marked the radical departure from previous pace of events: first the decline of the British due to the effects of the war which worsened economic situation in the UK meant that it could no longer maintain colonies, hence Britain started to look for a way out from 1945. Secondly, linked to this their was the rise of US influence in the region and since the American-Zionist network in the US were already calling for a Jewish state in Palestine by 1942, it meant the US policy was now going to determine the fate of this conflict area most likely in favor of the Jews. Thirdly, the Holocaust and the mass murder of 5600,000-6,900,000 Jews led the survivors of the camps and the Zionist movement to push even harder for a state. Fourthly, as a result of the war Europe was faced with a refugee problem which created push pressure for the Jews to move to Palestine .Finally, the situation in Palestine had deteriorated to an almost full-scale Jewish uprising against the British, as well as inter-communal Arab-Jewish tensions bordering on civil war.¹² The five factors outlined created the environment which made the British withdrawal almost inevitable and the establishment of a Jewish state in Palestine possible. It also convinced both the Arabs and the Jews that ultimately there would be war.¹³

3.1.6 The British Withdrawal from Palestine

Schulze argues that the British withdrawal from Palestine and the decision to hand over to the newly established United Nations was a result of Britain's inability to settle the conflict between

¹² Schulze E. Kirsten, *the Arab-Israeli Conflict*, (Addison Wesley Longman inc., New York 1999) p. 9.

¹³ Ibid. pp. 11-12.

Zionists and Arabs as well as Britain's domestic pressures.¹⁴ The United Nations set up a special committee for Palestine (UNSCOP) to inquire into the conflict, but terming the commission biased from the onset towards the Zionists, the Arab high committee boycotted it. UNSCOP came to the conclusion that both Jewish and Arab claims were of equal validity, that their aspirations are irreconcilable, and that the only viable solution to the conflict was the separation of the two communities by partitioning the territory and creating both an Arab and a Jewish state.

The partition plan drawn by UNSCOP divided Palestine in accordance with existing settlement and population centres, while leaving Jerusalem under UN international control. These created two key problems: that of the territorial fragmentation of both proposed states, and the other was the Arab population 'trapped' in the proposed Jewish state. While Zionist politicians did not like the status of Jerusalem or the lack of territorial contiguity, they accepted the plan as a first step to statehood. The Arab leadership, on the other hand, could not find any redeeming aspects in a plan that allotted part of their territory to the Zionists and so they decided to go to war to prevent the creation of a Jewish state. They were however, divided as for instance king Abdallah of Transjordan concluded a secret deal with the Zionists to partition the Arab sections of Palestine, while Egypt and Syria also had territorial as well as leadership ambitions.¹⁵

When the partition plan was passed in the General Assembly on 25th November 1947 by a vote of 33 in favor, 13 against (including the United Kingdom) and 10 abstentions, it was not surprising that the five Arab states opposed it. Immediately following the General Assembly vote, both Jews and Arabs started to arm themselves. On May 14th 1948 the Jewish Agency declared the territory allotted to the Jews as the new state of Israel. This prompted the Egyptian, Lebanese, Jordanian, Syrian and Iraqi

¹⁴ Ibid. p. 11.

¹⁵ Shlaim, Avi, *Collusion across the Jordan: King Abdullah, the Zionist movement, and the partition of Palestine*, (Clarendon Press, Oxford, 1998).

to attack the fledging Jewish state to 'liberate Palestine'. This marked the beginning of Arab-Israeli and a significant escalation of Palestinian-Israeli conflict.¹⁶

3.2 EXAMINATION OF DIPLOMACY OF WAR- 1948 - 2008

This section will examine the strategies applied by the actors, and the utility of diplomacy in dealing with the Palestinian-Israeli conflict from 1948 to 2008. The role of the main external actors in the diplomacy will also be highlighted.

3.2.1 Pre-1948 Diplomacy

This period was characterized by general absence of diplomatic interaction between Palestinians and Jews. However, the foundations of the protracted conflict were laid in this period. Theodore Herzl, considered to be the father of Zionism, is credited to have mobilized the Jews in the Diaspora to hold the first Zionist congress in 1897 in Basle, Switzerland. The conference had the main objectives of promoting Jewish immigration to Palestine and establishing a Jewish state there. This marked the beginning of organized Jewish immigrations to Palestine which later became a major source of tensions.¹⁷

On the other hand, Arab intellectuals comprising mainly graduates of the American University of Beirut founded the first Arab society in 1875 which became a vehicle for dissemination of Arab nationalist ideas of unity, language, culture and self determination in the face of centuries of Ottoman control. With the influence of the political events in the west and the growing Zionist nationalism, Arab

¹⁶ Schulze E. Kirsten, *the Arab-Israeli Conflict*, (Addison Wesley Longman inc., New York 1999) p.12

¹⁷ Ibid. p.2.

nationalists held their first congress in 1913 in Paris, France. The conference had the main objective of demanding for independence from the already disintegrating Ottoman Empire.¹⁸

The conference diplomacy conducted by the Jews and Palestinians, seem to have set a basis for 'negative diplomacy' that characterized the period before 1947. The negative diplomacy meant that, each actor pursued its interests in liaison with their allies independent of the other, but well aware of increasing competition and enmity between them.

According to Kirsten, the competition between the two nationalisms was later heightened by the impact of the First World War in which Palestinians and Israeli supported the British against the Ottoman Turks fighting alongside Germany, which led to the defeat of the former. The British had earlier secretly promised Palestinians and Jews land in Palestine in return for their participation in the war. He says the competition was also worsened by the impact of Nazism, the Second World War and the British policies including its decision to withdraw from the Palestine mandate by handing it over to the newly formed United Nations. The UN approval of a partition plan for Palestine which lacked consensus of the two parties on 25th November 1947, and its recognition of the newly declared state of Israel on 14th may 1948, prompted the surrounding Arab countries of Egypt, Lebanon, Jordan, Syria and Iraq to attack Israel so as to liberate Palestine.¹⁹ In terms of the diplomatic engagements between the main external actors Britain and the UN on one hand and Arabs and the Jews on the other prior to 1948, it can be argued that little diplomatic utility was derived from it. If anything, the British policies created a fertile ground for the Israeli-Arab (Palestinian) conflict.

¹⁸ Ibid p.3.

¹⁹ Ibid. p.12.

3.2.2 Analysis of Diplomacy- 1948 to 1968

This period was characterized by violent conflicts of much greater intensity than any other period. Three major wars between Israeli and the Arabs in general and the Palestinians in particular, marked this period. These were Arab-Israeli war of 1948, The 1956 Suez-Sinai Campaign, and the 1967 Six Day War; all of which were militarily won by Israel. In terms of diplomacy, it can be argued that minimal genuine diplomatic interaction between the warring parties took place. Even where negotiations occurred, mutual mistrust and dishonesty obscured the diplomacy. Intense, but still dishonest, diplomatic efforts by the third parties especially the US, Britain; France, Russia and the UN was notable in this period.

Diplomatic efforts by the UN aimed at averting the Jew-Arab conflict through creation of a win-win situation for the two, failed from the onset. The result was the immediate break out of the war after the declaration of the Jewish state of Israel on 14th May 1948.¹

Arab-Israeli War of 1948

In reaction to the partition plan by the UN (UNSCOP) which was approved on 25th November 1947, the Arab leadership rejected this decision and adopted a common strategy of going to war to prevent the creation of a Jewish state. They called for a strike from 2-4th December 1947 which sparked off the first inter communal clashes and heightened violence. Clearly from the outset, the Arabs adopted a non-compromising strategy which gave no chance for the UN diplomatic effort.

Zionist leaders on the other hand, accepted the UN partition plan as a first step towards statehood, though they did not like the status of Jerusalem and the lack of territorial contiguity. In the wake of increased inter communal violence and inability of the expiring British mandate to resolve the

¹ Goldstein, Joshua S., *International Relations*, (Priscilla MC Green Publishers 2001), Washington DC, P. 33.

violence, the Jews Agency unilaterally declared the territory allotted to the Jews as the new State of Israel on 14th May 1948.²⁰ It is however, important to note that immediately following the UN General Assembly vote, both Jews and Arabs started to arm themselves. These notable tendencies towards aggression against each other, non compromising attitudes, and unilateralism by the two conflicting parties, will be seen to characterize the diplomatic relations of Israeli and the Palestinians from this period onwards.

The 1956 Suez-Sinai Campaign

The role of external actors in the political control of use of force especially the US, Britain, France is demonstrated in this war. It is during this war that US interests in Middle East became more entrenched with withdrawal of Britain²¹The armistice of 1949 did not result in a stable border situation; it immediately created a revenge or second round mood between Jews and Arabs. Egypt under Gamal Abdel Nasser initially enjoyed positive relations with US and Israeli, but this immediately changed the moment Nasser turned to the Soviet and entered an arms deal with Czechs in February 1955, citing Israeli aggression through a raid in Gaza in which 38 Egyptian soldiers were killed versus one Israeli cyclist. It was not therefore surprising that on July 26th 1956 when Egypt nationalized the Suez canal, Israel took advantage of French desperate situation over her Algeria interests, and British interests in the Canal to get French arms which it successfully used to launch a pre-emptive strike against Egypt, capturing the Suez and the Sinai. Israeli was later ordered to withdraw by the US under instruction of President Dwight Eisenhower, who also sponsored a UN resolution for a ceasefire and immediate withdrawal of all French British and Israeli forces from Egypt.²² It is significant to note here that the

²⁰ Schulze E. Kirsten, *Op. cit.* p. 12

²¹ BAR-ON Mordechai, *A Never-Ending Conflict: A Guide To Israeli Military History*, (London: Praeger, 2004) pp89-107

²² *Ibid.* p.30.

cold war and great power interests appeared to converge here, and this will shape the succeeding diplomatic relations and strategies used in the conflict under study.

In dealing with the conflict with Egypt over the Sinai, Israel is said to have preferred armed force to diplomacy which in fact was undertaken in the early part of 1956, including a mission by Robert Anderson, personal representative of the President of the US in January, and the UN secretary general Dag Hammarskjöld in April. Both missions failed dismally as they did not deal with the fundamentals of Arab-Israeli conflict. Anderson found out that what Israeli actually wanted from the US was arms, not mediation with Nasser.²³ The Israeli defensive attack policy started in the era of David Ben Gurion, continued as reflected in the successive wars fought by Israel and its neighbours. This policy therefore, undermined the utility of diplomacy.

The Six Days War -1967

Increased violent encounters, Soviet and US influence, and built up suspicion, led to Israel's launch of a successful pre-emptive strike against Egypt, Syria and Lebanon on 5th June 1967. According to Bankston, in an effort to gain a strategic advantage and to deny the Arab states launching bases, the Israelis launched a surprise attack against their Arab neighbours in 1967 and seized the Golan Heights on its border with Syria, the Sinai Peninsula on its border with Egypt, and other territories in the Six Day war. The UN General Assembly voted condemning Israel's actions but sanctions or military actions against Israel was vetoed by the U.S.²⁴ Whereas it can be argued that by engaging in the pre-emptive attack Israel sought to deter its Arab neighbours from attacking it, It's clear that the Israeli action demonstrated its higher propensity to use military force as opposed to using diplomacy²⁵. Even the main external actors have used 'dishonest diplomacy'- concentrating mainly in their own

²³ Golani Motti Ibid. p.25.

²⁴ Bankston 3 L. Carl, *World Conflict: Asia and the Middle East* Vol.1, Hackensack, New Jersey, Salem Press, Inc, 2003, P.32

²⁵ Schelling C. Thomas, *The Strategy of Conflict*, Massachusetts, Harvard University Press, 1980 p.5

national interests as opposed to genuinely addressing the conflict at hand. For instance, the French were only interested in the defeat of Egypt which they considered as the main power behind the flaring Algerian revolt against it. The US and Britain on the other hand, were more concerned with the control of the Suez Canal for their economic and political interests.

3.2.3 Analysis of Diplomacy- 1968 to 1988

This period is characterized by continuing violence, not of similar intensity witnessed in the previous period in terms of conventional warfare, but more technologically advanced, more focused on the Palestinian question, and marked by increased use of asymmetric strategies. Some genuine diplomatic efforts particularly with regard to Israel- Egypt relations are notable.

Rise of PLO-1969

The result of the Six Day War of 1967 to the Palestinians is that it made it clear to them that the Arab states were not able or willing to liberate Palestine. Israel had gained more of the Palestine land and the UN resolution 242 failed seriously to address the situation of the Palestinians and their political aspirations.²⁶ In 1968 and 1969 Fatah established a network of proto-state institutions in Jordan and Arafat was elected the chairman of committee as well as PLO's political department head. With the support of Saudi Arabia and Libya, stepped up its armed struggle against Israel with the result that Lebanon and Jordan became the target of Israeli retaliatory attacks such that there were an estimated 560 incidents in 1969-1970 alone relating to PLO-Israeli in Lebanon.²⁷ The rise of the PLO and the initial violence organized around it together with the Israeli retaliatory strategies, set the theatre for the conventional and non conventional warfare where little positive diplomacy is given a chance. Hence the protracted war between Israel and Palestine had been formally shaped.

²⁶ Said W Edward, *The Question of Palestine*, Vintage, New York, 1992, p.38.

²⁷ Tessler, Mark, *History of Israeli-Palestinian Conflict*, (Indiana University Press: Bloomington, 1994), p. 451.

Yom Kippur War in 1973

Another case to illustrate this is that of Yom Kippur war in 1973. The war broke out after the PLO and other Arab organizations continued their guerrilla warfare against Israel, which in turn retaliated violently. Both sides committed many atrocities against the civilian populations of the other side. On Yom Kippur, the Jewish Day of Atonement, Egypt, Syria, Iraq, and Jordan attacked the Israeli Military and destroyed most of its tanks and aircraft.²⁸ The war often referred also to as October war, broke out on 6th October 1973, with the first surprise attack on Israel by Syria and Egypt. It came as a surprise to Israel because of failure of their military intelligence and its underestimation of the frustration of the Arab governments over Israel's occupation of the Golan Heights, Sinai Peninsula, West Bank and the Gaza Strip. It has been argued that politically the Arabs won the war, but technically Israel was the victor.²⁹ But it should be understood that on realizing the precarious situation of Israel, President Richard Nixon and his secretary of state, Henry Kissinger, took equipment from the U.S. armed forces around the world and resupplied the Israeli armed forces, which allowed the Israelis to fend off the Arab attacks. Angered by U.S. actions, the Arab states declared an oil embargo against the United States, which had come to be dependent on Arab oil. The embargo resulted in long lines at filling stations throughout the United States and engendered widespread resentment against Israel. Nevertheless, the seemingly unqualified U.S. support for Israel continued, as did the guerrilla war waged by the Arab states and Israeli retaliation in the form of the bombing of Arab cities and refugee camps.³⁰ The role of external actors in the use of armed force as opposed to diplomacy is clearly seen in this U.S. support to Israel.

²⁸ Bankston 3 L. Carl, *World Conflict: Asia and the Middle East* Vol.1, Hackensack, New Jersey, Salem Press, Inc, 2003, P.32

²⁹ Schulze E. Kirsten E., *Op. cit.* pp.49-51.

³⁰ Bankston 3 L. Carl, *Op.cit* p.33

Diplomatically, Sadat was the hero: he had convinced the US that the attack was limited war meant to force Israel to compromise, and to acceptance of UN Resolution 242; he had by his strategy drawn cold war powers in to involvement in finding solutions, and he had cleverly forced the US to prioritize the peace efforts and take the lead with President Richard Nixon's Secretary of state and national security advisor Henry Kissinger taking a very active diplomatic role henceforth.

Clearly intense diplomatic efforts of more positive nature, were nature were notable during this war, more so from external actors. The UN was at the forefront at diplomatic initiatives to restart the negotiations With Resolution 338 passed, calling for a ceasefire ordered on 22nd October 1973 and the implementation of Resolution 242. Both Israel and her opponents had for the first time shown flexibility and some willingness to accept Resolution 242. The Soviet and US ministers had also convened a middle East peace conference in Geneva, though it yielded little. It would appear the involvement of the external powers especially the US was triggered by the potential thereat to their vital interests in the Middle East.

The Egypt-Israeli Peace Deal-1978 to 1979

During the administration of U.S. president Jimmy Carter from 1976 to 1980, U.S. diplomats arranged peace talks between the Israelis and the Egyptians. The U.S. Department of State hoped these talks would lead to a general peace settlement in the Middle East. The focus of the discussions centered around the concept of "peace for land." The Israelis would return the territory they occupied during the Six-Day war in return for Egyptian recognition of the legitimacy of the Jewish state and a peace treaty between the two nations- two agreements signed in a ceremony in the White House on 17th September 1978 focused on normalising relations, Israeli return of Sinai to Egypt and and commitment to implementation of Resolution 242(return of Arab lands) and 338(Palestinian issue and peace); and the

final Egyptian-Israeli Treaty signed on 26th march 1979, when Israeli returned the Sinai in return for peace, full diplomatic relations, and shipping through the Suez Canal and the Gulf of Aqaba.

At the presidential retreat of Camp David, the leaders of Egypt and Israel concluded an agreement, with promises of massive U.S. aid for economic development in both countries. The peoples of the world hoped that a lasting peace settlement in the Middle East was at hand.³¹ In terms of diplomacy of war, Sadat's strategy in this process was exemplary. His decision to go to Jerusalem to discuss peace with the Knesset on 19th November 1977 became the first official, direct and public contact between an Arab state and Israel, breaking down some of the psychological barriers that had existed since 1948.³² It was the most brave, costly and long lasting positive diplomatic initiative in the Middle East so far. Of course he had to pay the price of the peace when he was assassinated on 6th October 1981 by an extremist Islamic organization Takfir wa al-Hijra.

Once more 'dishonest diplomacy' is partly demonstrated by Israel when it apparently reneged on the second part of the peace agreement especially as regards resolution 338 on Palestinian self determination and autonomy. It has been argued that on return to Israel, Prime Minister Menachem Begin of the first Likud government declared that the agreement confirmed continued occupation of the West Bank and Gaza Strip by Israel, whatever the expectations of Carter and Sadat.³³

The 1982 Lebanon War

Israel invaded Lebanon in 1982 targeting to change the geo-strategic make up of the Middle East by assisting the Maronite Christians in the Lebanese civil war which started in 1975, and retaliating the Palestinian fedayeen attacks and curtailing possible influence of the PLO. Both Palestinians and Israeli are seen to pursue aggression strategies without genuine recourse to diplomacy.

³¹ Bankston 3 L. Carl, *World Conflict: Asia and the Middle East* Vol.1, Hackensack, New Jersey, Salem Press, Inc, 2003, P.34

³² Schulze E. Kirsten ., *the Arab-Israeli Conflict*, (Addison Wesley Longman inc., New York 1999) p. 56.

³³ Smith, Charles D., *Palestine and the Arab-Israeli Conflict* (3rd edition), St. Martin's Press: New York, 1996.

The Intifada-1987 to 1989

The first Palestinian uprising was triggered by an Israeli army transport truck which crashed into a line of Arab cars carrying labourers in Gaza, killing four Palestinians and injuring seven on 8th December 1987. This occurred against the background of unenviably weak PLO which for four years of diplomacy had achieved nothing, while the Israeli settlement policy continued and Israeli-Palestinian clashes in the territories increased steadily.³⁴ The intifada, however, changed the situation completely such that by April 1989 Arafat was elected as the first Palestinian president.

3.2.4 Analysis of Diplomacy- 1988 to 2008

The main characteristics of this period intense diplomacy with more eternal actors involved, the Oslo peace agreements and the second intifada in 2000. Also notable is the rise of Hamas in the Gaza as a formidable political force challenging both Israeli and PLO.

The Oslo Negotiations and the DOP. 1992-1993

Israeli government and the Palestinian Liberation Organization (PLO) began secret peace negotiations, moderated by the Norwegians under the Administration led by George H. W. Bush was of the idea to undertake a new regional peace initiative in 1991. Consequently the Oslo Israel-PLO Declaration of principles on interim self-Government Arrangements (the DOP) was signed in September 13th, 1993, laying the foundation for the peace process and surprising much of the world³⁵ this was the first attempt by the parties to the conflict to employ the Principles of diplomacy of war in addressing the long standing conflict. The test of the diplomacy however depended on the trust

³⁴ Kirsten E. Schulze, op. cit. p. 74.

³⁵ Cordesman H. Anthony, *The Israeli-Palestinian war: Escalating to Nowhere*, (Praeger Security International, Washington DC, USA), p.1

and commitment of the parties to implement the agreed resolutions. Unfortunately, it took longer to complete the peace process, leading to another violent conflict in 2000.

Palestinian-Israeli War-2000-2008

“The negotiations on final settlement issues came far later than originally planned. Towards the end of 1999 and throughout the first half of 2000, the peace process appeared to have stalled. The September 13th 2000 deadline for reaching Israeli-Palestinian final status negotiations, in accordance with the Sharm el-Sheikh memorandum, not only was in jeopardy, but seemed to have become a deadline for the collapse of the peace process. Between July 11 and July 24, 2000, US, Israeli, and Palestinian delegations led by President Clinton, Prime Minister Barak, and the chairman Arafat, gathered at Camp David in an attempt to reach an agreement on final status Issues³⁶.

At the end, the Camp David talks failed despite some important progress. The parties issued a trilateral Statement on July 25, 2000, declaring that they were unable to bridge the gaps. Asymmetric warfare is almost always the result of fundamentally asymmetric values that one or both sides of the conflict believe cannot be reconciled through negotiations alone. This is certainly the case with Israeli-Palestinian war. The fighting that began in 2000 with further escalation in 2008, was driven by factors like the continued development of settlements, and terrorism violence. It was also driven by a wide range of final settlement issues. The Israelis and Palestinians had deeply asymmetric goals and expectations over key issues³⁷. Since then peace has remained elusive.³⁸

In conclusion the few adopted by Eisenberg and Caplan explaining that the contemporary conflict between Jews and Arabs in the Middle East is really two separate but intertwined struggles is logical. One of this is that the battle between Jews and Arabs for the control of the land of

³⁶ Ibid P 50.

³⁷ Ibid P. 49

³⁸ Bankston L. Carl, *World Conflict: Asia and the Middle East* Vol.1, Hackensack, New Jersey, Salem Press,Inc,2003,P.20

Israel/ Palestine. The other is the conflict between Israeli and the Arab states over the establishment of a Jewish state in the heart of the Muslim Arab world, and over conventional issues like borders, resources, and territory lost and won in the cycle of wars between them. The origin of the Israeli-Palestinian conflict in particular lies in the clash of two fledging nationalisms, Jewish and Arab.³⁹

The general failure to effectively utilize the principle of political control over the use of force and divergent interests explains the inability of diplomacy to quickly resolve the conflict.

The involvement of eternal actors especially Britain before 1956 and the United States after 1956 to date has complicated the conflict due to the actors' diverse interests. This has made diplomatic intervention more difficult particularly bearing in mind the interests pursued by the neighbouring Arab countries more often run contrary to the British and US interests.

US, Israeli, and Palestinian delegations led by President Clinton, Prime Minister Barak, and the chairman Arafat, gathered at Camp David in an attempt to reach an agreement on final status Issues⁴⁰.

³⁹ Zittrain Eiseberg Laura and Neil Caplan, Indiana University Press: Bloomington, 1984 p. 5.

⁴⁰ Ibid P 50.

CHAPTER FOUR

ANALYSIS OF DIPLOMACY OF WAR IN THE PALESTINIAN – ISRAELI CONFLICT

4.0 INTRODUCTION

Having examined the genealogy of the Palestinian-Israeli conflict in the last chapter, this chapter will now provide an analysis of the diplomacy of war in the conflict. The chapter has two parts. The first part addresses objective one of the study. This means it will examine the underlying factors that explain the inability of diplomacy to resolve the protracted Palestinian – Israeli conflict. The second part will address objective two of the study, namely to determine the rationale for the strategy of violence consistently used by the actors in the protracted conflict. Central to the analysis is the Clausewitzian conceptual principle of political control over the use of force¹, which helps to explain the application of both diplomacy and war as instruments of policy in this protracted conflict.

4.1 ANALYSIS OF DIPLOMACY IN THE PALESTINIAN-ISRAELI CONFLICT

This part will address objective one of the study. This means it will examine the underlying factors that explain the inability of diplomacy to resolve the protracted Palestinian – Israeli conflict.

Diplomacy here is viewed as an instrument of policy or a tool of political control over the use of force². Clausewitzian perspective in his theory of war and strategy where the principle of political control over the use of force is expounded, will form the central theme for analysis.

There are three preliminary assumptions or observations about the diplomacy of Palestinian-Israeli conflict. Firstly, there exist socio political, military and economic factors including UN

¹ Clausewitz Von Carl, *On War*, edited by Anatol Rapoport, (New York: Penguin Books, 1982) , pp. 122-137.

² Barston R.P., *Modern Diplomacy*, 3rd ed., (London: Pearson Longman, 2006), p. 40.

outlawed violence³, both at the local, regional and international level, which constrain the success of diplomacy in resolving the protracted conflict. These factors include the nature and character of the rational actors representing the two primary parties, the type of governments, the rational interests of the parties, and the role of external actors – especially the US the UN and the Arab states.

The second assumption is that for diplomacy to work effectively, external actors must bring pressure to bear on the primary actors. This is because the external actors like the US and the Arab league countries are allies to Israel and Palestinians respectively, and possess long term vested interests in the conflict⁴. Their interests are therefore closely intertwined with those of the primary actors to the extent that they are almost inseparable. In effect, the success of diplomacy in achieving stability in the relations between Israel and Palestine is dependent to a large extent on the level of convergence and divergence of these interests.

The analysis on the diplomacy cannot be done without resort to the principle of political control of use of force as the guiding theme. The interpretation, description and prediction of issue raised and solutions, will be done using the liberal theory, which provides that peace and cooperation are possible, and they can be achieved on the basis of the principle of reciprocity where states can develop organizations such as the UN and rules such as the international law⁵, to facilitate cooperation. Kant argued that states, although autonomous, could join a worldwide federation and respect its principles even at the cost of foregoing certain short term individual gains. To him, international cooperation was a more rational option for states than resorting to war.⁶

³ Orford Anne, *Reading Humanitarian Intervention: Human Rights and the Use of Force in International Law*, Cambridge: (Cambridge University Press, 2003), p. 2.

⁴ Chomsky Noam, *Perilous Power: The Middle East and US Foreign Policy-Dialogues on Terror, Democracy, War and Justice*, (New York: Penguin Books, 2008), pp.65-70.

⁵ Orford Ann, *Reading Humanitarian Intervention: Human Rights and the Use of Force in International Law*, Cambridge: (Cambridge University Press, 2003), p. 3.

⁶ Goldstein S. Joshua and Pevehouse C Jon., *International Relations* (8th edition), (Priscilla McGeehan: New York, 2008), pp.84-86.

4.1.1 Factors that Constrain Multilateral Diplomacy

The limited emphasis in the application of the principle of political control over the use of force is clearly manifested in the inability of diplomacy to resolving the long standing Palestinian-Israeli conflict. This is evident both in the local, regional and international levels where diplomatic processes have been undertaken since the start of the conflict. This section examines therefore those factors that constrain the effective application of multilateral diplomacy.

Multilateral diplomacy has remained active since the start of the Palestinian-Israeli conflict, which is traced to 1948 for the purposes of this study. The reason for its application since the beginning lies in the internationalization of the conflict, hence necessitating the use of multilateral negotiation and mediation tools to help in promoting cooperation and reducing the intensity of the violence. Multilateral diplomacy in this case has been mainly carried out at two levels. The first is at the level of the United Nations, and the second is at the level of regional organizations such as the Arab League. Though multilateral diplomacy has been applied from the beginning of the conflict, the success rate has been limited by certain constraints.

The UN diplomatic intervention in international conflicts is based in the provisions of its Charter which mandates it to maintain international peace and security. This is Consistent with the liberal institutionalism theory, which posits that states work with each other for mutual gain, and settle their conflicts by peaceful means, and by agreeing to be guided by international laws.

The UN has exercised multilateral diplomatic interventions in the Israeli-Palestinian mainly through its Security Council⁷. However, The UN enforcement mechanisms have been observed to

⁷ Teson R. Fernando, ' *Collective Humanitarian Intervention* ', (Michigan Journal of International Law, 1996). No. 323.

be hindered by the inherent weakness of the UN System⁸. This is due to the fact that it possesses an irrevocable contradiction between the principle of the sovereign equality of member states and the privileged position of the five permanent members of the Security Council expressed in the veto power⁹ The inherent weaknesses of the UN and US influence¹⁰, have partly incapacitated the world body from implementing the resolutions 338 and 242, and explains its failure to take action against human rights abuses whenever they are committed during the incessant violence.

At the regional level, multilateral diplomacy has been hampered by the vested interests of the neighboring Arab countries which are based on Arab nationalism and tend to carry some extremist thinking, for instance the non-recognition of the existence of Israel, contrary to the prevailing position. This has rendered the Arab League comprising of the Arab neighboring states ineffective in applying their diplomacy to deal with the conflict.

4.1.2 The 2008 Gaza: Chronology of Diplomatic Interventions War

Diplomacy as a tool of political control over use of violence, was deployed especially at the international level during the escalation of Israel-Palestinian conflict in Gaza in December 2008. The table below shows the progression of diplomatic activity when the conflict intensified.

DATE	DETAIL
19/12/08	The six –month ceasefire between Israel and Hamas in the Gaza Strip Expired.
27/12/08	Israel began an intense air campaign (operation “Cast Lead”) against “Gaza with the aim to prevent further rocket firing from Hams. The council held an emergency meeting at the demand of Libya.

⁸ Orford Anne, *Reading Humanitarian Intervention: Human Rights and the Use of Force in International Law*, Cambridge: (Cambridge University Press, 2003), p. 2.

⁹ Kochler, H., *The United Nations Organization and Global Power Politics: The Antagonism between Power and Law and the Future of world Order*, (Chinese Journal of International Law, 2006) Vol. 5 No. 2 pp 323-340.

¹⁰ Chomsky Noam, *Perilous Power: (The Middle East and US Foreign Policy-dialogues on Terror, Democracy, War and Justice*, New York : Penguin Books, 2008), p. 147.

28/12/08	The Council adopted a press statement proposed by the US and negotiated with the Arab group expressing serious concern at the escalation of the situation in Gaza and calling for an immediate halt to all violence.
29/12/08	Secretary-General Ban Ki-moon called on both Israel and Hamas to halt violence and curb inflammatory rhetoric. President of the General Assembly Miguel d'Escoto Brockmann said that Israel's air strikes represented massive violations of international humanitarian law including collective punishment, targeting civilians and disproportionate military response. Palestinian and Egyptian UN Ambassadors asked the Council to bring Israel into compliance with its press statement adopted on 29 December.
30/12/08	The EU issued a statement proposing: Immediate ceasefire-with an unconditional halt to rocket fire attacks by Hams and Israeli military action-which would allow the opening of all border crossings and the redeployment of the EU Border Assistance to Rafah; immediate humanitarian action; and stepping up the peace process, including the inter-Palestinian reconciliation.
31/12/08	The EU and the Quartet called for a permanent ceasefire. The US emphasized that it should be durable and sustainable, compelling Hamas to end its rocket attacks. Arab foreign ministers met in Cairo in an emergency session of the Arab League to discuss the crisis. They agreed to push for Security council draft resolution strongly condemning all military attacks and the excessive, disproportionate and indiscriminate use of force by Israel and calling for an immediate ceasefire. Libya introduced this draft resolution to the council, which held a debate with the participation of the UN Secretary-General and the representatives of Israel and Palestine. The Secretary-General condemned in disproportional response of the Israeli military operation. There was no council outcome. The US and other states called the draft resolution unbalanced because it made no mention of halting Hamas's rocket fire.
3/01/09	Following intensive shelling from air and sea, Israel began a ground incursion into the Gaza Strip. This prompted a new Council meeting at the request of Libya, who also introduced a presidential statement, with similar language from the 28 December press statement adopted by the council, for urgent adoption. Despite wide support for Council action this day, and apparent agreement between the P5 and Libya on the format and

	<p>content of the text, it was blocked due to American objections to the timing of such adoption. French Ambassador and Council President Jean-Maurice Ripert instead made an oral statement to the press emphasizing council Members' convergence on: Expressing concern at the escalation of violence; calling for an immediate ceasefire; expressing concern at the humanitarian situation; maintaining the need to insure access for humanitarian supplies; calling on parties to protect civilians and Expressing full support to diplomatic efforts to resolve the crisis and to resume peace talks.</p>
5/01/09	<p>The foreign ministers of Saudi Arabia, Jordan, Syria, Qatar, Lebanon, Libya, and Morocco and Arab League Secretary-General Amr Moussa arrived in New York to push for a Security Council resolution. They prepared a draft resolution: demanding an immediate ceasefire and the cessation of all military activity including Israeli operations and the firing of rockets by Hamas and the full withdrawal of Israeli forces from Gaza; calling for the lifting of the blockade and on Israel to ensure access of humanitarian aid; calling for the establishment of an international observer force in the Gaza strip; and stressing the need for Palestinian reconciliation and for resumption of the peace process. In parallel, France, after consulting with the US and the UK, proposed elements of a presidential statement to be adopted immediately. Those elements included: a call for an immediate and durable ceasefire and for the opening of crossing points with the presence of the Palestinian Authority as provided for in the 2005 agreement; the provision of humanitarian assistance; the establishment of a monitoring mechanism to ensure that there will be no further weapons smuggling; and the return to the peace process. While it seems that the Arab ministers were in principle not opposed to elements along those lines, they insisted that the format be a resolution.</p>
6/01/09	<p>Israeli ordinance struck a UN school housing displaced persons in the Jabaliya refugee camp in Gaza, killing between thirty and forty people. Israel said that it had come under mortar fire from inside the school. UNWRA categorically denied that Palestinian militants used UN facilities in Gaza as a cover for firing position. France organized a council open debate on the situation in Gaza. Libya decided to put a draft resolution prepared by the Arab ministers in blue despite the threat of a US veto. After French president Sarkozy met with Egyptian President Mubarak, Egypt proposed a three-point plan for the crisis in Gaza.</p>

7/01/09	<p>The Council held an open debate on the situation in Gaz. Difficult discussions between Arab foreign ministers and P3 foreign ministers continued. The key issues were what type of outcome the Council should adopt. The P3 proposed a draft presidential statement and explained that it would be a first step towards a resolution if it produces no immediate results on the ground. The Arab ministers rejected the offer and insisted on a resolution. They threatened to put a draft resolution proposed by Libya to a vote, exposing a likely US veto to public opinion. Arab minister held bilateral meetings with elected members and claimed to have secured more than nine votes in favour of it. The Libyan draft resolution was never put to a vote due to P3 final acceptance of a resolution as the format to be pursued.</p>
8/01/09	<p>UN High commissioner for Refugees Antonio Guterres addressed the council. He had previously called on all Gaza borders to remain open for humanitarian purposes and safe so that Palestinian refugees can seek refuge outside Gaza. The UN decided to suspend food deliveries in Gaza after a UN truck came under Israeli fire which led to the death of two UNWRA staff. The Red Cross also accused Israel of blocking medical assistance after Israel fired workers. Israel said in a statement that it was cooperating with foreign aid groups but that Hams was using civilians as human shields. P3 foreign ministers presented a UK draft resolution to Arab foreign ministers present in New York, incorporating all elements of a draft presidential statement they had proposed earlier. Several rounds of consultations followed, resulting incorporation of amendments into the text, in particular, the inclusion of a direct call for a ceasefire and the full withdrawal of Israeli forces from Gaza proposed by Arab ministers. This was sufficient for the P3 and Arab minister. This was sufficient for the P3 and Arab ministers to reach agreement. Despite France's Attempt to delay the vote briefly, the council adopted resolution 1860 calling for an immediate, durable and fully respected ceasefire. The resolution was rejected by Hamas and Israel.</p>
9/01/09	<p>Three Has leaders went to Cairo to hold negotiations in view of reaching a ceasefire agreement with Israel. UN High Commissioner for Human Rights Navi Pillay said that there had possibly been violations of humanitarian law in Gaza and described an incident whereby up to thirty Palestinians in one house were killed by Israeli shelling while Israeli soldiers nearby did not help the wounded, as appearing to have all the elements of</p>

	war crimes.
10/01/09	Palestinian President Mohamoud Abbas met Egyptian President Mubarak, in Cairo. Egypt said it would not accept foreign troops on its side of the border with Gaza to stop arms smuggling.
11/01/09	Despite the adoption of a Council resolution calling for an immediate ceasefire, Israel continued its operation in Gaza. It said that stopping arms smuggling from Egypt to the Gaza Strip should be done by Egyptian forces and rejected the idea of an international force.
12/01/09	The Human Rights council Adopted a resolution condemning Israel's military operation in Gaza.
13/01/09	The Council heard a briefing by the Secretary-General on his plan to travel to the region to promote implementation of resolution 1860, and it held consultations. The International Federation for Human Rights (FIDH) sent a letter to the Security Council asking it to refer the situation in Gaza to the International Criminal Court because of breaches to international humanitarian law.
16/01/09	Israeli tanks redeployed in the periphery of Gaza city, and Israel bombed Rafah. US secretary of State Condoleezza Rice indicated that a ceasefire would be declared very soon after she signed a bilateral accord with Israeli Foreign Minister Tzipi Livni, aimed at preventing arms smuggling into Gaza. The General Assembly concluded a two-day emergency special session by adopting a resolution demanding a immediate end to the Gaza conflict and full respect for Security Council Resolution 1860.
17/01/09	Israel declared a unilateral ceasefire going into effect from midnight. Hamas rejected the ceasefire.
18/01/09	A summit took place in Sharm El-Sheikh, gathering Arab and European leaders and co-headed by French President Nicolas Sarkozy and Egyptian President Hosni Mubarak, with the aim to find ways to consolidate the ceasefire in Gaza. Hamas agreed to a one-week ceasefire.
20/01/09	The Secretary-General visited the Gaza Strip and said that the UN would work with any united Palestinian government to rebuild the Gaza Strip. Divisions within the Arab world between supporters of Hamas led by Iran, Syria and Qatar and supporters of the Western-backed Palestinian Authority led by Egypt, Saudi Arabia and Jordan, were revealed at an Arab economic summit in Kuwait at which Arab leaders agreed to help

	rebuild Gaza Strip but failed to bridge difference over how to address the Israeli offensive in Gaza.
21/01/09	Israel's full troop pullout from the Gaza Strip was completed. The Secretary-General briefed the Council on his trip to the Middle East, and the Council adopted a press statement emphasizing the need for full implementation of resolution 1860.

Three important observations can be deduced from the flurry of diplomatic activities noted above. The first is that the UN and the international community were deeply concerned with this escalation. But a lot of huddles lay on their way such as the intransigence of the two actors in the conflict.

The second observation is that the diplomatic interventions seem to have helped to reduce the intensity of the conflict and may have influenced the unilateral declaration of the ceasefire by Israel on 17th January 2009. Thirdly, the US usual participation as the main mediator in the conflict was limited; perhaps this could be due to its engagement with process of change over from George Bush administration to Barrack Obama administration.

4.1.3 Factors that Constrain Bilateral Diplomacy

Bilateral diplomacy using the tools of mediation and negotiation have become important strategy of dealing with diplomacy of war. Sato argues that since the international system has become more complex, states must engage each other through negotiation in order to not only reduce conflict, but also survive. In the case of the Palestinian-Israeli conflict, Interests of the external actors have always tended to run contrary to those of the non-allied party, and/or in consonant with the allied party¹¹.

¹¹ Armstrong Karen, *Holy War: The Crusades and their Impact on Today's World*, (New York: Anchor Books, 2001), p. 439.

The role of the external actors especially Israeli's main ally- the US, is critical for the success of any diplomatic initiative. It has been argued that Anwar Sadat's diplomatic visit of Jerusalem in 1977 and his strategic acceptance of US mediation and terms leading to the Camp David agreements, made the US insist on full compliance with the peace agreement by Israel since US interests were guaranteed.¹² Young-Bruehl has on the other hand argued that so long as the US interests are not catered for or threatened, the US will not be committed to diplomatic engagements meant to resolve the Middle East conflict. She illustrates her argument with the explanation that since 1969, the United States did not strenuously maintain the return of the Israeli occupied territory to Egypt as a condition for settlement. That it had done so before, notably in the UN Resolution 242 of November 1967, and in the Four Powers negotiations. But had now changed, signifying the degree to which US policy had adapted to the crisis, and a return to earlier principles would have meant an expensive alteration in the 'balance' US policy had taken for granted.¹³

Said has argued that any attempt to pressure the US into diplomatic involvement either from the actors in the conflict or from other external actors including the Jewish lobby in the US, will play a role but only to the extent that they coincide with the overall US interests.¹⁴

Diplomatic interventions in the Palestinian-Israeli conflict must therefore take into account the defined US interests in the Middle East. The clearest definition of these interests are attributed to the Nixon administration which made it clear since 1969 that the Middle East is its number one hot spot, the most dangerous place on earth. He stated that the US is obliged to bring order through

¹² Said, W Edward. *The Politics of Dispossession: The Struggle for Palestinian Self Determination 1969-1994*, (Vintage: London, 1994), pp. 104-106.

¹³ Elizabeth Young-Bruehl, Hannah Arendt: *For the Love of The World*, (Yale University Press: London, 1982), p. 455.

¹⁴ Said, W. Edward. *op. cit.* p. 211.

pacification and stabilization of the area due to entanglements and disorder arising from the Arab-Israeli conflict, inter-Arab rivalries and the struggle between powers.¹⁵

More specifically, apart from political concerns, the underlying US interests are economic and they include among others, maintenance of a net dollar inflow into the US of more than \$ 1.7 billion per year, from its investments of more than \$ 100 billion (relatively cheap oil, military assistance), and the geo-political strategic and cultural factors.¹⁶ At the centre of the Palestinian-Israeli conflict is a long term divergence of interests of the two actors, and varying degrees of convergence and divergence of interests of external actors.

Clearly, the hindrance to diplomatic settlement of the Palestinian – Israeli conflict caused by US –Israeli alliance is based on the convergence of US and Israeli interests. This is demonstrated in many ways. The refusal to comply with the first diplomatic solution to the 1967 war as per UN Security Council Resolution 242 of 1967 has been attributed to Israeli preference of territorial expansion instead of long term security proposed by the UN. Chomsky and Achcar argue that Israel accepted a settlement return of the Sinai to Egypt but refused to return other lands such as Golan Heights to this day because of US support – moral, political and military¹⁷

The second indication is reflected in the US interpretation of the resolution 242 that all states in the region have the right to live in peace and security, with secure and recognized borders. This interpretation did not acknowledge Palestinian rights to self-determination. Further, the question of Palestinian refugees which was the only, Palestinian issue covered, has remained unresolved. It has

¹⁵ 'The Middle East', in *US Foreign Policy: Compilation of Studies*, vol. 2, Senate Foreign Relations Committee (Washington D.C., 1960).

¹⁶ Said W Edward., op.cit. p. 208-209.

¹⁷ Chomsky Noam and Achcar Gilbert, *Perilous Power: Middle East and the US Foreign Policy dialogues on Terror, Democracy, war and Justice*, (London: Penguin Books Ltd, 2007), P. 166.

been argued that the conflict continues, Israel will be dependent on the US for arms and diplomatic support.¹⁸

As a result of this, the overbearing interests of the United States of America in the Middle East in general and Israel/Palestine in particular, has had far reaching repercussions to the peace process especially because the US is expected to mediate yet it is biased because it is an ally of Israeli.

The US has also been constrained by the fact that the strong Jewish lobby in the US puts a lot of pressure on the US government not to act, even If it wanted to achieve positive diplomatic results in the conflict.

Individual neighboring Arab states such as Egypt have also attempted mediation in the Israeli-Palestinian conflict with limited success. The lack of genuine commitment to Israeli-Palestinian peaceful settlement by he neighbouring Arab countries who pursue their own interests, has been seen as a another constraint on diplomacy in the conflict. The fact that Egypt's Anwar Sadat 1971 leading to final camp David 1978 agreements for peace with Israel, did not factor in Palestinian issues of Gaza, west Bank and self determination means the Arabs had their own priorities. This realization of uncommitted Arab support for Palestinian cause led to the rise of PLO and escalation of distinctly Palestinian violent struggle in the late 1960s and 1970.¹⁹

Bilateral diplomacy at the local level has equally faced diverse handicaps ranging from Socio-psychological factors such as the traditional cultural-historical enmity and the memory of conflict, protracted violence and the activities of the extremists, whose goals are seemingly

¹⁸ Ibid pp. 167-168

¹⁹ Chomsky Noam and Achcar Gilbert , *Perilous Power: Middle East and the US Foreign Policy dialogues on Terror, Democracy, war and Justice*, (London: Penguin Books Ltd, 2007), P. 166-176

irreconcilable, the nature of leadership locally, regionally and internationally have sometimes constrained diplomacy in the Palestinian-Israeli conflict.

4.1.4 Convergent and Divergent Interests

This study has observed that the actors to the conflict have tended to engage in unending violence partly for the strategic reason of seeking to attract and converge their interests with those of the external actor especially their allies.

4.1.5 Justification for Political Control over the Use of Force

The application of political control over the use of force at the local, regional and international levels is critical for the resolution of the conflict for a number of reasons. Firstly, it will provide a conducive environment for bilateral and multilateral diplomatic negotiations, thereby facilitating the peace process.

Secondly, political control over the use of force will also guarantee conformity with the law. This is because the actors to the conflict have overtime become almost immune to the observance of not only the bilateral agreements reached between them, but also the international law itself. A good example is the refusal by Israel to comply with the UN resolutions 338 and 242 requiring the return of the territories it acquired from its Arab neighbours in 1967. It will also lead to peace and in the region thereby alleviating the problems associated with this very long war.

In summarizing this part therefore, it has been observed that the main factors that are responsible for the failure of diplomacy in addressing the Palestinian-Israeli conflict revolve around the inability to effectively enforce the principle of political control over the use of force. These have led to continuing volatile environment which is not conducive for diplomacy. It should be noted here that though diplomacy is expected to continue even during war as per Clausewitz's theory, the

two actors for along time did not even recognize one another, leave alone talking to each other. There are of course other factors which include external actor's interests, and internal socio-political and economic factors.

4.1.6 Regional Social Political Factors

The vested interests of the Arab countries who seek to advance the goals of Arab nationalism. One of the goals is to annihilate the state of Israel and to free Palestine²⁰. These interests whave hampered success of diplomacy since the 1948 war that resulted in the displacement of 750,000 Palestinians, the refugee problem has been a source of major differences. The Palestinians and the allied Arab states in general want the refugees back as part of the peace process while Israel has opposed. This has caused a major socio-political handicap in the diplomacy process²¹

4.1.7 International Socio-Political Factors

The interests of external actors such as the US present Socio-Political handicaps to diplomacy in the Palestinian-Israeli conflict. The US geo-strategic interests coupled with the Political influence of the Jewish lobbyists in the US, have dragged the diplomatic efforts geared to providing a solution to this problem²²

4.2 A CRITICAL ANALYSIS OF THE USE OF FORCE IN THE PALESTINIAN-ISRAELI CONFLICT

This targets to achieve objective two of the study. This means it will seek to determine the rationale for the consistent strategy of violence used by the actors in the protracted Palestinian –

²⁰ Armstrong Karen, *Holy war: The crusades and their impact on Today's world* Anchor Books: (New York, 1992) p. 76-78

²¹ Fulcher of Chartres, *A History of Expedition To Jerusalem, 1095-1127, tran. And ed. Frances Rita Ryan* (Knoxville, 1969), P.66

²² Said W. Edward Op.cit. P. 208-220

Israeli conflict. Violence here refers to the consistent recourse to the use of military means, including asymmetrical warfare as opposed to peaceful means of resolving their issues. Clausewitz defines war as an act of violence intended by one actor to compel his opponent to fulfill his will. The fundamental assumption here is that the actor in a real war is a perfectly defined entity called the State.²³ In this study however, the Palestinians, though they are yet to attain statehood in the strict description of a nation state in accordance with the Montevideo convention, will be assumed to be a nation state for the purpose of analysis.

In carrying out this analysis, some additional assumptions will be made. The first assumption is that the actor's consistent use of violence is a calculated strategy by the actors to achieve some end state. The second assumption is that effective use of appropriate tools of political control over the use of force can minimize the regular escalation of violence in the conflict. Lastly, some social, psychological, political, economic and military factors locally, regionally and internationally help to sustain the protracted violence.

4.3 STRATEGIC PURPOSE OF VIOLENCE

The actors have a strategic purpose of attaining some end state. The subjective strategic aim to create attention for international intervention by the key allies and the international community. This attention serves the interests of these two actors for different reasons. For the Israeli, it serves to justify first, their deterrence defence policy whenever they are attacked, then a counter-attack would be justified as a kind of self-defence. Secondly, it serves to attract consistent support from its main ally, the United States of America, which guarantees Israel not only military and political support, but also substantial economic support for its development. A peaceful environment in Palestine/Israel may imply reduction of this kind of support from the US. Thirdly, international

²³ Rapoport Anatol (Edit) Clausewitz von Carl, *on war*, (penguin Books Ltd.London,1982).p.14-15

attention and sympathy, together with sustained effort at mobilizing Jewish-American moral, political and financial support. Finally, Israeli uses violence for defence of its territorial integrity and survival as a state.

The Palestinians on the other hand, have the strategic aims of attracting the attention of the international community to their plight. In particular the Palestinians always wish to continually draw moral support for their fight and sympathy. They also resort to consistent violence as part of their independence and self-determination struggle against Israel. Thirdly Palestinians use violence especially asymmetrical warfare as a response to Israeli Symmetrical and conventional war.

Another reason for the actor's engagement in unending violence is as a strategy in search of peace. The two actors always want to remind the international community that their agenda remains unresolved. Sometimes they seek for short term peace as the case when Israel justifies its attacks in Gaza for instance on the basis that its citizen have faced constant terrorist attacks and hence the need to halt these attacks. Palestinians on the other hand were initially driven by Arab nationalism which had the stated objective of obliterating Israel from Palestine in the name of getting independence for the Palestinians. Today they are driven by the search for long term peace generally, though they still have extremists who still believe in the original Arab nationalist objectives.

4:3.1 Justification for Political Control of Violence

Effective application of the principle of political control of the use of force will firstly reduce the escalation of violence and therefore minimize destructive effects of war. Secondly, it will create an opportunity for negotiation for long term peace. In this way diplomacy will play its noble role of bringing harmony and compromise through negotiation.

At the international level, effective use of political control over the use of force will ensure compliance with the international statutes. The UN Charter prohibits the use of force and asks the states to apply peaceful means in settlement of disputes among them.

4.3.2 Violence Sustaining Factors

Memory of conflict is one key factor that sustains the violence. This is a psychological element arising from the length the conflict has lasted since 1948. On the part of the Palestinians the war with Israel had become more sophisticated as suicide attacks were acquired as a strategy. Unfortunately the sophistication has only made the promising peace process more complicated and unnecessarily delayed since the progress made in the time of Arafat.²⁴

Religious and cultural and historical differences of the Arabs and the Jews have to some extent helped to sustain the conflict as the two actors in the conflict continue to perceive themselves as completely different from one another.

Some have argued that the actors in the conflict have irreconcilable interests and values. At the regional level, the uncompromising stance adopted by most Arab countries against Israel limits the chances of honest and meaningful negotiations on the conflict. This has been made worse by their political, military and moral support of extremists in Palestine and in the surrounding areas that have fanned the continuing violence. Bar-On argues that for over thirty years, Palestinian insurgent under or outside the PLO have waged liberation wars based on the Maoist strategies with all kinds of assistance from Arab states such as Egypt, Syria, Jordan, Lebanon, Libya, Saudi Arabia

²⁴ Cordesmann H. Anthony, *The Israeli-Palestinian War: Escalating to Nowhere*, (Westport: Praeger Publisher, 2005), 363-392.

and Yemen.²⁵ The insurgent wars and the intifadas had the goals of undermining the authority of Israel rule in the occupied territories by means of revolt and asymmetrical attacks, and to establish a Palestinian state.²⁶

At the international level, continued support of the actors militarily by their allies contributes to sustenance of the conflict.

However, The UN enforcement mechanisms have been observed to be hindered by the inherent weakness of the UN System. This is due to the fact that it possesses an irrevocable contradiction between the principle of the sovereign equality of member states and the privileged position of the five permanent members of the Security Council expressed in the veto power²⁷ The inherent weaknesses of the UN have partly incapacitated the world body from implementing the resolutions 338 and 242, and explain its failure to take action against human rights abuses whenever they are committed during the incessant violence. These inherent weaknesses on the UN especially its Security Council have therefore remained a major handicap and a factor that sustains the use of violence especially because the inability to fully implement resolutions 338 and 242, continues to be a source of tensions and violence.

Secondly, the lack of commitment by external actors especially the US who is the main mediator in the conflict has contributed to the slow peace process and hence desperation has set in leading to escalation of violence over time.

Lastly and more importantly, the convergence and divergence of the interests of the actor to the conflict and those of the external actors produces an environment that constantly sustains the

²⁵ Mordechai Bar-On, *A Never-Ending Conflict: A Guide to Israeli Military History*, (Westport: Praeger Publishers, 2004), pp. 179-191.

²⁶ Ibid. p.227.

²⁷ Kochler, H., *The United Nations Organization and Global Power Politics: The Antagonism between Power and Law and the Future of world Order*, (Chinese Journal of International Law, 2006) Vol. 5 No. 2 pp 323-340.

conflict. For instance, Israel's choice for a policy of territorial expansion as opposed to real security since 1967 and its refusal to withdraw from the occupied territories in line with resolution 242, is informed by the backing it is guaranteed by the US military force.²⁸ This decision led to the Yom Kippur war of 1973, and subsequently to the Camp David Accords in 1978 and Egyptian Treaty in 1979.²⁹ Although this diplomatic step of peace with Egypt was a positive step for Egypt, Israel and its ally the US, it did not quite address the problem of the Palestinians. To the Palestinians, even the breakthrough registered in the signing of that Oslo Agreements on the Declaration of Principles in September 1993 which was also a result of intensified violence of the intifada of 1987-1991, was a sell out since it talked more about Israeli rights and nothing about the Palestinian rights.³⁰ A consequence of this and the delay in following up the agreement was escalation of violence in 2000 and 2008 and the continuing instability in the region today.

In summarizing part two of this chapter, it is observed that the actors in the conflict resort to protracted violence mainly because of selfish interests that fall short of recognizing the value there is in cooperation as per the liberal school of thought arguments. The violence is therefore calculated strategically to achieve some end states. The limited application of the principle of political control over the use of violence has meant continuing violence and application of law. The violence has been made worse by some sustaining elements among them being the convergence of the external actor's interests with those of the primary actors, continuing military support to the protagonists by their allies, and the instrumentalization of violence for purely subjective ends.

Clausewitz conception of the relation between war and politics (military and foreign policy or diplomacy) with reference to the ends and means of each, brings the interests of the state and of

²⁸ Kissinger Henry, *The White House Years*, (Boston: Little Brown, 1976), p.1279.

²⁹ [http://www.mfa.gov.il/MFA/Peace/Israel-Egypt/Peace Treaty](http://www.mfa.gov.il/MFA/Peace/Israel-Egypt/Peace%20Treaty), accessed on 15th August 2009.

³⁰ Said W. Edward, *The Politics of Dispossession: The Struggle for Palestinian Self Determination 1969-1994*, (Vintage: London, 1994), p. 171

the military to coincide in Clausewitz conception of the state. His philosophy of war Clausewitz gives priority to civilian authority over the military. The military is supposed to serve the state, not vice versa. The reasons for this distinction in Clausewitz mind is his estimate of the prospective open to the military and to the civilian leadership respectively. The military leader is a specialist and his horizon limited to military tasks specified. The statesman's horizon is wider encompassing both military and political power relations.³¹

Finally, there are three preliminary assumptions or observations about the diplomacy of Palestinian-Israeli conflict that were made. Firstly, there exist socio political, military and economic factors, both at the regional and international level, which constrain the success of diplomacy in resolving the protracted conflict. These factors include the nature and character of the rational actors representing the two primary parties, the type of governments, the rational interests of the parties, and the role of external actors – especially the US the UN and the Arab states³².

The second assumption is that for diplomacy to work effectively, external actors must bring pressure to bear on the primary actors. This is because external actors like the US and the Arab league countries are allies to Israel and Palestinians respectively³³. Their interests are therefore closely intertwined with those of the primary actors to the extent that they are almost inseparable³⁴.

³¹ Ibid p.24

³² Armstrong Karen, *Holy war: The crusades and their impact on Today's world* Anchor Books: (New York, 1992) p. 76-78

³³ Mamdani Mahmood, *Good Muslim, Bad Muslim: America, the Cold War and the Roots of Terror*, (Kampala: Fountain Publishers, 2004), pp 240-260.

³⁴ Fisk Robert, *The Great War for Civilization: The Conquest of the Middle East*, (London: Harper Perennial, 2006), p. 523.

CHAPTER FIVE

A CRITICAL ANALYSIS OF DIPLOMACY OF PALESTINIAN-ISRAELI CONFLICT

5.0 INTRODUCTION

Clausewitzian theory on war, which views war as a rational instrument of national policy, provides a theoretical basis for diplomacy of war.¹ This study focused on the role of diplomacy in the management of violence or war among states or societies. This role was examined with reference to the protracted Palestinian-Israeli conflict. Though the general application of political control of war through diplomacy has increased globally, the use of force continues to characterize Palestinian-Israeli relations since 1948 to date.² Underlying the diplomacy of war is the assumption that political control over the use of violence should act to limit the extent, intent and intensity of the war. Political or diplomatic control should produce enabling conditions for resolving the conflict and hence normalize relations. In the case of the Palestinian-Israeli conflict, the application of this principle has only demonstrated limited positive results as would have been expected. Therefore, this study sought to determine and analyze the factors underlying the limited success of diplomacy in the resolution of Palestinian-Israeli conflict, the main challenges on the way of effective application of the diplomacy of war, the rationale for the strategy of violence consistently used by the actors in this conflict, and the strategic measures that can be employed to remedy these challenges. This chapter undertakes the critical analysis on the basis of the factors revealed in the study findings in the previous chapter and the theoretical frame set out in the earlier chapters.

¹ Clausewitz Carl Von, *ON WAR*, (Penguin Books Ltd.: London, 1962), p. 13.

² Golani, Motti *Israel In Search of a War: The Sinai Campaign 1955-1956*, (Sussex Academic Press: Brighton, 1988), p.2

Diplomacy here is viewed as an instrument of policy or a tool of political control over the use of force³. Violence on the other hand refers to the consistent recourse to the use of military means, including asymmetrical warfare as opposed to peaceful means of resolving their issues. Clausewitz defines war as an act of violence intended by one actor to compel his opponent to fulfill his will.⁴

5.1 CRITICAL ANALYSIS OF DIPLOMACY IN THE PALESTINIAN-ISRAELI CONFLICT

Diplomacy as an instrument of policy or a tool of political control over the use of force⁵ has been evidently employed in trying to address the problem of the Palestinian-Israeli conflict. At the international level, the UN outlaws threat or use of force, and encourages member states to resort to peaceful means in dealing with disputes in their relations. Diplomacy is the main means of maintaining peaceful relations among states.⁶ Underlying this UN restriction is the principle of political control on the use of force or violence. In dealing with the Palestinian-Israeli conflict, the UN has endeavoured to use this principle through its multilateral diplomatic engagements aimed at promoting peace and security within its legal mandates⁷. However, its success in promoting cooperation and limiting war⁸ has been limited by certain underlying factors.

³ Barston R.P., *Modern Diplomacy*, 3rd ed., (London: Pearson Longman, 2006), p. 40.

⁴ Rapoport Anatol (Edit) Clausewitz von Carl, *on war*, (penguin Books Ltd.London,1982).p.14-15

⁵ Barston R.P., *Modern Diplomacy*, 3rd ed., (London: Pearson Longman, 2006), p. 40.

⁶ Charter of the United Nations and the Statute of the International Court of Justice, (United Nations: New York, 1965), pp. 5-6.

⁷ Orford Ann, *Reading Humanitarian Intervention: Human Rights and the Use of Force in International Law*, Cambridge: (Cambridge University Press, 2003), p. 3.

⁸ Goldstein S Joshua and Pevehouse C Jon., *International Relations* (8th edition), (Priscilla McGeehan: New York, 2008), pp.84-86.

The UN has exercised multilateral diplomatic interventions in the Israeli-Palestinian mainly through its Security Council⁹ and the first observed underlying factor that explains its limited success is the enforcement mechanisms that have been observed to be a hindrance due to the inherent weakness of the UN System¹⁰. This arises from the fact that it possesses an irrevocable contradiction between the principle of the sovereign equality of member states and the privileged position of the five permanent members of the Security Council expressed in the veto power¹¹. The inherent weaknesses of the UN and US influence¹², have partly incapacitated the world body from implementing the resolutions 338 and 242, and explains its failure to take action against human rights abuses whenever they are committed during the incessant violence. It can be argued that based on the powers bestowed on the UN and the Security Council in particular, diplomatic resolution of the Palestinian-Israeli conflict would have been the simplest thing to have been accomplished! Unfortunately this presupposes cooperation and mutual understanding between the combatants which has not been forthcoming. Yet the UN is unable to force say Israel to comply with the UN resolutions passed. This clearly remains a major challenge to success of the diplomacy of war in this conflict.

There are also socio political, military and economic factors including the UN outlawed violence¹³: itself, both at the local, regional and international level, which constrain the success of the UN and other multilateral diplomatic efforts in resolving the protracted conflict. These

⁹ Teson R. Fernando, ' *Collective Humanitarian Intervention*', (Michigan Journal of International Law, 1996). No. 323.

¹⁰ Orford Anne, *Reading Humanitarian Intervention: Human Rights and the Use of Force in International Law*, Cambridge: (Cambridge University Press, 2003), p. 2.

¹¹ Kochler, H., *The United Nations Organization and Global Power Politics: The Antagonism between Power and Law and the Future of world Order*, (Chinese Journal of International Law, 2006) Vol. 5 No. 2 pp 323-340.

¹² Chomsky Noam, *Perilous Power: (The Middle East and US Foreign Policy-dialogues on Terror, Democracy, War and Justice*, New York : Penguin Books, 2008), p. 147.

¹³ Orford Anne, *Reading Humanitarian Intervention: Human Rights and the Use of Force in International Law*, Cambridge: (Cambridge University Press, 2003), p. 2.

factors include the nature and character of the rational actors representing the two primary parties, the type of governments, the rational interests of the parties, and the role of other external actors – especially the US and the Arab states whose interests and influence dictate the success of the diplomacy¹⁴. The nature of the rational actor is so key that the contrast in the enormous diplomatic peace progress made during Yasser Arafat's time is clearly obvious as compared to almost nil progress made in his successor Mahammud Abbas's reign. This also applies to Israel's case where enormous progress was made during Yitzak Rabin's time as compared to Ariel Sharon and Ehud Olmert's time. According to Mearsheimer and Walt, the diplomatic process almost stalled during the later' time with President Bush's full backing.¹⁵

The study has also observed that for the multilateral and bilateral diplomacy to work effectively in the case of the Palestinian-Israeli conflict, external actors must not only embrace cooperation and compromise in terms of their interests, but also bring pressure to bear on the primary actors. This is because the external actors like the US and the Arab league countries are allies to Israel and Palestinians respectively, and they possess long term vested interests in the conflict¹⁶. Their interests are therefore closely intertwined with those of the primary actors to the extent that they are almost inseparable. In effect, the success of diplomacy in achieving stability in the relations between Israel and Palestine is dependent to a large extent on the level of convergence and divergence of these interests¹⁷. This implies that the more Israeli and US interests converge the greater their interests diverge from those of the Palestinians and their Arab

¹⁴ Young-Bruehl Elizabeth, Hannah Arendt: *For the Love of The World*, (Yale University Press: London, 1982), p. 455.

¹⁵ Mearsheimer, John J. and Walt, Stephen M., *The Israel Lobby and US Foreign Policy*, (England: Penguin Books Limited, 2008), p. 219.

¹⁶ Chomsky Noam, *Perilous Power: The Middle East and US Foreign Policy-Dialogues on Terror, Democracy, War and Justice*, (New York: Penguin Books, 2008), pp.65-70.

¹⁷ Bar-On Mordechai, *A Never-Ending Conflict: A Guide To Israeli Military History*, Westport: (Praeger Publishers, 2004), pp. 237-242.

allies, hence the lower the chances of success of diplomatic interventions and the more the conflict gets prolonged and vice-versa.

This critical examination and analysis of the application of multilateral and bilateral diplomacy undertaken within the parameters of the principle of political control of use of force as the guiding theme has equally revealed certain prerequisites for effective diplomacy of war. On the basis of this principle, it is expected that diplomacy should not only help in reducing the intensity and effects of this conflict, but also bring about a resolution with legitimized and enduring outcomes for both Israeli and the Palestinians.¹⁸ Future success of diplomacy will therefore to a large extent be dependent on the extent to which the various actors embrace the principle of reciprocity and compromise.

Liberal theory has espoused the value of reciprocity and cooperation, and has argued that peace and cooperation are possible and they can be achieved on the basis of the principle of reciprocity where states can develop organizations such as the UN and rules such as the international law¹⁹, to facilitate cooperation. Kant argued that states, although autonomous, could join a worldwide federation and respect its principles even at the cost of foregoing certain short term individual gains. To him, international cooperation was a more rational option for states than resorting to war.²⁰

The limited emphasis in the application of the principle of political control over the use of force has clearly been manifested in the inability of the diplomacy engaged since 1948 to

¹⁸ Mwangiri Makumi, *Diplomacy: Documents, Methods and Practice*, (Nairobi: Institute of Diplomacy and International Studies, 2004), pp. 116-118.

¹⁹ Oxford Ann, *Reading Humanitarian Intervention: Human Rights and the Use of Force in International Law*, Cambridge: (Cambridge University Press, 2003), p. 3.

²⁰ Goldstein S Joshua and Pevehouse C Jon., *International Relations* (8th edition), (Priscilla McGeehan: New York, 2008), pp.84-86.

resolve the long standing Palestinian-Israeli conflict. This is evident both in the local, regional and international levels where diplomatic processes have been undertaken since the start of the conflict.

Data collected through direct interviews of envoys of Israel, Egypt and the League of Arab States accredited to Kenya which is incorporated in the ensuing analysis also confirms this position. The envoys also provide a detailed analysis of the Constraints /challenges and possible steps towards enhancing diplomatic success. One major assumption in diplomacy of war is that the decisions to wage war are not only political but also subject to national interests and values. When such interests and values are viewed from the mutual benefit perspective by both combatants, the common goal of peace is expected to prevail. These interviews concurred that the parties to the Palestinian-Israeli conflict are basically driven by one common goal, which is search for long lasting peace. However, the diplomatic process has overtime been hampered by socio-cultural, political and internationalized factors.

In an in-depth interview with the Egyptian Ambassador to Kenya it became clear that deep mistrust, traditional religious differences, lack of charismatic leadership and extremist acts are the main constraints to effective diplomacy in this conflict.

The level of trust and honesty among the combatants in a conflict determines the extent to which diplomacy of war can be effective in achieving desired results as an interview with Ahmed²¹ revealed. This according to him is one of the most complicated conflicts in the world because the level of mistrust has continued to increase rather than reduce with every escalation

²¹ Direct Interview Of H. E. The Ambassador Of Egypt In Kenya Mr. Ahmed Hersi , Conducted By The Researcher On 14 May 2009.

of violence. The war which broke out in December 2008 is linked to the Palestinian –Israeli conflicts that have been there since the 1940s. It is also part of the Arab-Israeli question. The main cause is centred on territorial dispute but other factors have made it difficult to resolve. There is a lot of mistrust between Israel and Palestine with both having extremists on each side. For sometimes Palestine did not recognize the existence of Israel until the Oslo Agreements in 1993 when PLO under Yasser Arafat signed a declaration of principles marking the start of a peace process. But After Arafat, Mohammed Abass as leader of the Palestinian Authority has not been able to manage Palestinian unity well. This is partly because he is not charismatic like Arafat was and also he allowed corruption leading to the election of Hamas in March 2006.

The war that broke out on December 2008 was therefore an acumination of the frosty relations between Israel and Hamas group which took power in Gaza. This group does not recognize Israel and Israel has been fighting to route it out of leadership. From its election, Israel imposed a blockade to limit non essentials and any arms that may be brought by Hamas. Months prior to the war, witnessed Hamas regularly bombing neighbouring Israel homes in the south. When they intensified the attacks, Israel fought back. This was therefore the immediate cause of this conflict. He further states that this recent conflict is part of the historical conflict between the two. The only difference arises from the entry of Hamas into Gaza political leadership, the imposition of the blockade by Israel, and the constant missile bombardments of Israel settlements in the neighbourhood triggered the war.

Hamas group which took power in Gaza is considered a terrorist group by Israel. They are extremist since they do not recognize Israel. In fact their activities in Gaza have drawn concerns among peace-loving countries. For instance, they expelled the Fatah group from Gaza

the moment they took over power. This together with the unwarranted bombardment of Israel caused tensions to heighten.

Whereas some discussions have been there between Abass (PLO) and Israel overtime, there has been none with the new rulers in Gaza. The Egyptian ambassador contends that Hamas wanted to "Show their force" by launching the attacks but did not have the ability to stop the counter attacks from Israel. So, other than external intervention such as The major role that has been played by Egypt in creating long term peace in the region through diplomacy, there was minimal role played by the actors on their own to resolve the conflict.

He further explains that in past conflicts, US has been the main mediator in the Arab-Israeli conflict. They brokered the Camp David and the peace accord between Egypt and Israel in 1973 and 1978 respectively. Bill Clinton mediated Palestinian – Israel talks that led to the creation of Palestinian authority in Gaza and the west bank. But in the December 2008 war, the US played a very limited role. For eight years of President George W. Bush administration in the US, no single step, or inch or peace was achieved. The last progress made in the peace process was during the conflict; the US itself was engaged in domestic politics and hence did not engage in any preventive diplomacy that could perhaps have averted the war. But there is now great optimism that the peace process will be moved forward by President Obama's administration. It is believed if the US can use its might to push for resolution of the conflict, a long-lasting solution could be reached. President Obama, being a democrat is thought to likely achieve more than his predecessor. He has already opened discussions with Egyptian President and sent a special envoy to the Middle East to commence the peace process. But the success of Obama largely depends on his ability to address the inherent and emerging diplomatic challenges explained earlier..

The ability of the US to cultivate the potential of other external actors is also imperative to the success of the diplomacy of the Palestinian-Israeli conflict. Egypt has been a major player in the Palestinian-Israeli conflict for a long time. This is mainly because; it believes war alone does not resolve any conflict. This is informed by its experience of war after fighting with Israel in 1948, 1967 and 1973. It realized the need to have peace in the region for any development to take place. With the US mediation therefore, Egypt entered into a peace deal with Israel in 1974-1975 with the final settlement in 1987/88 when Israel handed over the Sinai back to Egypt. Of course, other Arab countries were unhappy and surprised by its decision to sign the peace agreement. But Jordan and the Palestinian Liberation Organization soon followed suit. Egypt also got back the last area-Tarba through arbitration. Since then it has had diplomatic relations with Israel²².

Arising from this background, it can be understood why Egyptian President Mubarak put pressure on Israel to cease the attacks on Gaza and opened peace meetings in 2008/2009 with the result that presently, peace and unity meetings continue in Cairo to try and bring unity of the Palestinians because it is only sure way restart the peace process with the Palestinian groups united. Egyptian authorities²³ are convinced that give and take by both Israel and Palestinians is the only way forward for peace. This strategic remedy is in line with the liberal theory of international relations which was adopted by this study and which contends that peace and cooperation are possible, and they can be achieved on the basis of the principle of reciprocity where states can develop organizations such as the UN and rules such as the international law, to facilitate cooperation. Kant considered being the father of liberalism, argued that states, although autonomous, could join a worldwide federation and respect its principles

²² *Direct Interview of H. E. The Ambassador of Egypt in Kenya Mr. Ahmed Hersi , Conducted by the Researcher on 14 May 2009.*

²³ *Direct Interview of H. E. The Ambassador of Egypt in Kenya Mr. Ahmed Hersi, Ibid.*

even at the cost of foregoing certain short term individual gains. To him, international cooperation was a more rational option for states than resorting to war.²⁴ Success in the diplomacy of war must therefore entail the principle of give and take.

The EU and UN have also continued to play their role. During the war in December 2008 to January 2009, they put pressure on Israel to cease the Killings which were excessive. The UN has even raised human rights. Concerns where innocent people were also killed. The Arab League was particularly incensed by the use of excessive force which has been characteristic of Israel even during its war with Lebanon²⁵. The use of force has been the consistent characteristic in this conflict and can be attributed to the false belief that it can lead to peace as earlier explained. But this has not yielded the expected results over the years and hence the need to resort to honest diplomacy for long term peace.

A two-state solution is the best option and both the US and the UN support this. Of course it is usually easier to start war but ending it could take forever. There will not be a quick-fix solution to this complex conflict. Each party must recognize each other respect one another, appreciate the value of having peace, and accept to give and take. The US will play a key role in the mediation process and Israel must become more practical and committed. The same to the Palestinians who must unite and be realistic by all of them recognizing Israel and vice versa. It is the only way to eliminating the challenges to the diplomatic peace process which must start with: eliminating suspicions between the protagonists and bringing a common understanding on key issues, adoption of open to peace policy by the new Israeli government of Netanyahu (This

²⁴ Goldstein S. Joshua and Pevehouse C. Jon, *International Relations* (8th Edition), (Priscilla McGeehan: New York, 2008), Pp.84-86.

²⁵ Direct Interview of H. E. The Ambassador of Egypt in Kenya Mr. Ahmed Hersi, Ibid.

is especially a challenge because the new Israeli Foreign Affairs Minister is considered an extreme conservative²⁶, though the Prime Minister is positive), and addressing the touchy issues challenges of the Palestinian refugees and the question of the holy city of Jerusalem.

The consistent employment of violence in preference to diplomacy by the actors in the conflict remains a complex handicap to the diplomacy of war. Whereas both parties hope to attain peace through the violence, the study however revealed that the violence has been mainly used either as a show of force or to sustain international attention for continued support from the allies of either side. According to Elbaz-Starinsky,²⁷ the main source of the operation undertaken by Israeli in Gaza from “December 2008 to January 2009 stems from the aggression of Hamas. They had daily been firing Quasam rockets on Israel cities such as Beer Sheva for the past one year. This intensified three or so month prior to the conflict. He argues that Israeli citizens living within Gaza proximity had lived with constant fear. Hence the Israeli government had to take action. The war was not against the Palestinians, majority of whom are peace loving, but the Hamas who are determined to use violence against Israel.

He blamed the stalled peace process on the Hamas party which won in March 2006 many parliamentary seats against the ruling PLO. According to him, since they took over Gaza, they started attacks on Israel neighbouring settlements. Their aim remains to eliminate the state of Israel and in this they have the backing of the Arabs in all the neighbouring countries. Previous wars have also had linkage with and interest of the Arabs.

²⁶ Direct Interview of H. E. The Ambassador of Egypt in Kenya Mr. Ahmed Hersi, Ibid.

²⁷ Direct Interview of H. E. Maor Elbaz – Starinsky The Deputy Ambassador Of Israel In Kenya Conducted By The Researcher On 06 May 2009

The factor of mutual suspicion between the conflicting parties is still a strong impediment to the exercise of the diplomatic process. Israel believes Hamas is a terrorist organization backed by Iran with its main headquarters in Syria, and that they are also connected with Hezbollah of Lebanon²⁸. Hence their beliefs that the Hamas attacks were orchestrated to harass and destabilize the lives of the Jews in the neighborhood. The goal of the Israeli operation was therefore justified as not geared to dissipate Hamas but to bring peace to the Southern part of Israel. Of course the peace was not achieved then and even to this date. In this case the continuing Israeli diplomacy with the Palestinian Authority in Ramallah can only be seen as a time wasting exercise and hence dishonest diplomacy, in the light of this preference to use violence.

The US, who has been the main mediator in previous conflicts and a strategic ally with very deep relations with Israel, needs to participate more actively and impartially in mediation and strive to reduce the mutual suspicion between the protagonists. But the apparent US's continuous castigation of the Hamas and its accusation of terrorist involvement, is likely to hamper US diplomatic mediation's success. The situation may be worsened by the lack of active involvement of the US in discussions with Hamas. On the other hand, whereas the UN Secretary General issues directives for the parties to cease violence whenever it erupted, the countries in the Arab League engage in unending blame game over Israel's alleged abuse of human rights and breach of United Nations Laws. This blame game has tended to portray Israel as the only aggressor, and so has contributed to the growth in the diplomatic gap between the two parties.

²⁸ Direct Interview of H. E. Maor Elbaz – Starinsky, Ibid.

It has been argued that the accusations leveled against Israel about human rights abuses, fail to show the other side of the story especially considering that Hamas use the United Nations Operation Offices in Gaza to launch attacks on Israel. They are also accused of hiding in schools and other civilian points hence creating unavoidable targets for Israeli Defence Forces during the operations²⁹.

The blame game is not only limited to the allies but it is also to be found intra-allies. For instance as the Israeli authorities more often lay blame on Egyptians for failing to tighten its border with Gaza despite its promise to tighten his side of the border so as to limit the smuggling of arms into Gaza by the Hamas. This presents a unique challenge in that the Palestinians as much as Israeli believe in enhancing their security through armed capacity building. Each of them will therefore strive to build its armed capabilities at all costs including through smuggling of arms. Due to continuous blame game then, diplomacy has not been given the conducive environment to deliver. Israeli authorities for example argue that in 1993, Israeli reached a decision to accept negotiation with the enemy PLO. A peace accord was reached. In 1999, Israel Prime Minister Ehud Barak offered 99% of Gaza to Yasser Arafat but Arafat refused to take it. Hence the peace process remained unconcluded. They also state that in 2005, Israel disengaged completely from Gaza and removed even its citizens, thereby demonstrating its commitment to the conclusion of the peace process with the creation of a Palestinian state comprising Jordan-Samaria (East Bank) and Gaza³⁰.

²⁹ Direct Interview of H. E. Maor Elbaz – Starinsky, Ibid.

³⁰ Direct Interview of H. E. Maor Elbaz – Starinsky, Ibid.

Setting out of conditions and positions that are uncompromising in international diplomatic negotiations tends limit the success of diplomacy in resolving any dispute. All parties must be ready to accommodate one another's view point and go an extra mile. For instance the fixed Israeli position that it can't negotiate with divided Palestinian groups unless they are under legitimate leadership under PLO requires accommodation in order to move the peace process forward. It should recognize the elected Hamas leadership in Gaza as a starting point.. The Hamas group must on the other hand recognize Israel and acknowledge its statehood; stop terror activities; and acknowledge previous peace agreements reached by Israel and the Palestinians represented by PLO. This will ensure genuine give and take necessary for the success of diplomatic negotiation.

The external actors must equally give honest support to the diplomatic process. The Involvement of Iran which supplies Hamas with weapons for instance complicates the peace process. Whereas Egypt has been lately very active in dealing with the smuggling points used by Hamas which is a key undertaking in building the needed confidence for the diplomacy of war, Syria and Iran are unhappy of Egypt – as “cold war exists”. The role of the US is vital even in this confidence building stage. Israel and US have new governments which are re-looking at the issue. There are higher prospects of finalizing the peace process now with the new US administration which has a lot of goodwill. The Bush administration had no Arab trust since he was seen to be openly biased in favour of Israel. The level of US commitment will be a key determinant, but of course the confidence and trust between the primary actors must be right for the diplomatic process to yield desired results.

Despite the open good relations between US and Israel, the US remains still the best placed mediator because it is the only country with the ability to influence both Israel and Palestine to come to negotiation and to abide by the agreements. This is because it is the only superpower in the world with military, economic and political power, and above all, it is a member of the Security Council, and a close ally of Israel. In fact according to Mearsheimer and Walt, “The United States has enormous potential leverage at its disposal for dealing with Israel and the Palestinians. It could threaten to cut off all diplomatic and economic support for Israel. If that were not enough, it would have little difficulty lining up international support to isolate Israel much the same way South Africa was shunned in the last century. Regarding the Palestinians, the US could hold out the promise of fulfilling their dream of a viable state in the occupied territories coupled with long term economic aid. In return, the Palestinians would have to end all terrorism against Israel”.³¹ The simple implication of this is that with total commitment of the US, nearly all major obstacles to the diplomacy of the Palestinian-Israel conflict would be instantly eliminated and the road to peace would be opened.

Of course some long term historical and cultural issues will have to be ironed out at the stabilization stage. Such have deep rooted origins as Salim³² outlined: The Palestinian-Israel conflict is rooted in the 1920’s Balfur Declaration and the mishandling of the dispute by the British and the UN in 1947-194. Around 1920’s or so, the king of Jordan gave the disputed land of Palestine to the British government and signed a land agreement with Mr.Balfour (on behalf

³¹ Mearsheimer, John J. and Walt, Stephen M., *The Israel Lobby and US Foreign Policy*, (England: Penguin Books Limited, 2008), Pp.225-227.

³² Direct Interview of H. E. Salim Mohammed Salim Al Khussaibi, The Ambassador of League of Arab States in Kenya ,Conducted by the Researcher on 19 May 2009

of the British) .Israel then did not have any land and were facing persecution all over the world especially in Europe. The British had met a failed attempt to settle them in Uganda. Meantime the Israeli immigrants continued to settle in Palestine and their increased numbers began to bring tension with the indigenous Palestinians.

Unfortunately, the UN gave Israel state recognition when the British gave up colonial administration due to intensified nationalist pressure for independence from Palestinians and Israelis in 1948. This led to the many Arab-Israeli wars starting with 1948 when Arabs champion for Palestinian cause .So, the war in December 2008 is part and a continuation of the old wars which stem from Palestinian struggle for self determination. During this war, Israel claimed that the Palestinians were attacking them which is a lie since they are ill-equipped compared to Israel.

He further argues that the current conflict is a continuation of the very historical conflict since the peace process has not been concluded to date. The Palestinians are still fighting for the land which the king of Jordan had given to the British temporarily but was not surrendered back. That Israeli's claims for the war were just excuses because the Palestinians have no weaponry that can challenge Israel. The heavy bombardment by Israel was just punishment for the Palestinians who just want their rights .There is no terrorist link to the war at all. That "in the 2008/2009 escalation of violence, it is only the Arab league, the EU and to a limited level the US that made appeals to Israel to stop the bombardments. These appeals fell on deaf ears .Our Secretary General did a lot of shuttle diplomacy to try and get a ceasefire reached but to no avail. It is only when the United Nations Offices and Camp were bombarded and destroyed by Israel that the UN strongly asked Israel to stop and they finally did it by which time a lot of destruction of life and property in Gaza had taken place; more than 1400 Palestinian's had lost their lives; schools, hospitals and other infrastructure had been destroyed. No direct negotiations took place

between the two parties in the course of the war. The Arab league comprising 23 countries made tremendous efforts to convince Israel to cease their onslaught on the Palestinians but as I already indicated, they did not agree to this, instead they continued the bombardment of Gaza: Arab league also gives financial support to the Palestinians for reconstructions and to represent them in the UN. The United States role was that of supplying weapons and financial support to Israel to execute the war. It never did any preventive diplomacy nor mediation part of the reason is that US is a close ally of Israel and there exists a very powerful lobby of the Jewish people in the united states that champions for their interests, which tends to have strong influence in favour of the Jews/Israeli. The EU made appeals too, but Israel would not listen as I did indicate earlier. The united nations(UN) intervened by strongly asking Israel to cease the war, the moment its(UN's)offices were bombarded and destroyed by Israel .The UN got angered by the action by Israel on their premises. After the strong words from the UN, Israel stopped the bombardment, since the main purpose for bombarding Gaza was to inflict suffering to the Palestinians so that they can stop demanding for their territorial rights over land, the ceasefire did not yield any tangible results apart from the devastating effects on Gaza .Israel continued to Mann the borders with Palestine and to impose the blockade meant to starve the Palestinians by denying them entry of essentials of life”³³.

In Salim’s opinion and in the present stand of the Arab league, there is now greater need to resolve this conflict that has lasted for more than 65 years. The two should accept to co-exist because they live side by side. There are even Arabs living and working in Israel. Both are hardworking and they understand each other’s language. The refusal of Palestinians to recognize Israel is no longer tenable since Israel is there to stay. It is highly developed and is supported by

³³ Direct Interview of H. E. Salim Mohammed Salim Al Khussaibi, The Ambassador of League of Arab States in Kenya ,Conducted by The Researcher on 19 May 2009.

a super power. Therefore, the peace process should be completed so that the two nations can collaborate and bring about development especially since both the Israelis and Palestinians are a hardworking people. Part of the animosity between the two arises from their subjective beliefs about each other. The Jews view Palestinians as nothing and this makes the latter rebel. They will need for them to recognize and treat one another humanely and with respect³⁴.

Multilateral diplomacy has remained active since the start of the Palestinian-Israeli conflict, which is traced to 1948 for the purposes of this study. The reason for its application since the beginning lies in the internationalization of the conflict, hence necessitating the use of multilateral negotiation and mediation tools to help in promoting cooperation and reducing the intensity of the violence leading to enduring peace via diplomatic process³⁵ and building of mutual distrust³⁶. Preoccupation with searches for allied attention from especially the US, and constant the lack of recognition of the values of mutual compromise, demonstrates the existence of unending intensification of tensions and asymmetric and symmetric violence.³⁷ Hence there is need to strengthen UN and reduce its weaknesses in its diplomatic intervention³⁸ in international conflicts, through review of the provisions of its Charter which mandate it to maintain international peace and security. Consistent with the liberal institutionalism theory, which posits that states work with each other for mutual gain, and settle their conflicts by peaceful means and by agreeing to be guided by international laws, enduring peace can be achieved through engaging constructive diplomacy. As argued earlier in this study, the UN has exercised

³⁴ Direct Interview of H. E. Salim Mohammed Salim Al Khussaibi, *ibid.*

³⁵ Schulze E. Kirsten, (1993) *The Arab-Israeli Conflict*, (Addison Wesley Longman Ltd, Malaysia) P.85-87

³⁶ Said W. Edward, *The Politics of Dispossession: The Struggle for Palestinian Self-Determination (1969-1994)*, (Vintage: London, 1994), p. 414.

³⁷ Schulze E. K., *op. cit.* p. 90-91

³⁸ Oxford Anne, *Reading Humanitarian Intervention: Human Rights and the Use of Force in International Law*, Cambridge: (Cambridge University Press, 2003), p. 2.

multilateral diplomatic interventions in the Israeli-Palestinian mainly through its Security Council³⁹ and so it may be imperative to review the veto power arrangement that allows members such as the US with vested interests to water down the effectiveness of its decision making processes.

At the regional level, multilateral diplomacy has been hampered by the vested interests of the neighboring Arab countries which are based on Arab nationalism and tend to carry some extremist thinking, for instance the non-recognition of the existence of Israel, contrary to the prevailing position. This has rendered the Arab League comprising of the Arab neighboring states ineffective in applying their diplomacy to deal with the conflict. There is no doubt from the findings of this study therefore, that the US will continue to play a major role in the multilateral and bilateral diplomacy of the Palestinian-Israeli conflict owing to its vast national interests in Israel in particular and the Middle East region in general. The need to strike a balance and compromise between US and Arab interests is thus imperative in this regard.

The local nationalist and political factors also continue to pose major challenges to the exercise of diplomacy of war in the Palestinian-Israeli conflict. An exhaustive face to face interview of H.E. Salim Mohammed Salim Al Khussaibi Ambassador of The League of Arab States in Kenya by the researcher revealed key challenges on the way of diplomacy⁴⁰ ranging from narrow nationalistic interests, cultural and historical factors, and the type of leadership in power, among others. Salim argued that the refusal of Israel to recognize Hamas who are leaders in Gaza presents a major challenge to the diplomatic efforts such that, even if the P.L.O and Hamas agree

³⁹ Teson R. Fernado, '*Collective Humanitarian Intervention*', (Michigan Journal of International Law, 1996). No. 323.

⁴⁰ Direct Interview of H. E. Salim Mohammed Salim Al Khussaibi The Ambassador of League of Arab States in Kenya , Conducted by The Researcher on 19 May 2009

to be one Palestinian authority which is currently another huddle, Israel may not accept to enter the diplomatic process since it does not recognize Hamas and its leaders. Likewise Hamas does not recognize Israel and hence making the peace process even more complex.

He further argued that the new prime minister of Israel; Benjamin Netanyahu has always not supported the two-state solution which has been proposed by key international actors. There is/will be however, some remote hope if the United States can put more weight into the peace process by taking a central role in pressing Netanyahu and his government. There are some hopes in Obama given his recent statements. But how far he can go is also constrained by the Jewish lobby in the United States. This argument is also backed by Mearsheimer J. J. and Walt S.M. who contend that the strength of the Israeli Lobby in the US is such that It makes Israel able to defy the US and ensure it supports Israel's policies against the Palestinians.⁴¹In fact according to Said, it is the US that forced the peace agreement between Egypt and Israel in 1978.to date Egypt is the only Arab country which has diplomatic relations with Israel. The role of the US and especially the current president is hence very crucial⁴².

From the foregoing analysis, it is evident that numerous factors ranging from local, regional to international socio-political and strategic issues underlie the relative limited success of the diplomacy of war in the Palestinian-Israeli conflict. Some of these impediments present challenges that must be overcome through honest give and take diplomatic process where all the parties concerned remain open and trusting. Suggestions have been made on ways of overcoming these challenges. But once the major ones have been overcome like securing the total

⁴¹ Mearsheimer, John J. And Walt, Stephen M., *The Israel Lobby and US Foreign Policy*, (England: Penguin Books Limited, 2008), Pp. 204-228.

⁴² Direct Interview of H. E. Salim Mohammed Salim Al Khussaibi, Ibid.

commitment of the US in the Mediation process, others such as the Hamas versus P.L.O unity and the .Hamas dilemma where are in control of Gaza yet it is composed of younger leaders that are not easy to understand the need for peace, will be naturally resolved. Challenges such as those of inept leadership for instance Mohammud Abass, current leader of the P.L.O who is old and not as charismatic as Yasser Arafat who was able to be flexible and push the peace process far would also fall in place once the external support is solid. This leadership element of course tends to cut across the diplomatic processes in this conflict. A lot of efforts will be required to harmonize the Hamas and P.L.O which is now forced into West Bank. Israeli leadership will also need to make sacrifices such as those made by Yitzak Rabin in order to deal with extremists.

Cultural and religious challenges also were identified to be hampering the diplomatic efforts in the Palestinian-Israeli conflict. The Egyptian Ambassador to Kenya⁴³ who was interviewed by the researcher concurred with Said on this position. The issue of Jerusalem which has AL QUDS MOSQUE that Muslims world over considers their second holiest place after Mecca is also very emotive. The Jews also consider Jerusalem their holy place same to Christians, Palestinians say Jerusalem is their capital city, yet Israel has been buying up the town's properties from the Arabs.

The matter of Palestinian refugees is another hot issue .Israel opposes the return of the refugees due to fear of demographic imbalance that will result to its disadvantage. This continues to impede diplomatic efforts at local, regional, and multilateral levels. However, these challenges are surmountable through honest engagement by all concerned parties.

⁴³ Direct Interview of H. E. The Ambassador of Egypt in Kenya Mr. Ahmed Hersi , Conducted by The Researcher on 14 May 2009

CHAPTER SIX

CONCLUSION

6.0 INTRODUCTION

The role of diplomacy as a tool of political control over the use of force has been critically analysed and examined in this study. Clausewitzian conceptual perspective of diplomacy of war underpinned the study providing the understanding that the deployment of military force must always be subject to political decisions because war, by its very nature, is an extension of political commerce by other means. The study then sought to show that there exist certain underling factors that constrain the application of diplomacy as an instrument of political control of violence in the case of the Palestinian-Israeli conflict.

The study has examined the exercise of political control over the use of force in the Palestinian-Israeli conflict. In this, indicative of the need to address the factors that have constrained the application of diplomacy in order to mitigate the effects of the protracted conflict. These factors did not only constrain bilateral and multilateral diplomatic efforts hence necessitating the use of multilateral negotiation and mediation tools to help in promoting cooperation and reducing the intensity of the violence leading to enduring peace vide diplomatic process¹ and building of mutual distrust².

¹ Schulze E. Kirsten, (1993) *The Arab-Israeli Conflict*, (Addison Wesley Longman Ltd, Malaysia) P.85-87

² Said W. Edward, *The Politics of Dispossession: The Struggle for Palestinian Self-Determination (1969-1994)*, (Vintage: London, 1994), p. 414.

6.1 CONCLUSIONS

Multilateral diplomacy was evidently applied in addressing the Palestinian –Israeli conflict especially at the international level through the UN and its organs. Also at the regional level diplomatic interventions were evident. But the inherent weaknesses in the institutions of diplomacy, limited the success rate. As discussed in chapter four, the UN resolutions passed since the first war in 1948 have not born fruits. The UN inherent weaknesses and the uncompromising interests and values of the protagonists, and those of the external actors especially the United States of America and the Arab countries

Diplomacy at the bilateral level also faced constraints such as the Israeli-Palestinian negotiations of Camp David in July 2000 are part of the outright failures resulting from the divergent interests and the lack of compromise between the actors.³ Cordesmann contends that divergent values, interests and war strategies/tactics has overtime shaped the behavior of the actors to the effect that they are now constantly involved in a cycle of violence escalation leading to nowhere.⁴

In some cases, diplomatic success was observed at limited scales. Comparatively, more success is indicated in the bilateral than multilateral diplomatic interventions as indicated by the 1993 Oslo agreements that granted albeit limited political autonomy to the Palestinians though it has never been finalized. The negotiations partially succeeded because the parties in the negotiation displayed for once, genuine commitment to diplomatic compromise. The UN has exercised multilateral diplomatic interventions in the Israeli-Palestinian mainly through its

³Berridge G.R, Keens-Soper Maureen, and Otte T.G. *Diplomatic Theory from Machiavelli to Kissinger*. (New York: Palgrave. 2001).

⁴ Cordesman H. Anthony, *The Israeli- Palestinian War: Escalating to Nowhere*, (Westport: Greenwood Publishing Group inc., 2005), pp. xv-xvi.

Security Council⁵ and the first observed underlying factor that explains its limited success is the enforcement mechanisms that have been observed to be a hindrance due to the inherent weakness of the UN System⁶. This arises from the fact that it possesses an irrevocable contradiction between the principle of the sovereign equality of member states and the privileged position of the five permanent members of the Security Council expressed in the veto power⁷. The inherent weaknesses of the UN and US influence⁸, have partly incapacitated the world body from implementing the resolutions 338 and 242, and explains its failure to take action against human rights abuses whenever they are committed during the incessant violence.

There are also socio political, military and economic factors including the UN outlawed violence⁹ itself, both at the local, regional and international level, which constrain the success of the UN and other multilateral diplomatic efforts in resolving the protracted conflict. These factors include the nature and character of the rational actors representing the two primary parties, the type of governments, the rational interests of the parties, and the role of other external actors – especially the US and the Arab states whose interests and influence dictate the success of the diplomacy¹⁰.

As was elucidated in the hypothesis, underlying the inability to resolve the Palestinian-Israeli conflict is the limited political control on the use of violence, and the ability of the

⁵ Fernando R. Teson, 'Collective Humanitarian Intervention', (Michigan Journal of International Law, 1996). No. 323.

⁶ Anne Orford, *Reading Humanitarian Intervention: Human Rights and the Use of Force in International Law*, Cambridge: (Cambridge University Press, 2003), p. 2.

⁷ Kochler, H., *The United Nations Organization and Global Power Politics: The Antagonism between Power and Law and the Future of world Order*, (Chinese Journal of International Law, 2006) Vol. 5 No. 2 pp 323-340.

⁸ Chomsky Noam, *Perilous Power: (The Middle East and US Foreign Policy-dialogues on Terror, Democracy, War and Justice*, New York : Penguin Books, 2008), p. 147.

⁹ Orford Anne, *Reading Humanitarian Intervention: Human Rights and the Use of Force in International Law*, Cambridge: (Cambridge University Press, 2003), p. 2.

¹⁰ Young-Bruehl Elizabeth, Arendt Hannah: *For the Love of The World*, (Yale University Press: London, 1982), p. 455.

protagonists to converge their interests with those of the external actors. Secondly, Sustained use of violence has a strong relationship with the strategic interests of the primary actors in the conflict. This critical examination and analysis of the application of multilateral and bilateral diplomacy has been undertaken within the parameters of the principle of political control of use of force as the guiding theme. On the basis of this principle, it is expected that diplomacy could not only help in reducing the intensity and effects of this conflict, but also bring about a resolution with legitimized and enduring outcomes for both Israeli and the Palestinians.¹¹ Future success of diplomacy will also to a large extent be dependent on the extent to which the various actors embrace the principle of reciprocity and compromise. Liberal theory has espoused the value of reciprocity and cooperation, and has argued that peace and cooperation are possible and they can be achieved on the basis of the principle of reciprocity where states can develop organizations such as the UN and rules such as the international law¹², to facilitate cooperation. Kant argued that states, although autonomous, could join a worldwide federation and respect its principles even at the cost of foregoing certain short term individual gains. To him, international cooperation was a more rational option for states than resorting to war.¹³

Multilateral diplomacy has remained active since the start of the Palestinian-Israeli conflict, which is traced to 1948 for the purposes of this study. The reason for its application since the beginning lies in the internationalization of the conflict, hence necessitating the use of multilateral negotiation and mediation tools to help in promoting cooperation and reducing the

¹¹ Mwangiru Makumi, *Diplomacy: Documents, Methods and Practice*, (Nairobi: Institute of Diplomacy and International Studies, 2004), pp. 116-118.

¹² Ann Orford *Reading Humanitarian Intervention: Human Rights and the Use of Force in International Law*, Cambridge: (Cambridge University Press, 2003), p. 3.

¹³ Goldstein S. Joshua and Pevehouse C Jon., *International Relations* (8th edition), (Priscilla McGeehan: New York, 2008), pp.84-86.

intensity of the violence leading to enduring peace via diplomatic process¹⁴ and building of mutual distrust¹⁵. Preoccupation with searches for allied attention from especially the US, and constant the lack of recognition of the values of mutual compromise, demonstrates the existence of unending intensification of tensions and asymmetric and symmetric violence.¹⁶ Hence there is need to strengthen UN and reduce its weaknesses in its diplomatic intervention¹⁷ in international conflicts, through review of the provisions of its Charter which mandate it to maintain international peace and security. Consistent with the liberal institutionalism theory, which posits that states work with each other for mutual gain, and settle their conflicts by peaceful means and by agreeing to be guided by international laws, enduring peace can be achieved through engaging constructive diplomacy. As argued earlier in this study, the UN has exercised multilateral diplomatic interventions in the Israeli-Palestinian mainly through its Security Council¹⁸ and so it may be imperative to review the veto power arrangement that allows members such as the US with vested interests to water down the effectiveness of its decision making processes.

At the regional level, multilateral diplomacy has been hampered by the vested interests of the neighboring Arab countries which are based on Arab nationalism and tend to carry some extremist thinking, for instance the non-recognition of the existence of Israel, contrary to the prevailing position.. There is no doubt from the findings of this study therefore, that the US will continue to play a major role in the multilateral and bilateral diplomacy of the Palestinian-Israeli

¹⁴ Schulze E. Kirsten, (1993) *The Arab-Israeli Conflict*, (Addison Wesley Longman Ltd, Malaysia) P.85-87
¹⁵ Said W. Edward, *The Politics of Dispossession: The Struggle for Palestinian Self-Determination (1969-1994)*, (Vintage: London, 1994), p. 414.
¹⁶ Schulze E. K., op. cit. p. 90-91
¹⁷ Anne Orford, *Reading Humanitarian Intervention: Human Rights and the Use of Force in International Law*, Cambridge: (Cambridge University Press, 2003), p. 2.
¹⁸ Fernando R. Teson., 'Collective Humanitarian Intervention', (Michigan Journal of International Law, 1996). No. 323.

conflict owing to its vast national interests in Israel in particular and the Middle East region in general. The need to strike a balance and compromise between US and Arab interests is thus imperative in this regard.

Finally, I posit that for the diplomacy to be effectively applied in the Palestinian-Israeli conflict political, social, economic and religious values of the actors in the conflict must be re-evaluated with a view to finding a compromise where mutual benefit rather than the traditional divergence leading to enduring peace, is achieved.

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