

# Reframing Negotiations

## New Approaches to a Two-State Solution for the Israeli-Palestinian Conflict

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The proposals contained in this document were presented at the opening session of the conference **The Transformation of Intractable Conflicts: Perspectives and Challenges for Interactive Problem Solving**, organised by the Herbert C. Kelman Institute for Interactive Conflict Transformation, the Weatherhead Center for International Affairs at Harvard, and the Center for Peace Research and Peace Education at Alpen-Adria University Klagenfurt, and held at Harvard University on March 27-29, 2014.

The opening session was held in cooperation with the Middle East Seminar of the Weatherhead Center and the Center for Middle Eastern Studies. The panel addressed **Reframing Negotiations: New Approaches to a Two State Solution for the Israeli-Palestinian Conflict** and was chaired by Sara Roy, with Herbert Kelman, George Assousa, Jerome Segal, Ruham Nimri as speakers. One of the functions of interactive problem solving – and other track-two efforts – is to reframe unproductive negotiations in a way that makes them more capable of producing an outcome that is acceptable to both parties and can elicit the support of their general populations. The panel speakers offered examples of new ideas, formulas and efforts to re-frame negotiations of a two-state solution to the Israeli-Palestinian conflict.

The full report of the conference, edited by Augustin Nicolescou and Wilfried Graf of the Kelman Institute, is available at [www.kelmaninstitute.org](http://www.kelmaninstitute.org).

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# A One-Country / Two-State Solution to the Israeli-Palestinian Conflict

**by Herbert C. Kelman**

After the failure of the Camp David summit in 2000 and the onset of the second intifada, the discourse in the two communities was dominated by clashing narratives. Opinion polls on both sides revealed a pattern of mirror images: people on each side expressed the view that their side had shown its readiness to make major concessions in order to reach an agreement, but that the other side had not responded in kind.

In the absence of trust in the other side, there was little willingness to pay the price and take the risks that an agreement would entail.

To address this dilemma, Shibley Telhami and I began to explore the idea of forming a new joint Israeli-Palestinian working group on the theme of rebuilding trust in the availability of a negotiation partner on the other side and of a mutually acceptable formula for a two-state solution. We actually held two meetings with a group of politically influential Israelis and Palestinians in 2001—one in Cambridge and one in Jerusalem. But for various reasons—including the sudden death of Faisal Husseini (who was a key member of the Palestinian team)—we did not begin our work until 2004.

We agreed that the key issue was not so much the *terms* of an agreement. These were addressed in the Clinton parameters of 2000, the Taba deliberations, the People’s Voice Campaign of Nusseibeh and Ayalon, the Geneva Initiative, and of course the subsequent negotiations. The formulas for resolving the outstanding issues are fairly well understood and they are capable of negotiation—although not easily. But the critical need has been how to *frame a negotiated agreement* in a way that would elicit public trust and wholehearted support. Framing negotiation—or reframing negotiations that have become paralyzed—is one of the functions that track-two efforts, like interactive problem solving, can perform.

As it happened, our working group chose not to produce the framing document that we had envisioned earlier. So, in my remaining remarks, I will present my ideas about what such a framing document might look like—which are obviously influenced by the deliberations of this and other Israeli-Palestinian groups.

I am arguing that a significant step toward reconciliation—which we usually think of as a post-settlement process—needs to be taken now, in order to produce momentum for the negotiations and engender public trust and support for the outcome. To this end, the terms of the proposal agreement need to be framed by a joint vision of a principled peace, based on a historic compromise, whereby the two peoples agree to share the land they both claim by enabling each to establish a national state within that land. I have come to call this vision the *One Country/Two State* solution—as my entry into the debate between the Two-State vs. One-State solutions. This approach has much in common with some of the other ideas that will be discussed on this panel—notably Jerome Segal’s concept of the “common homeland.”

I am proposing that the framework for negotiations—ideally proclaimed in a joint statement by the two leaderships—start out with the proposition that the country—the whole country between the river and the sea—belongs to *both* peoples: both have historical roots in it, both are deeply attached to it. The effort by each to gain sole control of it has led to violent conflict over decades and may ultimately lead to mutual destruction. They therefore agree to share the land by establishing two independent states that allow each people to exercise its right to national self-determination and express its national identity in a state of its own within the shared country (the common homeland, in Jerome Segal’s terms).

A central feature of the one-country/two-state solution is that it makes a clear distinction between the political level and other levels of societal functioning. At the political level it envisions a two-state solution—more or less along the lines of what has been outlined in various proposals, such as the Geneva Initiative, with some differences in nuance. A key feature of my formulation of a proposed statement of principles is that it phrases the elements of a solution in terms of the logic of the historic compromise. But, beyond the political level, the agreement I have in mind would have important implications for the nature of the relationship between the two states, based on the concept of *one country*.

What are some of the ways of giving concrete substance to the concept of one country? First, there would be no taboo on sentimental attachment to parts of the country that are not part of your state. For example, Palestinians could write poetry about Jaffa and Israeli Jews could trace the origins of their religion to Judea, without the other side feeling threatened. Second, there would be free movement across the border, so that Palestinians could enjoy the beaches in Jaffa and Israeli Jews could pray at Abraham's tomb in Hebron. And third, there would be a range of cooperative activities that would treat the *country* as a whole as their basic unit, including activities in the economic sphere, and in the spheres of public health, environmental protection, water management, telecommunications, and cultural and educational programs.

Cooperative activities can be *institutionalized* in a variety of ways. As soon as possible the two states could form an economic union together with Jordan, along the lines of the Benelux model. Such a union was advocated years ago by Abba Eban and by Lova Eliav and it was endorsed by Arafat in my first meeting with him in 1980 and again in our last meeting in 2004—both times with the suggestion that Lebanon be added to the union. Over time, cooperation might extend to the political sphere, in the form of confederation or federation, but that should be left to future

developments, including the experience of cooperation in non-political domains, as well as growing equality between the two states in their levels of economic and institutional development. I would avoid, however, specifying such expectations in a peace agreement. I feel strongly that at this historical juncture each people needs to have a state of its own.

I believe that a joint declaration by the leaderships of the two sides, framing the negotiation in terms of a one-country/two-state solution, could have a dramatic impact on the two publics. It has the potential of reassuring and energizing the publics in a way that would elicit their wholehearted support for the process and outcome of the negotiations. Let me, in conclusion, cite several reasons for this assertion:

1. Such a declaration would reassure the two publics that the negotiations are safe, because the leadership on the other side is tying its own rights to your rights, its own claims to your claims.
2. The declaration by the leadership on the other side that this land is your land – just as it is my land – represents an affirmation of your national *identity* and an acknowledgment of your national *narrative* that have been systematically denied over the decades. The significance of such an affirmation is brought home on the Israeli side by the demand that Israel be recognized as a Jewish state, which—although it is stated poorly and Netanyahu's motives are questionable—has found a lot of traction in the Israeli public. On the Palestinian side, the significance of such an affirmation was brought home in a discussion of the right of return in one of the meetings of our working group; it became clear that one of the motives (among others) behind Palestinian insistence on the right of return is that the denial of this right means that we don't belong here.
3. The one-country/two-state solution activates the sense of justice in the two publics: justice toward your people is

- restored, while at the same time you are acting justly toward the other.
4. Framing negotiations along the lines I am proposing provides a rationale for the painful concessions that you have to make. The concessions are not merely what you have to do because you have no choice, but a necessary part of a historic compromise that is fair, just, and meets both sides' needs.
  5. The positive vision of a common future is the shared land helps to compensate for the inevitable costs of an agreement. Above all, you are not *losing* your land by agreeing to *share* it with the other people.
  6. Finally, an important point that Ruham Nimri brought to my attention at an earlier meeting: the One-Country/Two-State solution speaks to the situation of the Palestinian citizens of Israel. They can feel that they are living in *their own country*, even though they are citizens of a state defined by another people. By the same token, Jews remaining in the state of Palestine—which in George Assoussa's model, for example, may be a sizable number—can feel that they are living *in their own country*, even though they are in a state defined by the Palestinian people.

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## Mutual National Recognition in a Common Homeland

by Ruham Nimri & Mario Schejtman

Throughout the evolution of the Israeli-Palestinian conflict many proposals were raised for resolving the conflict. These proposals received, correctly, wide criticism. Some were based on inadequate assumptions that prevented both peoples (and sub-groups within them) from accepting the proposals and translating them into an agreement and then the agreement into reality.

In order to reach a transformative breakthrough, the assumptions of these proposals and the arrangements created upon them need to be revised. Instead of looking at current events and at the steps towards an agreement through the lens of deterrence and separation, we attempted to imagine a situation in which the basic needs and rights of both peoples are legitimized. Under this different approach we tried to envision which implementable arrangements need to be put in place to reach a sustainable, long-term, solution of the conflict.

In this paper we present an alternative scenario. This scenario can become a reality only if its guiding principles are adopted by a conscious decision of both peoples and their leadership.

Here, to open the discussion, we bring the guiding principles of our transformative approach and how these principles might be translated into practical solutions for some of the core issues in the conflict.

### Guiding Principles

- **Mutual national recognition:** two peoples, the Palestinian and the Jewish ones, recognize the national character of the other. Therefore the resolution of the conflict necessitates the creation of a Palestinian nation-state, the recognition of the legitimacy of the Jewish nation-state and the recognition of the Palestinian national minority within Israel.
- **Common Homeland:** both peoples recognize the linkage of both to the whole area between the Jordan River and the Mediterranean Sea. This territory is for them their historical, national and religious homeland. Both peoples recognize the inability of the other to renounce this linkage. As a consequence, all Palestinians and all Jews, as individuals and as groups and regardless of their place of residency in the world are “Homeland Peoples”. This definition expresses their deep connection to the homeland, despite historical developments that constrained

many of them to live for long years outside the boundaries of the homeland, and despite the fact that groups from both peoples choose to live outside the homeland.

- The State of Israel will acknowledge the injustices that it, and the Zionist movement, caused during the duration of the conflict. Among them the colonialist practices employed by the Zionist movement to seize lands, its part in the events that led to the Nakba and the creation of the issue of the Palestinian refugees, the occupation and settlements, the policies of discrimination and exclusion implemented towards the Palestinian citizens of Israel and the legitimacy of these practices.
- The Palestinian State will acknowledge the injustices that the National Palestinian movement caused during the duration of the conflict. Among them the acts of violence, including murder, that were consequence of refusing to recognize Jewish nationalism and the negation of the historical linkage between the Jewish people and its homeland, and from the unwillingness to accept any international resolution to end the conflict until the acceptance of UNSC Resolution 242 after the Palestinian Declaration of Independence in 1988.
- Both people adhere to the principle that past injustices will not be corrected by creating new ones.
- Both peoples recognize that each has a right to establish a nation-state in its homeland. It is therefore impossible to create a total overlap between the borders of the homeland and those of the sovereign state. The nation-state of Israel and the nation-state of Palestine need to exist side by side on the same common homeland of both peoples.
- All Jews and all Palestinians, both as individuals and as groups and independently of their place of residency (inside or outside the Homeland) will possess Homeland Rights. These rights will be implemented in both states according to the agreements between them.
- Palestinian Citizens of Israel will be recognized by the Jewish majority in Israel as well as by the State and its institutions as a National Minority. Jewish Citizens of Israel will be recognized by the Palestinian minority and as well as by the State and its institutions as the National Majority. This recognition will regulate the collective and individual rights and obligations of both the National Minority and the National Majority.
- In a reality of peace and mutual recognition the borders between the State of Israel and the State of Palestine will be open and free movement to citizens of both states will be allowed.

### **Solutions and Implementation**

- Based on their Homeland Rights, Jews that will request to become residents in the State of Palestine and Palestinians who are not Israeli citizens at the moment of the peace agreement's signature that will request to become residents in the State of Israel will be subordinated to the laws of the hosting state. They will be granted there collective rights in the areas of culture, education and worship, and their national identity will be expressed at the municipal level although maintaining the original characteristics of the communities in which they will reside. Their participation in state affairs (voting for the executive and legislative authorities, employment in ministries) will be implemented only in their own nation-state. (This article has two qualifications: refugees and settlers).
- Security and access arrangements, both at the border between the states and at the external borders will be based on principles of cooperation instead on of deterrence.
- Jerusalem will be the capital city of both states. In order to reach this while keeping the city open and undivided for all its residents, the division of sovereignty will be implemented by the establishment of two parallel municipalities. All arrangements regarding the municipal management of the city and its security will be agreed by both

sides on the principles of reciprocity and the unity of the city through an overall joint coordinating committee.

- The issue of Refugees: the State of Israel will recognize the right of return of the Palestinian refugees, although this recognition will not harm the character of the State of Israel as the nation-state of the Jewish people. The number of refugees that will return to its borders will be agreed by both sides. Other means to solve this issue will include: citizenship in the State of Palestine; return to Israel as residents in a number to be agreed upon by both states; financial compensation for all refugees; recognition of their historical suffering; the possibility to settle in the states where they live now; and also receiving the status of Homeland People that allows them future capacity to be homeland-residents in the State of Israel. Specific arrangements will be agreed as part of the general peace agreement and according to the principles of the new approach. It is important to stress that from the moment of signing the agreement that will solve the issue of refugees, any future demand by those refugees to reside in Israel, whether as residents or as citizens, will be presented from the perspective of being part of the Homeland People and not as refugees
- The issue of settlements will be solved by various means that include: some settlers will remain in their settlements as residents of the State of Palestine and citizens of Israel, these residents will be subordinated to the laws of the State of Palestine like any other resident/

citizen in the state; territorial exchanges; evacuation of all settlers that will not remain as residents; economic compensation that will be provided by the State of Israel to the settlers evicted from their homes; and also, receiving the status of Homeland People that allows them future capacity to be homeland-residents in the State of Palestine. Specific arrangements will be agreed as part of the general peace agreement and according to the principles of the new approach. Again here, like in the article regarding refugees, it is important to stress that any settlers that will request to be residents and/or citizens of the State of Palestine, from the moment of signing the agreement will present their request from the perspective of being part of the Homeland People and not as settlers.

The rest of the core issues of the conflict will be solved under the inspiration of the new paradigm.

As mentioned, this is a scenario of how reality might change after both sides will reach an agreement based on the new guiding principles. In a longer version of this document we present also a series of practical steps that will help both peoples and their leadership to create the conditions for such a reality to emerge.

*Authors' Note: This set of principles is based on our experience in workshops with Israelis and Palestinians, about national identity, needs and rights in conflict situations, and the inspiring work of Jerome Segal, Edward Said, and Herbert Kelman.*

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**Two States Within the Common Homeland**

**by Jerome M. Segal**

At a time when many Israelis and Palestinians are losing hope about the possibility of achieving peace through the two-state solution, it is important to realize that there is no such thing as “the” two-state solution. Rather, there are a variety of two-state solutions, and it may well be that policy discourse has been unduly focused

on one particular paradigm, to the disadvantage of an alternative and possibly more promising approach to two-states.

The purpose of my presentation is to lay out such an alternative. I call it “the Common Homeland” conception. It should be seen in contrast to

the standard paradigm, which I term “Strict Separation.” In this talk, I will not try to evaluate these two conceptions, but they should be compared with reference to three main criteria: negotiability, difficulty of implementation, and sustainability. Though I shall not argue for it here, I believe a reasonable case can be made that the Common Homeland approach is superior to Strict Separation.

At the heart of the Common Homeland approach there is a vital distinction between a state and a homeland. This distinction has been glossed over by formulations such as can be found in the Clinton Parameters:

*“A new State of Palestine is about to be created as the homeland of the Palestinian people, just as Israel was established as the homeland of the Jewish people.”*

Similarly the Geneva Accords stated:

*“The parties recognize Palestine and Israel as the homelands of their respective peoples.”*

This is confusion. A state is a corporate entity, not unlike a business corporation. It comes into existence through specific actions, at a specific point in time. It is an actor in international and national affairs, doing this deed and that. A homeland is most fundamentally land, land that stands in a certain relationship to a people in virtue of their history and sense of identity. The homeland is not created by diplomats, and it doesn't do anything.

When the State of Israel was created, its founders were clear on this distinction. The Israeli Declaration of Independence reads:

*“Eretz-Israel was the birthplace of the Jewish people. Here their spiritual, religious and political identity was shaped.”*

And we are told:

*“Impelled by this historic and traditional attachment, Jews strove in every successive generation to re-establish themselves in their ancient homeland.”*

In its operative paragraph it states:

*“We ... hereby declare the establishment of a Jewish state in Eretz-Israel, to be known as the State of Israel.”*

With similar clarity, the PLO Covenant which did not call for a Palestinian state, affirmed, *“Palestine is the homeland of the Palestinian Arab People.”*

Using this distinction between state and homeland we can now articulate the **Common Homeland Paradigm for the Two-state Solution**. It starts with a recognition that the same land is the homeland of both peoples, and then goes on to affirm the establishment of two states within that homeland. For instance:

It is agreed that:

1. “All of the land between the River and the Sea, is the common homeland of both the Jewish and Palestinian peoples.”
2. “This common homeland will be divided into two zones of sovereignty, one exercised by the State of Israel, the other by the State of Palestine.”

This however is insufficient. The core of the paradigm requires a third principle:

3. “The two states pledge to honor the oneness of the homeland to the fullest extent practicable.”

What might this mean? With respect to political forms, one possibility is that the two states could form a confederation, with some similarities to the United States under the Articles of Confederation. Here each state would retain its sovereignty, and each would be able to secede from the Confederation. There might however, be a joint body with power over select areas, for instance, certain environmental issues. Or there might be certain joint security units, operating under a Confederal flag with responsibility for monitoring the Gaza coast or the border with Jordan.

In principle, once it is recognized that all of the land is the common homeland of both peoples, anyone should be able to freely live, work or visit within any part of the homeland, even if there

are two states. But clearly today, and perhaps into the indefinite future, such openness is not possible. With two distinct sovereignties, each state will determine the extent to which it will be open to citizens of the other state.

To what extent would Palestinian refugees be allowed to live in Israel as citizens of Palestine? To what extent would Israeli settlers be allowed to live within Palestine as Israeli citizens? There are no fixed answers to these questions. What is envisioned is that both states will be open to going as far as possible in this direction. It can be expected that this would vary considerably over time and that it would be strongly influenced by experience. Possibly at first there would be only

small experimental programs. If they succeeded, they could be enlarged. Alternatively, initial efforts may reveal insurmountable problems, and further attempts shelved for quite some time.

The key point is that there would joint recognition that all of the land is the homeland of both peoples, and a commitment to continue to explore the possibilities of open borders between the two states.

A fuller comparison of the Common Homeland paradigm with its main alternative, the Strict Separation paradigm, is detailed in the following table:

Dimension	Standard Paradigm (strict separation)	Common Homeland Paradigm
Core Rights/ Recognition	1. Israel is the nation state of the Jewish people.  2. Palestine is the nation state of the Palestinian people.	1. Mutual recognition of all of the land from the river to the sea as the common homeland of both peoples.  2. Mutual recognition, in principle, of the right of all to live anywhere within the common homeland.
State/homeland distinction	Blurred as in Clinton parameters: "A new State of Palestine is about to be created as the homeland of the Palestinian people, just as Israel was established as the homeland of the Jewish people."	Sharpened.  A homeland is a matter of history and identity.  States are political entities created at a specific moment in history.
Degree of separation sought	Maximal. "We are here and they are there."	Only what is necessary. Both states will commit to seeking to find ways to honor the fact of the common homeland.
Presence of citizens of one state residing within the territory of the other: <b>Settlers/Refugees</b>	Zero/Minimized. After land swaps remaining settlers must be evacuated.	* Open to testing state-to-state programs which will allow Israeli citizens (e.g. settlers) to live as residents in Palestine and will allow Palestinian citizens (e.g. refugees) to live as residents within Israel.
Rights of Transit and Visit	No.	* Yes, subject to security.
Approach towards <b>Jerusalem</b>	Clear delineation of sovereignty	Open to removing the Old City from political sovereignty, as symbol of common homeland.
Land Swaps	Yes, with a priority towards smooth borders	Yes, with greater openness to irregular borders.

Emotional tone	Painful compromise. Permanent giving up of part of the homeland.	Hope that in the future there will be expanded opportunities to share the homeland.
Place of Palestinian citizens of Israel	Under a cloud. "Why don't they live in their own homeland?"	The live in Israel by right. They represent what is possible with respect to implementation of right of all to live anywhere within the homeland.
End of Conflict/End of Claims Accord	Yes	Yes
Permanence of political forms	Assumed to be permanent	Recognized as subject to the lived experience of relations between the two states and two peoples.
Core of support	Leftist and Centrists	Seeks to bring in the Israeli religious-right. Also may win some support among those Palestinians who presently reject two-state framework.
Impact of Regional Acceptance of Israel	Hopes to build on end to the conflict	Hopes to build both on end to conflict, and on explicit recognition of the historical place of Jewish people in the homeland
Approach toward reconciliation	It would be nice if it occurs, but not a focus. Key is divorce.	Requires both peoples to strive toward reconciliation after an agreement in order to more fully implement sharing of the homeland. Offers an inspiring ideal.
Relations Between the Two States	Mutual Recognition of fully independent states	Mutual Recognition.  Possible Confederation of the two states, with retention of a right to secede. Possible joint Parliament with jurisdiction over specific subject areas.
Approach to Israeli <b>security</b>	Extended troop presence in Jordan Valley; Israeli monitors on borders of Palestinian state	Possible use of a joint homeland protective service, or Confederal military units.
Economic Union	Not contemplated.	* Long term possibility: <ul style="list-style-type: none"> <li>• shared currency</li> <li>• shared airports/road</li> <li>• shared power/water facilities</li> <li>• shared economic projects</li> </ul>

\* = *Element present in Partition Resolution of 1947*

Deciding between these two approaches is not a matter of determining that one is more attractive than another.

Rather an evaluation should be based on three practical questions:

1. Is there greater possibility of successfully negotiating an agreement on one paradigm or the other?

2. Which paradigm would face greater problems of implementation?

3. Which paradigm if implemented, promises greater likelihood for a stable peace?

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## Dual Democracies: *A Personal Palestinian Perspective*

by **George E. Assousa**

We Palestinians will never be able to make peace with Israel, nor achieve our own independence and freedom, until we internalize and proactively address the fact that Israel is an anxious state. Equally, Israel must recognize that the Jewish people's need for a secure home and refuge has both willingly and unwillingly engendered the suffering of the Palestinian people. Both are realities that Professor Kelman, in whose honor this conference is taking place, has long advocated.

We must understand and build on these emotional foundations, but how? As a physicist, I have always believed in the search for simple and elegant solutions: solutions that work, based on reality honestly perceived, not as we wish to see it.

If the Kerry process and Arab Peace Initiative are to become the effective route for peace, the overlapping emotional link of both peoples, respectively, to all of the land between the River and the Sea must be built into the solution. But, as tempting a prospect as it may be to some, we cannot remove national identity from the conflict: both peoples respectively need their own state.

I would therefore like to humbly propose a simple paradigm which I believe addresses these imperatives: a ***dual democracies framework for final status negotiations***.

Unless the respective claims to the whole land are resolved, there will never be a secure and lasting solution. Through quiet and systematic Track 2 exploration of fresh thinking on the conflict among our peoples over recent years, on the ground and in the Diaspora, I have become convinced that the increasingly discussed notion of parallel minorities – an Arab presence in Israel, and a Jewish presence in Palestine – offers the key to harnessing, instead of ignoring, the mutual sense of belonging of both our peoples to all of the land.

In the right circumstances, the treatment of minorities can be the agent that transforms mutual claims into mutual acceptance. Let us envision two co-operative democracies: each democracy with historic and ethnic connection to all of the land; each accepting the other through the medium of its own minority; and each peacefully expressing attachment to its own irredenta (i.e. its emotional connection to the other's land) through the medium of the other's minority. This takes us to the *Dual Democracies* in the full sense of the word "democracy" because of the full rights each state, respectively, accords to all of its citizens, in practice as well as in theory. In order to make this work, there is a need for a new political framework incorporating the following thinking.

Logical realities and compelling statistics stare us in the face and tell us that the obstacles to reversing the settlement process are too large now if they weren't already a long time ago. In fact, in order to break the vicious cycle of occupation, domination, and dehumanization – which will never lead to security for either side – we must do even more than simply call for the reversal of the settlement process.

The new reality of *Dual Democracies* which is being mooted here is one of exploring the option of continued presence of Jews in a Palestinian state. They would stay not as settlers in enclaves, but as a fully integrated minority under Palestinian sovereignty, such presence to be reflected and conditioned by Israel's full commitment to its Arab minority. However, it is not enough to merely consider this as a mechanism to reach a final status agreement. Rather, in order to reach a sustainable and mutually secure and prosperous outcome, we should explore and build upon the idea as a means of creating value within the two-state solution for both sides.

So let us consider a continued Jewish presence in a Palestinian state as a potential catalyst for

energized and more equitable negotiations, empowering the Palestinians over the full range of final status issues: borders, swaps, Jerusalem, refugees, and natural resources. After all, if we are to sincerely talk about win-win, i.e. involving a true give-and-take, a more equitable process will serve both sides. If we look to extract the bee's honey, and not only avoid its sting, we can form the basis of the new political framework, allowing for accommodation, through a dynamic and *interlinking* system of trade-offs, across the full range of issues in dispute, issues which otherwise present themselves as insurmountable obstacles.

If we explore this new modality for peace, it could become an engine for reconciliation, and lay viable economic foundations for the future Palestinian state. Building trust through actions and not only words, we can flip the settlement presence on its head by transforming existing settlement infrastructure so that, under

Palestinian sovereignty, it benefits all of Palestine's citizens.

I deeply believe that this "emotionally rational" *Dual Democracies* formula, if I am permitted such an expression, emerges as the only achievable and sustainable model on the political horizon, as indeed other models for either two states or one have demonstrably failed. The annotated references included below show that inroads have already been made in the development of the discussion, but also that this idea has vast unfulfilled potential and requires vigorous mainstream debate.

Moreover, the wider international community, and, in particular, the EU, which has invested so much in underwriting the peace process, but could play a more active diplomatic role, should be called upon to endorse and promote a *Dual Democracies*-based framework for final status negotiations.

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#### AUTHOR'S REFERENCES AND LINKS

- The Chair of the Knesset Caucus for Ending the Israeli-Arab Conflict, MK Hilik Bar, at a conference at the European Parliament "New Paradigms for Israel and Palestine" on November 6, 2013 proposes the dual minorities approach at 2:00:26 – 2:12:00, and, at 2.36.06 – 2.36.45, Ambassador Leila Shahid responds with openness to the proposal.  
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<http://www.timesofisrael.com/pm-would-let-settlers-remain-in-west-bank-official-says/>
- Israeli Defence Minister Moshe Ya'alon on the dual minorities approach at the beginning of February 2014.  
<http://www.ynetnews.com/articles/0,7340,L-4483909,00.html>
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<http://www.timesofisrael.com/ex-military-intel-chief-backs-settlers-in-palestine-idea>
- At the end of January 2014, Israeli journalist, Dan Margalit backing Prime Minister Netanyahu's statement and arguing that the idea of settlers staying under Palestinian sovereignty is a good one and here to stay.  
[http://www.israelhayom.com/site/newsletter\\_opinion.php?id=7175](http://www.israelhayom.com/site/newsletter_opinion.php?id=7175)
- At the beginning of February 2014, Palestinian journalist, Daoud Kuttab, arguing that settlers staying under Palestinian sovereignty is a serious idea which Palestinians should think through and also attempt to build a national consensus on the issue.  
<http://www.al-monitor.com/pulse/originals/2014/02/israeli-settlers-jewish-palestine-netanyahu.html>

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## About the Authors

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### HERBERT C. KELMAN

Herbert C. Kelman is the Richard Clarke Cabot Professor of Social Ethics, Emeritus, at Harvard University and was Director of the Program on International Conflict Analysis and Resolution at Harvard's Weatherhead Center for International Affairs. He received his Ph.D. in Social Psychology from Yale University in 1951. He is recipient of many awards, including the the Grawemeyer Award for Ideas Improving World Order, and the Austrian Medal of Honor for Science and Art First Class. His major publications include *International Behavior: A Social-Psychological Analysis*; and *Crimes of Obedience: Toward a Social Psychology of Authority and Responsibility*. He is Honorary President of the Herbert C. Kelman Institute for Interactive Conflict Transformation in Vienna. For many years, he has been engaged in the development of interactive problem solving, an unofficial third-party approach to the resolution of international and intercommunal conflicts, and in its application to the Arab-Israeli conflict, with special emphasis on its Israeli-Palestinian component.

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### GEORGE ASSOUSA

George E. Assousa holds a Ph.D. in experimental nuclear physics from Florida State University. He has pursued an extensive and multifaceted career in atomic and nuclear physics and astronomy, and in international economic development and technology-related business in Europe and the U.S. He is founder and past chairman of the London-based Multi-Technologies Group, established in 1991 in response to the needs of the post-Soviet European states. Born in Jerusalem in Mandate Palestine, Assousa has, in parallel with his professional career, pursued a personal commitment to conflict resolution over the past four decades. Dr. Assousa subsequently launched a number of initiatives in the U.S., Europe and the Middle-East, including The Foundation for Arab Israeli Reconciliation (FAIR), the British not-for-profit London-based Trust for International Development and Education (TIDE). Today, Dr. Assousa continues to pursue quiet and informal advocacy initiatives toward a fair, honorable, and lasting resolution to the Israeli-Palestinian conflict.

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### RUHAM NIMRI

Ruham Nimri is co-founder and co-director of **Challenge** - An Organization for Critical and Integrative Strategy and for Inclusively Addressing Social Conflicts, and the daily news service officer at the JMCC - Jerusalem Media

and Communications Center, holds a BA degree in Political Science and Statistics from Haifa University, served as projects manager at "The Palestinian Initiative for the Promotion of Global Dialogue and Democracy - MIFTAH". Nimri is considered one of the top local analysts and specialists in media monitoring and media coverage in conflict areas. He is a trainer and facilitator in Social Transformation in Conflict and Participatory Strategic Planning and Evaluation, and has lengthy experience in facilitating and training working groups in areas of conflict. He participated in developing a methodology.

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### JEROME SEGAL

Jerome M. Segal is the Director of The Peace Consultancy Project at the University of Maryland, and he is the founder and President of The Jewish Peace Lobby. Dr. Segal holds a Ph.D. in Philosophy from the University of Michigan (1975) and a MPA from the Hubert Humphrey School of Public Affairs, Univ. of Minnesota (1979). He taught for several years at the Philosophy Department of the University of Pennsylvania. Subsequently he shifted from the academic world to government, starting as an aide to Congressman Donald Fraser and then as Coordinator for the Near East at USAID. In 1988 he left government work to return to the academic world. In 1987, Dr. Segal was a member of one of the first American-Jewish delegation to meet with the PLO leadership in Tunis. In 1988 his writings in *Al-Quds* and other publications played a catalytic role in promoting the Palestinian Declaration of Independence, issued in Algiers in November 1988. Dr Segal is the author of six books, two of them on the Israeli-Palestinian conflict, as well as over 100 articles and op-ed pieces on the Israeli-Palestinian conflict.

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### MARIO SCHEJTMAN

Mario Schejtman is co-founder and co-director of **Challenge** - An Organization for Critical and Integrative Strategy and for Inclusively Addressing Social Conflicts; the director of the Center for Advancement of Peace Initiatives and an active Coach. He holds a MA degree in Political Science from the Hebrew University in Jerusalem. Schejtman has vast experience in managing civil society organizations and projects, both at the local and international level, on issues that include social justice, environment protection, scenario building, dialogue and tolerance, and conflict transformation.