

THE DYNAMIC OF NEEDS AND INTERESTS:
A MEDIATOR'S RESPONSE TO THE ISRAELI-PALESTINIAN CONFLICT

by

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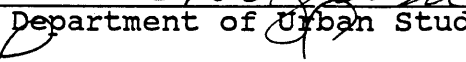
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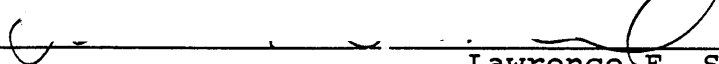
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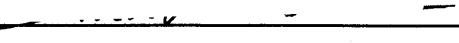
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by

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Submitted to the Department of Urban Studies and Planning of the Massachusetts Institute of Technology on May 6, 1988 in partial fulfillment of the requirements for the degree of Master of City Planning.

ABSTRACT

The Israeli-Palestinian conflict continues to elude resolution partly because tangible interests such as those involving land, borders, and resources, are enveloped in a quagmire of intangible interests such as identity, existence, and security. These intangible interests contribute to the development of psychological barriers to communication which in turn, inhibit the ability of the two sides to negotiate. There is a needs-interests dynamic during negotiations. The discussion of interests sometimes precipitates needs that must be addressed.

Mediators must utilize a repertoire of techniques to manage needs and reconcile conflicting interests. Some interventions must be targeted specifically at needs in order to defuse conflict-promoting interactions. With respect to interests, a mediator must intervene to promote a joint problem-solving atmosphere in order to find creative solutions that maximize joint gains. Past mediators have not responded to the psychological dimension of the Israeli-Palestinian conflict and, therefore, have failed to penetrate the psychological defenses that surround the conflict's core.

In order to explore the effectiveness of interventions in the realms of both needs and interests, I designed a simulation of a conflict over water resources on the West Bank. I ran the simulation with Jewish and Arab graduate students. The results illustrate the existence of the needs-interests dynamic; the necessity of tending to emotional needs in order to promote effective communication of interests; and the effectiveness of particular interventions.

The thesis supervisor was Professor Lawrence E. Susskind.

In Memory of
Ray Weissgur Berlin,
my maternal grandmother,
who lost a son

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INTRODUCTION

The complexity of the Israeli-Palestinian conflict is evident in the various names applied to it -- each name denotes a particular political position. The name Israeli-Palestinian, or Palestinian-Israeli, conflict legitimizes the existence of two separate, independent groups. Incidentally, the name Palestine was adopted by the Romans after the destruction of the Second Jewish Commonwealth (70 CE), as a deliberate national insult, for the Philistines had been the Jews' archenemies for centuries (Garfunkle 1984). The name 'Arab-Israeli conflict,' applicable to the larger context of the conflict, is used to reject the existence of Palestinians as a people separate from, but related to, the Arab world. This camp argues that Palestinian refugees should assimilate into the twenty-two sovereign Arab states. Yet another camp uses the name 'Zionist Entity' in order to maintain non-recognition of Israel. Their rationale is partly based on the claim that Zionists are European colonists.

The naming problem extends to the stretch of land that lies between the pre-1967 borders of Israel and the Jordan River. Before 1948, this area was part of British-ruled Palestine and would have been part of a Palestinian state if the 1947 UN Partition Plan had been accepted. Upon its establishment, Israel was invaded and this territory was seized and eventually annexed by Jordan. The Jordanians coined the phrase 'West Bank' in order

to distinguish it from their own East Bank of the Jordan River (Sandler and Frisch 1984).

During the 1967 War, the territory changed hands again and has since been administered by Israel. This stretch of land, known as the West Bank to the Palestinians, the Arab world, and half the Israeli population, is referred to as Judea and Samaria by the other half of Israel. These Biblical names are used to legitimize Jewish claims to this kidney-shaped piece of land as an integral part of Greater Israel.

Naming problems occur with respect to concepts as well. Depending upon political preferences, Jerusalem and the other territories were liberated or conquered in 1967; the PLO is an organization of terrorists or freedom fighters; and Zionism is the national expression of Judaism or racism. At the root of the two vocabularies is an attempt to de-legitimize the existence and struggle of the opponent. Given the passions aroused by each of the forementioned names, it seems that a first step toward discussion of the conflict requires a search for a common vocabulary.

Yet another problem arises in trying to decide where to begin the history of the Israeli-Palestinian conflict. Various starting points are used to bolster one's own claims, or de-legitimize another's. One can begin with the Biblical period: God's promise to Abraham; Moses leading Israel through the desert to the promised land; the sovereignty of Kings Saul, David, and Solomon; the dispersion in the first century of the common era. Or one can

begin with the Arab conquests of the Seventh century CE or the 1187 victory of Salah al Din. Did the conflict begin with the First Zionist Convention in 1873 when Jews decided to build a homeland in Palestine or with the British Balfour Declaration of 1917 which granted the Jews the right to create one? Or did it start with the 1947 UN Partition Plan that recognized the national identities of both groups?

As I begin this paper, I am forced to make naming decisions, each of which will reflect my own personal biases. I choose the name Israeli-Palestinian conflict because it is this isolated subset of the larger Arab-Israeli conflict that I wish to examine. In so doing, I consciously name each side according to its chosen identity, and accept each as a group distinct from any other. I will refer to the land between the pre-1967 border and the Jordan River as the West Bank. In my mind, the names, Judea and Samaria, represent de jure annexation, an endpoint to the discussions, a fixed solution. 'West Bank' seems to identify the current, yet-to-be-determined phase.

These name choices do not reflect a preferred political settlement, though some might argue that legitimizing the existence of groups as Israeli and Palestinian logically leads to a political settlement of independent states for each. However, the complexity of the political realities comprising this conflict makes it impossible to reach a conclusion based on the single assumption that two independent groups exists. The political settlement I support is that which can be worked out

primarily between those two groups, but within the larger political arena. I have no idea what such an agreement would look like, and I do not reject the fact that the conflict may continue to elude resolution till the end of days. However, I do believe it is up to those living it to decide what they can or cannot accept.

On these grounds, rather than try to posit a solution, I will attempt to posit a process of mediation that would enable the parties to most effectively discuss the issues. During the interaction phase of mediation, negotiations proceed on two levels, identified as needs and interests. A mediator must tend to these two realms throughout the interaction. The process, further outlined in Chapter Two, is an attempt to fuse elements of the controlled communication workshops of social psychologists (Burton 1972, Kelman 1982) with ideas of principled negotiation (Fisher and Ury 1981, Susskind and Cruikshank 1988).

In order to further isolate and illustrate the interaction phase of mediation, I designed a simulation (Chapter Three) within which to explore its usefulness. The simulation is a negotiation concerning the construction of a deep water well on the West Bank. A similar proposal was actually offered and publicized in June of 1987, and withdrawn after protests in September 1987.

I ran the simulation with Jewish and Arab graduate students, and I served as the mediator. Though it offered only a preliminary exploration of the mediation process, the simulation

illustrated the dynamic negotiation process as well as the effectiveness of interventions that respond to needs and interests. Discussions of interests often triggered emotional needs that demanded attention before negotiations of interests could continue. These needs were a result of both conflict-promoting interactions and psychological barriers.

CHAPTER 1 -- CONTEXT OF THE CONFLICT

The Israeli-Palestinian conflict is a struggle between two national movements, each of which desires to express its national aspirations on the same piece of land (Saunders 1985). If viewed as an international conflict, its main issues might appear similar to many others: borders, military security, and exploitation and development of natural resources. However, in this case only one nation-state exists, and both formally deny the other's national identity. As a result of the long, bloody history the two share, supplemented by their separate histories, tangible political issues are enveloped in a quagmire of intangible issues. These include identity, security beyond military strength, recognition, and legitimacy.

It is impossible to discuss any tangible issues without arousing the passions of intangible issues. Intangible interests need to be defined realistically and subjected to negotiations that involve generating options for mutually beneficial gains. However, discussions of these interests in terms of real, concrete options are difficult because these issues are perceived by each party as affecting its 'core values' associated with the 'national self' (Touval 1982). Therefore, they tend to contribute to distortions in communication and information processing, and thus maintain continued stalemate. To date, diplomacy centers

around meeting the minimal requirements of each side, defined as recognition of Israel's right to exist within secure boundaries and the right of Palestinian self-determination, but has yet to find a formula that satisfies both the tangible and intangible interests of each side.

As if the situation was not complicated enough to all but block chances for political settlement, the mind creates psychological barriers that further reduce the likelihood of resolution. Such barriers establish information processing paradigms that are enormously resistant to change (Heradstveit 1981).

The central issues, identity and existence, are both perceived in zero sum terms. This translates into policies and positions on each side, such as mutual non-recognition, and contributes to the need to create psychological barriers to processing new information.

Palestinian acceptance of Israel's existence is perceived as a negation of Palestinian identity and de facto reduces their territorial claim (Kelman 1978). Historically, non-recognition of Israel has been rationalized in various ways. According to one, Judaism, as a religion, has no right to nationhood. This is stated in the PLO covenant: Judaism, being a religion, is not an independent nation, Nor do Jews constitute a single nation with its own identity (Kelman 1978). Corollary to this is Palestinian rejection of Jewish biblical ties to the land as a rationalization for Zionism (Galtung 1971). Another was clothed

as a 1975 UN resolution equating Zionism with racism (Khoury 1985). If the Zionist ideal is inherently immoral, anything built upon it must be illegitimate. Finally, the Zionist settlement of Palestine is considered colonization (Said 1979). Palestinians argue that, as did the Europeans, the colonizers should leave and allow the native population to administer their own lives and country.

Israel has maintained a policy of non-recognition of the Palestinians. The Israeli dilemma is that the existence of a Palestinian national movement calls into question Israel's right to the land. To recognize the Palestinians is to undermine Israel's claim of exclusive rights.

Israeli attempts to de-legitimize the Palestinians have taken various forms. First of all, Israel has denied the existence of a people called Palestinians by arguing that there was never an independent country of Palestine. The people are considered Arabs, and expected to assimilate into other Arab countries. Israel refuses to recognize the PLO, considered by Palestinians, their sole, legitimate representative. Israel sees the PLO as terrorists, not a legitimate negotiating partner.

Another core issue is the security of Israel. Israel perceives itself as a small country surrounded by hostile neighbors, who have united and attacked on a number of occasions. Palestinians question the legitimacy of the Israeli concern about security because from their frame of reference, they are an unarmed people, and Israel is a regional superpower.

Israeli concerns about security beyond military strength, derive from a number of historical factors. The Holocaust illustrates the most extreme victimization in modern Jewish history. It is, however, a chapter in a long history of oppression. The basis of the original Zionist dream was to create a safe haven, a homeland, for Jews. Blind to the people that inhabited the land they sought to claim for their own, the Zionists saw only the violence perpetrated against them.

When the state was finally established, the sensitivity to victimization was intensified when Israel was attacked by Egypt, Jordan, Syria, Lebanon, and Iraq. The possibility of satisfying the security needs of Israel with the help of UN peace keeping forces was eliminated in 1967 when President Nasser of Egypt ordered UN forces in the Sinai to leave, and they withdrew. After Egypt amassed troops along its border with Israel, Israel launched a pre-emptive strike against the Egyptian air force. A full scale war broke out, and Israel was again attacked by its neighbors. In 1973, the Arabs waged a surprise attack against Israel on Yom Kippur, the holiest day of the Jewish calendar. Terrorist acts by the PLO perpetrated within Israel and against Jewish and Israeli targets outside of Israel, such as the 1972 assassination of Israeli Olympic athletes in Munich, Germany, intensified the strong feelings of insecurity.

Thus, the history of the Jews, both ancient and modern, and the contemporary history of the State of Israel, foster what to outsiders seems like an unreasonable, insatiable concern for

security.

An issue of concern to the Palestinians, often de-legitimized by Israel, is the question of Palestinian identity. The historical enemy of the Palestinians is the colonizer or occupier: the Turks, British, Jordanians, and now the Israelis. At a time of rising nationalism in the region, with the British defeat of the Ottoman Empire, many Arab nation-states were created. Palestinian national aspirations were frustrated by the influx of Zionists, who were better organized, better funded, and more politically adept (Khoury 1985).

With the establishment of the State of Israel, many Palestinians became refugees in other nations that refused to grant them citizenship or allow them to assimilate. Liberation of Palestine was a stated goal of the entire Arab world, but the 1967 War, named The Disaster by Palestinians, obstructed that goal. Israel conquered more Palestinian territory, defeated all the attacking-Arab armies, and the number of refugees increased. All of this further reduced Palestinian dignity and chances for an independent identity. The 1982 routing of the PLO in southern Lebanon was yet another reminder of the lack of Palestinian self determination. Settlements on the West Bank, expropriation of land, exploitation of resources, and limits on economic and agricultural development further enflame the Palestinians' desire to control their own destiny. Israeli attempts to instill fear in the Arabs, and to force them to be collaborators against their own people (Grossman 1988) further strip away their dignity.

The result of intolerance and de-legitimization of the other's deepest concerns, has fostered each side's need for psychological coping mechanisms. These mechanisms permit survival under conditions of protracted conflict, but limit the ability of the sides to negotiate a resolution.

As a result of the high degree of uncertainty and fear associated with the conflict, both groups are hostage to rigid beliefs because of psychological processes they do not consciously control; psychological processes that lead to a devil image of the opponent are extremely resistant to change (Heradstveit 1981). Events that coincide with already existing beliefs are easily understood, but those that contradict currently held images and perceptions, are processed in ways that do not require changes in beliefs. Examples of these barriers include selective perceptions, consistency mechanisms, attributional mechanisms, and mirror images, all of which are exhibited in the Israeli-Palestinian conflict.¹ Heradstveit

¹ Much research has been conducted regarding psychological obstacles to conflict resolution. Burton (1969, 1972) identified such communication barriers and used controlled communication in workshop settings to try to dissolve them. By discussing conflict in general, and by showing disputants how the conflict molded their perceptions and blocked resolution, he tried to lead them to a state of functional cooperation. They could then discuss the content of the conflict. Kelman (1972, 1978, 1982, and 1986) discusses the specific barriers that arise during international conflicts. He identified the reasons for and ways they are expressed in the Israeli-Palestinian conflict. In the secure environment of workshops, barriers can be dissolved as the disputants, with the help of a third party, make the other side aware of their realities. Kelman tries to change the long term perceptions of political elites in order to influence the political process. According to Pruitt (1981), Rubin (1981), and Pruitt and Rubin (1986), psychological barriers are responsible

(1981) documented the existence of 'psychological obstacles to peace' between Arabs and Israelis. He interviewed Arab and Israeli elites to determine the stability of their beliefs and images of change with regard to the Israeli-Arab conflict. Their answers provided proof of attributional and consistency mechanisms respectively.

Selective perception occurs when each side accepts information consistent with existing perceptions; contradictory information is simply disregarded. Survival depends on selective perception since one cannot possibly absorb all the stimuli any moment presents. However, in the Israeli-Palestinian conflict, it may in the long run hinder survival because when information showing change in a group's position is rejected, the conflict is sustained or even escalated, but not resolved.

Due to consistency mechanisms, people prefer that their beliefs and attitudes are consistent with their actions. Therefore, information is processed to foster consistency. For example, the actions of allies are always seen in a positive light, but an enemy's actions are judged negatively.

A third tool of the mind used to maintain established beliefs is attribution. Unlike the previous examples, this mechanism allows the mind to process dissonant information, but accepts it only as a matter of circumstance. According to the attributional

for the persistence of escalation, and specifically, for the persistence of negative attitudes and perceptions. Heradstveit (1981) provided a methodology with which to study the cognitive dimensions of the Israeli-Arab conflict, and gave evidence of their existence.

theory, an actor sees positive actions on the part of the enemy as situational, that is, the enemy had no choice given the situational factors. Given a choice, the enemy would have acted differently. Thus, the enemy is denied the credit for having done something positive. Any attempts by the enemy to illustrate change or resolve the conflict are explained away as situational rather than examined for possible content and positive intent.

Negative actions by one's own side are also seen as situational and therefore allow the group to deny moral responsibility for the action. For example, the PLO claims that they are forced to commit violent actions because Israel has denied their right to sovereignty over Palestine. However, Israeli military actions are labeled as terrorism and considered a result of Zionist evil inclinations. Israel sees the situation in the opposite way.

To complete the theory, if one's own group acts in a positive way, it is assumed to be a dispositional response, that is, it is part of its character or motivations to act in such a way. This is also the explanation for the enemy's negative acts. In other words, one's own group is perceived as morally superior and the enemy as innately evil. As a result, perceptions of change in the status quo of the conflict are limited.

Another source of psychological difficulty in conflict resolution is that the perceptions each party holds of itself tend to be mirror images of the opponent's perceptions. Both perceive themselves and their existence as highly vulnerable and

at great risk in accepting the other, but deny the same level of risk and vulnerability to the other. (Kelman 1978). Both see the conflict as asymmetrical in favor of their opponent. The Palestinians see Israel as a regional superpower in control of the land they want to acquire. The Israeli frame of reference is that of being in a hostile environment of Arab neighbors who seek to destroy their state (Saunders 1985). The real tragedy of the conflict is that, in many ways, both parties' perceptions are valid.

Psychological barriers, strengthened and solidified throughout the history of the Israeli-Palestinian conflict, are fostered by the passions inherent in its central issues. Tangible interests of land and resources are enveloped in a quagmire of intangible interests such as identity and recognition (Table 1),

Table 1: Israeli and Palestinian Interests

ISRAELI		PALESTINIAN
	<u>Tangible</u>	
Land		Land
Secure Borders		Right of Return
Military Superiority		End to occupation
Natural Resources		Natural Resources
Sovereignty		Sovereignty
End to terrorism		Development
		Technology
	<u>Intangible</u>	
National identity		National identity
Recognition		Recognition
Legitimacy		Dignity

which sustain psychological barriers. As a result, negotiations are not only difficult because of the severity of conflicting interests, but because discussions of the tangible and intangible issues are constrained by fears associated with possible outcomes. Unmet emotional needs, heightened as a result of approaching core issues, cause negotiator's to either fight, by expressing anger or hostility, or flee, accomplished by building psychological barriers that allow one to escape the implications of particularly threatening information. Thus, if left unsatisfactorily addressed, these needs inhibit reconciliation through negotiation.

Therefore, a mediator must provide a secure environment within which the negotiators can discuss their interests. If one party cannot process information required for settlement, negotiations will reach an impasse unless the needs that require an inability to process information are satisfied in another way.

Aside from Ralph Bunche, mediators in the Arab-Israeli conflict have not responded to the psychological dimensions of the Israeli-Palestinian dispute and therefore, have been unsuccessful in penetrating the psychological defenses that surround the conflict's core. The use of neutral party intervention to resolve the Israeli-Palestinian conflict has failed, partly because highly sensitive questions of national

identity, security, and legitimacy, are so contentious.² The Camp David Accords came closest to addressing these issues, but in the end supplied only an ambiguous framework for continued negotiations (Touval 1982).

Kissinger's attempts to intervene in the Israeli-Palestinian conflict were quickly withdrawn. He sought to mediate an agreement on the status of the West Bank and Jerusalem with King Hussein of Jordan. However, the 1974 Rabat Arab Summit recognized the PLO, and not Jordan, as the sole, legitimate representative of the Palestinian people. At that point, Hussein was forced to withdraw from negotiations and Kissinger turned his attention

² The first major effort to mediate the Israeli-Palestinian conflict was attempted by Count Folke Bernadotte of Sweden in June of 1948 under UN auspices. He sought a comprehensive settlement between Jews and Arabs, but his two proposals were rejected. His failure is attributed to the fact that he was not well-informed about the conflict. He was viewed with great suspicion by both sides, but especially by the Jews after his second proposal, which would have abolished Israeli sovereignty. He was assassinated by Jewish extremists in September of 1948.

Dr. Ralph Bunche, a black American, took over as acting mediator after Bernadotte was assassinated. He is credited with concluding armistice agreements between Israel and her four neighbors, Egypt, Jordan, Lebanon, and Syria. Bunche's success is partly attributed to his idea of an armistice, an agreement for temporary suspension of hostilities as the first step toward permanent peace, rather than a comprehensive settlement. He was also known to have had astute knowledge of the conflict and a keen ability to generate compromise. He also had charm, tact, and a sense of humor. "His ability to melt the icy atmosphere that prevailed at the outset of the Egyptian-Israeli meeting was noted by Walter Eytan, who observed that, 'if delegations set the pace, Dr. Bunche set the tone,'" (Touval 1982).

After these efforts, most mediation attempts were directed at achieving peace between Egypt and Israel. The Palestinian problem was discussed in terms of refugees. Palestinians allowed the Arab states to negotiate on their behalf until the 1967 War which prompted a rise in Palestinian nationalism.

away from the West Bank to Egypt and the Sinai (Quandt 1977).

Carter hoped to achieve a comprehensive settlement that included a resolution of the Israeli-Palestinian conflict. In light of serious difficulties, he agreed to an ambiguous solution of autonomy with a five year transition period. In fact, the agreement on autonomy for the West Bank and Gaza was possible because it stopped short of seeking to resolve the issue. It only outlined procedures that might ultimately determine the future of the areas, and thus postponed the issue for future negotiations (Touval 1982).

Today much discussion of the Israeli-Palestinian conflict focuses on plausible negotiating forums and on the question of Palestinian representation. Possible negotiation initiatives fall into three categories: bilateral, direct negotiations between the parties; triangular, mediated negotiations with the parties; and multilateral negotiations, such as an international conference, including the primary parties, other related participants, and external interveners and mediators (Touval 1987).

Israeli Prime Minister Shamir has repeatedly rejected an international conference, preferring bilateral or trilateral negotiations with Jordan and Egypt based on the framework suggested by the Camp David Accords. Foreign Minister Shimon Peres has accepted the concept of an international conference, with a joint Palestinian-Jordanian delegation, on the grounds that Jordan needs it to legitimize its negotiations with Israel (Touval 1987).

The PLO strongly supports an international conference, but insists on representing Palestinian interests. If the PLO was invited to such a conference, they would automatically gain de facto recognition by the United States and Israel and be able to negotiate on an equal status with the other Arab states (Touval 1987).

This raises the second current impasse regarding negotiations of the Israeli-Palestinian conflict -- representation of the Palestinians. Israeli leaders unanimously refuse to negotiate with the PLO on the grounds that it is a terrorist organization. In fact, in 1985, the Knesset passed a law making it illegal for Israeli citizens to meet with members of the PLO. This position is supported by the United States. In 1975, then-Secretary of State, Henry Kissinger, promised Israel that the US would not recognize or negotiate with the PLO unless it recognized Israel's right to exist and accepted UN Resolutions 242 and 338 (Quandt 1977).

Between 1948 and 1967, Arab states represented Palestinian interests. With the growth of Palestinian nationalism and the post-1967 growth of PLO influence, the PLO demanded recognition as the sole spokesman of the Palestinians. The 1974 Rabat Arab Summit recognition continues today; no Arab state can or will substitute for the PLO.

In an attempt to encourage the US to renew its mediation efforts to find a solution for the West Bank and Gaza, in 1985 Hussein and Arafat agreed to negotiate at an international

conference as a joint Jordanian-Palestinian delegation. However, in 1986, after the PLO refused to accept UN Resolutions 242 and 338, King Hussein suspended his "coordination" with Arafat (Benvenisti 1986b). Since then, the PLO, with backing from the Arab world, has maintained that it should be an equal partner in negotiations and act as sole representative for the Palestinians.

It is believed that Jordan and Israel have held secret bilateral negotiations to carve out their respective responsibilities for administering the territories (Benvenisti 1987). However, Jordan has rejected the conclusion of a separate peace with Israel on the grounds that such peace negotiations require legitimization from the Arab world (Touval 1987).

Regardless of the forum eventually chosen for negotiations, and if the representation issue is ever resolved, negotiations will have to be conducted with extreme delicacy. Neither side is likely to accept an agreement forced upon them by an outside party. This means that at some point they will have to negotiate. Third party interveners will have to accommodate the special needs and sensitivities of each side (Saunders 1985). Treating it like any other conflict will force the parties to harden their positions and make failure inevitable. Acute attention to the needs/interests dynamic that results from the passions inherent in the conflict will increase, however slightly, the chances for success.

The intractability of the Israeli-Palestinian conflict, is a result of conflicting interests that evade resolution and

emotional needs that foster ineffective communication. Intangible interests at the core of the conflict precipitate emotional needs. During negotiations, these emotional needs are satisfied by the mind's creation of psychological barriers or by defensive behaviors.

In order to be effective, mediators must respond to the dynamic of needs and interests. Throughout interactions, discussions of interests cause emotional needs that, if unaddressed, lead to impasse. Past mediation attempts have failed to significantly address this dynamic and have thus been ineffectual in resolving the conflict.

CHAPTER 2 -- THE INTERACTION PHASE OF MEDIATION

After examining the mediation literature, Bercovitch (1986) identified two models of mediation, a structural approach and a process approach, and then attempted to integrate the two. His study describes mediation in global terms -- from party identification to the eventual effects of agreements. I will examine, in greater detail, the interaction phase, or part of Bercovitch's "concurrent phase," that is, the time the mediator interacts with the parties to seek a fair, wise, stable, and efficient agreement (Susskind and Cruikshank 1988).

In the process approach to mediation, the intervention phase is separate from bargaining and negotiation (Burton 1972). Its goal is to foster mutual understanding of each party's motivations and limitations in order to improve relationships (Bercovitch 1986). A social-psychological paradigm of controlled communication (Burton 1972) is used to analyze the particular conflict and conflict in general. This is expected to lead the parties to a state of functional cooperation (Burton 1972), the point at which both parties understand each other's positions and have reached beyond the psychological barriers to conflict resolution. Burton argues that a joint problem solving situation should follow.

In various ways, this injection of information about conflict helps to guide discussions, and in two to three days the

relationships are controlled -- using the term to imply reasoned argument. Step by step the panel introduced information about the conflict. ...In due course, a seminar, problem solving situation is created. The stage is set for functional cooperation without bargaining or compromise (Burton 1972, p. 25).

In other words, in this model, discussions center around the context, not the content of the conflict, and the experience of the interaction is expected to lead to a greater freedom to seek creative solutions and options (Figure 1) (Bercovitch 1986).

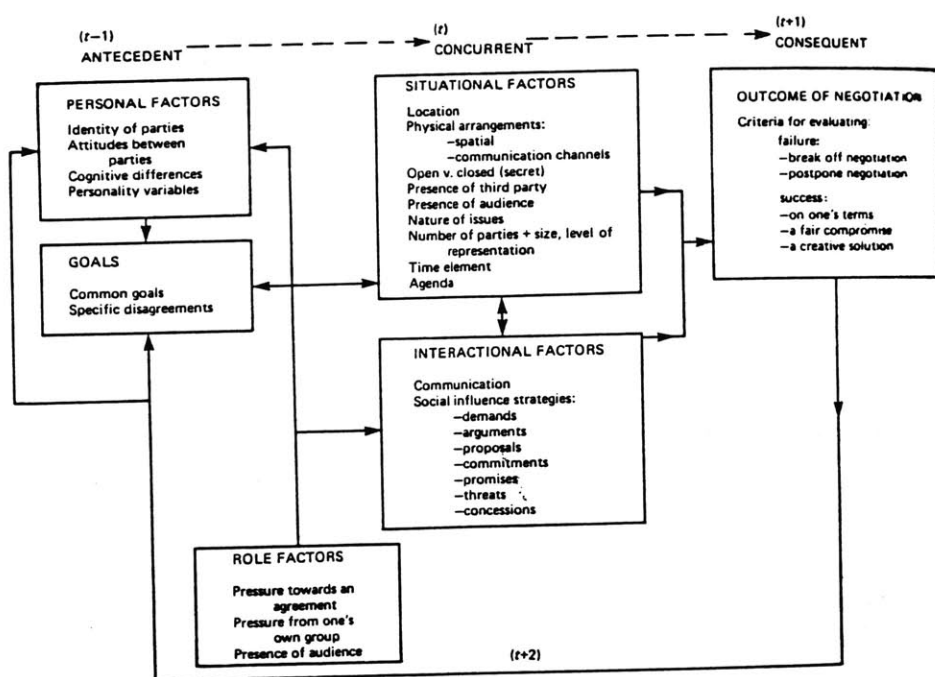


Figure 1: Social Psychological Framework for the Analysis of International Negotiation (From Bercovitch 1986.)

The structural approach places mediation within the context of bargaining and negotiation and examines the mediator's

influence on negotiating relationships (Bercovitch 1986). Wall (1981) defines a "mediated negotiation system" that is composed of the mediator, negotiators, and their relationships. The "system" is acted upon by an "environment" of constituencies of all parties, including the mediator; other parties affected by the process or outcome of the mediation; and outside factors that affect the negotiation (Figure 2).

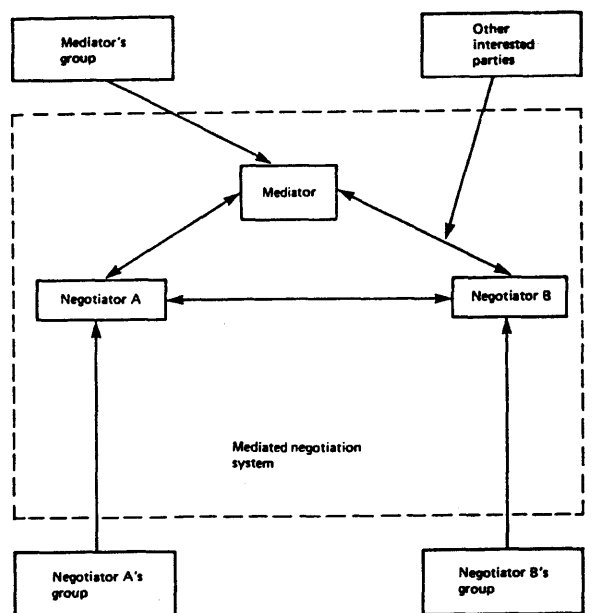


Figure 2: Structural Model of Mediation (From Bercovitch 1986.)

Dissatisfied with each separate model, Bercovitch (1986) argues that the social-psychological model of bargaining and

negotiation should be integrated with Wall's structural model to reveal a more complete description of what mediators actually do. He then combines components of the structural model with the process approach in order to examine the system and dynamics of the mediation process (Figure 3).

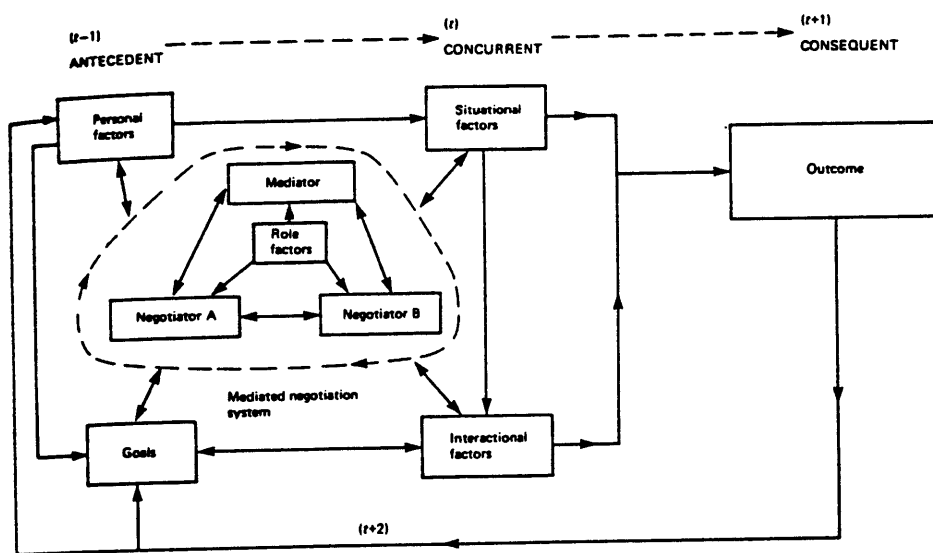


Figure 3: Structural Model of Mediation Combined with Social Psychological Approach (From Bercovitch 1986.)

The interaction phase of mediation that I will describe, builds on the combined social-psychological/structural framework of international mediation. Rather than examine the complete

mediation experience, I will limit my focus to the actual process of interaction. The interaction phase is a microcosm of the entire mediation in that it is affected by the antecedent and consequent phases and situational factors (Figure 1). In other words, throughout the interaction as individuals move toward a mutually acceptable outcome, they express personal traits; account for constituencies; develop relationships; and re-think strategies and goals.

Within the interaction phase of mediation exists a dynamic of needs and interests. When parties negotiate in highly charged conflicts, personal traits and group traits (often shared by constituents) limit effective communication of interests and reduce the likelihood of resolution. By responding to unsatisfied emotional needs with specifically targeted interventions, such as legitimization of interests and reverse role plays, a mediator can assist in negotiating interests.

This phase is structural in that mediation is an integral part of bargaining and negotiation. It is process-oriented in that it borrows from the social-psychological paradigm of conflict resolution which primarily concerns itself with fostering mutual understanding of and by the parties. Thus, interventions fall into two distinct, but related categories -- managing needs and reconciling conflicting interests.

For the purpose of my research, I will define "interests" as the substantive concerns around which parties negotiate and upon which political forces operate. I will use the term "needs" to

refer to emotions that cause parties to withdraw from, or escalate conflict within, negotiations and that demand attention in order to generate effective communication. Needs are divided into two categories: those arising from conflict-promoting interactions and those that result from barriers. Interests are divided into tangible and intangible issues. The mediator's interests comprise a third category that effects the interaction (Table 2).

Unlike Wall's model of mediation which disregards the psychological sphere, and unlike Burton, who believes the psychological component can be dealt with and then yield functional cooperation, I propose that mediation is a dynamic interaction that occurs on both planes at once throughout a negotiation. Whereas the primary goal of third party intervention is to progress toward the satisfaction of the parties' interests, tending to the parties' immediate needs, heightened as a result of approaching highly sensitive issues, will make progress on interests more likely. Such a model of joint problem solving can be used to promote more fruitful negotiations of the Israeli-Palestinian conflict.

A political settlement must satisfy the parties' political interests, but in order to formulate an apparently 'rational' agreement, the passions and emotions inherent in the conflict must be accommodated. An ideal process would harness the power of these passions to resolve conflicts. For example, in a religious conflict, if opposing sides believed an agreement and

Table 2: Needs and Interests During the Interaction Phase of Mediation

NEEDS

As a result of:

Conflict-Promoting Interactions

Examples:

Hostility
Anger
Insecurity/Fear
Dignity Offended
Mistrust

Barriers

Examples:

Selective Perceptions
Attributional Mechanism
Consistency Mechanism
Mirror Images

INTERESTS

Tangible Issues

Examples:

Borders
Resources
Military Strength
Sovereignty

Intangible Issues

Examples:

Identity
Dignity
Security
Recognition
Political Survival

MEDIATOR'S INTERESTS

Political

Examples:

Political Influence
Enhanced Power

Personal

Examples:

Reputation
Build Trust

its implementation were God's will, then religious fervor would promote peace. As ideals are difficult to reach, I will offer a process that merely attempts to manage the needs aroused by emotional interactions throughout the negotiation of interests.

The Israeli-Arab conflict provides many examples of needs management by mediators to promote rational agreements. The following is a record of a conversation between an American lawyer and President Nasser of Egypt.

Lawyer: What is it you want Golda Meir to do?

Nasser: Withdraw!

Lawyer: Withdraw? Withdraw from every inch of Arab territory? Without a deal? With nothing from you?

Nasser: Nothing, It's our territory. She should promise to withdraw.

Lawyer: What would happen to Golda Meir if tomorrow morning she appeared on Israeli radio and television and said, 'On behalf of the people of Israel I hereby promise to withdraw from every inch of territory occupied in '67: the Sinai, Gaza, the West Bank, Jerusalem, the Golan Heights. And I want you to know, I have no commitment of any kind from any Arab whatsoever.

Nasser (laughing): Oh, would she have trouble at home!

Understanding what an unrealistic option Egypt had been offering Israel may have contributed to Nasser's willingness later that day to accept a cease-fire in the war of attrition. (Fisher and Ury 1981).

Nasser's perception of the situation changed after the intervenor provided a "reality check." This did not change Nasser's long term perceptions of Israel, but only those affecting his position.

Henry Kissinger responded to the emotional needs of negotiators during his shuttle diplomacy missions. The following example is an illustration of Kissinger absorbing the anger Golda Meir needed to vent.

Kissinger allowed himself to become the target of angry displays, thus deflecting them from the other bargainer. At one point, he listened to a long, angry lecture from Meir about the suffering of Israel and the unjustness of its world position. At the end of this diatribe, he agreed with her, but pointed out the realistic need for concessions. A mediator who takes such a role acts like a psychotherapist dealing with transference. The mediator serves as a surrogate target for emotion, allows catharsis, and then leads the client to a more realistic interpretation of the situation (Pruitt 1981).

President Carter showed sensitivity to the emotional realm of the interactions between Prime Minister Begin and President Sadat.

During the reading of the paper, Begin sat without changing his expression, but I could feel the tension building. ...I tried to break the tension by telling Begin that if he would sign the document as written, it would save us all a lot of time. I was surprised when everyone broke into gales of laughter (Carter 1982, p. 345).

...soon the discussions on other issues became very bitter again. I acted as referee and put them back on track, and on occasion explained what was meant when there was an obvious misinterpretation (Ibid., p.353).

Thus, successful mediators have responded to emotional needs during negotiations. Sometimes the mediators, frustrated with the negotiators, lost their tempers (On Kissinger: Golan 1976; on Carter: Carter 1982). This may have been the result of a failure to account for the emotions that drove negotiators to hold firmly to particular positions. To pretend this realm of interaction is non-existent, or to lack a systematic plan based on expectations, is to promote failure. A mediator who understands the triggers of emotional reactions and has a repertoire of interventions to respond to them will improve the chances for successful outcomes. Even still, a mediator is limited by a lack of complete knowledge and resources and cannot always determine perfect interventions

for each moment of the interaction. Failed interventions and mediations are likely in complex, highly charged conflicts.

As the examples illustrate, neither Kissinger nor Carter attempted to alter the long term psychological needs of the parties. However, throughout their mediation efforts they were confronted with emotional needs and forced to address them before continuing discussions of political interests. In Israel's negotiations with Palestinians, even more than with the Syrians, Egyptians, or Jordanians, emotions are of great significance because their conflict revolves around highly sensitive issues such as identity and existence. Therefore, a mediator must be cognizant of the dynamic of needs and interests, and expect and plan to respond to them.

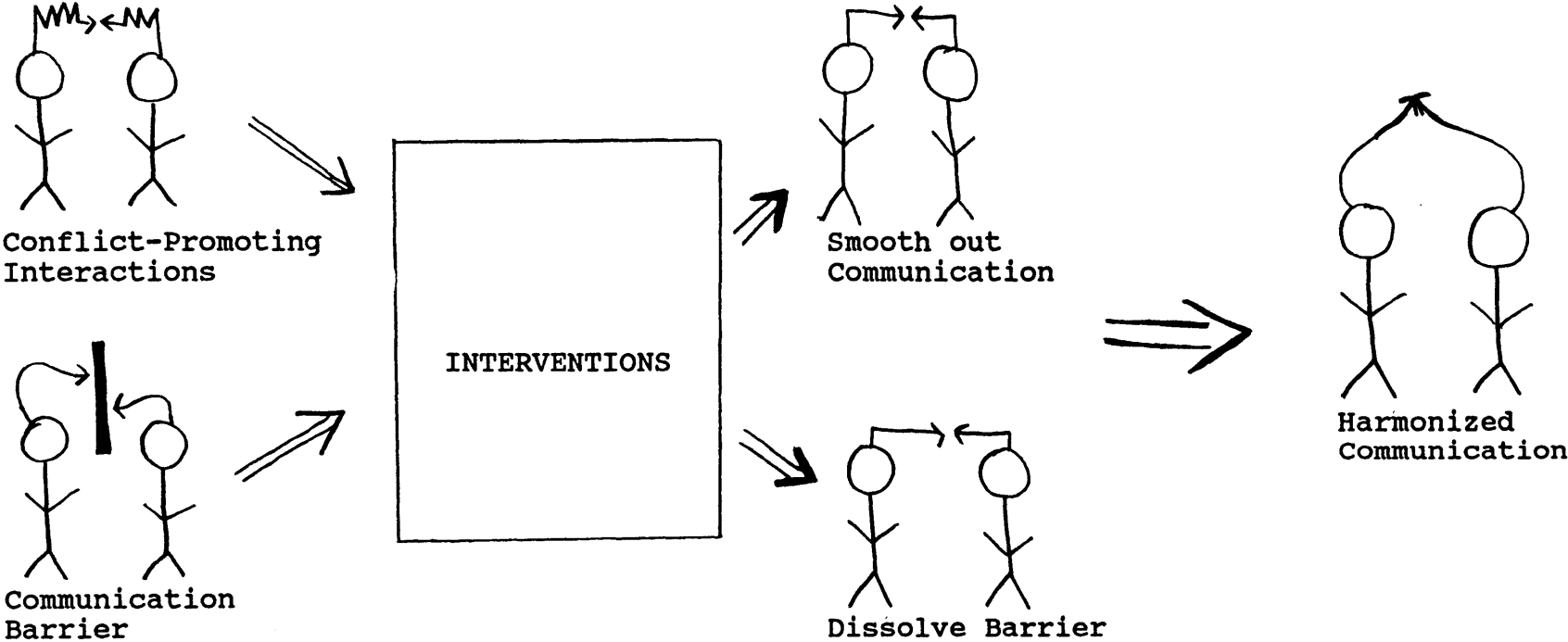
The existence of needs necessitates the process-half of the interaction phase of mediation. Like Burton and Kelman (1982), the mediator seeks to facilitate effective communication among negotiators by responding to attitudes, perceptions, motivations, and cognitive differences. However, unlike the social-psychological approach, the mediator, following a more problem solving orientation, does not seek to change long term perceptions or values in the hopes of improving future interactions. Instead, the goal is to manage needs as they arise in order to promote effective communication. Perceptions may change in the short term, or as a result of eventual agreements, but the actual goal is short term modification. Whereas controlled communication workshops seek long term dissolution of

psychological barriers, in this phase, interventions are directed at specific barriers at their point of expression in order to harmonize communication for that moment (Figure 4). Barriers are expected to reappear and require similar attention.

Needs are divided into two categories; those resulting from conflict promoting interactions and those that are a function of barriers. Conflict-promoting interactions occur when a negotiator is adversely affected by another's comment or action such that the recipient becomes angry, hostile, insecure, or offended. The following is an example of a conflict-promoting interaction and an accompanying mediator response.

An Israeli negotiator states that a particular issue is a question of national security. The Palestinian negotiator responds with the statement that Israelis hide behind a smoke screen of security. The Israeli angrily snaps back or simply throws up his/her hands in disgust. One possible intervention is to ask the Israeli to explain how the issue relates to security. As the mediator leads the speaker through the explanation by asking clarifying questions, the anger is likely to dissipate. Some of the clarifying questions are asked for the benefit of the Palestinian audience. The questioning is designed to legitimize the issue of security as raised by the Israeli in the eyes of the Palestinian. Mutual denial of each party's legitimate concerns furthers distrust and suspicion (Kelman 1978). Thus, the mediator attempts to legitimize issues in order to discuss and explore ways of satisfying them.

Figure 4: Mediation in the realm of needs



A barrier occurs when a speaker makes a statement, but the listener does not comprehend its substance. This may be a simple misunderstanding, but is more likely a result of psychological inhibitions that block one's cognitive abilities. These blockages include: selective perception; consistency mechanisms; and attributional mechanisms (Heradstveit 1981, Rubin and Pruitt 1986). The following is an example of a barrier and a complementary intervention. A Palestinian says the PLO position is to recognize Israel within its pre-1967 borders and establish a state in the West Bank and Gaza. The Israeli responds by saying the Palestinian position is to completely destroy the State of Israel. The two have not communicated; no connection occurred. The mediator can ask the Palestinian to repeat his/her former statement, and then ask the Israeli to repeat it. By hearing it a second time, and repeating it, the person is forced to confront the statement. S/he may not believe it, but its merits can be discussed later. First, the Israeli must process the statement. Negotiations can then proceed. As illustrated, the intervention responds to the moment of the barrier, not the long term psychological system.

The above examples show how the mediator actively addresses the needs of the negotiators. The mediator does not respond to every slight sign of emotional uneasiness, but measures when discussions are sufficiently restrained to merit a response. Emotions can also promote positive interactions and effective communication. A limited goal of the mediator is to dissolve

barriers and communication-inhibiting emotions. A more lofty goal is to promote positive emotions that foster effective communication such as understanding and respect. By stressing such points, a mediator can build momentum toward agreement. Sadat offered a powerful show of positive emotion during the Camp David negotiations.

"I have tried to provide a model of friendship and coexistence for the rest of the Arab world leaders to emulate. Instead, I have become the object of extreme insult from Israel, and scorn and condemnation from the other Arab leaders. The Israeli attitude has worked against other Arab's being willing to attempt peace with Israel. My initiative has come not out of weakness, but out of strength and self-confidence. With success at Camp David, I still dream of a meeting on Mount Sinai of us three leaders, representing three nations and three religious beliefs. This is still my prayer to God!"

This statement made quite an impression on both Begin and me. It obviously came from Sadat's heart (Carter 1982, p. 359).

The potential for negotiators to express needs always exists, especially since barriers are often part of a their psychological landscapes. During negotiations, needs arise in response to statements or actions by one party that contradict another's perceptions, beliefs, or aspirations. They dissipate as a result of interventions or sometimes simply diminish in importance over time.

The second level of the interaction phase is that of interests, or the substantive concerns the parties seek to resolve. In this realm, the goal of the mediator is to reach an acceptable, durable agreement that exploits opportunities for mutual gain and best satisfies the interests of the parties. To this end, the mediator attempts to structure the negotiation as a joint problem solving venture.

Interests are divided into two types -- tangible and intangible. Intangible issues do not effect physical conditions, but have great political significance. For example, Sadat's tangible interest was satisfied when Begin agreed to return the Sinai. Begin did so to extract concessions from Sadat regarding the intangible issues of Egyptian recognition of Israel and promises of non-belligerency (Rubin 1981).

In the Israeli-Palestinian conflict, most intangible issues are highly threatening and perceived in zero-sum terms. As a result, the conflict maintains and fosters the potential for needs to arise. Attempted discussions of intangible issues are likely to trigger emotional needs.

Examples of tangible issues are boundaries, natural resources, military strength, and sovereignty. To respond to these, the mediator seeks to draw out the interests that lie behind stated positions; offer suggestions; help parties trade off on issues of lesser importance for those of greater importance; and possibly enlarge the scope of the mediation (Fisher and Ury 1981). The following is an example of focusing on and satisfying interests. At Camp David, negotiations over the Sinai reached an impasse. The Egyptian position was to regain sovereignty over all of Sinai; the position of Israel was to retain control over part of Sinai. The Israeli interest was to reduce the military threat near its border. The concept of a demilitarized Sinai satisfied the tangible interests, though not the stated positions of both sides (Fisher and Ury 1981).

Intangible issues include security beyond military strength, recognition, identity, dignity, and political survival. Many intangible issues have complementary tangible issues, and the former sometimes drop off as the latter are satisfied. However, separating the two increases opportunities for creating satisfactory packages because options for tangible issues can be supplemented if they do not exactly satisfy intangible issues.

For example, national identity is an intangible interest of the Palestinians; a durable, political settlement must give credence to it. This issue falls under a multiplicity of headings and would be at varying degrees of centrality throughout a negotiation. An agreement on sovereignty is likely to increase or reduce the centrality of this interest. In light of an agreement to establish a Palestinian state, even a de-militarized state, national identity would cease to be raised as an independent issue. However, if autonomy under Israeli or Jordanian sovereignty resolved this issue, further discussions of Palestinian identity would be required. Identity, explicitly legitimized as an agenda item, could be focussed on in discussions. Concessions targeted specifically at this intangible interest, such as offering to create Palestinian passports, (Hopis, a Native American tribe in the US, travel on their own passports) might lead to an acceptable package. All participants must be pressed to think of possible options to accommodate this interest.

Carter responded to Dayan's concerns and fears of withdrawal

from the territories by forcing him to specify necessary security arrangements.

Dayan asked, "What does withdrawal mean? Troops, settlements? Will I be a foreigner in the West Bank? Will I have to get a visa to go to Jericho? With autonomy, can Arabs there create a Palestinian state? Can they resettle refugees from Lebanon to the West Bank? Who will protect us from Jordan? Who will be responsible for controlling terrorists?" ...I became angry and almost shouted, "What do you actually want for Israel if peace is signed? How many refugees and what kind can come back? I need to know whether you need to monitor the border, what military outposts are necessary to guard your security. What else do you want? If I know the facts, then I can take them to Sadat and try to satisfy both you and him. My problem is with the issues that do not really relate to Israel's security. I must have your frank assessment. ... What do you really need for your defense? It is ridiculous to speak of Jordan overrunning Israel! I believe I can get from Sadat what you really need, but I just do not have your confidence." (Carter 1982, p.349)

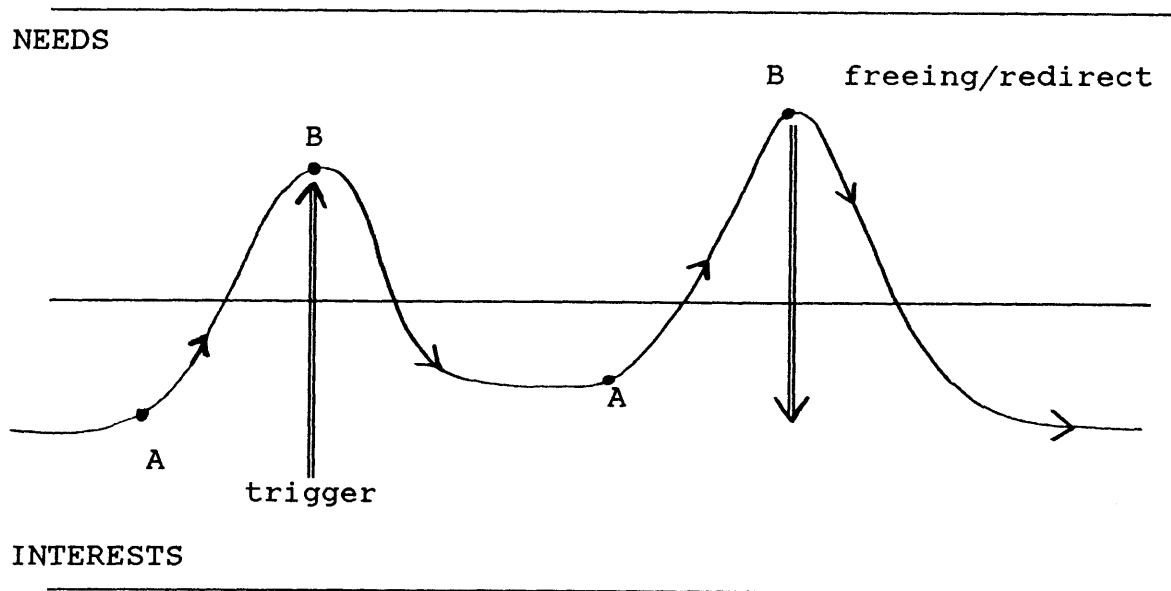
Carter pressed Dayan to be specific, but did not understand security as both a tangible and intangible issue. Carter asked how to satisfy military security, but Israeli interests go beyond military strength to an internal security. Without recognizing or accepting this intangible issue, options are never generated for its satisfaction. Perhaps such things as normalized diplomatic relations; an end to anti-Israel propaganda; student and cultural exchange programs; or teaching the history and culture of Jews in Palestinian schools and vice-a-versa may begin to address the intangible security Israel seeks. Again, discussions of the sensitive, intangible issue of security are likely to precipitate emotional needs.

Failure to identify intangible issues as separate from tangible ones, makes it impossible to understand the complete array of interests represented by positions. This limits the

search for mutually acceptable options. Secondly, by not isolating them as issues for discussion, they are allowed to take on monstrous proportions thereby precipitating a torrent of needs that guarantee continued conflict.

The dynamic between needs and interests exists throughout the interaction. As interests are discussed, a comment or action may 'trigger' an emotional response that prevents further discussion of the interest. The mediator then attempts to 'free' or better still, 'redirect' the party from the emotional blockage. If successful, interests can again be discussed until another intervention-commanding need is triggered (Figure 5).

Figure 5: The Dynamic Between Needs and Interests



At A, comments or actions trigger needs that demand attention before discussion of interests can continue.

At B, successful interventions free participants of needs and redirect discussions back to interests.

A successful intervention will either remove the block or transform it into agreement-fostering emotions. Highly emotional, intangible issues, such as those central to the Israeli-Palestinian conflict, have a higher propensity to trigger an emotional response than less sensitive issues. For example, security and identity have a higher propensity to trigger than health care.

Finally, as manager of the interaction, mediators integrate satisfaction of their own interests into the process. These can be personal, such as maintaining one's reputation, or political, such as increasing a nation's influence in a region. (For more on political interests of the mediator see Touval and Zartman 1985.) If a mediator's reputation and political influence rest on successful outcomes, then at times s/he must intervene independently of the needs and interests stated by the parties to reach agreements that are fair, wise, stable, and efficient. The mediator must build and maintain trust, but may also need to pressure negotiators to agree. If a party states it will not make a particular concession, the mediator may attempt to influence the negotiator's perception of what is possible and feasible.

TECHNIQUES

Having described the interaction phase of mediation, I will now describe mediation techniques that respond to the dynamic of needs and interests. The techniques listed in each category

constitute only a partial list. I will not attempt to describe every possible intervention, but only to offer examples (Table 3). Each technique is categorized, but not matched to specific situations.

In some cases, the choice of a particular technique is clear, but in most instances, many possibilities exist. The mediator's selections must be based on training, experience, and perceptions of the situation. Mediation is, in my opinion, an art form. As the mediator moves from the realm of needs to the realm of interests and back and forth among various issues, juggling emotions and political realities, the mediator performs an improvised dance -- the steps have been practiced, but the mediator must interpret and harmonize the rhythms of the parties.

Intervention techniques designed to respond to needs are used to defuse conflict-promoting interactions and dissolve barriers. The main focus of the first category of interventions is to absorb or re-direct powerful emotions that often arise when individuals feel their concerns are de-legitimized, from misunderstandings, or plain fear. Mediators choose techniques according to their perceptions of the emotion's root causes. These techniques can be passive or active.

When emotions seem to emanate from a variety of factors, passive interventions are probably most effective. These include active listening; absorbing anger (Rubin 1986); and venting (Pruitt 1981). Active listening, with constant eye contact, helps a speaker feel understood and therefore eliminates some anger.

Table 3: Intervention techniques used in the interaction phase of mediation

RESPONSES TO NEEDS

Resulting from:

Conflict-Promoting Interactions

Active Listening
Venting
Absorb anger
Understand and show it
Legitimize
Interpretations
Humor
Separate people from the problem

Barriers

Reverse role play
Repeat
Summarize
Clarify
Identify
Discuss
Re-framing

RESPONSES TO INTERESTS

Tangible

Move from issue to issue
Offer suggestions
Focus on interests not positions
Contingent agreements
Enlarge the pie
Invent options for mutual gain
Package proposals
Insist on objective criteria

Intangible

Force expression in
tangible terms
Legitimize as interests
Help other side to
accept as interest

TO SATISFY MEDIATOR'S INTERESTS

Active listening
Legitimize interests
Threaten to leave
Time constraints
Reality checks
Inject doubt about future
Personal character and force
Stress interdependence

Venting allows people to safely express the anger that prevents effective communication. It is best done in private caucuses, but can be used in group sessions to illustrate the emotional depth of an issue. To absorb a person's anger, the mediator acts as the focal point and receptor for the anger by simply staring at the person with an expressionless face; any words are whispered. Eventually, the negotiator becomes self-conscious of the interaction; the voice is lowered and the tone changed.

In other cases, especially when emotions arise as a result of de-legitimization or misunderstandings, active interventions are required. These include legitimization of interests; showing understanding; interpretations; separating people from the problem (Fisher and Ury 1981); and humor (Pruitt 1981).

Legitimization of interests validates a party's concerns that may have been dismissed by others. If a person has not expressed a particular issue as an interest, the mediator can identify it and add it to the agenda. If another party objects to its validity, the mediator must help the initial party explain the interest. Showing understanding helps people feel understood even if they cannot fully express their thoughts. Through on-target open ended questions, the mediator can reach the substance of the speaker's concern and seek supportive details to help the speaker feel understood. Interpretations are effective when statements generate emotional uneasiness, apparently from faulty delivery and/or comprehension. The mediator asks the offended party to explain or interpret, the statement and then gives the

speaker the opportunity to confirm or explain its intended meaning.

It is necessary to separate the people from the problem when personal attacks occur during tense negotiations. The mediator directs discussions away from individuals and back to the substance of the previous issue. If the negotiators' relationship is a separate problem, the parties can be given the option of consciously choosing to discuss it, rather than the former issue. Finally, humorous statements can diffuse tension. This can be a high risk technique because if it fails, the mediator must work to recover his/her credibility. However, if properly timed, humor can make people more easily persuaded and more generous (Pruitt 1981).

Psychological barriers can be dissolved by interventions that identify, side-step, or chip away at them. To identify a psychological barrier, the mediator moves the discussion focus from an issue to process and shows how the barrier is limiting perceptions and cognitive abilities at that moment (Burton 1972).

To side-step barriers, the mediator either re-phrases proposals or discussions with less provocative words or asks the parties to do so. This may be done with re-framing; clarifications; or summarizations. Re-framing requires the mediator to express a proposal or a key point from a different perspective in order to make it more readily understandable. The mediator can also ask the parties to clarify points that appear to be confused. As they re-tell the story together, each is more

likely to hear what the other says. After a somewhat lengthy, poorly received discourse, a mediator may summarize the words of the speaker with less provocative words than originally used. To insure the accuracy of the summary, the mediator checks with the speaker throughout his/her rendition of it. Parties are more likely to listen to the words of a mediator than a perceived opponent, especially after a conscious attempt to make the message more palatable.

Chipping away at barriers is the most difficult, but if successful, the most fruitful option. This is done with techniques such as informal role reversals (Rubin 1981) and repetitions. Informal reverse role plays directly address psychological barriers that limit perceptions and intake of new information.³ The mediator engages a negotiator in a short dialogue to help him/her imagine how an opponent felt in a given situation. This is an attempt to slightly sensitize one to the perceptions and limitations of another. Through questioning, the mediator attempts to chip away the barriers to understanding. Repetitions are used when a person does not process another's statement. The mediator asks the person to repeat the statement and if unable, asks the former speaker to repeat it and then asks the resistant party to try again. Through the process of hearing and repeating, the person is made to acknowledge the statement,

³ From their research Krauss and Deutsch (1966) determined that only after disputants were taught to put themselves in the role of their opponent, could they begin to resolve the conflict. A similar conclusion was reached by Kelman (1972) and Kelman and Cohen (1976). (See Rubin 1986, p. 170.)

independent of disagreement with it.

Techniques designed to correspond to interests fall into distinct categories for tangible and intangible issues. Interventions for tangible issues are designed to promote a joint problem solving atmosphere and introduce elements of principled negotiation (Fisher 1978, Fisher and Ury 1981, Susskind and Cruikshank 1988). These include focus on interests not positions; invent options for mutual gain; insist on objective criteria.

Focussing on interests rather than positions affords greater flexibility in the search for solutions. Behind negotiators' stated positions lie numerous interests; a position represents one way to satisfy a negotiator's interests. There are numerous ways to satisfy a variety of interests, but only one way to satisfy a position. To get behind positions, a mediator must examine each position, with the help of the negotiator, to determine the interests it seeks to satisfy. After interests have been revealed, the mediator helps the parties generate mutually beneficial options and alternatives previously unmentioned and unexplored. Shared interests are identified, and issues of lesser importance can be traded off against issues of greater importance. In order to avoid contests of will in situations where conflicting interests have not been reconciled through creative solutions, one can insist that disputants determine objective criteria as a basis for resolution of the issue.

Other techniques help the mediator efficiently manage negotiation. These include offer suggestions; focus on positives;

move from issue to issue; package proposals (Rubin 1986); enlarge the agenda (Fisher and Ury 1981); and contingent agreements (Susskind and Cruikshank 1988). The mediator offers suggestions to encourage the parties to explore new possibilities. Also, strategic suggestions by the mediator can allow parties to save face if they can agree to a package, but cannot accept an opponent's proposal. Since people in conflict emphasize major differences in their positions to avoid inevitable concessions for settlement, the mediator must focus on positives -- agreement on issues or perceptions -- to develop momentum during negotiations. Before any final decisions are made, all issues should be discussed until the relevant interests of each side are clear; a substantial number of options have been generated; and the issue's relative importance to each side has been assessed. The mediator can then combine issues to create an acceptable package.

Given the multiplicity of issues, and the tradeoffs that occur among them, one must package issues rather than seek separate agreements on each one. After proposing a package, the mediator can ask the parties what modifications are necessary for its acceptance. Raising high satisfaction, low cost issues can sweeten otherwise unacceptable packages. The mediator can increase the scope of the negotiation or assert issues not originally part of the agenda. If parties cannot immediately agree to a comprehensive settlement, contingent agreements can provide needed guarantees by exploiting time, insecurity, or

mistrust between the parties. Thus, when each side satisfied particular elements of the first stage of the agreement, the second stage would be implemented, and so on.

The mediator's primary goal in negotiating intangible issues is to help identify, legitimize, and then force the participants to express tangible options to satisfy them. Intangible political interests are often never made explicit, yet lie behind many positions and limitations. In order to understand the limitations of parties, these need to be considered legitimate interests worthy of discussion and attention. Doing so is likely to increase the long term durability of agreements. The mediator must help the other side not only accept the legitimacy of intangible interests, but participate in the search to satisfy them. S/he must constantly help identify and generate tangible options to satisfy these interests, rather than allow them to take on unmanageable proportions.

Mediators intervene not only in response to the interactions of the negotiators, but also in an effort to further their own interests. Achievement of acceptable, durable agreements can satisfy mediators' personal goals, such as maintaining or improving one's reputation, and political goals, such as increasing a nation's influence in a region. When political interests of the mediator determine the limits of an acceptable agreement, the mediator can influence decisions and perceptions of negotiators accordingly.

In order to effectively satisfy their own goals, mediators

sometimes intervene to improve their positions with negotiators and to get closure on agreements. To increase their positions among parties, mediators listen actively and legitimize interests to build trust. People are more likely to trust an outsider if s/he has demonstrated an ability to hear and understand their concerns. A mediator can also improve his/her standing with negotiators by legitimizing their interests -- tangible or intangible.

In order to pressure parties to commit to agreements, mediators utilize reality checks (Pruitt 1981); inject doubts about the future (Wall 1981); use personal character and force (Sheehan 1981); stress the interdependence of players; threaten to leave (Wall 1981); and impose time constraints. People sometimes over-exaggerate their power bases and as a result, miscalculate possible outcomes. If confronted with outrageous requests, a mediator can point out political realities or stated limitations of the other party to undermine the plausibility of a request, and then ask the party to weigh the consequences of no settlement against the consequences of an alternative position. Nobody can ever be completely certain about the future. The mediator can pressure a recalcitrant party to explain his/her expectations if no agreement is reached, and then express serious doubts about those expectations. At the same time, the mediator stresses the certainty of the process and the ability to control the outcome as opposed to the uncertainties of an unresolved situation.

Depending upon established relationships, the mediator may be able to apply pressure to a party without losing credibility. If the mediator represents political interests, this may be done with promises or threats regarding aid or diplomatic ties. Otherwise, s/he can appeal to the mutual trust and respect already established, and explain that as a mediator s/he would not lead them astray, but honestly believes the agreement is in their best interests. Another option is to stress the interdependence of the players to lead them to a resolution. If they can understand the conflict as a result of a multiplicity of actions and reactions for which both are responsible, they can be convinced that they are equally responsible for untangling it, and must support each other's steps to do so.

If the mediator believes the parties are sufficiently engaged in the process and want an agreement, but refuse to make final concessions, the mediator can threaten to end the session without resolution. This is the mediator's bottom line, designed to impress upon the parties their responsibility for finding new options or making concessions. Finally, as process manager, the mediator can remind negotiators of time constraints. Parties often wait until the last minute to make final concessions. By invoking time constraints, the mediator can get eleventh hour commitments.

There are a number of limitations embedded in the process of the interaction phase of mediation. The three I will consider revolve around perceptions, trust, and the unknown interaction

between process and outcomes. The process is dependent upon and limited by the perceptions of the mediator, who proposes when and which interventions occur. Process-oriented interventions are invoked when the mediator perceives emotional discomfort or psychological barriers. A mediator's misunderstanding of negotiators' perceptions and customs can lead to unnecessary interventions that risk increasing the level of conflict.

Another problem is that the process is highly mediator-dependent. Since the mediator helps explore issues of politics and emotions, the parties must instill great trust in the mediator and willingly answer questions s/he poses. The level of trust and credibility necessary for effective mediation may be too difficult to establish and therefore, may prevent people from engaging in the process. A third problem is that, unlike traditional diplomacy, parties are expected to engage in a process without knowing exactly where it will lead. The requirement of faith in a process, without a guaranteed outcome, may pose too great a risk for political officials.

Finally, in trying to deal with differences, the interaction may reveal more conflict than the parties were originally conscious of. With all the issues and options identified and psychological barriers recognized, failure to reach an agreement could lead to perceptions of irreconcilability and increased conflict.

The Israeli-Palestinian conflict continues to elude resolution because its tangible issues of land, borders, and

resources, are enveloped in a quagmire of intangible issues of identity, security, and legitimacy. During negotiations, these intangible issues tend to trigger emotional needs that cause negotiators to either fight, expressed as aggressive behavior, or flee, with the use of psychological barriers that screen the information they process.

In order to promote effective communication, mediators must respond to the dynamic of needs and interests caused by the intractable nature of intangible issues and the needs they trigger during negotiations. Interventions need to be targeted specifically at needs or interests. Mediators also have their own political and personal agendas. To further their own interests, they sometimes invoke particular interventions and also try to influence negotiators on their own behalf, throughout the process.

CHAPTER 3 -- THE SIMULATION

BACKGROUND

In order to explore the usefulness of mediation that stresses both needs and interests, I designed a simulation of a conflict over water resources on the West Bank. The simulation allowed me to isolate the interaction phase of mediation; earlier phases were assumed to have already occurred. Thus, it provided a way to examine the interplay of needs and interests and the effectiveness of interventions designed to respond to both.

According to the simulation scenario, an Israeli water company, Mekorot, and the Moriah Energy and Technology Company, an Israeli subsidiary of the American-based Mount Moriah Drilling Company, announced plans to drill a new well on the West Bank. The deep water well would pump 18 million cubic meters (MCM) of water each year. Moriah would sell this water to Mekorot, who would in turn sell the water for drinking and irrigation. According to plans, approximately 67 - 75% would be consumed by residents of Jerusalem and Jewish settlements while 25 - 33% would be allocated for Palestinian communities. The project is controversial because it threatens to deplete existing wells used by Arab communities in the area. Four wells already on the site (Herodion 1, 2, and 3, owned by Mekorot, and Beit Fajar, owned by the Bethlehem Water Authority) will most likely dry up if the new well is constructed and water is pumped

at the proposed rate.

The simulation is based on an actual proposal to drill a deep water well near Bethlehem. It was proposed publicly in June of 1987 and withdrawn in September of the same year. In reality, it met strong opposition from the Palestinian community because it threatened to dry up a well owned and operated by the Bethlehem Water Authority.

I chose this case because it is small enough to be manageable as a simulation, but provocative enough to tap into the psychological dimension of the conflict since it incorporates such major issues as control, management, and allocation of scarce resources. In a desert climate, the issue of water always elicits strong emotional reactions since it is a scarce resource required for survival and development.

Another reason for the simulation is that smaller, technical issues may provide a means within which to manage the deep emotional issues in the Israeli-Palestinian conflict. The conflict is generally discussed in terms of sovereignty, which directly confronts the issues of identity and security. Many people believe that resolution of the sovereignty issue would allow the smaller technical issues to fall into place. However, given the strong emotions that emerge during such discussions, it may be the wrong place to start.

Since resolution of the Israeli-Palestinian conflict seems far from actualization, perhaps the technical issues, such as education, water, health, electricity, etc., should be

negotiated first. As the bloody history of the Israeli and Palestinians continues to be written, chances for major concessions or creative solutions grow less likely. Perhaps, small, minor agreements can create the environment required for the resolution of larger issues.

By allowing the Palestinians to begin to take control of their daily life, Israel can get acquainted with the reality of such a situation on a limited scale that would not pose a threat to their national security. Thus, the mystery of Palestinian self-determination, regardless of its eventual form, would begin to slowly be revealed. Perhaps settlement on a number of technical issues and successful implementation of negotiated agreements would create an atmosphere in which the larger issues could then be discussed.

Thus, the simulation represents a technical issue that could be resolved in a number of ways: the Israelis could push the project through without Palestinian concurrence; the Palestinians could protest the project; or they could all agree to some kind of joint ownership of the well; and equitable distribution of the resources. The technical issues contain the larger political issues, but on a more manageable scale. They also provide a context within which to negotiate specific, concrete interests.

The simulation presumes a meeting of six officials who will discuss their interests and concerns regarding the proposed well. The outcome of their negotiations will determine whether or not the group will offer consensual support for the project.

The meeting brings together three Israeli and three Palestinian negotiators. The Israeli players are assigned the roles: the Coordinator of Activities in the Territories from the Civil Administration, who has taken a public stand in support of Arab rights, but answers to the Minister of Defense who supports the project; the Deputy Water Commissioner responsible for water allocation in the Gush Etzion region, who believes in autonomy for the Palestinians, but through the water issue recognizes the difficulty of relinquishing complete control of the territories; and the Mekorot project manager, who believes the Arabs should be satisfied with the benefits they receive from Israel and its superior technology.

The Palestinian players are given the roles: Mayor of Bethlehem, a pragmatist trying to increase the water resource base for his constituents; Chairman of the Board of the Bethlehem Water Authority, who is outspoken about Palestinian national rights and fears promoting further Palestinian dependence upon Israel; and a Representative from the Landowners and Farmers Committee whose primary interest is to secure water for agriculture, but is also concerned about Palestinian rights.

Assuming that an acceptable package would allow work on the proposed well to proceed, the six negotiate around four main issues of a previously determined agenda. The issues are : 1) Availability of water, that is, if the well is dug, how will the water be allocated to the surrounding communities for domestic and agricultural consumption? 2) Control of resources, or who

will own the well in light of the fact that Moriah is considering selling shares to cover the expenses of the project? 3) What guarantees will the Palestinians have to insure their promised water levels in the event that their wells dry up as a result of the new well? 4) Will the owners of wells that dry up receive compensation?

It is assumed that the group has met on three previous occasions, and has chosen to hire a mediator to help them reach agreement. Any agreement is subject to the approval of the participants' superiors and constituencies, but all are expected to bargain in good faith and promote any agreed upon outcome. It is not clear what will happen if the group fails to reach an agreement.

THE PARTICIPANTS

I ran the simulation with six graduate students from MIT and Harvard. They included two Palestinians, two Israelis, an Arab, and a Jew. One of the Palestinians was originally from Gaza; his nuclear family now lives in Kuwait. The other Palestinian was raised in Jordan though his family is originally from Nablus. Of the Israelis, one was a fifth generation Israeli woman. The other was an American who made "aliyah" about ten years ago; he served in the Israeli Defense Forces. The other participants were an American Jewess, who had lived in Israel, and an Arab man from West Beirut, Lebanon.

Before the simulation, all the participants were asked to

fill out a questionnaire (Appendix B). Below is a summary of the Arabs' responses followed by those of the Jews.

All three Arabs believed the Israeli-Palestinian conflict was a result of Israeli colonization, but only the Gazan man perceived it as a conflict between two national movements. The two Palestinians strongly disagreed with the statement that the PLO is a terrorist organization; the Lebanese man agreed with it. However, all three believed the PLO was forced to commit violent actions because Israel denied Palestinian sovereignty over the land. All three believed the Israeli Defense Forces commit terrorist actions, but while the Gazan disagreed that their actions were taken to defend the State of Israel, the other two agreed. All three believed that the Jewish homeland could have been established in a different location.

The Palestinians thought the best solution to the Israeli-Palestinian conflict was the creation of a Palestinian state in the West Bank and Gaza with Jerusalem as its capital. The Gazan added that eventually the area of mandatory Palestine should be a single, democratic state. The Lebanese man did not offer a best solution, but disagreed with both the independent state and autonomy options.

All agreed that chances for resolution of the conflict were slim, but believed that mediation could play a positive role in the search for a settlement.

All the Jewish participants perceived the conflict as one

between two national movements. The Israeli man also thought it was the result of the Arab world's desire to destroy Israel; the Jewish woman thought it was in part, a result of Israeli colonization.

The two Israelis strongly agreed that the PLO is a terrorist organization and that the actions of Israeli Defense Forces (IDF) are taken to defend the State of Israel. The Jewish woman disagreed with the first and somewhat agreed with the second. The two women somewhat agreed with the statement that IDF commits terrorist actions.

All three rejected the possibility that Israel could have been established in another location. The Israeli man thought the best solution to the conflict was autonomy, would accept a Jordanian-Palestinian confederacy, but rejected all the other possibilities. The Jewish woman would accept the independent Palestinian state option or autonomy. The Israeli woman could agree to any of the choices except the single, democratic state.

Like the Arabs, the three Jews agreed that chances for a resolution to the conflict are slim, but that mediation could play a positive role in the search for solutions.

ROLES

The Gazan man played the role of the Chairman of the Bethlehem Water Authority (BWA); The Jordanian Palestinian was the Mayor of Bethlehem (Mayor); and the Lebanese man played the Representative from the Landowners and Farmers Committee (LFC).

The Israeli man took the role of the Civil Administrator's Coordinator of Activities in the Territories (CA); the Israeli woman was the Deputy Commissioner of the Water Commission (WC); and the Jewish woman was the Mekorot Project Manager (Mekorot).

DESCRIPTION OF THE INTERACTION

The simulation was run under difficult conditions. All the participants had time constraints, and two arrived one-and-a-half hours late. I had planned to have a three hour interaction divided as follows: thirty minutes to read the instructions, thirty minutes to strategize in groups, one-and-a-half hours to negotiate, and thirty minutes to de-brief. The four participants who arrived on time, read their instructions and chatted for awhile. When the other two finally arrived, they skimmed their instructions, and we began. Thus, our time was reduced to approximately one hour and fifteen minutes to negotiate with no time to de-brief, except for the post-simulation questionnaire (Appendix C). Therefore, the data are more limited than I had hoped. This summary represents only a first step in the exploration of the interaction process of mediation.

The Palestinian man in the role of the Chairman of the BWA and the Israeli man who played the person from the CA both played dominant roles during the negotiation. The representatives from LFC and Mekorot played secondary roles, and the mayor of Bethlehem and the Deputy Water Commissioner participated only

briefly.

I think this was the result of three factors: individual personalities; relative comfort with their roles; and extent of past experiences with the 'other side.'

The actual interaction can be divided into three parts. The first part, composed of posturing, threats, and anger, blurred into the second, which was a discussion of the well and water resources in terms of constraints imposed by the larger political situation. Finally, during the last part of the negotiation, concrete issues and options were raised and accepted. The issue of control continued to dominate the negotiations, but was discussed in terms of satisfactory options rather than justice and limitations of the given situation.

Early discussions began with a debate over whether we should begin with the issue of control of resources or guarantees. After the CA conceded, we begin with the question of control over resources. BWA offered an impassioned monologue about forced Palestinian dependence on Mekorot and the Water Company. His closing statement was his opening position, "Certainly the new well is going to be technologically superior to the old well, Beit Fajar, so we would like to maintain total control of the new well." Later he added, "We certainly could ask Moriah to build a well for us." He obviously did not expect the Israelis to concede to these demands, but his strategy was to begin high in order to leave room for concessions later.

The Israeli response was to offer a proportionate share of

control of the well based on the current level of water managed by BWA. The offer was couched in threats, "As far as trying to abridge the contract between Mekorot and Moriah... I think it would be unwise for anyone to try to sell water independently of Mekorot."

This led to the LFC questioning the CA's authority to make decisions independent of the Minister of Defense, and further posturing by BWA along with charges of Jewish settlers wasting water on swimming pools. In the midst of the growing anger, Mekorot reminded the Palestinians of Israel's technological superiority and the fact that "Israel brought indoor plumbing to the West Bank." As one would expect, this touched off another round of angry exchanges.

The mediator then tried to identify the two separate issues, control and guarantees, that had been raised amid the threats and posturing. She asked the BWA to realistically weigh the options he had proposed and then suggested the group move to the issue of guarantees. BWA used the opportunity to respond to Mekorot's former comments about indoor plumbing saying, "the Palestinians did not need Israeli occupation to accomplish this. It was simply natural progress in the region."

The CA used the mediator's comments to move to the issue of guarantees, his initial choice of a starting point. He asked the mayor to describe the guarantees required to assure his constituency of a continued water supply. The mayor replied that, "... the Israeli government cannot guarantee anything so the

Palestinians must have at least partial control of the well." He offered no other options or guarantees, and the conversation drifted back to the issue of control.

From that point on, during the second stage of the negotiations, the issue of control over resources was couched in terms of the larger political situation. Each time BWA raised the relevance of the political situation, for example, "According to Camp David, control of water resources was supposed to be given to the Palestinians...", the CA tried to avoid it. "We're not going to solve the future at this table. We have to leave this to our bosses."

The mediator attempted to break the impasse by suggesting that any decisions reached at the meeting could be limited to the current political situation. "If the status of the territories changes, an agreement reached today could be re-negotiated at the request of one or more parties."

This led to a discussion of the restrictions placed on Palestinian agricultural development and the water subsidies received by Jewish settlements in the West Bank. The CA offered to allow Arab money into the territories to subsidize the water costs of Palestinian farmers, if the Palestinians would concede on the issue of control. Once again the conversation focussed on control, but this time led to the fact that Israel could unilaterally decide to drill the well.

Again, the general political situation became the issue. This time the CA suggested that, "there are only 2500 settlers in the

region. They are few in number, but have great political significance in Israel. For the Palestinians' sake, you should try to improve your situation and not look over the hill." There were continued discussions of this sort, some offers were made and quickly rejected. Eventually, the conversation degenerated back to threats, anger, posturing, and expressions of power and force.

The third period began after the mediator suggested that perhaps BWA could buy water directly from Moriah. This would allow them to continue to independently control water resources. The CA liked the idea, and relations between him and BWA improved. The CA now had a plausible option and proceeded to pressure Mekorot to agree to it. Thus, a weak coalition developed between BWA and the CA.

The conversation then focused on compensation and guarantees. The CA rejected the option of allowing BWA to drill new wells in the eastern water basin, but offered technical assistance to the farmers as compensation. The control issue continued to emerge, but this time in terms of concrete options rather than abstractions. BWA raised the option of creating a Palestinian National Water Authority which the CA rejected as beyond their realm of authority.

As time ran out, the group agreed, in concept, that BWA would buy water directly from Moriah. (Mekorot offered 3 MCM; BWA requested 5 MCM.) Mekorot then offered to sell a supplementary amount of water to BWA. If 5 MCM was the total amount of water

BWA would be allowed to buy, it represented a 150% increase in the water BWA controlled.

The Israelis agreed to allow Arab money into the territories to subsidize water costs, but this was to be linked to technical assistance to increase the efficiency of water use. It was not clear whether some of the Arab money would pay for such assistance or whether Israel would provide it as compensation for dried up wells.

BWA would also be allowed to buy shares in the well though time ran out before the number was seriously discussed. BWA requested monetary compensation, but Mekorot rejected the idea. Those negotiations also needed more time. Finally, the parties agreed that if the status of the territories changed, the agreement could be re-negotiated if at least one party so desired.

THEMATIC ANALYSIS

At various points during the interaction, discussions of interests triggered emotional needs. Some of these increased the level of conflict among the participants, others seemed to bring certain psychological barriers into play. In both cases, the interests under discussion at the time touched upon intangible issues, central to the Israeli-Palestinian conflict, such as identity, control, and dignity.

The first set of examples illustrates discussions that promoted further conflict among the participants. The first issue

on the agenda was the control of resources. The BWA began by posturing, the CA responded with a threat, and this led to LFC's attempt to de-legitimize the CA as an independent decision maker.

BWA: ...We would like to have this project controlled by us Palestinians. We would like to maintain total control of the well.

CA: As far as trying to abridge the contract between Mekorot and Moriah, this is illegal. ... It would be unwise for anyone to try to sell water independently of Mekorot.

LFC: You are basically controlled by the Minister of Defense so it is not your decision anyway.

In the next example, the representative of Mekorot reminds the Palestinians of their dependence on, and inferiority to, Israel. In so doing, Palestinian identity and dignity are challenged by the words of Mekorot.

Mekorot: I would like to remind you that the technology my company has is far superior to your well. Remember that we brought indoor plumbing to the West Bank.

BWA: While we thank the water company for introducing indoor plumbing into our homes, we would like to point out that virtually the entire area including all the other countries, even those in the Gulf that had no settlements in the thirties, have introduced indoor plumbing. And they certainly did not need the Israeli occupation to do that. This is just natural progress.

After the BWA rejected a CA offer that they control 2 MCM of water from the new well, Mekorot again reminded the Palestinians of Israel's strength as opposed to their position under occupation.

Mekorot: You have to compromise. I have the power to push this project through without listening to your needs and concerns, and yet I'm here as a gesture of good will.

LFC: We should not use the term push here.

BWA: We do not appreciate the tone in which you have demonstrated the fact that you have superior military power. We

know that, and it is not an appreciated point. We urge that people who want to negotiate with us, use a civilized manner of negotiations.

At another point, the CA tried to talk about guarantees rather than the issue of control. This short dialogue illustrates Palestinian mistrust of the Israelis.

CA: What if a more extreme government came to power and decided not to cede any water rights. You must guarantee the future for the worst case scenario. You want an agreement that will be politically unacceptable to walk away from. I'm curious about what kind of guarantees you want for the area of Bethlehem and your constituents.

Mayor: The Israeli government cannot guarantee anything. I do not believe that if you guarantee our water it will never be cut off. The only guarantee is for us to control the well.

Drilling the new well is more threatening to, and raises more core issues for, the Palestinians than the Israelis. For this reason, the Israelis were more often unable to accept the reality of some of the Palestinians' demands. Both sides saw their own political needs and constraints as more legitimate and asked the others to recognize this. The most obvious case of the existence of psychological barriers was the Israelis' inability to accept the Palestinians' demand for actual control of resources. They explained that this interest was partly to be able to maintain a separate identity, partly to limit their contact with the Israeli administration, and partly because they simply did not trust the Israelis.

The following is an illustration of the CA's refusal to process the BWA's insistence on some form of real control over resources.

CA: I'm afraid that in your desire to have political control and

all kinds of symbolic strength, in the end you will not have the water you need. ...I think that we can reach an agreement if you are willing to play down the political symbolism and work on hammering out a binding agreement.

BWA: I have to tell you that this is not political symbolism. It is a matter of how far one is willing to go. Over the years, this argument of our needs has been exploited, and I think there comes a time when rights, other than immediate needs such as agricultural resources, have to be met.

CA: Your well is such a small percentage of the total water used by Palestinians in the West Bank. I understand that it may have symbolic importance, but it does not do much in terms of guaranteeing Palestinian water needs.

At another point in the discussions, the BWA asked for an explanation of agricultural development plans which allowed Jewish settlements to increase the amount of land they irrigate while Palestinian farmers were forced to reduce their output because of water shortages. The WC was unable to address this issue directly.

BWA: I would like to ask the deputy water commissioner, who is directly responsible for quotas, why the Palestinian quotas are not allowed to increase in the same way as those of the Jewish settlements.

WC: I'm not sure I understand the question.

Mediator: He is asking why their agricultural development is limited at the same time as the settlements develop more land for agriculture.

WC: We try to have appropriate quotas, but we cannot be responsible for mismanagement and neglect of your wells.

BWA: I am talking about an issue which is external to this well right now.

WC: You mean the well that will dry up?

BWA: I am talking about the statistics which show for example, that Palestinians have to pay seventy cents for water while Jewish settlers pay fifteen. The settlements use .5 MCM for agriculture and the Palestinians have only 4 MCM for a population vastly outnumbering the Jewish population. Since you

are responsible for those numbers, I would like to ask you why this is the case.

WC: If there were no subsidies, the price for Israeli Jewish settlements would be sixty cents. Since the water is subsidized, the price is lower.

The particular constraints upon each party because of constituencies or superiors, blinded them to the limitations on the others. All parties asked the others to be sensitive to their limitations, but refused to offer reciprocal sensitivity. The following examples illustrate the mirror images the parties face.

CA: Let's recognize that the issue of control may be less acceptable to the people and constraints that I'm subject to.

...I guess the point she is making is that you have to understand that we have to return to our constituencies. You have to recognize the constraints we are under.

Later ...

BWA: This is an issue, I realize, that the Israeli public would not be open to, but again you have to remember that we have political issues we have to address ...

And at another point....

BWA: I have to guarantee water to people who elected me to this position ..

Mekorot: I have people to respond to as well. I mean we both have constituencies.

BWA: It is far easier for you to explain to your constituency than for me to explain to mine.

In the simulation, the central tangible issue for the Israelis was to get an agreement to construct the well. For the Palestinians, it was to secure enough water for their agricultural crops and development.

Another theme that developed throughout the simulation was the possibility of addressing intangible interests with concrete

options. In most of the cases, the line between tangible and intangible issues was thin. Each concrete issue became enveloped in issues such as identity, dignity, and legitimacy.

However, if the issue was only a matter of securing enough water, the Israelis could have guaranteed the Palestinians a certain amount of water that could have been distributed by BWA. However, BWA, was linked with the issue of an independent Palestinian identity. In the following example, BWA explains the need to maintain the authority and the CA offers BWA a tangible option for doing so.

BWA: The control of the water, this is our only well we own and operate. If it dries up, the authority is completely undermined. Therefore, we would like to maintain control of the technologically superior well.

CA: Perhaps we could talk about a proportionate share of ownership of the well.

Eventually, the parties did find a mutually acceptable tangible option to accommodate the intangible question of an independent identity.

CA: Do I understand you correctly when you say that purchasing water directly from Moriah would satisfy your demands for some kind of control?

BWA: That's an option. We are also interested in buying some shares in the well.

In another example, the Deputy Water Commissioner points out the inferiority of Palestinian infrastructure in delivering water and inefficiency in water use. Clearly, this is an insult, but the LFC representative uses the occasion to improve his own lot.

WC: It's not enough to say how much water you need, but also if

you use or manage water in an efficient way.

LFC: Are you proposing to offer us technical assistance?

WC: We might consider teaching you about technological possibilities.

LFC: Not teaching, but giving actual technical assistance.

I tried to intervene on the levels of both needs and interests. In many cases, they promoted effective communication. In some instances, I failed to intervene at opportune times, and discussions were less productive.

Interventions that responded to needs were divided into two categories, those that reduced the level of antagonism among the parties, and those that sought to dissolve psychological barriers. To respond to the hostility among the parties, I used simple clarifying interventions. In the following example, I attempted to legitimize the interests of the LFC, but also to restate them in less threatening terms. This simple intervention caused LFC to feel he had been heard, and the negotiations continued. In many cases, when I repeated something, the parties were more likely to remember it throughout the negotiation.

After the CA tried to steer the discussion away from the issue of control to guarantees, the LFC raised his voice and pointedly said,

LFC: LFC would rather have direct guarantees from the BWA than the Defense Minister because for the time being there has been no resolution of the conflict between the Israelis and the Palestinians. I'd rather have direct connections with the BWA than with Israeli institutions.

Mediator: So you prefer to buy water from the BWA.

LFC: Yes.

In another instance, the participants were arguing about the political realities and the legitimacy of political constraints. As the mediator, I intervened to try to defuse the discussions, legitimize the issues, and offer an option that would satisfy the participants on both sides.

Mediator: We are mixing up two issues -- one is the present and the other is the future. Can we add something to an agreement that states: in the event of a change in the status of the territories this contract, or this agreement, will be re-negotiated if this is the desire of one or more of the parties here today? Would that resolve this political issue for all of you?

Many interventions were attempts to separate the issues. Throughout the conversation, issues were fused together. However, separating the issues proved effective in eliminating some of the confusion that led to more aggression and anger. It served as a means to legitimize each person's interests. The following intervention allowed the conversation to move to the issue of guarantees, after a few additional comments on control.

LFC: If I draw a comparison with Lebanon, the electricity is controlled by the eastern sector of Beirut. The western sector cannot have electricity whenever they want because the eastern sector controls the switches. So do we understand that in the event of political riots or problems, some people would have problems getting the water?

Mekorot: It's been shown that more water gets into the territories now because of the bigger, more efficient wells, ...

LFC: I'm not talking about technology. I'm talking about control of the resources.

Mediator: I think you are raising the issue of guarantees.

LFC: Yes, I am.

Mediator: I think that's another issue that we can begin to talk about now.

In a successful intervention, I responded to the CA's insistence that the issue of Palestinian control was a symbolic, non-essential issue.

CA: If we stick to the issues of lower prices and increasing supply, perhaps we can all be better off.

Mediator: I think I need to break in here. The Palestinians continually say control is an important issue for them. I think you may not be hearing them quite as clearly as you need to. They're saying this is not only symbolic. Is there any way, in your mind, that you can think of a way to accommodate that interest because it has been suggested as a very strong interest. They are not talking about it in symbolic terms, but in real terms because they feel it in real terms.

CA: Yes, I have had a suggestion and I thought that one of the ways we can do it is start moving to close that price disparity which is so troubling. Perhaps the government of Jordan could help subsidize the water so we could reach parity in terms of price. I think that would be an important step towards alleviating what you correctly point out might be ostensibly inequitable.

BWA: That's a definite point of agreement. We would definitely support the farmers getting the water at a reduced price.

CA: What I would like to know from my colleague is a question regarding the flexibility that she might have to change the quotas. Is there anyway that we could perhaps move a little closer toward parity so that there would not be this glaring disparity which the moderator pointed out?

Another intervention was brought on by posturing by the BWA. He insisted on controlling the majority of the shares of the well. It was clear that he knew it was an outrageous offer, but I used the moment to address his refusal to accept the limitations imposed by Israeli constituencies.

Mediator: Can you imagine the response the CA would get from his constituency if he gave up control of the well?

I missed a grand opportunity for an effective intervention when I failed to respond to the previously identified barrier

that the deputy water commissioner erected to avoid the question of restricted Palestinian agricultural development. This case would have required interventions to chip away at the barrier.

Another group of interventions were aimed at promoting joint problem-solving. It was almost impossible to create an atmosphere that did not reduce all issues to zero-sum terms. The most successful intervention with respect to promoting fruitful discussions of interests was to ask them to discuss concepts, rather than numbers. This proved enormously effective, and in fact, was maintained throughout the simulation until agreement on numbers was all that remained. Previously, posturing by the BWA led to emotional blocks by the Israelis, who did not appreciate his positions.

Mediator: I would rather not get into haggling at the moment. I would rather talk about concepts. Right now we have the concept of BWA buying water directly from Moriah rather than from Mekorot. This lowers the price and gives you a certain degree of control over the water. How does this fit in with the question of control of the well and shares of the well, not in terms of numbers, but in terms of concepts.

BWA: The overall concept which the CA has offered is of interest to us. Not in exact numbers, but we are interested in purchasing the water directly from Moriah.

It was difficult to help the parties generate mutually beneficial options. After the following attempt, there was a brief silence and discussions of ownership and control continued.

Mediator: There is general agreement that everyone needs more water and that the new well could provide it, but the mayor is not satisfied with the guarantees for the future. Does anybody have any ideas about possible guarantees?

However, I was more effective when I offered suggestions that sought to maximize joint gains. Any suggestions that led the

parties out of their impasse were immediately accepted and became the new focus of the interaction.

Mediator: I would like to offer another option. Perhaps BWA could buy water directly from Moriah instead of buying water from Mekorot. It's just an option, but if owning shares does not give you the kind of control of the water you need, perhaps there is another way to address it that would provide certain guarantees as well.

CA: I think that we might be able to be flexible on that in so far as that would make the farmers happier since they have already stated they feel more comfortable buying their water from the BWA. I just think that we have to be fair here and we have to recognize the current level of production that BWA is making and not try to expand their, I understand that this is a great opportunity for them to grow, in tremendous terms, but I don't think that's fair that ...

BWA: Are you suggesting that we would be able to purchase a certain amount of water from Moriah, directly?

CA: Yes.

Mekorot: Is that something that you would want to do?

The final category of interventions was designed specifically to reach closure. The primary interventions took the form of time constraints; summaries of agreed upon issues; and packaging agreements on concepts without numbers.

The first example is an attempt to develop momentum by summarizing the issues that had been resolved.

BWA: Well, I'm going to lose my well, Beit Fajar. I have already conceded that to you. You are going to get the major thing that the came here for today, the brand new well.

Mediator: So everyone agrees in concept to the new well.

BWA: Under certain conditions, with provisions

Mediator: Okay, but if I heard you correctly, you said you would agree to the new well.

BWA: With provisions, including compensation

After all the issues were discussed, and there was some general agreement on them, I tried to package a proposal which served as a single text to work from.

Mediator: What I've written up here is an attempt to package some of the things we've been talking about. If we can agree to these concepts, we might be able to start talking numbers. Are there any things that need to be added or subtracted from this list? Okay, so we've agreed to the concept of BWA buying water directly from Moriah which could be supplemented by water from Mekorot. We have the concept of BWA buying shares in the well. We still need to talk about compensation.

REFLECTIONS

Given that the simulation involved only a short interaction, (even shorter than had been planned!) I cannot make any grandiose claims or base any conclusions on it. However, it does offer insights into an initial exploration of the needs-interests dynamic and the ways in which mediation might take account of it.

Throughout the interaction, there was clear evidence of the dynamic. Due to the time constraints, the strength with which it played out was limited. However, there were, in fact, interactions that induced greater conflict among the participants, and interventions contributed to freeing them from emotional entanglements. Individuals did erect psychological barriers in response to unexpected claims that caused them stress. Interventions on this front proved to be unquestionably successful, but this success itself raised doubts. It was simply too easy. For example, the civil administrator quite quickly accepted the notion that Palestinian control of the well was important, not only in symbolic, but real, terms. In reality, I

believe the resistance to such an issue would be much stronger and require a lot more attention.

The negotiations proceeded rather quickly and I had to force my way into the interaction to manage the communication. However, fewer interventions were required than I had expected. In some instances, emotional issues faded on their own. In terms of efficiency, that is, the speed with which agreements are reached, there is no doubt that more interventions improve the quality of the negotiations.

The results of the interventions that responded to needs were, on the whole, quite visible. Responding to interests by trying to create a problem-solving atmosphere proved more difficult. The participants perceived every issue in zero sum terms, more for one meant less for the other. It was relatively impossible to enjoin them to create mutually beneficial options. I think that even if such a possibility came to mind, none would not have offered it unless it clearly furthered their own interests at the expense of the others.

This may, in part, be due to the time limits of the negotiations. There was little time to develop and stress the interdependence of the parties although it was clear that all the parties wanted the increased amount of water which the new well could provide. This fact did not cause the parties to believe that satisfaction of the other parties' interests was in fact, in their own interest. However, when the mediator offered mutually beneficial suggestions, both sides clung to them as a

way out of their impasse. The suggestion then became the central issue of discussion, but the zero-sum haggling frame was imposed on it. For example, this occurred when I suggested they consider the option of BWA buying water directly from Moriah, thus surpassing the Israeli administration. This idea was embraced by all the parties, though hesitantly by Mekorot, who made a major concession by agreeing to it. However, with the freshness of the new option, the BWA proceeded to posture once again with a ridiculously high figure.

The next intervention came closest to establishing a constructive atmosphere for discussion and increased the likelihood of an agreement. I suggested that the group refrain from talking about numbers, but discuss concepts instead. After they reached agreement on concepts, they could then begin to trade off among them. This idea was adopted and carried throughout the remainder of the negotiation. If a participant requested a number, another reminded him/her of the agreement not to discuss numbers. All participated in this enforcement. When it was clear that the necessary concepts were in place, the parties agreed that it was time to talk numbers. At this point, interestingly enough, BWA departed from his previous strategy of posturing and asked to buy only 5 MCM of water directly from Moriah.

Thus, on the level of interests, though interventions did not promote a joint problem solving atmosphere and though there were a number of missed opportunities, interventions were responsible

for the eventual agreement. I think that without them, the interaction would have been an exercise in haggling, and probably would have resulted in failure.

An interesting point about the interventions used in the simulation is that they were not as pure as those identified in Chapter 2. Many were multi-purpose interventions and employed the use of multiple techniques. In other words, there were many instances in which interventions were used for clarification and as a response to psychological barriers and interests. For example, the intervention that changed the focus of the conversation from numbers to concepts promoted more effective communication of interests and limited the kinds of exchanges that trigger strong emotional reactions. Thus the dynamic, drawn as a distinction between needs and interests, in fact, at times, occurred at precisely the same moment. For example, interventions were not only used to defuse hostility in order to further discuss an interest. Rather, some interventions that were aimed at needs also affected negotiations of interests. Thus, interventions sometimes responded to the dynamic as a whole. An inherent problem in the simulation is that it directly touches core issues of dependence and identity for the Palestinians, but not for the Israelis. For Israelis, it may point a moral finger for their restrictions on development, but they are in control; they can drill the well without Palestinian approval. Their security and identity as a people are not questioned. On the other hand, the Palestinians are asked, or

feel they are forced, to give up control of a well they operate, and as a result, become more dependent upon Israel. Therefore, the needs issues of the simulation are more threatening to the Palestinians.

As a result, I was required to confront the Israelis on more issues than the Palestinians. Throughout the simulation, Palestinians were more threatened by the issues, but the Israelis' perceptions were questioned more often than the Palestinians.

According to the post-simulation questionnaire (five of the six responded), the three most active participants strongly agreed that emotions played a role in the Israeli-Palestinian conflict, two of the three strongly agreed that they played a role during the simulation, the other agreed. One strongly disagreed with both statements, and one disagreed with the former, but believed emotions played a role in the simulation only because "they were outsiders." All had observed situations when it was difficult for the other side to accept things they said.

All agreed, though at various degrees, that mediation was helpful during discussions of the proposed well and in dealing with emotional aspects of the simulation. As before the simulation, they all agreed that mediation would improve the chances for a negotiated settlement of the Israeli-Palestinian conflict.

As a result of the simulation, all the participants felt they

had a better understanding of the other side, perhaps merely as a result of sitting and communicating with the "other side." The Israelis said the simulation had not re-affirmed their feelings toward the other side. All others said it had except the Lebanese man, who was not sure. The Gazan, Jewess, and Lebanese man agreed that the simulation had reaffirmed their convictions about the Israeli-Palestinian conflict, but also that it had changed their perceptions of it. The Israeli man did not know if it reaffirmed his convictions, but disagreed that it had changed his perceptions. Only the Israeli woman agreed that the simulation had reaffirmed her convictions about the Israeli-Palestinian conflict and disagreed that it changed her perceptions. (For a complete summary of the post-questionnaire responses, see Appendix C.)

Much of the post-simulation questionnaire data offered contradictions within each of the participants. Perhaps the questionnaire itself was confusing, or perhaps, in line with the goal of interventions, their perceptions were slightly modified. Their interactions began with hostility and threats, but were refined such that the participants were able to agree, in concept, to dig the new well, a form of joint ownership, and the BWA retaining its independent identity. Thus, reconciliation of a sort occurred, despite their initial interactions.

In sum, I think it is fair to say, that the simulation provided a glimpse into the existence of the needs/interests dynamic and complementary interventions to promote effective

communication and provide creative options for the parties to consider. The simulation offers an entry point into how interventions on the level of needs can play a role in negotiations. However, I am afraid that the data of the simulation are somewhat misleading as to the ease with which such interventions are accepted. With respect to interests, it is clear that suggestions by an outside party that can help break an impasse. Parties will always accept suggestions they will benefit from. However, the parties did not themselves search for mutually beneficial suggestions. Intangible issues were ever present during the negotiation, but were not addressed explicitly as such. In every case, they were conjoined with their complementary tangible interests. However, within the agreed upon concepts, issues of identity and legitimacy were satisfactorily addressed.

CONCLUSION

The Israeli-Palestinian conflict requires an innovative solution to reconcile conflicting tangible and intangible interests of the two sides. However, the current state of extreme polarization requires a clear, easily understandable solution. People imagine various creative options such as internationalization of Jerusalem or fluid borders between Israel and a Palestinian state. However, the intensity of the conflict requires a settlement that clearly identifies the land under each party's jurisdiction. Thus, resolution is highly unlikely because satisfaction of the parties' interests require a complex, integrated settlement that the passions of the conflict do not permit.

I have attempted to offer a process that would improve the likelihood of successful negotiations of an innovative solution. However, even if it were possible to reach such an agreement, the negotiator's constituencies would probably be incapable of accepting it. Therefore, some kind of preparation must precede such negotiations such as redirecting passions toward resolution and reducing the levels of mutual suspicion and distrust.

To date, the passions inherent in the conflict emanate from things like pride, revenge, greed, hate, and fear. For the sake of discussion, as an alternative, suppose negotiations were driven by the pain of mothers of fallen sons. When the dust

settles, their pain is not diminished by gains accrued through war or conflict. It remains very simply: pain from the loss of a son -- Palestinian or Israeli.

Suppose such mothers could force their compatriots to agree that lack of a settlement was unacceptable because others should not have to suffer their fate, that is, the unending, dull pain they carry through their lives. This is the kind of passion required to force resolution.

A second way to prepare people to accept a creative solution is to begin with small negotiated agreements that embody notions of cooperation and coordination. I have described a simulation of negotiations concerning a well. In reality, Palestinian mayors protested the proposed well, and for whatever reasons, probably unrelated to the protests, the Israelis withdrew the proposal. However, overpumping of wells and salination of aquifers continues. The idea of joint ownership of the well probably never entered anyone's mind. If nobody even considered cooperation with regard to a well, how can anyone be expected to cooperate over land, and especially a homeland?

The simulation offered a beginning point, that is, negotiations over small projects that promote mutual understanding. Such negotiations would embody larger political issues, as did the simulated negotiations. However, specific projects provide opportunities to generate concrete options for mutual gain and ways to sweeten otherwise unacceptable packages with concessions on related issues.

Such negotiations would arouse the dynamic of needs and interests. Tangible interests would change with particular projects and offer different challenges for finding mutually beneficial arrangements. The intangible issues would remain constant irrespective of the project, but would vary in form and centrality. Thus, needs, triggered by discussions of intangible issues, would invariably arise and require attention in order to make headway on the particular subject of the negotiations.

The mutual distrust and perceptions each group holds of the other would block progress, but successes would promote momentum; cooperation might spread. Perhaps in time, after a number of small successes, an atmosphere would develop that would enable leaders to take on the larger political issues. Perhaps such an environment would allow for consideration of those innovative solutions required to resolve the conflict.

BIBLIOGRAPHY AND REFERENCES

Chapter 1 -- Context of the Israeli-Palestinian Conflict

- Benvenisti, Meron (1986a), The West Bank Handbook, Jerusalem: The Jerusalem Post.
- Benvenisti, Meron (1986b), The West Bank Data Base Project 1986 Annual Report, Jerusalem: Jerusalem Post.
- Benvenisti, Meron (1987), The West Bank Data Base Project 1987 Annual Report, Jerusalem: Jerusalem Post.
- Burton, John (1969), Conflict and Communication, New York: MacMillan.
- Galtung, Johan (1971), "The Middle East and the Theory of Conflict," Journal of Peace Research, 3-4, p. 173-207.
- Garfinkle, Adam M. (1984), "Genesis," in The Arab-Israeli Conflict: Perspectives, Alvin Z. Rubinstien (ed.), New York: Praeger.
- Grossman, David (1988), The Yellow Wind, New York: Farrar, Straus, and Giroux.
- Heradstveit, Daniel (1981), The Arab-Israeli Conflict: Psychological Barriers to Peace, Oslo: Universitetsforlaget (Second edition).
- Kelman, Herbert C. (1972), "The problem-solving workshop in conflict resolution," in Communication in International Politics, R.L. Merritt (ed.), Urbana: University of Illinois.
- Kelman, Herbert C. (1978), "Israelis and Palestinians: Psychological Prerequisites for Mutual Acceptance," International Security, 3, p. 162-186.
- Khouri, Fred J. (1985), The Arab-Israeli Dilemma (3rd edition), Syracuse: Syracuse University Press.
- Quandt, William B. (1977), Decade of Decisions: American Policy Toward the Arab-Israeli Conflict, 1967-1976, Berkeley: University of California Press.
- Rubenstein, Alvin Z. (1984), The Arab-Israeli Conflict: Perspectives, New York: Praeger.

- Said, Edward (1979), The Question of Palestine, New York: Times Books.
- Sandler, Shmuel and Hillel Frisch (1984), Israel, the Palestinians, and the West Bank, Lexington: D.C. Heath and Company.
- Saunders, Harold H. (1985), The Other Walls: The Politics of the Arab-Israeli Peace Process, Washington D.C.: American Enterprise Institute.
- Touval, Saadia (1982), The Peace Brokers, Princeton: Princeton University Press.
- Touval, Saadia (1987), "Frameworks for Arab-Israeli Negotiations -- What Difference Do They Make?" Negotiation Journal, 3, p.37-52 .

Chapter 2 -- The Interaction Phase of Mediation

- Bercovitch, Jacob (1986), "A case study of mediation as a method of international conflict resolution: the Camp David experience," Review of International Studies, 12, p.43-65.
- Burton, John W. (1972), "Resolution of Conflict," International Studies Quarterly, 16, p.5-29.
- Carter, Jimmy (1982), Keeping Faith: Memoirs of a President, New York: Bantam Books.
- Cot, Jean Pierre (1972), "Critical remarks on John Burton's paper "Resolution of Conflict," International Studies Quarterly, 16, p.31-39.
- Fisher, Roger (1978), International Mediation: A Working Guide, Cambridge: Harvard Negotiation Project.
- Fisher, Roger and William Ury (1981), Getting to Yes, New York: Penguin Books.
- Golan, Matti (1976), The Secret Conversations of Henry Kissinger, New York: Quadrangle/The New York Times Book Company.
- Heradstveit, Daniel (1981), The Arab-Israeli Conflict: Psychological Barriers to Peace, Oslo: Universitetsforlaget (Second edition).

- Kelman, Herbert C. (1972), "The problem-solving workshop in conflict resolution," in Communication in International Politics, R.L. Merritt (ed.), Urbana: University of Illinois.
- Kelman, Herbert C. and S. P. Cohen, (1976), "The problem-solving workshop: a social-psychological contribution to the resolution of international conflict," Journal of Peace Research, 13, p.79-90.
- Kelman, Herbert C. (1978), "Israelis and Palestinians: Psychological Prerequisites for Mutual Acceptance," International Security, 3, p. 162-186.
- Kelman, Herbert C. (1982), "Creating the Conditions for Israeli-Palestinian Negotiations," Journal of Conflict Resolution, 26, p. 39-75.
- Kelman, Herbert C. (1986), "Overcoming the Barriers to Negotiation of the Israeli-Palestinian Conflict," Journal of Palestine Studies, 16, p. 13-28.
- Krauss, R. M. and M. Deutsch (1966), "Communication in interpersonal bargaining," Journal of Personality and Social Psychology, 4, p.572-577.
- Nader, Laura (1972), "Some notes on Burton's papers," International Studies Quarterly, 16, p.40-47.
- Pruitt, Dean G. (1981), "Kissinger as a Traditional Mediator with Power," in Dynamics of Third Party Intervention, Jeffrey Rubin (ed.) New York: Praeger.
- Pruitt, Dean G. and Jeffrey Z. Rubin (1986), Social Conflict: Escalation, Stalemate, and Settlement, New York: Random House.
- Rubin, Jeffrey Z. (ed.) (1981), Dynamics of Third Party Intervention, New York: Praeger.
- Sheehan, Edward R. F., (1981), "How Kissinger Did It: Step by Step in the Middle East," in Dynamics of Third Party Intervention, Jeffrey Rubin (ed.) New York: Praeger.
- Susskind, Lawrence and Jeffrey Cruikshank (1988), Breaking the Impasse: Consensual Approaches to Resolving Public Disputes, New York: Basic Books, Inc.
- Wall, J. (1981), "Mediation: An Analysis, Review, and Proposed Research," Journal of Conflict Resolution, 25, p.157-180.

Young, Oran (1967), The Intermediaries: Third Parties in International Crises, Princeton: Princeton University Press.

Zartman, William I. and Saadia Touval (1985), "International Mediation: Conflict Resolution and Power Politics," Journal of Social Issues, 41, p.27-45.

Appendix A -- The Simulation

Benvenisti, Meron, (1984), The West Bank Data Base Project: A Survey of Israel's Policies, Washington, D.C.: American Enterprise Institute.

Benvenisti, Meron, (1986), 1986 Annual Report, Jerusalem: West Bank Data Base Project.

Benvenisti, Meron, with Ziad Abu-Zayed and Danny Rubenstein, (1986), The West Bank Handbook, Jerusalem: Jerusalem Post.

Cooley, John K., (1984), "The War Over Water," Foreign Policy, 54.

Court, Andy, "Threat to water resources," Jerusalem Post, July 3, 1987.

"Egypt assials plan to pipe West Bank water," Jerusalem Post, July 5, 1987.

Fletcher, Elaine Ruth, "Territories' water supply drying up with overuse," Jerusalem Post, July 2, 1987.

Greenberg, Joel, "New plan to have West Bank water pumped to Israel," Jerusalem Post, June 26, 1987.

Greenberg, Joel, "West Bank mayors to fight plan to drill for water," Jerusalem Post, June 28, 1987.

Greenberg, Joel, "Arab mayors demand water plan be scrapped," Jerusalem Post, June 30, 1987.

Greenberg, Joel, "Rabin okays West Bank water drilling project," Jerusalem Post, July 3, 1987.

Greenberg, Joel, "No water project if Arab rights aren't guaranteed," Jerusalem Post, July 7, 1987.

Greenberg, Joel and Morris, Benny, "Water scheme worries Peres," Jerusalem Post, July 7, 1987.

Greenberg, Joel, "U.S. Firm Hesitates on West Bank water drill," Jerusalem Post, July 30, 1987.

Kahan, David, (1987), Economic Development on the West Bank and Gaza Strip, Jerusalem: Jerusalem Post.

Ma'oz, Moshe, (1984), Palestinian Leadership on the West Bank, London: Frank Cass and Company, Ltd.

Morris, Benny, "Inner cabinet authorizes large water drilling near Herodion, Jerusalem Post, August 27, 1987.

Sahet, Bassam, Mohammed A. Smadi and Mohammed S. Amerah, "The Significance of Some West Bank Resources to Israel," Jordan: Royal Scientific Society Economics Department.

Schwarz, J., (1982), "Water Resources in Judea, Samaria, and the Gaza Strip," in Judea, Samaria, and Gaza, Daniel J. Elazar (ed.) Washington, D.C.: American Enterprise Institute.

Starr, Joyce R. and Daniel C. Stoll, (1987) U.S. Foreign Policy on Water Resources in the Middle East, Washington, D.C.: The Center for Strategic and International Studies.

Touma, Khalil, "Bethlehem Plan Further Threatens Scarce Water Resources," Al Fajr, July 26, 1987.

"Where dams can cause wars," The Economist, July 18, 1987.

APPENDIX A

This appendix contains the materials used for the simulation. All participants received a copy of the general instructions and a set of confidential instructions for their particular role.

WATER ON THE WEST BANK

GENERAL INSTRUCTIONS

Current Situation

The Israeli water company, Mekorot, and the Moriah Energy and Technology Company, an Israeli subsidiary of the American-based Mount Moriah Drilling Company, have announced plans to drill a new well on the West Bank. The deep water well would pump 18 million cubic meters (m.cu.m.) of water each year. Moriah would sell this water to Mekorot for \$0.35 per cubic meter, or \$6.3 million (US) per year. Mekorot would in turn sell the water for drinking and irrigation. According to the current plan, approximately 67 - 75% would be consumed by residents of Jerusalem and Jewish settlements while 25 - 33% would be allocated for Palestinian communities.

The project is controversial because it threatens to deplete existing wells used by Arab communities in the area. Four wells already on the site (Herodion 1, 2, and 3, owned by Mekorot, and Beit Fajar, owned by the Bethlehem Water Authority) will most likely dry up if the new well is constructed and water is pumped at the proposed rate. (See Maps.)

The deep water well proposal has been approved by the Israeli Water Commission, the Ministry of Agriculture, and in principle, by the Ministry of Defense. The Civil Administration, a separate arm of the Israeli military establishment responsible for civilian matters concerning Palestinian residents, has stated that they will not agree to the plan unless the Arab communities whose wells may be depleted are guaranteed compensation or another source of water at a fair price. The Coordinator of Activities in the Territories said, "If Arab rights are harmed, we will not allow this project to proceed." Without the approval of the Civil Administration, the project cannot proceed.

Palestinian mayors have pledged to fight the project.

Today's Meeting

As a result of the mayors' protests, Moriah Trust of the US suggested that officials from the Water Commission, the Civil Administration, and a representative from Mekorot Water Company meet with the mayor of Bethlehem, the Chairman of the Bethlehem Water Authority, and a representative from the Farmers and Landowners Committee to discuss everyone's concerns about the proposal.

The group has met three times and feels that an agreement may be possible. However, because the discussions are so emotionally

charged, the Civil Administration Coordinator of the Activities in the Territories has suggested that a mediator be called in to help. A list of potential mediators was reviewed, and one acceptable to all the parties was chosen.

At the most recent session, the group narrowed the issues for discussion. Since then, all parties have met privately with the mediator to discuss the agenda and their concerns. The list of issues on the agenda includes: availability of water; control of resources; guarantees; and compensation.

Recent History

The pre-1967 annual water consumption rate on the West Bank was approximately 80 m.cu.m., of which 75 m.cu.m. were used for agriculture. In 1985, the Palestinian population of the West Bank (750,000 people) consumed 115 m.cu.m. per year, of which 100 m.cu.m. were utilized for irrigation. Agricultural production per unit of land and per cubic meter of water increased as a result of more efficient cultivation methods; technical innovations such as the use of plastic tunnels; and increased use of fertilizers and tractors. While Palestinians once depended on rainwater wells for drinking water, the establishment of water network has sharply diminished their importance. Most have fallen into disuse. Over time, West Bank residents have become almost totally dependent on water networks which are under Israeli control.

Total Israeli water consumption is approximately 1,750 m.cu.m. per year. 75% of this is used for agriculture. Of this, approximately 475 m.cu.m. originates in the West Bank. This means that groundwater from the West Bank replenishes aquifers in the coastal plain and the Bet Shean and Jezreel Valleys from which much of Israel's water is pumped. For this reason, Israel is dependent on a sustained level of groundwater. A reduction in the flow would lead to salination of aquifers.¹ The possibility of salination is at the root of continual pressure by successive Israeli governments for control over West Bank water resources.

Israeli authorities use a system of high prices, water rationing, quotas on the amount of water discharged from existing wells, and permits for new drilling to control water supplies. Well owners are issued licenses that restrict the amount of water they can extract per year. Well meters are read periodically; fines are imposed when quotas are exceeded.

Increases in Palestinian water consumption to accommodate population growth and increased demand per capita, are planned. The amount of water available for agriculture, however, is frozen. Israeli authorities want Palestinian farmers to increase

¹ Salination occurs when salt water from the sea mixes with underground supplies of fresh water. This can happen when groundwater levels are reduced because of excessive pumping. Saline aquifers are useless as a supply of fresh water for drinking or irrigation.

their agricultural productivity by adopting improved irrigation and farming techniques. In addition, approximately 20% of all water supplied to Arab communities on the West Bank is lost through old leaky pipes.

Few permits have been issued to Palestinian farmers allowing them to tap existing water resources. Israeli officials limit the number of permits in the northeastern and western basins of the West Bank to keep an even flow of groundwater filling the aquifers and to protect them from salination. Palestinian farmers also have been denied permits to drill in the eastern water basin of the West Bank. This area is not connected to the Israeli hydrological system and contains a water surplus of some 20 - 30 m.cu.m. of water. Officials say it would be too expensive for individual farmers to pump directly from this aquifer. Organized groups of farmers have also been denied permission to pump from this aquifer.

Mekorot supplies Jewish settlements with water for drinking and irrigation. Water for agricultural use by Jewish settlements is rationed, but increases are planned. The settlers' (60,000 people) total water consumption is currently approximately 60 m.cu.m. and is expected to increase to 100 m.cu.m. by the end of the century as a result of increases in population and dunams of land irrigated.

ISSUES

The four existing wells in the immediate site area currently pump a combined total of 8 m.cu.m. of water per year. It is uncertain how sites outside the immediate proposed drilling area will be affected by the new project.

The draining of Beit Fajar, a borehole that supplies 2 m.cu.m. of water annually, could further Palestinian dependence upon Israeli water networks. Upon hearing of the plan through the press, the mayor of Bethlehem stated, "This is the most dangerous situation we have faced in the last twenty years, and we will resist it with all the means we have and at every level. It is an encroachment on our national rights." Palestinian farmers, already feeling the effects of two dry winters, have started destroying parts of their orchards amid mounting fears of water scarcity in the region. A statement issued by the Bethlehem Water Authority Board called on Israeli authorities "to evaluate the danger inherent in this project and cancel it officially, in order to alleviate the mounting fear and concern of the populace, and to guarantee the Arabs the water they need, in this dry region." Top Israeli water officials said the drilling project would adequately supply Arab communities and would not threaten their water resources, which they said draw from different aquifers.

Thus, the four key issues are:

1. Availability of water: What amount of water will be available to the surrounding communities for agricultural and domestic consumption from the new well if the project is approved?
2. Control of Resources: Moriah Trust of the US does not have the funds needed to cover the cost of the entire project. It is contemplating making "shares" available to the public. Who will control the new well if it is built?
3. Guarantees: Will the current quantity of water pumped to Arab towns and villages be guaranteed if existing wells dry up as a result of the new project? Some discussion has centered around a response to shortages suffered by Palestinian farmers particularly during dry winters.
4. Compensation: How much, if any, compensation will be paid to the owners of wells that dry up?

PARTIES TO THE NEGOTIATION

ISRAELI

The Civil Administration, Coordinator of Activities in the Territories: This person has served in this position since 1981 and acts as a liaison between the Israeli government and local Arab residents, and answers directly to the Minister of Defense.

Water Commission, Deputy Commissioner for the Gush Etzion Region: The Water Commission, under the jurisdiction of the Agricultural Ministry, is empowered to set water quotas and plays an influential role in determining water prices. This person is in charge of planning for the Gush Etzion region which includes Bethlehem and the Herodion site.

Mekorot, Project Manager: Mekorot is an independent water company that was at one time part of the Jewish Agency. Among other things, it is responsible for the water networks in the West Bank. This person, an engineer by training, is the project manager for the proposed new well.

PALESTINIAN

Mayor of Bethlehem: This person has been mayor of Bethlehem for decades and is a member of the traditional, conservative elite. He is described by colleagues as a pragmatist focussed on securing needed resources for his community.

Bethlehem Water Authority, Chairman of the Board of Directors:
The Bethlehem Water Authority was established to create a joint water system for Bethlehem, Beit Sahur, and Beit Jallah. It is responsible for supplying approximately 3 m.cu. m. of water per year to those and surrounding communities. This person is the mayor of Beit Sahur, a neighboring town.

Landowners and Farmers Committee, Representative: In 1981, this committee was established to secure water for its members. The representative, himself a farmer, negotiated successfully with Israeli officials on behalf of the Committee, and therefore was chosen for this job by his peers. He owns 50 dunams of land on which he grows olives, fruits, and vegetables.

It is not clear what will happen if no agreement is reached today. The Israeli authorities could forge ahead at any time. The goal of this meeting is to review the project and its likely effects and explore strategies for meeting the concerns of all involved. Any agreement reached today will be subject to approval by each party's constituency.

These statistics have been CREATED for the sake of the simulation. They are NOT the actual numbers for the area.

WATER USE IN THE GUSH ETZION REGION

	JEWISH	PALESTINIAN
POPULATION		
1985	4,850	150,000
2000	12,500	195,000
WATER CONSUMPTION		
Domestic		
1985	0.5 MCM ²	4.0 MCM
2000 ³	1.5 MCM	5.5 MCM
Agriculture		
1985	2 MCM	7 MCM
2000	4 MCM	7 MCM
Total		
1985	2.5 MCM	11 MCM
2000	5.5 MCM	12.5 MCM
WATER COSTS per cubic meter		
Domestic		
	\$0.15* ⁴	\$0.70 (Mekorot water) \$1.00 (BWA ⁵ water)
Agricultural		
	\$0.23*	same as for domestic
FARMLAND (in dunams ⁶)		
CM Water/one dunam land		
	1000 CM	700 CM
Cultivated		
	2,000 dunams	14,000 dunams
Irrigated		
	2,000 dunams	10,000 dunams
Planned Development		
	2,000 dunams	0 dunams
Possible Development		
	15,000 dunams	20,000 dunams

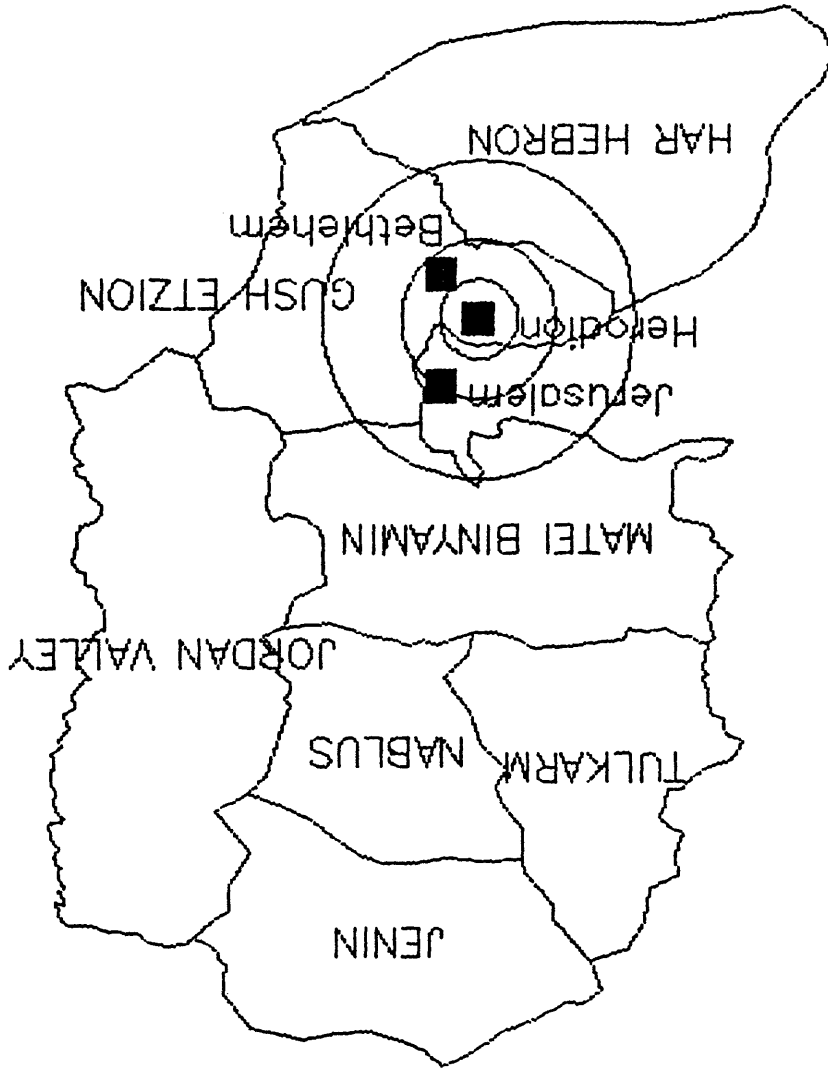
² Million Cubic Meters

³ According to the Water Commission development plan

⁴ * Water for Jewish Settlements is subsidized by the World Zionist Organization. Without subsidies, it would cost \$0.60.

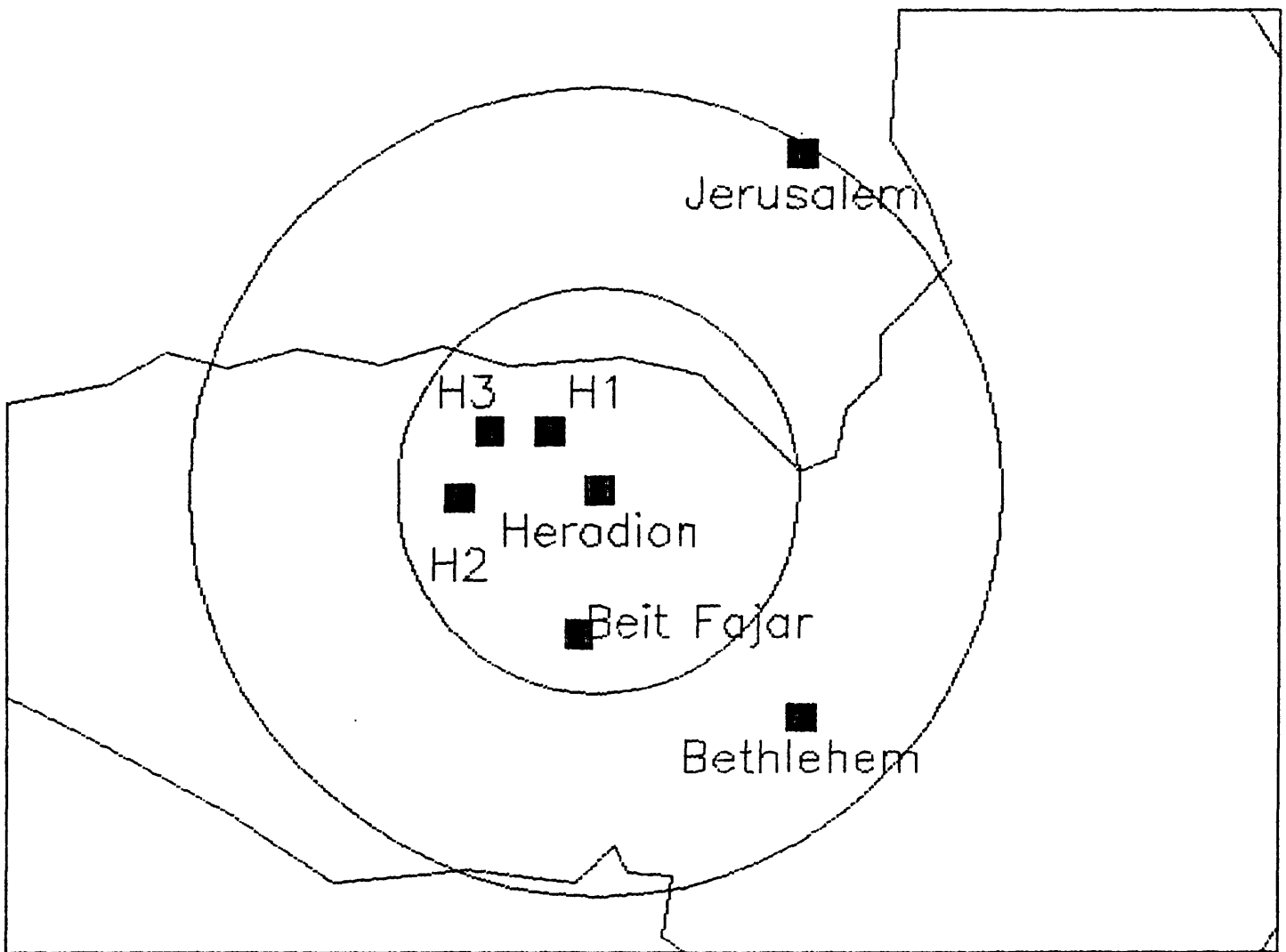
⁵ Bethlehem Water Authority

⁶ One dunam equals one quarter acre



WEST BANK
 (1, 2, 5 miles from site)

Proposed Site for Deep Water Well



Confidential Instructions to the Mayor of Bethlehem

You have been the Mayor of Bethlehem for decades. You are usually described as a member of the traditional, conservative elite. You are a highly pragmatic mayor -- you work hard to secure the resources and services your citizens need. To this end, you have developed relationships with the Israelis and maintained relationships with the Jordanians.

With respect to larger political issues of the West Bank, you believe the occupation should end immediately, but that a Palestinian entity or state must co-exist with Israel. You would support a Palestinian-Jordanian confederacy. Your recent public statements reflect a pro-PLO standpoint, i.e. the PLO as the sole legitimate representative of the Palestinian people. However, you believe that local politicians have a greater awareness of the actual needs of West Bank residents and should play a major role in determining the future status of the territories.

You are well-respected in your community and by Israeli officials and so were shocked to learn of the current scheme from the press. Naturally, you assumed it was a right wing ploy to squeeze Arabs out of the West Bank by drying up Palestinian water sources. You were furious that no one from the Civil Administration informed you of the

proposal prior to the newspaper article. Though the Coordinator of Activities in the Territories apologized profusely, this "mishap" has greatly increased the level of insecurity among local residents.

The proposed deep water well will promote further Palestinian dependence on Israel. If you support it in its current form, you will legitimize Israel's right to exploit resources on the West Bank. On the other hand, you have recently heard many stories about farmers destroying parts of their fruit orchards, and others who have decided not to plant watermelon crops this year because of a lack of water. You raised this issue with the Civil Administration even before this proposal surfaced.

Your first priority is to be able to assure farmers that they will have enough water at least for their usual crops. For years, you have pushed for higher agricultural water quotas so that farmers could irrigate more land and increase crop output with little success.

Any reduction in the amount of water managed by the Bethlehem Water Authority is entirely unacceptable and will cause you to reject this proposal. If Beit Fajar dries up as a result of the project, Mekorot and the Water Commission will have to find a way to allocate an equal amount of water to the Bethlehem Water Authority so they can continue to supply their customers.

You also expect that owners of dried up wells will be

compensated. One possibility is for Israel to grant a permit for a new well for each well dried up. Another possibility is to hook up the well owners to the Bethlehem Water Authority at no expense. In a letter to you, the founder of Moriah, wrote that they would compensate well owners, but did not specify how.

In sum, you will support the project only if the Water Commission increases water consumption levels to meet the needs of increased population and agricultural development; the Bethlehem Water Authority maintains its control over an increased amount of water and shares in the new well; and well owners are compensated if negatively impacted by the new well. Of course, all of these conditions would need to be backed up with sufficient guarantees.

You are highly mistrustful of the Israeli Water Commission and Mekorot. Their guarantees would have to be backed up to insure they are upheld. You have a working relationship with the person from the Civil Administration. Though you are suspicious of him for not informing you of the project, of the three, he is most likely to respond to your interests. If this project is approved by the group, he may be more inclined to help you with other issues you've recently raised with him. For this reason, you may soften your position and play a consensus building role.

You feel your negotiating position is relatively strong because you received a letter from the founder of Mount Moriah Trust US, in

which he stated, "We will not enter into a project which would use water in an inequitable way. Our purpose in developing water in the West Bank is to see water used justly, and distributed equitably to the people of the West Bank, both Jews and Arabs. We are not willing to fund something that is inequitable.

"Surplus water could provide profits to develop job opportunities in industry, agriculture, and commerce. Moriah would provide compensation or replacement of water supplies which may be depleted by the project."

The founder of Moriah also proposed establishing an advisory committee of community leaders in the Bethlehem area to advise Moriah on "proper policy" in the West Bank.

Though the last meetings did not lead to any concrete deals, they were informative. You agreed to hire a mediator because you think such a person will efficiently move the group from discussions to concrete proposals. Without a mediator, the group would have to meet many more times. After this meeting, it will be clear whether or not a consensual agreement is possible.

Confidential Instructions to the Chairman of the Board of the
Bethlehem Water Authority

You are Chairman of the Bethlehem Water Authority and the mayor of Beit Sahur. Though politically you are considered a moderate, as the occupation continues you move further to the left.

You are fed up with Israeli attempts to consume resources of the West Bank that are the property of your people. Now they are talking about a project that will dry up Beit Fajar bore hole. You absolutely reject any project that will reduce the power of the Authority and you will not engage in something that you believe promotes further dependence of the Palestinian people and legitimizes Zionist exploitation of West Bank resources.

Though you realize that in the end, the Israelis will make the decision that benefits them most, you will do everything in your power to insure that the Bethlehem Water Authority maintains its status as an independent authority. If Beit Fajar dries up, you will demand monetary compensation in addition to, and quite apart from, the water supply. The Bethlehem Water Authority must continue to supply local farmers with water for their crops. A lack of sufficient rain has already reduced agricultural yield.

You liked the piece in the paper that said the Civil Administration insisted that, "Jewish settlements will only receive water after Palestinian needs were met." This is an acceptable option. It

infuriates you to see Jewish settlers swimming in their pools while farmers rip up their crops.

You are not sure that you have the right to negotiate on behalf of the West Bank Palestinians. You believe the PLO is the sole legitimate representative of the Palestinian people and do not want to undermine its authority. You plan to raise this issue as well as questions about the future. For example, what will happen to an agreement reached today when the status of the territories changes?

You agreed to come to this meeting only because of the possibility of increasing the amount of water and the wells the Bethlehem Water Authority controls. You cannot deny the fact that the region needs more water. If this project could lead to a substantial increase in Palestinian agricultural output which would reduce Palestinian dependence on Israeli produce and provide more jobs on the West Bank, you may be convinced to agree to it.

You would like to see the project scaled down. If less water was extracted each year, the risk of drying up Palestinian wells would be reduced. Your people have historically approached their environment with smaller projects to satisfy their needs. The Israelis always introduce major projects with the latest technological advancements.

You are somewhat familiar with the new drilling technologies and are interested in learning about them since you are an engineer by

training. However, you find the man from Mekorot insulting. He insists on talking down to you when you ask him questions.

You do not expect much from the upcoming meeting. You are afraid the Mayor of Bethlehem will try to strike a deal to increase his own sphere of influence so you must be on your guard. If nothing comes of these meetings and the Israelis decide to approve the project, you will do what you can to protest the plan. Though it might make sense to get something if a deal seems imminent, you will not legitimize Israeli interests by signing your name to something that does not satisfy your minimal interests.

At previous meetings you have been surprised at Israeli officials willingness to entertain your ideas, but again no concrete proposals have been offered. You don't know what to expect from the mediator. Everyone seemed to think she would expedite the process so you agreed to go along with the suggestion.

Confidential Instructions for the Representative of the Landowners and Farmers Committee

You are a representative from the Farmers and Landowners Committee (LFC). Besides water issues, the Committee intervenes in cases that involve absentee landowners and their right to farm their land. You represented LFC in negotiations six years ago when a severe water shortage threatened crops, and you succeeded in obtaining a guaranteed water supply for that year from the Israeli Water Commission -- though not for absentee landowners. The Committee has once again asked you to argue their case before Israeli officials.

Your own farm consists of olives, fruits and vegetables. You have not yet destroyed any parts of your crops because of the water shortage, but you are seriously considering whether or not to plant a melon crop this year.

This particular proposal raises two distinct problems -- the issue of water and the issue of increased Palestinian dependence upon Israel. You hate to see Palestinian dependence on Israel grow, but you fear Israeli policies that would hurt farmers, possibly even force them to abandon their land. As a farmer, your life's blood is water. The proposal for this new well has made farmers insecure about maintaining their orchards and fields. Some have been forced to tear up their crops because of a lack of water; others have decided not to plant some crops this year because of the questionable status of their

water allotment.

You want a guaranteed amount of water at current prices. Not knowing the levels of water that will be available makes life difficult because you cannot plan your crops. If water is cut off in the middle of the season, farmers lose potential revenue from the sale of crops and their outlays for seed, fertilizer, and labor.

If wells dry up, farmers must be compensated with water. Depending upon the extent of the problem, someone will have to build an infrastructure to carry water to those farmers who lose their water sources. During these discussions, you intend to press for the need to create such an infrastructure as well as interim arrangements to deliver water in the short run. If Israelis are not sure of the full extent of the project's impact, i.e. which wells would dry up, they need to have water carriers available to deliver water immediately to farmers, and readily available plans and equipment to build the infrastructure required to pump water to the farmers. Replacement water levels could be pre-determined before drilling. This would give farmers the much needed security of knowing how much water they can expect.

If you could secure water at the current level of need based on currently irrigated areas, with stringent guarantees as insurance, you believe FLC members would be satisfied. If you obtain increased levels of water, the package would be that much easier to sell to your

constituency.

You feel optimistic going into this meeting. You are glad they hired the mediator because she will try to keep order during the meeting and acknowledge one speaker at a time. Earlier meetings have sometimes led to shouting matches. When you met with the mediator, you had a sense that she understood the needs of the FLC.

Your interests are more limited than those of the mayor and the Chairman of the Bethlehem Water Authority. Therefore, you think you will be able to secure the water you need. The Water Commission official is the one who has the power to meet your demands. In prior meetings, he has listened to you, but has not responded with anything concrete.

The Coordinator of Activities in the Territories says that he understands the issue of water for Palestinian farmers. He can sometimes be patronizing, but at least he likes to show he is aware of the situation.

Confidential Instructions for the Civil Administration, Coordinator of Activities in the Territories

As Coordinator of Activities in the Territories, you act as liaison between Israeli ministries and Arabs in Judea and Samaria and the Gaza Strip. Though your authority and the power of your position are always evident, you have forged relationships with Arab residents.

You have a fairly good relationship with the mayor of Bethlehem since you've previously worked together on a number of issues. You respect his willingness and ability to forego high politics in order to get the services and resources his people need for daily life. You were sorry the press leaked the story about the deep water well proposal before you had a chance to contact him. At the time it was printed, discussions between Mekorot, the Water Commission, and the Agricultural and Defense Ministries were still underway. The Mayor does not like Israeli authorities undermining his authority, especially in clear view of his constituency. You sincerely apologized to him, but you still sense lingering anger and distrust.

In statements to the press, you have said that the Civil Administration will support the deep water well proposal only if Arab rights are guaranteed; current water levels continue to be available at equitable prices; and Arab well owners are justly compensated if their wells dry up. The reality of the situation is that you would like the group to reach a consensual agreement to avoid Arab protests

if the project is approved. You plan to use your public position to show the Arabs, and especially the mayor, that you understand their needs. If consensus is to be reached, you and the mayor will have to form the bridge between the others.

Though the Civil Administration must approve the proposal independently, you answer to the Minister of Defense. He supports the project as a way to satisfy the water needs of the residents of Jerusalem and the West Bank so you are obligated to promote the project.

Therefore, your role in these negotiations is to push for an agreement. You will pressure the Water Commission and Mekorot to make the necessary compromises to guarantee existing water levels and compensation. Both were recently severely criticized in the Comptroller's Report for mismanaging the nation's water resources. This project is important to them because it will increase the water resource base. You will also pressure the Arabs to accept a satisfactory deal offered to them. You will play on their insecurities about the future. They fear being driven out of the territories because of a lack of water, so this will give them an opportunity to secure their water supplies.

Though the idea was raised at the last meeting, you are against any kind of joint ownership of the well because it will only lead to disputes. The Arabs should be satisfied with a guaranteed water

allocation -- perhaps symbolically higher than the current levels.

You suggested the use of a mediator because at prior meetings, you felt there was room for a reasonable agreement, but the tone of the conversations prevented the discussion of rational proposals. You believe in the concept of mediation as a tool for reducing conflict and in the past, have suggested its use internally in the Civil Administration and with other ministries and agencies such as the Water Commission.

Confidential Instructions for the Water Commission, Deputy
Commissioner

You are Deputy Water Commissioner of the Gush Etzion region and are responsible for setting water quotas and prices for Jewish and Arab residents of the region. You are a member of the support the doctrine of "land for peace," but from your work at the Water Commission, it is clear to you that Israel could never surrender the entire West Bank. Water is too precious and scarce. The Eastern aquifer is not a part of the Israeli hydrological system nor has it been connected to the Israeli water networks so you can imagine giving up that area.

You believe this deep water well is the best source of water for Gush Etzion, Jerusalem and its surrounding areas. It taps an unexploited aquifer and will add 10 - 18 m.cu.m. of water to the current resource base. Aquifers in the coastal plain and the Bet Shean and Jezareel Valleys are already pumped beyond capacity and at risk of salination. This drilling project will adequately supply Arab communities and will not threaten their water resources which draw from different aquifers.

The Commission has no intention of reducing Arab water levels at this time so you are willing to guarantee current water levels. As a matter of fact, plans include an increase in Arab domestic water

consumption per capita, but in order to do this, a new source must be tapped. Approximately 25 - 33% of the water from the new well is planned for Arab use. Many Arab wells have dried up because of neglect, and you cannot be responsible for that. They can buy water from Mekorot or the Bethlehem Water Authority within established quotas. If hard evidence supports claims that the project dried up wells, and not mismanagement or an attempt to obtain water above their quota levels, Moriah will compensate the owners with water. You may be able to create a mechanism for these instances to bypass some of the usual bureaucratic red tape that accompanies requests for water. As a guarantee, you might agree to plan a water surplus so that water would be available in the event that wells are dried up.

Actual control of the project belongs to Mekorot and Moriah. You doubt Mekorot will surrender any of its authority over the project, but it's up to them. Your business is allocating water and setting prices.

The project is a necessity for the Water Commission, which was recently harshly criticized in the comptroller's report and the press. The comptroller wrote, "The Water Commission failed to properly manage the water resources. It appears that over the course of years, the country's water economy was managed in a way that did not match the responsibility that accompanies the job." Last year, settlements, towns, and individuals superceded their quotas. The Commission needs stronger enforcement tactics, but it also needs an increased resource

base to accommodate demand.

Because this project is crucial to the Water Commission, you are willing and authorized to make compromises you otherwise would not. In order to get the project off the ground, Mekorot will also have to make compromises, most likely in the form of deep cuts in their expected profits. You are not sure they will do this.

The water allocation plans for the deep water well have already been drawn up. Therefore, any unplanned increases in water consumption by one group will reduce the water available for another group.

At previous meetings, you have tried to make it clear to the Arabs that the Commission has no intention of squeezing them off of the land, but they don't seem to hear you. They have so far refused any guarantees you've offered. Discussions have been difficult at times. Of course, it doesn't help that the Mekorot representative is so harsh with them.

You think the mediator may be able to get the Arabs to listen to what you say. You have limited experience with mediation, but at this point you will try anything to move this project forward.

Water Allocation Plan for Deep Water Well

Gush Etzion Region

Settlements

Domestic Consumption	1.0 MCM
Agricultural Development	3.0 MCM

Bethlehem, Beit Sahur and Surrounding towns and villages*

Domestic Consumption	1.0 MCM
Agricultural Use	2.0 MCM

Jerusalem

West Jerusalem and Surrounding areas

Domestic Consumption	5.0 MCM
Agricultural Development	4.0 MCM

East Jerusalem

Domestic Consumption	3.0 MCM
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* These figures are based on the assumption that the Beit Fajar borehole will dry up. It currently supplies Arab communities with 2 MCM of water for drinking and irrigation.

Confidential Instructions for Mekorot, Project Manager

You have been an engineer at Mekorot for fifteen years and were recently promoted to project manager when this proposal surfaced. You believe the Arabs should be given autonomy as outlined in the Camp David Accords, and that Israel should maintain control of the land. Just looking at Israeli water needs, you are convinced that Judea and Samaria are an integral part of Israel.

In your opinion, the proposed deep water well is the best way to provide the necessary water for Jerusalem and the settlements. It's no secret that people are using more water than their quotas allow for so the company has signed a contract that will enable it to provide more water.

You have been working on the deep water well proposal for about five months and believe it is a good project. You are frustrated by the political barriers that have been thrown in your path. The technology exists to pump more water out of the ground and Moriah should be allowed to do so. Mekorot is responsible for the water networks throughout Judea and Samaria. It brought indoor plumbing to a primitive people. At that time, no one complained about drilling into aquifers. You feel that the Arabs do not seem to remember that Israel pumps water from the Coastal plain into the territories. You are tired of these seemingly irrational Arabs and their protests.

You get a real charge from the chairman of the Bethlehem Water

Authority. He graduated university with an engineering degree about thirty years ago so he doesn't know very much about state-of-the-art technology. He wants so much to learn, but he can't bring himself to lower his pride and ask about it. The guys at the office got a good laugh when you told them about him. If it will help win his vote, you will humor him and offer to explain the workings of the new well.

As a profit making company, Mekorot is obligated to work within a profit margin. Mekorot sells water to Jews and Arabs within the constraints of the limited amount of water in the region and quotas instituted by the Water Commission. Moriah US has agreed to compensate well owners if their wells dry up with water, but Mekorot is not likely to offer monetary compensation.

With respect to control of the well, Moriah can publicly sell shares if it so chooses, as long as it does not threaten the contract which states that Moriah will sell water exclusively to Mekorot. Regardless of who owns the well, it will be subject to Israeli water policy. At the last meeting, the idea of Moriah selling less water to Mekorot in order to sell a small amount to another source was raised. This would be a major compromise, but you might agree if the actual amount was small enough. It may be worthwhile since the company is very interested in seeing this project through.

Mekorot was blasted in the latest comptroller's report which accused Mekorot of violating its quotas. The compromises necessary to

get this project approved could score some political points for the company with the Water Commission. The same report criticized them because of rising salinity levels of the aquifers. They are in dire need of an increased resource base.

Based on previous meetings, you are willing to guarantee current water levels. However, the Water Commission would be responsible for making sure that the guarantees could be fulfilled by raising the quotas that would otherwise constrain Mekorot.

You think a suitable compromise can come from this meeting as long as the Arabs act rationally. They have to realize that they were invited to express their concerns about the project, but that if no agreement is reached, the plan may still go through. You think the mediator can help bring the Arabs to their senses. They have not listened to you, but maybe they will listen to someone else.

Though this is a lucrative contract for Mekorot, and you are eager to see an agreement come out of this meeting. If the compromises cut too deeply into your profit margin, you will walk away from the meeting and try to push the project along without Arab involvement.

You've heard the mediator helps groups reach consensual agreements. For the sake of Mekorot, you hope this person will be succeed at this meeting.

APPENDIX B

PRE-SIMULATION QUESTIONNAIRE

Name _____

Please circle the number that best represents your opinion of the following statements according to this scale:

1 2 3 4 5
Strongly Agree Agree Somewhat Agree Disagree Strongly Disagree

1. The Israeli-Palestinian conflict is a conflict between two national movements.

1 2 3 4 5

2. The Israeli-Palestinian conflict is a result of the Arab world's desire to destroy the State of Israel.

1 2 3 4 5

3. The Israeli-Palestinian conflict is a result of Israeli colonization.

1 2 3 4 5

4. The PLO is a terrorist organization.

1 2 3 4 5

5. The PLO is forced to take violent actions because Israel has denied Palestinian sovereignty over the land.

1 2 3 4 5

6. The Israeli Defense Forces commits terrorist actions.

1 2 3 4 5

7. The Israeli Defense Forces' actions are taken to defend the State of Israel.

1 2 3 4 5

1 2 3 4 5
Strongly Agree Agree Somewhat Agree Disagree Strongly Disagree

8. The Jewish homeland could not have been established in any other location than its present one.

1 2 3 4 5

9. The best solution to the Israeli-Palestinian conflict is the creation of a Palestinian state in the West Bank and Gaza with East Jerusalem as its capital.

1 2 3 4 5

10. The best solution to the Israeli-Palestinian conflict is autonomy for the West Bank and Gaza Strip.

1 2 3 4 5

11. The best solution to the Israeli-Palestinian conflict is the creation of a single, democratic state in Israel and the territories.

1 2 3 4 5

12. The best solution to the Israeli-Palestinian conflict is a Palestinian-Jordanian confederacy on the West Bank and Gaza Strip.

1 2 3 4 5

13. Chances for a resolution to the Israeli-Palestinian conflict are very slim.

1 2 3 4 5

14. Mediation can play a positive role in the search for a solution to the Israeli-Palestinian conflict.

1 2 3 4 5

Chart 1: RESPONSES TO THE PRE-SIMULATION QUESTIONNAIRE

STATEMENTS	PARTICIPANTS					
	Gazan	Jordanian	Lebanese	Israeli Man	Israeli Woman	Jewish Woman
1. The Israeli-Palestinian conflict is a conflict between two national movements.	1	5	5	2	1	2
2. The Israeli-Palestinian conflict is a result of the Arab world's desire to destroy the State of Israel.	4	4	5	2	4	4
3. The Israeli-Palestinian conflict is a result of Israeli colonization.	2	2	1	4	4	2
4. The PLO is a terrorist organization.	5	5	2	1	1	4
5. The PLO is forced to take violent actions because Israel has denied Palestinian sovereignty over the land.	2	2	1	4	5	2
6. The Israeli Defense Forces commits terrorist actions.	1	1	2	4	3	3
7. The Israeli Defense Forces' actions are taken to defend Israel.	4	2	1	1	1	3
8. The Jewish homeland could not have been established in any other location than its present one.	4	5	4	1	2	1
9. The best solution to the Israeli-Palestinian conflict is the creation of a Palestinian state in the West Bank and Gaza with East Jerusalem as its capitol.	1	2	4	5	3	2

Legend:

1 Strongly Agree 2 Agree 3 Somewhat Agree 4 Disagree 5 Strongly Disagree

STATEMENTS	PARTICIPANTS					
	Gazan	Jordanian	Lebanese	Israeli Man	Israeli Woman	Jewish Woman
10. The best solution to the Israeli-Palestinian conflict is autonomy for the West Bank and Gaza Strip.	5	no answer	5	1	3	2
11. The best solution to the Israeli-Palestinian conflict is the creation of a single, democratic state in Israel and the territories.	1	5	no answer	5	4	4
12. The best solution to the Israeli-Palestinian conflict is a Palestinian-Jordanian confederacy on the West Bank and Gaza Strip.	4	5	no answer	3	3	4
13. Chances for a resolution to the Israeli-Palestinian conflict are very slim.	3	3	2	3	2	2
14. Mediation can play a positive role in the search for a solution to the Israeli-Palestinian conflict.	2	3	depends who	2	2	2

Legend:

1 Strongly Agree 2 Agree 3 Somewhat Agree 4 Disagree 5 Strongly Disagree

APPENDIX C

POST-SIMULATION QUESTIONNAIRE

Name _____

Please circle the number that best represents your opinion of the following statements according to this scale:

1 2 3 4 5
Strongly Agree Agree Somewhat Agree Disagree Strongly Disagree

1. The simulation reaffirmed my convictions about the Israeli-Palestinian conflict.

1 2 3 4 5

2. The simulation changed my perceptions of the Israeli-Palestinian conflict.

1 2 3 4 5

3. The simulation reaffirmed my feelings toward the other side.

1 2 3 4 5

4. As a result of the simulation, I have a better understanding of the other side.

1 2 3 4 5

5. Emotions played a role during the simulation.

1 2 3 4 5

6. Emotions play a role in the Israeli-Palestinian conflict.

1 2 3 4 5

7. During the simulation you observed situations when it was difficult for the other side to accept things you were saying.

1 2 3 4 5

1 2 3 4 5
Strongly Agree Agree Somewhat Agree Disagree Strongly Disagree

8. The use of mediation was helpful during discussions of the proposed well.

1 2 3 4 5

9. Mediation was helpful in dealing with the emotional aspects of the interaction.

1 2 3 4 5

10. Mediation would improve the chances for a negotiated settlement in the Israeli-Palestinian conflict.

1 2 3 4 5

Chart 2: RESPONSES TO THE POST-SIMULATION QUESTIONNAIRE

STATEMENTS	PARTICIPANTS					
	Gazan	Jordanian	Lebanese	Israeli Man	Israeli Woman	Jewish Woman
1. The simulation reaffirmed my convictions about the Israeli-Palestinian conflict.	2	no answer	2	no answer	2	3
2. The simulation changed my perceptions of the Israeli-Palestinian conflict.	3	"	2	5	4	3
3. The simulation reaffirmed my feelings toward the other side.	2	"	no answer	4	4	3
4. As a result of the simulation, I have a better understanding of the other side.	3	"	1	3	3	2
5. Emotions played a role during the simulation.	1	"	2	2	4	1
6. Emotions play a role in the Israeli-Palestinian conflict.	1	"	5	1	5	1
7. During the simulation you observed situations when it was difficult for the other side to accept things you were saying.	1	"	1	3	2	2
8. The use of mediation was helpful during discussions of the proposed well.	2	"	3	3	2	1
9. Mediation was helpful in dealing with the emotional aspects of the interaction.	2	"	1	2	3	1
10. Mediation would improve the chances for a negotiated settlement in the Israeli-Palestinian conflict.	1	"	no answer	3	3	2

Legend:

1 Strongly Agree 2 Agree 3 Somewhat Agree 4 Disagree 5 Strongly Disagree