THE TRILEMMA OF POWER, AID, AND PEACEBUILDING IN THE ISRAELI-PALESTINIAN CONTEXT

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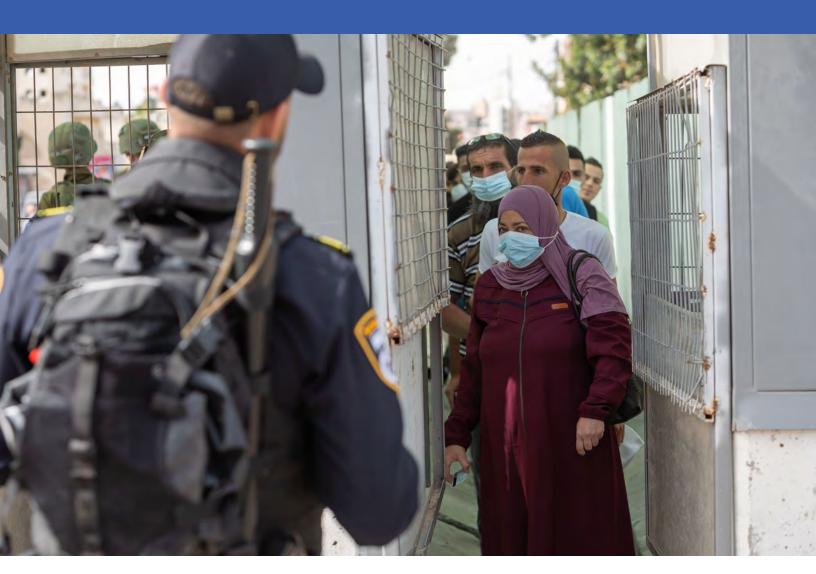






Photo above: A view of the U.S. Capitol building in Washington, D.C. November 19, 2019. Photo by Aurora Samperio/NurPhoto via Getty Images.

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Is reconciliation even possible in the context of military occupation and when none of the underlying causes of the conflict have been resolved?



On Dec. 21, 2020, the United States Congress passed the Nita M. Lowey Middle East Partnership for Peace Act. The new law provides \$250 million over five years to expand peace and reconciliation programs between Israelis and Palestinians as well as to support projects bolstering the Palestinian economy. This legislation is the result of over a decade of advocacy by the Alliance for Middle East Peace (ALLMEP) toward the creation of an International Fund for Israeli-Palestinian Peace. The legislation was advanced by Representatives Nita Lowey (D-NY) and Jeff Fortenberry (R-NE) along with Senators Chris Coons (D-CT) and Lindsey Graham (R-SC) and signed by former President Donald Trump.

The law seeks to "disrupt growing polarization and dehumanization in the region and help lay the foundations for a genuine peace between Palestinians and Israelis" and it "requires the U.S. Agency for International Development (USAID) to establish the Partnership Fund for Peace for promoting economic development in Palestine and reconciliation between Israelis and Palestinians." Specifically, the bill directs USAID to help finance: (1) small and medium-sized

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Palestinian businesses and entrepreneurs in order to promote the private sector and create jobs in the Palestinian territories, and (2) people-to-people (P2P) peacebuilding programs that support reconciliation between Palestinians and Israelis. According to the bill, a P2P partnership requesting support from the fund must include a nonprofit organization that brings Palestinians and Israelis together for reconciliation.

The law has been lauded by a broad array of American organizations, including: AIPAC, American Jewish Committee, Anti-Defamation League, Israel Policy Forum, J Street, and the Democratic Majority for Israel, many of which actively lobbied for its passage. And yet Palestinian officials and civil society leaders, along with Palestinian rights advocates in the United States, have largely remained silent on the law. Why? It is not because they do not support peace and reconciliation or genuine economic development. Rather, the answer lies in a more fundamental question: Is reconciliation even possible in the context of military occupation and when none of the underlying causes of the conflict have been resolved?

The answer to this question is multi-dimensional. It touches on both the micro and macro levels, starting with the historical context of the Oslo Accords while keeping an eye on the question of whether peacebuilding defined only by the power holders is sustainable in this context. The following analysis draws on my academic background in conflict analysis and resolution, my professional experience advising and supervising peacebuilding programs for two decades, including as an implementer and director for two grants for the Conflict Mitigation and Management (CMM) programs of USAID, as well as my own lived experiences as a Palestinian, an American, and an Israeli citizen. Based on the conflict analysis and resolution literature and my own experiences in the area of peacebuilding, such programs are unlikely to be effective because the whole approach on which they are based is structurally flawed in two critical ways: first, because it is disconnected from local political, social, cultural, and economic processes and expectations; and second, because it tends to reinforce the inequalities that sustain the conflict between the two sides while undermining the declared goals of this intervention.

This is particularly evident in light of recent developments in Israel-Palestine: expulsions in Sheikh Jarrah, riots in Jerusalem, and cities within and beyond the green line. So far, these initiatives have failed to address any of the conflict's fundamental causes, including refugees to Jerusalem, settlements, checkpoints, structural violence, and inequality in Israel. All of them have burst in our faces one by one. This does, however, give us an opportunity to reconsider the whole approach to peacebuilding programing in this difficult context.

US Approach to Peacebuilding

Before tackling these questions, it is worth going over the various types of peacebuilding and some basic definitions and principles of conflict resolution according to the existing literature. Peacebuilding as a concept encompasses different processes designed to alleviate the suffering of people in conflict settings to some degree and create a better situation overall. There are numerous types of peacebuilding and reconciliation within the academic literature, with little consensus on their precise definitions. In general, the peacebuilding and conflict resolution literature tends to focus on symmetrical conflicts without dealing with the underlying causes, particularly in highly asymmetrical environments like Israel/ Palestine. This is a matter of ongoing debate among scholars, which is beyond the scope of this study. Rather, I will focus here on four types of peacebuilding, ranked from least to greatest intensity: conflict management, conflict settlement, conflict resolution, and reconciliation. In conflict management, the goal is to contain a violent conflict temporarily in order create a positive environment through limited interactions and targeted projects and initiatives, for example through dialogue and other activities involving small numbers of people representing the conflicting parties, until a more conducive environment for peacemaking emerges. For example, in Cyprus, conflict management has successfully prevented the outbreak of new violence between Greek and Turkish Cypriots and their backers, Greece and Turkey, since 1974.

Conflict settlement is aimed at preventing or curtailing an armed conflict through an agreement by the political leaders representing

the parties to the conflict, but without necessarily addressing root causes or underlying power dynamics. In such cases, conflict attitudes and structural issues are not addressed, and as such settled agreements tend to be reopened. This would be a case like the Iran-Iraq agreement of 1975, in which leaders of the two Persian Gulf rivals agreed to settle their border dispute and end subversive infiltrations from either side.

In contrast, in a conflict resolution process, the parties to a conflict seek to reach a sustainable peace that addresses the basic human needs of both sides in a deep-rooted conflict (Burton, 1987), such as identity, security, acceptance, and recognition, regardless of the power dynamics. The denial of these basic needs is usually the underlying source of deep-rooted conflict and the grievances that fuel them. In such cases, the goal is to achieve peaceful relations based on mutual acceptance and reciprocity, such as in the peace treaty between Jordan and Israel in 1994.

Beyond conflict resolution is reconciliation, which is a transformative process in which the relationship between both sides is centered on mutual legitimacy and recognition, usually in a post-conflict setting. The key component for reconciliation according to the literature is reaching justice (Rouhana, 2004), and not simply basic human needs. In the process, the root causes of the conflict, such as colonization, mass violence, occupation, human rights violations, and state oppression, are acknowledged and rectified in some way. Such a process usually involves political and structural changes in the dynamics between the parties and can lead to an end to conflict when issues of justice, truth, legitimacy, and security for all are dealt with and are no longer contentious, as in the case of South Africa. Reconciliation became possible in South Africa mainly due to the collapse of the Apartheid regime in the early 1990s, which led to a shift in the power dynamics between the disenfranchised Black majority and the privileged white minority and the emergence of a new democratic society.

So, where does the U.S. approach to Israeli-Palestinian peacebuilding fall on this continuum? According to USAID, the stated goal of its CMM programs, including the newly passed Lowey Fund, is reconciliation. According to the CMM's P2P peacebuilding, reconciliation programs operate based on the theory of change that in "communities where elites or other societal forces have damaged or severed the relationships connecting individuals and groups of differing ethnic, political, religious, or

other identities ... strong, positive relationships will mitigate against the forces of dehumanization, stereotyping, and distancing that facilitate violence" and that such "projects generally bring together individuals of different ethnic, religious, or political affiliations from areas of conflict. They provide opportunities for adversaries to address issues, reconcile differences, promote greater understanding and mutual trust, and work on common goals with regard to potential, ongoing, or recently ended conflict."

The core assumption of this theory, however — that merely bringing Palestinians and Israelis together in one place and perhaps working on matters of shared interest will significantly change perceptions or reduce prejudices of one group toward the other, regardless of their circumstances and living conditions — is highly problematic. Specifically, USAID seeks to achieve the highest level of peacebuilding in an environment that is far from post-conflict and in which none of the underlying sources of conflict have been addressed, much less resolved. At best, USAID programs in the Israeli-Palestinian context could be seen as an attempt to manage the conflict with the goal of damage control through temporary localized efforts for a limited number of people from the conflicting parties. But without an attempt to address the root causes of the conflict, challenge the power asymmetry, or otherwise work towards creating conditions for sustainable conflict resolution, they do not qualify as credible attempts at reconciliation. Moreover, this approach could be seen by many in the conflict resolution field as a form of artificial peacebuilding that is disconnected from local political, social, culture, and economic realities, especially of the Palestinians.

In order to pursue reconciliation there must be some basic minimum conditions, first and foremost an acknowledgement of the stark power asymmetries between the two sides and an effort to change them, as in the South African case. After the dismantling of the Apartheid regime, Blacks and whites had more or less equal access to political power, land and other resources, mobility, and so on. In the Israeli-Palestinian context, however, the two sides continue to live in highly unequal realities. Palestinians are still living under a colonial regime in which they are dependent on Israelis and have little or no control over key aspects of their daily lives, such as natural resources, borders, internal movement and access, and so on. This inequality can be seen clearly today in access to COVID-19 vaccines, for example; whereas Israel has managed to vaccinate a majority of its citizens, only a tiny fraction of Palestinians living

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under Israeli rule in Gaza and the West Bank have been vaccinated.

As a result of this power asymmetry, the basic needs for security, identity, and recognition are different for Palestinians and Israelis. Since each side lives a different reality, these terms do not mean the same thing. For a Palestinian, recognition and security mean dismantling the military occupation, removing settlements, and ensuring freedom of movement; for an Israeli, who already has the ability move about freely, their identity and recognition have already been secured by the establishment of the state in which they have control over all its territories.

Moreover, Israel has multiple incentives to maintain this status quo, which is highly advantageous and entails very little cost, politically, economically, militarily or otherwise. This is due in large part to high levels of U.S. aid, including \$3.8 billion in annual military assistance, and totaling around \$146 billion since 1948 — more than it has given any other state. Experience shows that maintaining the status quo in highly asymmetric situations has a tendency to deepen the conflict, particularly as the power holders have few incentives to admit injustices, accept accountability, or even acknowledge the asymmetry (Gallo & Marzano, 2009). In short, why would Israel be interested in dismantling a military occupation that is at least partially subsidized by U.S. taxpayers or engage in a process

in which accountability for human rights violations, historical responsibility, and mutual recognition are even considered?

Proponents of the Lowey Fund and similar initiatives might argue that while these CMM and P2P programs may be flawed or insufficient, they are still better than nothing. In reality, however, such programs may do more harm than good by sustaining the inequalities between the two sides and thereby maintaining the conflict.

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How Effective is the Lowey Fund Likely to Be?

These peacebuilding programs cannot be detached from the political context, namely the Oslo process that began in 1993. The assumption was that the Oslo process would lead to the twin goals of ending Israel's occupation and achieving a two-state solution, both of which are as elusive today as they were a quartercentury ago. While the Oslo process radically transformed Israeli-Palestinian relations, and even internal Palestinian politics, it did not fundamentally alter (or seek to) the basic power asymmetry between the two sides. The Oslo framework rested on two pillars: aid for the Palestinians and security for Israelis. For U.S. officials, the guiding assumptions were that: 1) improved security for Israelis would make Israel more likely to make political compromises and take "risks for peace," and 2) improved quality of life for Palestinian would make them feel more invested in the process and isolate extremists and others who wanted to disrupt it through violence (Elgindy, 2019). Accordingly, the Oslo Accords were accompanied by a massive aid package to the Palestinians, much of which was earmarked for security. As is now clear, however, the expectation that aid would bring peace never materialized.

Despite its lack of success, the same approach toward Palestinians and the conflict continues to guide Washington policymakers to this day, demonstrating the extent to which the aid system in Palestine is disconnected from realities on the ground, whether in terms of the core issues of this conflict or the actual needs or aspirations of Palestinians. Like the Oslo process itself, USAID's approach to peacebuilding is caught in a sort of time warp from 1994. The Oslo Accords were premised on the idea of cooperation between the two sides, which is also reflected in <u>USAID's CMM programs</u>. The concept of cooperation holds little value today, however, in a context in which Israeli domination over Palestinian lives, land, and resources and displacement and dispossession of Palestinians are greater today than during the Oslo years. And yet, new initiatives like the Lowey Fund are still centered around "cooperation" and the assumption that simply getting

Palestinians and Israelis together to work on shared interests will change perceptions or reduce prejudices. However, since the 1990s, tremendous physical, political, economic, and demographic changes have taken place that led to a total fragmentation of Palestinian life and territory and further entrenched what looks increasingly like permanent occupation, leaving Palestinians more vulnerable and much weaker than before. And yet despite all of these changes, the underlying assumptions of U.S. peacebuilding programs have not evolved or adapted in any way, including the rhetoric of peace and coexistence. The expectation that ordinary Palestinians would play peace with their oppressive neighbors is especially unrealistic.

This highlights more fundamental problems at the conceptual level with U.S. peacebuilding programs in the Israeli-Palestinian context, which are designed to promote "conflict resolution by bringing participating groups together to resolve issues of common concern." This formula, which permeates all aspects of USAID's CMM programing, is premised on the presumption of parity between two sides of a conflict where in reality none exists. For example, an Israeli does not need a permit to go to Jerusalem whereas a Palestinian with a West Bank or Gaza ID does, assuming the latter is even allowed to leave. Palestinians are encouraged to build ties with Israelis across the 1967 border (assuming they can actually obtain a permit from the Israeli military to do so), whereas Israeli citizens are prohibited from visiting Palestinian-controlled areas in the West Bank, where they might otherwise witness life under occupation. This premise may be applicable in other conflicts, such as the case of Northern Ireland, where people on both sides live under similar structural conditions and have more or less the same ability to influence their reality, but it does not hold true in the Israeli-Palestinian context, in which one side is the occupier and the other occupied. Put differently, a level bridge cannot be built between pillars of drastically unequal heights.

The CMM programs are also problematic in terms of the nature of joint or cooperative activities they encourage, which are usually those that have common or shared goals. The 2021 Annual Program Statement (APS) mentions activities like "sharing playground, camps, selling products such as olive oil, and promotion of tech and IT solutions among other things individuals and small group

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are able to collaborate and have some common ground based on their interests and personal motives." While these may be worthy endeavors, they do not qualify as reconciliation since on a macro level nothing has changed. While the \$10 million allocated to CMM programs each year serves a handful of organizations and individuals, they do not target the root causes of the conflict, and as such they cannot build a sustainable peace between Israelis and Palestinians. The best proof of this is that after more than a quartercentury of working with both sides, these types of peacebuilding programs have had no discernable impact on the troubled political process, have been virtually ignored by local and international policymakers, and have failed to mobilize significant segments of the two populations. Indeed, during times of crisis, both sides, including those who had been engaged in such programs for years, detached from the other side and went back to their safe spaces and communities. Trump's decision to cut all assistance to Palestinians, including peacebuilding programs, only highlighted what little impact they had on peoples' lives, especially those under occupation. Indeed, even after the aid cut-off, the program continued to operate internally inside Israel, demonstrating just how marginal the Palestinians were even to the process of peacebuilding. This asymmetry is also reflected in the relatively low number of Israelis enrolling in these programs. According to the latest needs assessment by the Israeli NGO Amal Tikva (2020), and two evaluations conducted by outside contractors Notre Dame (2019) and Social Impact (2012), "As the quality of life is higher in Israeli society and more opportunities for extracurricular engagement exist, Israelis feel less affected by the conflict and less inclined to choose to engage" (Amal Tikva).

Furthermore, the vetting process employed by USAID, which applies to all aid recipients, including those involved in peacebuilding, is another problematic area that has deepened inequalities on the ground. First, the vetting process itself is not transparent and the criteria used to determine eligibility remain unclear. While we know that anyone affiliated with an organization that is specifically designated by the State Department as a foreign terrorist organization (FTO), such as Hamas, is obviously not eligible, we do not know how far that goes or how such determinations are made. For example, is it limited to someone with an official position with

the group, or does it also include someone who voted for or publicly supports the group but has never been a member or held any official role? The lack of transparency extends to those who have no connection to an FTO, many of whom are excluded without a clear reason.

Second, based on my own conversations with prospective participants, the vetting system has also adversely affected interactions among Palestinians themselves, as those who were successfully vetted were often labeled "collaborators" and "normalizers" while those excluded were stigmatized as "inciters" or "extremists." Moreover, by not being able to work with all segments of Palestinian society, USAID programs inadvertently encouraged opposition to them.

There is also a problem of "preaching to the converted." In looking at the organizations on both sides that receive these CMM USAID funds, one notices the same names year after year. For example, while I was in the field from 1994-2014, I met with the same "beneficiaries" again and again under different programs and in different organizations. As a result, the program ends up having very little impact on those who are most involved in the conflict in shaping everyday life.

Another problematic aspect of these programs is the perception that Palestinians are treated differently than Israelis, which undermines their credibility and helps deepen the power asymmetry. This is most evident in USAID's Anti-Terrorism Certification (ATC), which requires recipients of U.S. funding to certify that they do not support terrorism, and which is required of Palestinians but not of Israelis. A 2014 USAID evaluation conducted by an outside contractor found USAID policies to be "deeply problematic in the local context" in that ATC certifications were "perceived as singling out and in so doing alienating Palestinians." Even though measures against providing material support to terrorists are a United States Government-wide requirement derived from an Executive Order, the perception is that Palestinians are specifically targeted by the requirement to sign the ATC." It is important to mention that these deficiencies are not unique to the CMM peacebuilding grants but rather reflect the structural



Photo above: Archimandrite Abdullah Yulio (L), parish priest of the Melkite Greek Catholic church in Ramallah, stands with Palestinian protesters during a demonstration against U.S. President Donald Trump's Middle East peace plan, in Ramallah on Feb. 4, 2020.

Photo by ABBAS MOMANI/AFP via Getty Images.

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limitations that derive from the overall approach of all USAID programs directed at Palestinians.

USAID's CMM programs reinforce these inequalities in other ways as well. The same 2014 evaluation also found that "the structure of prime/sub-grant relationships is described as reinforcing existing power asymmetries because Israeli organizations often serve as the prime grantees with Palestinian organizations as sub-grantees." Indeed, the majority of organizations receiving these multimillion-dollar grants are Israeli and they become the prime grantees, while their Palestinian counterparts are typically the sub-contractors working under and paid by the Israeli organization. This is due to USAID requirements that prime grantees demonstrate a strong institutional and financial capacity to run large grants, reaching up to \$1.5 million, while subcontracting smaller Palestinian organizations with much less organizational capacity. As a result, the Israeli contractor/grantee is allowed to strengthen its organizational capacities while its

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Palestinian partner or sub-contractor remains underdeveloped and at the mercy of the Israeli grantee, to which the Palestinian organization must report back rather than to USAID. This problematic power structure has resulted in considerable tensions as well. According to a recent report by Amal Tikva, "leadership in peacebuilding organizations today is overwhelmingly Israeli Jewish" (20), 82% of organizations leading these programs have an Israeli director, and 18% are Palestinians.

In any asymmetrical conflict, the dominant group and marginalized group have different understandings of what peacebuilding means, something I have witnesses firsthand in the hundreds of workshops and discussions I have facilitated between Israelis and Palestinians over the years. While for a Palestinian, enlisting the support of an Israeli in changing the status quo or realities on the ground would be considered a form of bridge building, for an Israeli it is mainly about sitting together and understanding each other. According to Galtung (1969), the principal founder of the modern discipline of peace and conflict studies, there are two types of peace: negative peace, which refers mainly to the cessation of violence, and positive peace, which pertains to the proactive efforts to achieve social justice. Because they experience the conflict differently, Israelis and Palestinians focus on different aspects of peace. For Israelis, the focus is on negative peace, namely the cessation of violence and terror, whereas for Palestinians, peace entails a structural change that would provide them basic rights and justice (Biton and Solomon, 2006). The CMM operates from this theory of change and framework that interaction among opposing groups can promote better understanding of one another and, in turn, foster improved relationships that can decrease the likelihood of violence (Lazarus et al, 2014). The focus is on reducing the likelihood of violence, rather than working on structural changes that produce the conditions for violence. By structural change, I mean structural violence, structures that enable the supremacy of one group over another, and allow for discrimination that fuels the conflict.

Even so, it is possible to bridge this gap and align expectations of Israelis and Palestinians and potentially bring about a win-win outcome.

Recommendations

Based on my observations in the field, there are more successful approaches to accomplish peacebuilding, such as finding areas where both parties have a mutual interest in altering the status quo or strengthening the weaker/dominated group.

- 1. On a conceptual level, the U.S. government could reassess its assistance approach to Palestinians by reviewing some laws and removing some constraints, including the aforementioned rules and regulations, which further undermine Palestinians and prevent fair treatment of Israelis and Palestinians. The issues in this conflict are quite complex. As a result, answers must be just as substantial. Specific recommendations include:
- Connecting USAID financing to a strategic plan or primary vision developed by a coalition of Palestinian nongovernmental organizations and leaders from all political groups. This may be accomplished via a process of consensus building centered on the needs, aspirations, and interests of all members of society.
- Developing new legislation and policies that are appropriate for the Palestinian setting. The vetting and selection approach of working with just particular individuals runs counter to the fundamental tenet of conflict resolution, which is to develop agents of change across all sectors of society.
- Include human rights organizations and advocacy groups from both sides.
- 2. Support for initiatives that attempt to disrupt the status quo. The kind of efforts that should be encouraged include collaborative Israeli-Palestinian ones that challenge the status quo, which includes occupation and settlements: from anti-settlement campaigns to the reopening of Jerusalem institutions, to the halting of house demolitions and expulsions, to the reopening of business in Hebron's H2 (Israeli-controlled) neighborhood, including the mob violence inside Israel and mass arrests of Palestinian civilians. These measures are more necessary than ever in light of the present crises.

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There are currently numerous initiatives/programs working on the ground that promote true peacebuilding by addressing rather than ignoring the power disparity between the two parties, thus increasing the likelihood of future reconciliation. These are also the kind of activities that the Lowey Fund, in order to be successful, would need to incorporate:

- An Israeli civil society initiative aimed at assisting Palestinian farmers in Area C with water issues;
- An Israeli citizen collaborating on a joint advocacy campaign for Palestinians to have equal civil and national rights;
- An Israeli or Palestinian human rights organization working to end one of the conflict's root causes, settlement construction;
- A grassroots Palestinian group dedicated to maintaining peace in Hebron's H2 neighborhood by escorting Palestinian youngsters to school and protecting them from settler violence.
- Invest in uni-national projects and initiatives (different processes on each side) that enable genuine consciousness raising and advocate for fundamental reforms in the respective communities. For instance, in Israel, programs might include lobbying efforts aimed at establishing an inclusive democratic society by addressing Israel's discriminatory legislation against Palestinian citizens.
- In terms of economic growth in Palestine, this fund might strive to reopen the 1,800 stores in Hebron's H2 neighborhood, assisting families who have lost income due to the closure of their street (Shuhada Street). It could assist farmers in gaining access to their farms or establish a fund to assist Palestinians who have lost their houses or businesses as a result of seizure or demolition by reconstructing them.

There are already numerous organizations that work along these lines to promote genuine reconciliation, such as <u>Zochrot</u> or <u>Breaking the Silence</u>, or that call for an end to the occupation, such as <u>Youth Against Settlement</u> or <u>Ir Amim</u>, or that report on human rights violations, such as <u>B'Tselem</u> and <u>Al Haq</u>. While such organizations

and initiatives are not expressly prohibited from participating in U.S.-sponsored peacebuilding programs, given the political realities in Israel, they are effectively excluded from doing so.

If peace and conflict resolution are pursued only under terms acceptable to the dominant power, which naturally avoids any type of accountability for itself or justice for others, then it is a failed project that ultimately serves to preserve the status quo. However, genuine reconciliation can only happen when there are incentives to undertake structural changes and a shift in the power asymmetry between the two sides. Neither the Israeli government nor the Israeli public at large currently has any incentive, especially in the absence of any meaningful international pressure, to change the status quo, which is highly beneficial, economically, politically, and militarily. For genuine peacebuilding to occur, however, this must change.

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