Article

Political Fragility and the Timing of Conflict Mediation

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Abstract: In recent years, much of the public discourse regarding conflict in the Middle East has pondered the possibility of military intervention, but far less attention has been paid to the optimal mechanisms for conflict mediation. There remains considerable confusion in the study of conflict resolution about how to locate the right time, or 'ripe moment' for this type of third-party involvement. This is a crucial area of policy relevant research. When attempting to model ripeness, most of the literature has relied on expected utility models of decision-making and found that crucial but nebulous factors that are important in the MENA region, such as conflicting parties' psychology, religious and political beliefs, as well as grievances compounded over time, cannot easily be incorporated into the framework. This paper offers a plausibility probe to highlight the potential of an augmented approach. Using Poliheuristic (PH) Theory that reflects the non-compensatory nature of political risk, it creates a litmus test for third-party mediation based not on what conflicting parties aim to achieve, but what outcomes and processes they must avoid. The result is a relatively simple identification of 'bad' timing, as well as theory-informed mechanisms designed to help practitioners generate better conditions for mediation. This probe contributes to our understanding of the relationship between political fragility and conflict in the MENA region by indicating how political fragility might be conceptualized as a process that can be mapped and perhaps interrupted.

Keywords: conflict; mediation; PH theory; Israel; Palestine; ripeness

1. Introduction

Kivimäki notes how "(s)tate fragility is often described as consisting of two elements: lack of efficiency and lack of legitimacy of state institutions" (Kivimäki 2021, p. 2). As this special issue explores the relationship between fragility, conflict and grievances in the MENA region, this article focuses on the component of political fragility (Kivimäki 2021). It does this by drawing on Poliheuristic (PH) Theory to outline political fragility procedurally, as a process evident in how elites who represent conflicting parties make decisions about conflict. Rather than identifying a particular party's fragility, the approach in this paper provides a system for condensing and thereby simplifying our understanding of the interaction between societal grievances, political fragility and conflict. This permits parsimony on one hand, while facilitating the integration of existing insights, such as identified problems with legitimacy (Alijla 2021; Loewe and Zintl 2021), factionalism and oil-dependence (Kivimäki 2021), into a single, ordered framework. This article does not identify any new indicators of fragility, but instead helps researchers to rank known indicators and make that ranking relevant for practitioners.

This article's use of the Poliheuristic approach is intended to translate the mutually constituting relationship between grievances, fragility and conflict into the specific actions of elite decision-makers who represent conflicting parties. The geo-strategic importance of MENA actors, the level of global disruption expected to result from their conflicts and the position of the 'Orient' in western imaginations have all contributed to a disproportionate level of international pressure placed on conflicting parties in the post-Cold War Middle East and North Africa. Through the lens of PH Theory, this paper presents an inherent dichotomy associated with that pressure: Although it seems reasonable to call on the

relevant leaders to seek mediation and resolution, the way political fragility functions automatically precludes much genuine peace-making behaviour. For example, the PH approach asserts that outside observers should expect intransigence among leaders who face societal grievance complications that are pertinent to the region. This inflexibility should not automatically be dismissed as personal or moral failure.

This paper presents a plausibility probe case study of PH Theory's usefulness in mapping how political fragility functions and argues that this approach provides insights which should be useful to practitioners who must work on conflict mediation in real time. The structure of this paper is as follows. In Section 1, a literature review identifies existing approaches to the study of optimal mediation conditions and explains why an explicitly bounded rationality model of decision-making is needed. Section 2 then covers the PH approach in more detail. Section 3 clarifies the methodology, and Section 4 provides the case study.

2. Literature Review

Bercovitch defines mediation inclusively as "a process of conflict management, related to but distinct from the parties' own efforts, where the disputing parties or their representatives seek the assistance, or accept an offer of help, from an individual, group, state, or organization to change, affect, or influence their perceptions or behavior, without resorting to physical force or invoking the authority of the law" (Bercovitch 1992, p. 7). Most conflict resolution literature has relied on expected utility theories of decision-making to structure investigations about the best timing for outside actors to push for mediated peace talks (Duursma 2014). The search for optimal conditions is analogous to the search for ripe timing, sometimes referred to as ripeness (Zartman and Berman 1982; Zartman 1985; Pruitt and Olczak 1995; Pruitt 2005). The idea of ripeness refers to the conceptualization of necessary but not sufficient conditions for the initiation of negotiations, including quantifiable criteria and psychological complications. These make up the two main components of ripeness: (1) the mutually hurting stalemate (MHS), which is likely to be marked by the presence of a recent or impending catastrophe, and (2) the perception among conflicting parties themselves that there is a way out (WO) (Zartman 2000, 2008).

Within this literature, conflicting parties are assumed to form their preferences by weighing the anticipated costs of continued fighting against the likely benefits. The aim is to find the sweet spot "when the parties find the costs of continued confrontation too high and the prospects of an agreement enticing" (Bercovitch and Kadayifci 2002, p. 116). However, as a set of guiding assumptions for conflict resolution scholarship, expected utility includes two components that constrain theory development in this area.

First, expected utility conceptualizes the decision-maker as conducting a holistic, exhaustive search for options (MacDonald 2003; Allison 1971). Therefore, the model itself provides little guidance for researchers about whether a particular dimension of conflicting parties' interests is likely to be more or most important. This means that researchers must inductively select their dependent variables. The resulting tests tend to indicate that one or more variables is not definitively causal in generating an MHS or WO. For example, the number of casualties is a reasonable variable to investigate, but Greig and Regan (2008) find no link between high numbers of deaths and leaders' willingness to engage in talks. Alternatively, studies do identify a relationship between costs and readiness to enter negotiations, but only by defining the variance in 'costs' very broadly (Beardsley 2010; Maundi et al. 2006). Although rigorously determined, such findings struggle to advance the agenda.

Second, the model conceptualizes preferences as purposeful action that seeks utility maximization (MacDonald 2003). This means that, while scholars recognize the real-world importance of more complex factors in parties' willingness to enter peace talks, the underlying model struggles to provide a systematic way to incorporate them into theory development.

Scholars, for example, widely accept that leaders' individual perceptions of a WO are crucial antecedents to mediation (Bargal and Sivan 2004; Pruitt and Olczak 1995; Saunders 1999; Greig and Regan 2008; Zartman 2008; Maundi et al. 2006; Duursma 2014). The parties themselves must perceive the possibility of a solution; they must share the desire to find an agreement and judge that the prospective deal is beneficial to their interests (Haass 1990, pp. 27–28). Bercovitch and Kadayifci note how parties' motivation, willingness and optimism are key to good timing (Bercovitch and Kadayifci 2002). Likewise, Beardsley and Lo assert that "(t)he process of 'getting to yes' is inherently a process of getting the sides to recognize that concessions are needed to resolve the conflict" (Beardsley and Lo 2014, p. 364). This has also been referred to as readiness (Schiff 2017).

However, it is difficult to notice the presence of WO perceptions among conflicting parties when, in practice, their preferences are inconsistent—or their behaviour is inconsistent with their stated preferences—and so they do not appear to be engaging purely in maximizing reasoning. Humans act, for example, in many ways that unnecessarily escalate a conflict, such as refusing to withdraw despite imminent defeat, or rationalizing exponential costs through ideological belief (Zartman 2003; Dowty 2006). Leaders' interests may also be selfish and context-dependent, such as the need for recognition or stalling (Maundi et al. 2006; Beardsley 2011). These needs may also be fueled by feelings of distrust or reflect risk aversion behaviours (Kelman 2005; Ben-Artzi et al. 2015).

Scholars have generally addressed these add-on complications by highlighting one or more intervening variables at a time. For example, leaders' expectations of utility may be affected by the constraints of global power relationships, such as alliances during the Cold War, or tense regional relationships (Bercovitch and Kadayifci 2002). Leaders' perceptions of a WO may also be complicated by commitment problems resulting from whether the respective parties are defenders or challengers (Beardsley and Lo 2014). They may be struggling with governmental legitimacy (Druckman and Green 1995) or exhibit greater or lesser readiness for talks according to their pre-existing preferences as doves or hawks (Pruitt 2005). This creates an analytical problem, as integrating each new insight into models of ripeness appears to be conceptually unmanageable (Bercovitch and Houston 2000).

Taken together, these two components of expected utility particularly frustrate investigations into the role of public opinion in creating and noticing perceptions of a WO. Some crucial insights exist. Public pressure, for example, may "decrease the costs of non-agreement and can potentially create a situation in which successful bargaining is impossible" (Chiozza and Goemans 2004; Goemans 2000; in Beardsley 2011, p. 403). It is also possible that combatants may desire third party mediation to direct blame for unpalatable concessions towards an outside party (Beardsley 2010). While it is accepted that public opinion must be crucial (Stover 2002; Hermann 2004; Desivilya 2004; Deutsch et al. 2006), the questions of when, how and how much elude the model. This is precisely because expected utility provides little guidance on the importance of one dimension over another and is focused on examining consistent, preference-seeking behaviours at the expense of seemingly inconsistent, risk-avoidance behaviours.

It is the contention of this paper that, although it is not feasible for theoretical assumptions to meet all the expectations of reality, the integration of a PH perspective provides a significant but simple insight that furthers the model by highlighting which of these seemingly additional variables are the most important empirically and so procedurally. This should also allow the analyst to pinpoint when and why the crucial psychological condition, the perception of a WO, is not present, and so when pushing for mediation could be harmful.

3. Why PH Theory?

This article offers Poliheuristic Theory as a necessary mechanism for advancing the study of timing in conflict mediation by integrating a procedural awareness of political fragility. Kivimäki (2021) notes how the interaction between a state's inefficiency, societal grievances and conflict can be portrayed relatively simply, as violence becomes the only

mechanism available for addressing an intolerable situation, or it serves as an opportunistic tool (Alkhayer 2021). However, this causal pathway becomes much harder to describe linearly if the analysis occurs after conflict is already ongoing and there is (A) a feedback loop that is further complicated by collective trauma and historical narratives and (B) conflict resolution demands that elite decision-makers proceed with negotiations despite the expectation of backlash from among their own supporters. This problem of long-term, continuously reinterpreted conflict is particularly pertinent to the MENA context. Within these real-world dynamics, political fragility must be something that functions rather than labels.

PH Theory was developed to act as a conceptual bridge between parsimony and accuracy in analytical models of decision-making (Mintz 1993, 2004, 2005; Mintz and Geva 1997; DeRouen 2002a; Lui 2002; Christensen and Redd 2004; DeRouen and Sprecher 2004; James and Zhang 2005; Kinne 2005; Brulé 2008; Keller and Yang 2008, 2009; Oppermann 2014). Instead of conceptualizing people as only goal-oriented maximizers, PH theory builds on cognitive approaches that "feature mental shortcuts and other processes indicative of the mind's inability to carry out the complicated calculus of the rational model" (Mintz and DeRouen 2010, p. 8; Mintz and Geva 1997). There is a balance to be struck between descriptive accuracy and the appeal and utility of conflict resolution models, between "parsimony in theory building and the complexity in human action" (Zartman 2000, p. 237). This is the line along which PH Theory aims to walk, through the use of a two-stage model.

The decision-making process for Stage One is conceptualized according to principles of behavioural science established since the development of Prospect Theory and the 'Cybernetic perspective' (McDermott 2001, 2004; Simon 1959, 1985; Steinbruner 2002). Stage One is governed by five key characteristics: decision-making is non-holistic, dimension-based, satisficing, order-sensitive, and non-compensatory (Mintz and Geva 1997). This means that politicians consider only a truncated range of options, which are clustered into organizing themes. They eliminate options according to their basic requirements rather than actively searching for an optimal alternative; their preferences are affected by the order in which they receive information, and they have some basic requirements that cannot be compensated for. These characteristics are not separable components of Stage One—they amalgamate to justify an analytical focus on first assessing the decision-maker's political dimension, before assessing their preferences across any other dimension.

In terms of its contribution to understandings of ripeness, the most important characteristic of Stage One in PH Theory is the recognition that decision-making is non-holistic, leading to its character of being non-compensatory (Mintz and Geva 1997). PH Theory assumes that the decision-maker "adopts heuristic decision rules that do not require detailed and complicated comparisons of relevant alternatives, and adopts or rejects undesirable alternatives on the basis of one or a few criteria" (Mintz and Geva 1997, p. 85). Rather than maximizing by evaluating every option equally, decision-makers only evaluate options long enough (and in enough detail) to find an option that satisfies their basic core needs.

Assuming that political actors operate under self-interested motivations, politicians see gains and losses first in terms of political currency and only then in the context of policy success or failure (DeRouen 2002a). In the PH approach, therefore, loss-aversion overrules all other considerations, and so decision-making is driven by the desire to avoid political failure rather than to achieve success (Anderson 1983). Consequently, "a low score in the political dimension cannot be compensated for by a high score in some other dimensions" (Mintz and Geva 1997, p. 84). For example, if a leader perceives that there is an intolerable danger to their political survival from simply entering mediation, then neither incentives in the form of promised economic aid, nor threats of actions such as sanctions, would be likely to encourage more flexibility (Astorino-Courtois and Trusty 2002; DeRouen 2002b).

Therefore, in Stage One of PH Theory, it is assumed that politicians abandon all options that pose too great a threat to their political survival (Mintz and Geva 1997). The types of risk that leaders consider in this stage include a "(. . .) significant drop in public support for a policy; (. . .) prospects of an electoral defeat; (. . .) potential collapse of the coalition

government or regime; (. . .) threat to political power, dignity, honor, or legitimacy of a leader" or problems such as demonstrations and riots (Mintz 2004, p. 9).

After too-risky options have been eliminated, decision-makers can then be assumed to engage in a traditional cost-benefit analysis based on expected utility in Stage Two; this allows the selection of a final choice (Mintz and Geva 1997). Importantly, a PH perspective allows the analyst to anticipate that certain options will not be viable after Stage One, even if those discarded alternatives were objectively the most sensible (Beckerman 2020).

This type of reasoning has been hinted at within conflict resolution scholarship, but existing work has struggled to condense these disparate elements into a parsimonious framework. When attempting to reduce a large set to a more manageable subset, Maoz et al. (2007) noted that the analyst could begin by eliminating unfavorable options rather than simply selecting favorable alternatives. Scholars already recognize that this exclusion strategy might generate a different range of remaining alternatives than the expected utility assumption's inclusion strategy (Yaniv et al. 2002; Maoz et al. 2007). The importance of non-compensatory variables is also implicit in the notion of "peace spoilers", which highlight the role of constituency preferences in blocking peace processes (Newman and Richmond 2006). Nevertheless, systematic inclusion of these insights remains elusive.

In contrast, PH Theory indicates that, according to the non-compensatory loss-aversion principle, the political dimension always encompasses the primary (if not total) motivation for decision-makers. Thus, it should be reasonable to always begin the ripeness puzzle by locating these non-compensatory variables—these political survival pressure points— just as one would begin a jigsaw by locating the corner pieces. The resulting model is deceptively simple. Instead of asking what leaders want to achieve through conflict, mediation and resolution processes, analysts would ask, as a first priority, what conflicting parties need to avoid. This realization provides a crucial mechanism for theory development because it gives researchers a systematic way to combine insights on otherwise disparate problems, such as legitimacy and factionalism, by first assessing how they affect the leader's political risk calculation.

As the rest of the proverbial conflict resolution puzzle remains somewhat mysterious, PH Theory mostly seems to provide a way to determine (from the most important, i.e., non-compensatory indicators) whether a conflict is definitely not ripe. This means that it provides a procedural description of political fragility that inherently indicates the practical importance of understanding that fragility.

4. Methodology

This paper now draws on the congruence method to offer an illustrative plausibility probe (George and Bennett 2005; Eckstein 1975). This qualitative approach is appropriate here because the real-world phenomenon of conflict ripeness is difficult to separate from its context (Yin 2008). Specifically, the congruence method offers a way for single cases to assist with theory development by investigating a specific theory's usefulness for understanding a particular case (George and Bennett 2005). This differs from process tracing in that it is not necessary to trace a casual pathway directly from independent to dependent variable. As such, the congruence method offers only tentative findings.

To assist in theory development, this article combines congruence with a plausibility probe. This type of case study is a preliminary investigation of "relatively untested theories and hypotheses to determine whether more intensive and laborious testing is warranted" (George and Bennett 2005, p. 212). This is an inductive exercise that is only appropriate when the theory is novel, or being applied in a new way, and previous research indicates its necessity (George and Bennett 2005). Rather than testing theory, the aim is to probe its usefulness to determine whether it is worth refining enough for more rigorous testing (Fenno 1973; Fiorina 1977; Lebow 1981; Evans et al. 1993; Vertzberger 1998).

Poliheuristic Theory has already been subject to case-based testing as a model for decision-making (see, for example, Astorino-Courtois and Trusty 2002; Kinne 2005; Ye 2007; Tal-Shir and Mintz 2018). As such, the case presented here is less concerned with the

validity of PH theory as a whole, but instead focuses on asking whether the Poliheuristic framework provides useful insights for understanding and mediating conflict. Poliheuristic Theory is an established approach in the fields of Foreign Policy Analysis (FPA) and International Relations (Redd et al. 2010; Mintz and Chatagnier 2020), and so this article probes whether the PH approach contributes anything new or different to established, expected utility-derived advice specifically for conflict mediation in the MENA region.

Single plausibility probe cases must be selected according to the dependent variable, requiring a relevant example of attempted conflict mediation. Due to the nature of the probe, it is also necessary to select an example in which the conditions are likely to re-occur and for which research exists that offers practical advice. American involvement in the Israel-Palestine conflict is an appropriate focus, as one of the longest running diplomatic interventions in the Middle East that also remains unresolved. The most contemporary, formal bilateral talks in this category took place under the Kerry Initiative, 2013–2014. These talks were also reflective of established diplomatic practices, and the nine-month negotiation took place under relatively unremarkable political conditions. Importantly, it is widely acknowledged that the Kerry Initiative took place when conflict conditions were not ripe (Schiff 2018). Therefore, if the PH approach was going to be a useful analytical framework in practice, it would have to demonstrate this unripeness according to the information available to mediators in real time.

Therefore, the following plausibility probe presents a mapping of the political dimension for conflicting parties that would have been apparent to American state department officials during the 2013 talks between Israel and Palestine. The most important element that distinguishes Poliheuristic Theory as a framework from expected utility is its emphasis on the assessment of non-compensatory political variables—whether there is 'too much' risk to the decision-maker's political survival. Rather than incorporating political survival into the standard rationality framework as an add-on factor, the behavioural science that underpins Poliheuristic Theory demands that these political survival variables always be assessed first (in Stage One). As noted above, decision-makers will automatically discard 'too risky' options, possibly leaving only a truncated range of sub-optimal alternatives to choose between (in Stage Two).

In accordance with the theoretical propositions discussed above, this probe asks whether, according to information available to decision-makers in real time, the importance Poliheuristic Theory places on non-compensatory political variables generates insights that diverge from existing scholarly and practitioner recommendations on mediation.

5. Case Study: The Kerry Initiative

5.1. Overview

The Kerry Initiative in 2013 attempted to rescue the failed peace negotiations that took place during President Barack Obama's first term in office. Obama professed a commitment to Middle East peace and a belief that Israeli and Palestinian leaders could come together "in a rational way" to agree a two-state solution (Schiff 2018, p. 11). During Obama's second term in office, the White House announced that Secretary of State John Kerry would undertake an ambitious plan to resume negotiations between Israeli and Palestinian leaders beginning in July 2013. This would be shepherded by Martin Indyk, former Ambassador to Israel and Secretary of State for Near East Affairs. The aim was to reach a final agreement within nine months, by 29 April of the following year.

5.2. A PH Approach

To map PH Theory's non-compensatory loss-aversion principle and determine whether this provides a description of how political fragility functions in conflict mediation, this probe asks four related questions: (A) Would a PH assessment of the relevant political dimensions have indicated any red flags before talks commenced? (B) Did the breakdown of talks in 2013 reflect or defy Poliheuristic reasoning? (C) Does this analysis produce any new insights?

(A)

It appears that before the Kerry Initiative began, both Israeli and Palestinian political dimensions presented a number of risks to the relative decision makers' political survival. The Israeli political dimension during Kerry's initiative was dominated by three potential risks: coalition politics, perceived security threats and the need to maintain American support. These high-pressure points, as well as their potential to remove genuine peace-seeking options from the leadership's choice set, would have been evident to Kerry's staff.

First, the need to keep coalitions together acted as a constraint on Israeli decision-making. George Mitchell had struggled with Israeli domestic politics between 2009 and 2012 partly because the coalition government under Netanyahu was a constant distraction (Mitchell and Sachar 2017). The 2009 elections in Israel had left the centrist–liberal Kadima party (led by Tzipi Livni) with the most Knesset seats, but Netanyahu (as head of Likud) seemed more likely to achieve a coalition and was asked to form the government.

Notwithstanding a dramatic formation and dissolution of a unity government with Kadima in 2012, Netanyahu's coalition between 2009 and 2013 was comprised predominantly of right-wing parties: Likud, Yisrael Beintenu, Shas and Jewish Home, all with subtly different antipathies towards the peace process derived from varying preferences for security, nationalist and religious concerns. These nuanced but hardened differences made it very difficult for the Israeli government coalition to agree outwardly and amongst themselves. Indeed, three former Likud leaders had found it necessary to leave the party to make progress with the Palestinians in previous years (Danin 2013).

However, an Israeli General Election in January 2013 lost the Likud–Beitenu block a quarter of its seats, forcing it to seek a more diverse coalition (Reed 2013). The new 2013 Israeli coalition still included Likud and Yisrael Beitenu as a joint grouping, but also the new parties Yesh Atid and Hatnua. Led by a celebrity journalist, Yair Lapid, the centrist Yesh Atid party was in favour of peace through a two-state solution. Led by Tzipi Livni (after her ousting as head of Kadima in 2012), the liberal Hatnua party focused its platform on achieving a final settlement with the Palestinians. Livni joined Netanyahu's coalition in return for a position as Justice Minister, giving her the peace process portfolio. This may certainly have seemed like an opportunity for more effective mediation, especially considering public opinion polls at the time.

In December 2012, 62% of Israeli voters reportedly supported a two-state solution, with the same proportion even among right-wing voters and even when questioned about a divided Jerusalem (Tzvia Weiniger 2012). Similarly, 69% of Israelis polled in 2013 voiced their support for the Arab Peace Initiative (Eldar 2013). Israeli public support for peace talks in the proceeding years had also been reassuringly high. In theory, as noted by Sasley (2013), this general goodwill should have provided some protection from peace spoilers.

Second, Israeli political life has long been saturated with securitized discourses built upon a combination of traumas that persist despite the country's economic and military success (Siniver 2012). This means that, as new regional threats unfold or escalate, public and governmental tolerance for risk tends to decrease. The expected benefits of peace processes have frequently become overshadowed by the known costs of attacks that occurred in recent memory, such as abductions, rocket fire and suicide bombings. This was pertinent during the Kerry Initiative because Netanyahu's government had failed to deter rocket fire from Gaza as recently as November 2012. The Israeli Operation Pillar of Defense was intended to prevent rockets that threatened Israel for a distance of 40 km, but ended with a ceasefire, despite militants having escalated to firing rockets with a range of 80 km (Abu Amer 2013a). It was widely acknowledged that the cease-fire would not hold.

Seemingly existential risks, such as the fear that Iran or its allies in Syria might use weapons of mass destruction against Israel, have also made it difficult to discuss relinquishing control to Palestinian security forces in strategically sensitive areas such as the Jordan Valley. Concerns persist that an independent Palestine in the West Bank might ultimately adopt militancy or Iranian proxy support. In January 2013, Netanyahu drew public attention to these broader security concerns, moving one of five Iron Dome defence

batteries north in case of a chemical weapons attack from across the border with Syria (Reed 2013). Israel also launched strikes against targets in Syria in May 2013 and February 2014 while the Kerry Initiative was ongoing.

Third, Israel has often found itself isolated and relying on material support and diplomatic cover offered by the United States. It was widely reported during Obama's tenure, however, that Netanyahu had alienated the US president and was undermining that historic relationship. Although the likelihood of severed relations was never high, the possibility that everyday antagonisms could lessen influence and create rifts over time was raised consistently to oppose Netanyahu's behaviour (The Times 2012).

This concern might have been amplified by Obama's nomination of Chuck Hagel for Secretary of Defence in January 2013, a slightly controversial selection given Hagel's history of criticism towards Israeli lobbying (McGreal 2013). Obama visited Israel in March 2013 to reaffirm American commitments to Israeli security against Iranian nuclear development and Syrian chemical weapons (and finalized a $10 billion arms deal with Israel, Saudi Arabia and the UAE the following month). Nevertheless, the US president's subsequent floundering over his 'red line' in Syria must have undermined those earlier reassurances (Sanger and Rudoren 2013).

Likewise, the relevant Palestinian political dimension during this period was also dominated by three potential risks to the leader or regime's survival: Mahmoud Abbas's rivalry with Mohammad Dahlan, the power struggle with Hamas, and the need to maintain a broad base of international goodwill and aid. Again, these potential 'spoilers' were evident in public discourse and diplomacy at the time.

First, Abbas has long maintained his position as Chairman of the Palestine Liberation Organization (PLO), President of the Palestinian National Authority (PNA) and key member of the Fatah party through elite consensus and tacit public acquiescence rather than through an applicable electoral mandate. By 2013, his main rival within Palestinian politics had emerged as the former head of the Palestinian Preventive Security Service (PSS) in Gaza, Mohammad Dahlan (Jaraba and Shitrit 2014).

After Hamas overran Gaza in 2007, Dahlan moved to the West Bank and became influential within Fatah and the security services. He was able to place close contacts in key positions and use foreign financial connections to maintain those alliances (Jaraba and Shitrit 2014). He exhibited skillful political manoeuvres and was able to bring adversaries, such as Tawfiq al-Tirawi, into his confidence through a shared conflict with other figures, such as Jibril Rajoub (Jaraba and Shitrit 2014). Together with supporters from across the West Bank, Gaza and multiple refugee camps, Dahlan accused Abbas and the PNA of weakness and mismanagement. The Fatah Central Committee expelled him from the organization in 2011 and attempted, unsuccessfully, to quash his remaining base of support.

Having to suppress such internal dissent to avoid provoking Israel has damaged Abbas's popular appeal, and the resumption of talks in 2013 was unpopular among his base in Fatah and the PLO. Many Palestinians feared that Israel would extend talks indefinitely to confuse, frustrate and marginalize the Palestinian cause. This was based on a relatively recent trauma. The Bush-era Roadmap had unreasonably championed an unachievable level of Israeli security as the precondition for Palestinian statehood, and former Israeli Prime Minister Ehud Olmert had agreed numerous concessions in his final days in office without the ability to follow through (Abrams 2013). To plunge further political capital into Kerry's 2013 efforts, the Palestinian delegation required quick results (Danin 2013). This urgency amid the challenge from Dahlan provided the internal context for Abbas's demands.

Second, the period before and during the Kerry Initiative witnessed new developments in rivalry between the PNA and Hamas. Israel's Operation Pillar of Defense in 2012 had eliminated the Hamas military commander, Ahmed al-Jabari, and threatened the ruinous prospect of an Israeli ground invasion (Abu Amer 2013a). This coincided with a contraction of Hamas's engagement with formal political processes.

Since its election in 2006, Hamas had represented the continuation of armed resistance against Israel, appealing to Palestinian youth as "the natural heir of Fatah's original project"

(Abu Amer 2013b). The group also derived legitimacy from a careful use of popular religious rhetoric, as well as its internationally funded social programmes providing medical care, childcare and Islamic education as well as field hospitals and funerals during the direct confrontations with Israel (Abu Amer 2013b). This freedom fighter image has frequently been used to criticize the PNA as collaborators while celebrating Palestinian unity in principle.

However, years functioning as a government in Gaza also left Hamas open to criticism over dissatisfaction with specific MPs and ministers, as well as internal disagreements between then Chairman of the Hamas Political Bureau, Khaled Meshaal, and other prominent figures in the movement such as Moussa Abu Marzouk, Ismail Haniyeh and Mahmoud al-Zahar (Abu Amer 2013b, 2013c). To avoid exposing these divisions, the group ultimately declined to participate in local elections. Instead, Hamas favoured the outsider, opposition narrative that originally defined its raison-d'être.

During this time, both Israeli and Palestinian Authority security services feared that Hamas would orchestrate 'quick win' operations, such as abductions (after a successful exchange of multiple Hamas prisoners for the IDF soldier Gilad Shalit) and further armed activities, particularly in the West Bank. Hamas even called for a third Intifada in September 2013. Such popular but disruptive activities represented a constant threat to Abbas's credibility in early 2013, both internally and externally in terms of his ability to deliver peace after an agreement.

Third, the PLO chairman was also facing broader diplomatic considerations. Foreign aid, which somewhat protected the PNA against collapse, depended on successful conflict management within PNA administered areas as well as engagement with mediated peace processes. PNA funding and diplomatic support from the Gulf had severely declined since the rise of Hamas, leaving Abbas in a somewhat precarious financial situation between American and European diplomatic preferences on the one hand and Palestinian calls for justice and resistance on the other. Seeking goodwill from further afield, Abbas met with numerous foreign leaders during this period, including Iranian President Ahmadinejad in February 2013, Chinese officials in May 2013 and Jacob Zuma while in South Africa the following year (BBC News 2013).

These factors summarize the pressing aspects of political dimensions for both Israeli and Palestinian decision-makers in 2013–2014. For practitioners seeking to apply a Poliheuristic framework in real time, this initial task of the mapping of the political dimension and its potential danger zones should be relatively straightforward. The following section attempts to understand how these pressure points might have been operationalized during the case at hand.

(B)

According to PH reasoning, and depending on each decision-maker's sensitivity to risk, these fraught political dimensions could have severely limited the available options in Stage One before a cost-benefit analysis between the remaining options could be performed in Stage Two. As this paper is concerned with conflicting parties' ability to initiate genuine talks, this section is focused on the first stage only—it asks whether risks were non-compensatory rather than whether the behaviour was ultimately optimal. In 2013, both sets of decision-makers had to choose between making concessions and not making concessions on a small number of core issues: preconditions, borders with land swaps, the right of return, security in the Jordan valley, and the status of Jerusalem. If concessions had been offered, then the exact nature of subsequent choices would have become delicate. However, both sides reneged on the preconditions and showed little willingness to offer concessions in other areas.

5.3. Preconditions

The failure to engage fully with the preconditions suggests that risk to political survival was too great. However, this generates a somewhat tautological argument. If both sets of

leadership, represented by Prime Minister Netanyahu and PLO Chairman Abbas, intended to maintain their political positions as a first priority (but not necessarily as the only goal), and the option to offer concessions was seemingly removed from the choice set without a holistic search or utility-maximising perspective, then the PH approach represents a workable model in this case. To avoid the tautology, this analysis would need to be achievable pre-emptively or in real time. The following attempts to chart how and when options may have been removed from the choice set. In practice, both sides seemed to face a great deal of pressure to engage in peace talks in which they could genuinely negotiate very little.

First, could both sides have simply refused to engage with the Kerry Initiative? Although debatable, it is important to recognize that the Obama-era United States still occupied a great deal of financial, military and normative power in the international community, meaning American wishes were not easy to dismiss.

In addition, Israeli and Palestinian interactions often operated within a zero-sum mindset. If one side refused to cooperate, that decision would have gifted the other with the moral high ground and a diplomatic victory. Therefore, refusing any participation at all was almost certainly non-compensatory for both parties. There were also political incentives to be part of the process. Peace talks promised Mahmoud Abbas more American attention, understanding and possibly aid, and Netanyahu's second-largest coalition partner (Yesh Atid) needed some involvement in peace talks to build a platform for future electoral success. Both sides had to take part, and there were benefits associated with simply appearing to be willing.

However, with regard to the preconditions, the Israeli Prime Minister faced far less political risk than his Palestinian counterpart. Abbas needed Israel to produce some tangible result early to justify his team's involvement in a process that was already perceived to have dismissed and marginalized Palestinian needs. This translated into American pressure for Netanyahu to approve the release of 104 Palestinian prisoners in four batches. All were convicted of killing Israelis and had been held since before the Oslo Accords. Discharging these men would have seemed like an Israeli sacrifice, but the same prisoners were supposed to be freed in 1999 as part of the Sharm El Sheikh memorandum. They had remained imprisoned ostensibly due to fears of violence associated with the Second Intifada. Therefore, there was a clear precedent for Israel that prisoner releases might be reversed on security grounds with near impunity.

In return for prisoner releases, Netanyahu's government required Palestinian leaders to halt any attempts at unilateral recognition via international institutions, particularly in approaching the International Criminal Court (ICC) to accuse Israel of war crimes. However, such unilateral action was not genuinely dangerous to Israeli governmental integrity. Israel could have easily absorbed the reputational costs of losing this diplomatic battle; its politicians have a long history of denying external authorities the right to comment on military methods and have often blamed anti-Semitism for sparking international criticism. Therefore, whereas a successful completion of the preconditions was absolutely vital for Abbas (in the sense that quick results were almost certainly non-compensatory), Netanyahu risked almost nothing by entering talks in principle. This imbalance of non-compensatory risks was voiced before the Kerry Initiative was announced.

However, fulfilling the preconditions in practice carried far more risk for Netanyahu than agreeing to them in theory. Although the Israeli government formed in 2013 included Yesh Atid and Hatnua rather than a coalition of purely right-wing parties, the most problematic veto player remained Avigdor Lieberman as head of Yisrael Beitenu.

The Israeli Prime Minister did not have a direct rival from within his own party. Netanyahu accepted the principle of a negotiated two-state solution in 2009, defended his mandate to pursue this outcome, and cautioned his colleagues against permitting the creation of a binational state that would erode Jewish self-determination (Sasley 2013). Indeed, following Kerry's announcement of resumed talks, Netanyahu framed the Israeli-Palestinian negotiations as a way to meet Israel's broader security needs (Sasley 2013).

However, maintaining cooperation from Yisrael Beitenu was more uncertain. A settlement resident himself, Lieberman reacted to Kerry's initiative by refusing to allow an agreement based on the 1967 borders, or any settlement freeze, and denying that Mahmoud Abbas represented the wishes of any Palestinian communities (Sasley 2013). Even the US State Department was unsure of how to handle this combination of contradictory Israeli governmental views. Former US Ambassador to Israel, Martin Indyk, had been rather scathing on this topic before negotiations commenced. "There's been no government in Israel," he told *Politico* in March 2013, "so there's been no time to prepare that. If they were going to do that, the president should have gone nine months from now—not now" (Gerstein 2013).

By November 2013, the importance of Yisrael Beintenu and of security discourses became apparent. Netanyahu adopted Lieberman's stance on the 1967 borders, suggesting (with no expectation of agreement) that the unilaterally constructed separation wall would provide a new boundary. Deputy Defense Minister Danny Danon (who had recently been elected to head the Likud central committee) was publicly promoting Lieberman's preferred annexation strategy, that "Palestinians living in the West Bank . . . be offered Israeli citizenship or residency or be made the responsibility of Jordan" (Booth and Eglash 2013). This general stance also drew support from right-wing nationalist opposition figures such as Naftali Bennet. Between them, they heavily promoted the idea that Palestinian leaders should recognize Israel specifically as a Jewish nation state as another precondition for continued talks (Lieberman 2014).

Likud ministers continued to agitate for annexation, particularly of the Jordan Valley, throughout December 2013. They remained in the minority within the Knesset (left-wing parties offered to join the coalition if peace talks caused its dissolution), but losing the support of Yisrael-Beitenu would have seriously eroded Netanyahu's ability to keep forming governments. It is reasonable to assume that his desire to resolve the Palestine issue was secondary to his desire to ensure political survival.[1] To maintain this relationship with the vocal minority, nearly 2000 new settler homes were approved in January 2014. Netanyahu and Bennett also showed solidarity the following month by storming out of a moderately critical speech made by the European President, calling it lies (Black 2014).

Against this contentious backdrop, fulfilling the agreed concessions became predictably contentious. Israel released 26 prisoners in August 2013, another batch at the end of October and the third tranche at the end of December. As these prisoners were convicted for murdering Israelis, their release prompted a series of backlashes in the press related to justice for the victims' families and the prospect that they may reoffend.

The Palestinian delegation withdrew from talks in November 2013, citing Israeli intransigence and further Israeli settlement building. Abbas also declared that he could not recognize Israel as a Jewish state because that would put non-Jewish citizens at risk of exile and deportation (Knell 2014). Yasser Arafat had recognized the state of Israel already in 1988 and 1993. By the end of December, chief negotiator Saeb Erekat declared that the talks were a failure, that Palestine should continue to seek recognition unilaterally, and that there could be no extension of the deadline. The PLO chairman and Palestinian negotiating team were precluded from continuing by the lack of quick results.

Indeed, Abbas faced a great deal of criticism for his accommodating patience. In what was presumably an attempt to appear reasonable to international audiences, Abbas commented while travelling in South Africa that he supported boycotts of settlements but not of Israel more broadly (Goldman 2013). This led to him being labelled a traitor. Commenting from Israeli prison, the widely popular figure Marwan Barghouti stated, "Any Palestinian official who lacks a democratic mandate and any real public support who today explicitly speaks against boycotting Israel only shows how aloof he is from his own people's aspirations for freedom, justice and equality, and how oblivious he is to our struggle for our inalienable rights" (Sherwood 2013). Samia Botmeh, a lecturer at Birzeit University in the West Bank, added that "Palestinians are angry and feel let down by Abbas's comments" (Sherwood 2013).

A sense that Dahlan was poised to take power intensified the risk associated with this waning public confidence in Abbas. When Dahlan reportedly met with Field Marshal el-Sisi in early 2014, Abbas struck out against his main rival by withholding the security service salaries of Dahlan supporters in Gaza. It is likely that the Egyptian meeting felt particularly undermining since Dahlan and Sisi had a long-standing working relationship from their days collaborating across the Gaza–Egypt border. An unnamed official told *Al Monitor* that, "All of that has pushed Abbas to curtail Dahlan's influence in Gaza. Sisi is finding his way to Egypt's presidency, and the PA fears that (Sisi) will be able to attract Saudi Arabia and the UAE to his side and then (pressure) Abbas (to act) in Dahlan's favor" (Abu Amer 2014). Far-reaching political interests were clearly at stake.

The snubbed employees responded by organizing a sit-in and accusing Fatah's leadership of marginalizing Palestinians in Gaza. This prompted other prominent Fatah leaders, such as Muhammad al-Madani and Zakaria al-Agha, to denounce the action in principle or deny that it was punitive (Abu Amer 2014). Rather than on Abbas directly, the controversy was blamed on Abbas-loyalist Nabil Shaath, who had also received death threats from Dahlan supporters in the past (Abu Amer 2014). Nevertheless, Abbas himself gave a speech in March 2014 and used a large proportion of this time to criticize Dahlan.

Netanyahu then refused to release the last batch of prisoners, asking for an extension to the deadline to justify their release. In retaliation, Abbas signed 15 conventions on human and social rights. In further retaliation, Israel demolished several EU-funded structures and approved another 708 settler homes in Gilo.

The problem for Abbas remained the need to have something to show for Palestinian involvement. He visited the White House in March 2014 but clearly could not commit to the Kerry plan. The PLO Chairman's domestic situation meant there was no way that the options to recognize Israel as a specifically Jewish state and to abandon the right of return were within his choice set (The Times of Israel 2014). Abbas did, however, apparently list three conditions for resuming talks after the deadline: borders to be dealt with in the first three months of talks, a total construction freeze in settlements, and the release (without deportation) of the final prisoners. Again, it is evident that quick results were paramount. As Shapland and Mekelberg note, "bad experiences with interim, partial, temporary or (solely) 'economic' solutions have caused the Palestinians to reject any further such arrangements, only a comprehensive settlement is now possible" (Shapland and Mekelberg 2018, p. 11).

Realistically, as the good faith preconditions were constantly violated and Palestinian internal politics intensified in criticism, the option to continue with Kerry's Initiative must have represented non-compensatory political risk for Abbas. He could not continue without the fulfilment of Israel's preconditions, but Netanyahu struggled to provide those preconditions while hoping to remain relevant to Israel's nationalist right.

5.4. Remaining Core Issues

In addition, even if talks had continued, each core issue would have presented similar political hazards. On borders and land swaps, there were longstanding American and PLO expectations that the 1967 borders would form the basis for negotiations, with wriggle room on discussing densely settled areas. There was some mention within Israeli circles about reprising the Sharon Plan, in which parts of the so-called Arab Triangle in the north of Israel would be transferred to a Palestinian state. This, however, was not agreed by the United States and did not fit prior, hard-won arrangements endorsed by the PLO (Winer 2014).

Security in the Jordan Valley also remained problematic. The Hamas takeover of Gaza in 2007 set a worrying precedent for both Israel and Jordan as militancy in the West Bank would be harder to contain. However, the Israeli insistence (and Jordanian preference) for maintaining a military presence in the Jordan Valley has always represented a violation of expected Palestinian sovereignty (Berman 2013). In July 2013, Abbas announced that there could not be a single Israeli in Palestine and clarified by October that this meant the exclusion of all Israeli troops.

To address the right of return, Abbas reportedly mentioned in passing that this may have to be waived to ensure a settlement. The possibility of a small number of token returns plus compensation had been part of previous discussions with Israeli Prime Ministers Ehud Barak and Ehud Olmert. However, abandoning the 'right' was wildly unpopular among young Palestinians and so a practical compromise largely depended on the belief that Israel would volunteer appropriate levels of compensation. The 2013–2014 discussions never progressed to this stage.

As possibly the most sensitive aspect of Israeli–Palestinian relations, Jerusalem was not addressed in initial bilateral meetings. Abbas and King Abdullah of Jordan signed a pact in March 2013 to protect the holy city of Jerusalem, signaling that the Palestinian negotiators would not be railroaded on this issue. Regardless, unlike Bill Clinton's complicated layered approach to the holy sites that was proffered, albeit unsuccessfully, at Camp David in 2000, Kerry's Initiative never advanced far enough to tackle the Jerusalem problem in any depth. Netanyahu announced in October 2013 that there could be no right of return and no divided Jerusalem.

It seems apparent, therefore, that the parties found themselves in an impossibly limited position at every juncture. Abbas could not engage fully without a tangible result, and Netanyahu could not produce a tangible result and expect to keep his position. It does not appear as though there was much scope for a rational cost–benefit analysis in Stage Two because no alternatives were left in the choice set after Stage One. Procedurally, this provides more insight into how political fragility functions, maintaining unripeness, despite external pressures for mediation.

(C)

Descriptively, this analysis would seem familiar to conflict analysts and specialists in the Israeli–Palestinian conflict. However, it adds an important procedural component to the search for optimal mediation conditions and activities designed to 'ripen' otherwise unripe conflicts. The insight of a PH approach is the apparent necessity to prioritize the political dimension rather than operate primarily in terms of utility maximizing 'sticks' and 'carrots' and treating political risk as just one complication among many. This subtly changes the advice offered by prominent scholars and practitioners in this area.

Richard Haass, the President of the Council on Foreign Relations, has noted the absence of ripeness in Israel–Palestine, and that "it's not right for any number of reasons" (CFR Events 2015). When pressed to explore what those reasons are, however, American former diplomats often mention the constraints of domestic politics as one of many factors (CFR Events 2015).

William Quandt, a former member of the Carter Administration actively involved in the Camp David Accords, provides seven key ingredients for American success in mediating the Israel–Palestine conflict (Quandt 2005, pp. 426–20). However, there is no sequence specified for his list of insights. Likewise, Kurtzer et al. (2013) offer 11 items that they deem crucially important for any future American mediation efforts in Israel–Palestine. The authors stress that their list of policy suggestions is indicative rather than exhaustive, but it is pertinent to note that the list is numbered without being ranked. No element of the peace process is able to be promoted as more or most important.

In addition, while there is a clear consensus that conflicting parties' political survival is crucial to diagnosing or encouraging the best timing for mediation, this recognition does not translate into a clearly articulated priority. Dennis Ross, for example, after serving as President Bill Clinton's Middle East Envoy, recognizes how political environments placed enormous pressure on both Yasser Arafat and Ehud Barak at Camp David in 2000.

Ross coherently describes the highly constraining political environments faced by both parties: Unelected leaders lack legitimacy, "(s)o they are easily put on the defensive and fear being accused of conceding principles or perceived rights. Their sense of vulnerability makes them risk-averse (. . .)" (Ross 2004, p. 762). He notes how even democratically elected leaders "(. . .) preside in a highly competitive political environment,

with governments that are always based on coalitions of different parties", again making them risk-averse (Ross 2004, p. 762). However, Ross's policy advice does not centre on ameliorating this vulnerability that is felt on all sides.

Unfortunately, risk-aversion is often treated as a moral failing of one or more of the parties involved. They are called upon to show courage or make 'tough decisions' as though no constraint is insurmountable if the leader possesses a strong enough resolve (Wright 1997; Tait 2014; The Daily Mail 2016). Ross, for example, explains the outcome of Camp David talks in 2000 in relation to the leaders' egos. Ross asks, "Was timing the issue or was Arafat incapable of transforming himself from a revolutionary into a statesman? I came to believe the latter (. . .)" (Ross 2004, p. 761). This is despite Ross's recognition that the rise of Hezbollah "raised the costs, in his (Arafat's) eyes, of making fundamental concessions" (Ross 2004, p. 761).

Martin Indyk has expressed similar frustrations with both parties regarding the overbearing nature of their political circumstances. Indyk has complained about a lack of urgency between negotiators and that "(i)t is easier for the Palestinians to sign conventions and appeal to international bodies in their supposed pursuit of 'justice'" and "easier for Israeli politicians to avoid tension in the governing coalition and for the Israeli people to maintain the current comfortable status quo" (Wilner 2014). The result is that they never feel the need to "make the gut-wrenching compromises necessary to achieve peace" (Wilner 2014).

Therefore, a Poliheuristic approach to ripeness endows some elements of existing advice on American mediation in the Israel–Palestine conflict with new relative importance that might have been useful in 2013. This perspective prioritizes key recommendations from existing advice and, in so doing, downplays the assignment of blame. Thus, there is the potential for a new model of ripeness to emerge.

In the first and most important (non-compensatory) stage, analysts and mediators hoping to understand or develop the MHS and WO must map conflicting parties' political dimensions by assessing the type and nature of risks to their political survival. This means that the mediator's priority is to ameliorate those risks, and all other recommendations for initiating or achieving successful mediation become subsidiary.

With regard to the Kerry Initiative, an awareness that quick results were a non-compensatory requirement for the Palestinians would have prompted American mediators to secure the prisoner releases and settlement freeze before all other considerations. If this was not possible, despite the diversified Israeli government formed in January 2013, then it would have been clear that fulfilling concessions was a non-compensatory task for the Israeli Prime Minister and signaled that negotiations were stillborn.

This may have prompted the Obama Administration to reprioritize their efforts in the short term. Instead of pushing for immediate talks, the White House could have heeded Indyk's warning and worked to ripen the conflict instead. This may have been pursued by helping to secure Abbas's political position through material and ideational aid while working to cement Netanyahu's relationship with Israel's centrist and liberal parties and easing the everyday indignities and violations that ordinary Palestinians endure under occupation.[2]

6. Conclusions

This paper has offered a plausibility probe that presents supplementary insights to existing work on conflict ripeness. By outlining the modelling problem created by a reliance on expected utility as an underlying framework for conceptualizing decision-making, the introduction of PH Theory offers a potentially useful alternative.

PH Theory would demand that mediation analysis and recommendations must reflect the non-compensatory loss-aversion principle. Through this prism, perceived risk to conflicting parties' political survival must be considered in the first instance when assessing the presence or absence of ripeness, and then perceived risk must be ameliorated as a first step towards developing ripeness—all other efforts seemingly risk futility. This case study

provides a note for prospective mediators on the crucial significance of appreciating conflicting parties' non-compensatory needs. It is a reminder that the appropriate conditions or timing for good faith mediation are not likely to be the result of bold leaders making the oft-demanded hard choices unless those non-compensatory needs are ameliorated first. This reinforces an understanding among diplomats that domestic political concerns not only matter, but also matter the most.

Procedurally, therefore, political fragility might be summed up as a process of multiple, severe and proliferating risks to leaders' political survival that removes key options from the choice set. This is a pathway rather than an outcome. These non-compensatory risks narrow the options that leaders are able to consider, sometimes excluding what would otherwise seem to be optimal courses of action. In this sense, political fragility might be mapped and anticipated in response to unfolding events. This probe, therefore, contributes to our understanding of the relationship between political fragility and conflict in the MENA region by indicating how fragility may be functioning in real time and so how it might be addressed in future.

Notes

[1] Although Tzipi Livni and Yair Lapid threatened to leave the government if peace talks fell apart, Netanyahu seems to have interpreted this correctly as an empty threat. The government did not dissolve until Netanyahu dismissed Livni as Justice Minister in December 2014, prompting the Yesh Atid MKs to resign at the same time.

[2] The ethical considerations for these actions are beyond the scope of this paper, but they are relevant to raise as available options tailored to the desired outcome of a formal peace agreement. This is also the approach recommended atheoretically by former US State Department official Elliot Abrams (2013).

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