

An American-imposed Peace

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Jerome M. Segal

Unilateral separation is a seductive notion, with serious flaws. It gives up land without getting peace in exchange. As a half-way withdrawal, it is likely to spur greater violence. A far more decisive approach is to have the United States impose, on both Israelis and Palestinians, a final territorial settlement, roughly along the lines of the Clinton parameters of December 2000. The United States could do this most effectively through its role as the dominant veto-power within the Security Council. Here is how it could work:

*Step 1: The UN Security Council asserts its legal authority over the occupied territories

The council would note that except for its recognition/admission of the state of Israel in 1949, the United Nations never relinquished the territorial authority it possessed at the end of the British Mandate. It would further note that the West Bank and the Gaza Strip, were not, in 1948 or 1967, nor at present, under the recognized sovereignty of any state. The council would then go on to assert that the council is the ultimate legal authority for the disposition of these areas.

*Step 2: Conditions for authorizing the PLO to establish a Palestinian state

The council would authorize the PLO to establish a Palestinian state, and will recognize that state, provided that:

- a) The state of Palestine will recognize Israel as a Jewish state.
- b) The state of Palestine will recognize Israel as sovereign within the borders established by this plan, and further agree that such borders are final, constituting [except for Jerusalem, which is deferred for three years] the end of the territorial dimension of the Israeli-Palestinian conflict.
- c) The Palestinian state will not enter into any defense or assistance treaty with any state not at peace with Israel, and until a bilateral agreement with Israel is achieved, will not import weapons.
- d) The state of Palestine will accept international inspectors led by the United States, and with Israeli participation, to ensure that such conditions are carried out faithfully.
- e) The state of Palestine will demonstrate, as a condition of recognition, a monopoly of force within its territory. This will require disarming all non-state actors.

*Step 3: Israel directed to present an interim withdrawal plan

Provided the PLO agrees to these conditions, the Security Council would then direct Israel to submit to the council, within 90 days, a plan for an Israeli withdrawal from the Gaza Strip and West Bank territory. Specific requirements would be:

- a) Israel must withdraw from all of the Gaza Strip.
- b) Israel must withdraw from at least 95 percent of the West Bank, and on a one-for-one basis, provide for a territorial swap for areas it proposes to retain.
- c) There must be territorial contiguity, with access to Jordan.

*Step 4: Council acceptance or modification of the Israeli proposal

A committee formed of the five permanent members of the Security Council, and chaired by the United States, would either accept the Israeli proposal, modify it or return it to Israel for specified amendments. Once the committee agrees on a final plan and has received from the PLO its acceptance of the conditions detailed above, the Security Council would direct Israel to carry out the withdrawal. It would further announce, that [Jerusalem excepted] the resulting border between Israel and Palestine fulfills UNSC Resolution 242 and constitutes the permanent international border, with Israel recognized as a sovereign Jewish state within that border.

*Step 5: Bilateral negotiations on the remaining issues and modifications to the separation plan.

The council would specify that if the two sides reach agreed modifications to the council's separation plan, it will accept those modifications. Negotiations on Jerusalem and refugees would be deferred for three years. At that time, the issues of refugees would be taken up, under Security Council auspices, within the context of recognition of Israel as a Jewish state, and of Jerusalem within the Clinton parameter, "what is Jewish will be Israeli, what is Arab will be Palestinian."

Following are the advantages of an imposed solution:

Unilateral separation turns land over to the Palestinians but gets nothing in return. In particular, it leads to a Palestinian state that has made no commitments with respect to security issues. By contrast this plan extracts from the PLO major concessions on final borders, weapons, alliances and international inspectors, and most importantly, on Israel as a Jewish state. It is likely that the PLO would accept these conditions. However, if the PLO refuses to meet these conditions of the Security Council, then the onus for the continued occupation will fall squarely on the Palestinians, and they will be isolated internationally. At that point, if it chooses, Israel can pursue unilateral options.

Like unilateral separation, the plan would result in Israeli withdrawal, and a Palestinian state, and leaves for the future negotiations on other issues. Because both approaches result in a Palestinian state, they share the important benefit of moving Palestinian nationalism toward the familiar

patterns of nation states with national interests to protect, and with a susceptibility to the logic of deterrence.

An externally imposed agreement, however, has particular value with respect to the problem of settlements. Under any approach, extricating the settlers from the West Bank and Gaza will be a traumatic experience that may leave scars for a generation. An evacuation which is forced by the entire outside world is "not optional." It will engender the least amount of resistance, and have the widest level of popular support. Once accomplished, it will be relatively free from never ending charges of internal betrayal.

The Security Council would require a withdrawal not to some interim territorial line, but to a permanent border between Israel and Palestine, recognizing Israeli sovereignty within that border. Thus it seeks territorial stability. Today, in Israel, this could not be accomplished through unilateral separation. The above plan, by using the Security Council, would within international law, end the territorial dimension of the conflict. Thereby, it isolates on the Palestinian side the true maximalists from the bulk of the populace. And by giving rise to a Palestinian state, it removes from the various factional forces their claim to be independent decision makers on issues of war and peace. Both factors increase the capability (and thus the accountability) of the new Palestinian government for any continuing violence.

This plan cannot occur without American leadership. There are three conditions under which this could happen. First, if an Israeli government were to signal its desire for an imposed solution. Today, this is impossible. Second, if the conflict became so heated as to generate a major threat to fundamental American security interests. And third, if there developed within Israel a substantial body of public opinion which called for American leadership of this sort. Recent polls show growing numbers of Israelis look with favor on international intervention if it will end the conflict. It is time to focus that sentiment around a specific proposal.