

Reflections on a Strategy for Independence

May 31, 2004

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Between 1975 and 1988, American diplomats, by American law, were prevented from contact with representatives of the PLO. Today, American diplomats, directed by President Bush, refuse any contact with PLO Chairman Arafat. Then, as now, the central issue was terrorism, (which can be defined as the intentional targeting of civilians). The impasse of earlier years was not resolved until Yasser Arafat, following his speech to the United Nations General Assembly in December 1988, explicitly stated that the PLO "renounces terrorism." Today, under the Roadmap, more is asked than a halt or renunciation of terrorism. The Roadmap calls on the Palestinian Authority, in Phase One, to "confront those engaged in terror" and to "dismantle terrorist infrastructure."

In this situation, we might take note of Israeli experience in 1948 with respect to the Altelena, a ship that was carrying weapons to supply Menachem Begin's Irgun. At the time, many characterized the Irgun as a terrorist organization. Rather than letting the arms shipment reach the Irgun, Ben Gurion ordered his troops to sink the ship. Twenty Irgun fighters were killed and some eighty wounded. The Altelena incident is often cited by Israelis and Americans as an example of the kind of step that Arafat must take in relation to Hamas and other groups. But the Altelena history is complex and needs to be read with some care.

First, it should be remembered that the Altelena incident occurred in June of 1948; that is, it occurred after the State of Israel had been established and recognized by the world powers. Thus, what Ben Gurion was asserting was not the dominance of his faction, but rather the standard attribute of statehood: the monopoly of power of a State within the area of its claimed sovereignty.

Secondly, it should be noted that once the State of Israel was established, Begin himself accepted the need for, at least, a partial transformation of the Irgun away from its identity as a non-state military actor. Thus, on May 15, 1948, the day the State of Israel was proclaimed, Begin went on the radio saying:

"The Irgun is leaving the underground within the boundaries of the Hebrew independent state.... Now we have Hebrew rule in part of our Homeland. In this part there is no need for a Hebrew underground. In the state of Israel, we shall be soldiers and builders. We shall respect its Government, for it is our Government."

Here Begin was not calling for the complete dismantling of the Irgun. He makes a distinction between inside and outside, between those territories under and those not under the rule of the Israeli state. Within the areas of the Israeli state, he accepted the sovereignty of the government.

Third, though the Altelena incident was a decisive turning point, the Altelena was a single

incident. It did not open an extended civil war that physically crushed and killed the Irgun forces. Rather, Irgun fighters were integrated into the Israeli Army, though in some instances they retained their separate identity until the end of the 1948-49 war, after which they either disbanded or were absorbed into the forces of the State.

What all of this should make clear is that the issue of achieving a monopoly of force is radically different in the context of the emergence of a new state. When the new state emerges, non-state actors may well understand and accept the need for a transformation in their organizations. The term "dismantling the terrorist infrastructure" rather than implying sustained military confrontation or civil war, can mean the integration of non-state fighters into the army of the state.

For Palestinian society, such an evolution will ultimately occur, and as was the case with Israel, it will likely await the establishment of the Palestinian state. The key policy questions are "When?" and "How?" The standard answer sees the establishment of the Palestinian state as dependent upon negotiations with Israel. The problem however is that the inability of the Palestinian Authority to achieve a monopoly of force has been used by the Sharon government to halt the very negotiations that could lead to statehood.

A solution to this impasse lies in taking seriously the example of the Zionist movement, which established its state pursuant to a UN General Assembly Resolution, even though that resolution (UNGA Res. 181) was rejected by the Palestinians and the Arab world. The Zionist movement did not ask for permission. They asserted their self-determination. The key question is whether, today, supported by a new General Assembly Resolution, a Palestinian state can also be established unilaterally -- without asking or gaining Israeli permission to do so.

It will be remembered that this question emerged in 1988, one year into the first Intifada. And at that time a decision was made in favor of a unilateral Declaration of Independence. This was issued at the 19th PNC which convened in Algiers in November 1988.

Palestinian experience with the unilateral assertion of independence was mixed. There was a partial success in that over 100 countries recognized the State of Palestine. However, neither the United States, Israel, nor the European nations provided recognition. Further, the United States led an effort to block the admission of the State of Palestine into United Nations agencies. Ultimately, after the US blocked State of Palestine admission into the World Health Organization (WHO), the campaign for recognition was abandoned. It was hoped, at the time, that this would result in an improvement in the newly started US-PLO dialogue under the first President Bush. Ultimately there was the Madrid conference and the Oslo agreement. But genuine statehood never emerged.

To many, a repetition of this experience must seem like a futile and empty gesture. Yet conditions have changed enough to warrant a serious reappraisal. Today, the unilateral establishment of a Palestinian State would certainly meet with greater success on the diplomatic level. Palestinian statehood, though it means different things to different parties, is now universally accepted as a goal. The United Nations Security Council has endorsed, with

American support, the goal of a Palestinian State. The Roadmap itself, in Phase Two, calls for the establishment of a Palestinian State with provisional boundaries. And if such a state achieved a monopoly of force, it is quite likely that all of the European nations would recognize it. Further, if the new Palestinian state was able to integrate non-state actors into a single state structure, it is likely that the United States would also accept, as a *fait accompli*, that a Provisional Palestinian State has replaced the PA, as was contemplated in the Roadmap for Phase Two. After all, the United States has already accepted the precedent that Israel can act unilaterally so long as its actions are "consistent" with the goals of the Road Map. If Israel can act unilaterally, then why not the Palestinians? Given its deteriorating situation in Iraq, it will be very difficult for the United States to forcefully oppose a unilateral Palestinian move to statehood.

Here is how such an approach might evolve into a strategy that seizes control of the diplomatic process and leads to genuine independence:

1. As a result of Palestinian and Arab diplomacy, the General Assembly of the United Nations, calls on the Palestinian Liberation Organization to establish the government of a Palestinian State, and to achieve a monopoly of power within Palestinian society.
2. The General Assembly further urges that this Palestinian State announce its willingness to use the Geneva Accord (as negotiated by Yasser Abed Rabbo, former head of the PLO negotiating team) as the reference framework for official negotiations with the Israeli government. The General Assembly would call for a period of nine months of negotiations to see if the two sides could reach any agreed modifications in the Geneva Accord. The Accord, as modified, would become the final peace treaty. If no modifications can be agreed upon, then it will be accepted in unmodified form.
3. The General Assembly would also call upon Israel to enter into final status negotiations with the State of Palestine on this basis, provided that the Palestinian state exercises a monopoly of power with respect to all Palestinian forces.
4. The PLO in concord with the Palestinian Authority establishes a Government of the State of Palestine. It claims as its sovereign territory all of the West Bank, the Gaza Strip and East Jerusalem. However, as requested by the General Assembly it announces its willingness to use the Geneva Accord as the starting point for negotiations with Israel.
5. The new government of the State of Palestine establishes a 60 day procedure during which any armed Palestinian factions can seek integration within the armed forces of the state. After those 60 days, it will be illegal for any individuals or factions outside of state authority to bear arms. Once 60 days have passed the monopoly of state power is vigorously enforced. This might even include the establishment of a compulsory national service program which would require the enlistment of all males between the ages of 18 and 26.
6. With the establishment of a Palestinian monopoly of power, the General Assembly calls on the Quartet to recognize the State of Palestine and to move to Phase Three of the Road Map, based

on the Geneva Accords as a starting point.

7. The State of Palestine announces its unilateral suspension of armed struggle for a period of one year so as to create an atmosphere conducive to negotiations. It calls on Israel to announce a similar cease fire.

8. The State of Palestine announces plans for its first national election. The General Assembly calls on Israel to facilitate these elections, allowing for the emergence of the first democratic Arab state.

9. At this point Israel will have to choose. Either it agrees or refuses to negotiate on the basis outlined by the General Assembly. Given that much of the Israeli public and many in the Labor Party have endorsed the Geneva Accords, Israel will face an historic decision. Possibly there will be new elections or a national referendum.

Assuming the negative case, that Israel refuses to enter negotiations, then the new State of Palestine will launch a worldwide effort to isolate Israel both economically and diplomatically. An intensive campaign using the United Nations and the World Court would be undertaken. It would have a simple focus. The State of Palestine has been established pursuant to a General Assembly resolution. It has been widely recognized around the world. Israel has refused to negotiate, thus, there is only one response: Israel must withdraw from the territory of the State of Palestine and end its blockage of borders with Jordan, Egypt and the Mediterranean Sea.

This campaign would be unrelenting, and would continue to put pressure on the United States, pressing it to join the rest of the world in calling for an end to the occupation, either through negotiations or otherwise. Given the new conditions created by:

- the achievement of a monopoly of force by the Palestinian state;
- the unilateral cease fire adopted by the State,
- the support of the General Assembly and the European states, and
- America's need to repair the damage done by President Bush's Iraq policies,

it is likely that this campaign will be successful. It should be remembered that even now a majority of Israelis already are supporting one or another plan for unilateral withdrawal from some or all of the occupied territory. Following the scenario outlined above, it can be expected that at least a substantial evacuation will be achieved. This in turn will lead to a consolidation of the sovereignty of the Palestinian state. Subsequently both states will have an interest in entering negotiations on the remaining issues including: end of conflict, Jerusalem, security and refugees. But such negotiations will be on the basis of equality: state to state.

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