

Success Requires Consequences For Failure

By John V. Whitbeck

For almost two decades, the seemingly perpetual Middle East “peace process” has been like a hamster-wheel for Palestinians and a merry-go-round for Israelis. All the movement has been a form of running or turning in place. Nothing ever really changes.

As Secretary of State John Kerry shuttles around the Middle East, ostensibly to “kick-start” a resumption of direct Israeli-Palestinian negotiations, with Israeli Prime Minister Binyamin Netanyahu insisting that any new negotiations must be “without preconditions” and Palestinian President Mahmoud Abbas insisting, among other things, that any new negotiations must be time-limited, it is worth recalling a prior negotiations resumption ceremony held at the White House on September 2, 2010.

In announcing that resumption, Mr. Kerry’s predecessor, Hillary Rodham Clinton, stated that that new round of negotiations should be “without preconditions”, as Mr. Netanyahu had insisted, and that both Mr. Netanyahu and Mr. Abbas had agreed that the negotiations should be subject to a one-year time limit or deadline, as Mr. Abbas had insisted.

That round of negotiations went nowhere, and the formally announced “deadline” proved meaningless – for one clear and critical reason.

Throughout this “peace process”, all deadlines, starting with the five-year deadline for achieving a permanent peace agreement set in the “Oslo” Declaration of Principles signed almost 20 years ago, have been consistently and predictably missed. Such failures have been guaranteed by the practical reality that, for Israel, “failure” has had no consequences other than a continuation of the status quo, which, for all Israeli governments, has been not only tolerable but preferable to any realistically realizable alternative.

For Israel, “failure” has always constituted “success”, permitting it to continue confiscating Palestinian land, expanding its West Bank colonies, building more Jews-only bypass roads and generally making the occupation even more permanent and irreversible.

In everyone's interests, this must change. For there to be any chance of true success in any new round of negotiations, failure must have clear and compelling consequences which Israelis would find unappealing – indeed, at least initially, nightmarish.

In an interview published on November 29, 2007, in the Israeli daily Ha'aretz, Mr. Netanyahu's predecessor, Ehud Olmert, declared, “If the day comes when the two-state solution collapses, and we face a South African-style struggle for equal voting rights (also for the Palestinians in the territories), then, as soon as that happens, the State of Israel is finished.”

This article helpfully referred to a prior Ha'aretz article, published on March 13, 2003, in which Mr. Olmert had expressed the same concern in the following terms: “More and more Palestinians are uninterested in a negotiated, two-state solution, because they want to change the essence of the conflict from an Algerian paradigm to a South African one. From a struggle against ‘occupation’, in their parlance, to a struggle for one-man-one-vote. That is, of course, a much cleaner struggle, a much more popular struggle – and ultimately a much more powerful one. For us, it would mean the end of the Jewish state.”

If Israeli public opinion could be brought around to sharing the perception of Israel's position and options reflected in Mr. Olmert's perceptive public pronouncements, the Palestinians would be entering any new round of direct negotiations in a position of strength, intellectually and psychologically difficult though it would be for Palestinians to imagine such a dramatic role reversal.

All that the Palestinian leadership would need to do is to state at the time that any new negotiations are launched that, if a definitive peace agreement on a two-state basis has not been reached and signed within one year, the Palestinian people will have no choice but to seek justice and freedom through democracy – through full rights of citizenship in a single state in all of Israel/Palestine, free of any discrimination based on race or religion and with equal rights for all who live there.

The Arab League should then publicly state that the very generous Arab Peace Initiative, which, since March 2002, has offered Israel permanent peace and normal diplomatic and economic relations with the entire Arab world in return for Israel's compliance with international law, remains on offer but will expire and be "off the table" if a definitive Israeli-Palestinian peace agreement has not been signed prior to this one-year deadline.

Framing the choice before Israelis with such clarity would ensure that the Israeli leadership would be inspired -- indeed, compelled – to make the most attractive two-state offer to the Palestinians which Israeli public opinion could conceivably find acceptable. At that point – but not before – serious and meaningful negotiations could begin.

Israel's vast colonization program may already have made it too late to achieve a decent two-state solution (as opposed to an indecent, less-than-a-Bantustan one), but a decent two-state solution would never have a better chance of being achieved. If it is, indeed, too late, then Israelis, Palestinians and the world will know and can thereafter focus their minds and efforts constructively on the only other decent alternative.

It is even possible that, if forced to focus on the prospect of living in a fully democratic state with equal rights for all its citizens -- which, after all, is what the United States and the European Union hold up, in all other instances, as the ideal form of political life -- many Israelis might come to view this "threat" as less nightmarish than they traditionally have.

In this context, Israelis might wish to talk with some white South Africans. The transformation of South Africa's racial-supremacist ideology and political system into a fully democratic one has transformed them, personally, from pariahs into people welcomed throughout their region and the world. It has also ensured the permanence of a strong and vital white presence in southern Africa in a way that prolonging the flagrant injustice of a racial-supremacist ideology and political system and imposing fragmented and dependent "independent states" on the natives could never have achieved. This is not a precedent to dismiss. It could inspire.

Any new negotiations toward ending the occupation of Palestine on a two-state basis and achieving peace with some measure of justice must be subject to a genuine and credible "final" deadline for success and must have clear and unambiguous consequences for failure. Whether the future of the Holy Land is to be based on partition into two states or on full democracy in one state, a definitive choice must now be made. A fraudulent "peace process" designed simply to kill more time can no longer be tolerated.

John V. Whitbeck is an international lawyer who has advised the Palestinian negotiating team in negotiations with Israel.