

MOBILIZING FOR SEPTEMBER?

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The reconvening of the UN in late September and the possible recognition of a Palestinian state within the 1967 borders may be a crucial political moment in the struggle for Palestinian liberation – or not. Israeli Defense Minister Ehud Barak has characterized it as a looming “diplomatic tsunami” for Israel; Ali Abunimah, a prominent Palestinian-American commentator, calls it a “sideshow,” an “elaborate farce.” As yet, there has been little if any substantial discussion among activists regarding its significance or lack thereof, or whether and how we should mobilize around it.

In fact, there are a number of key events (or, it appears, non-events as well) leading up to September which also deserve our attention:

- On April 15th the Quartet (the US, Europe, Russia and the UN) was to meet for an already delayed, last-ditch attempt to “restart” negotiations. Britain, France and Germany, frustrated by the inability of the US to pressure Israel into agreeing on the bare minimum for getting talks started again (a halt to Israeli settlement construction and an agenda that deals squarely with final status issues: borders and sovereignty, Jerusalem, refugees, water and security), had prepared a tough statement on settlements. The US summarily cancelled the meeting, explaining that “It was not the right time.” With no prospect for a meaningful “Bar Ilan 2” speech outlining a “new” Israeli peace initiative and no more scheduled Quartet meetings, it is clear that “negotiations,” begun twenty years ago in Madrid, are finally over.

That is a good thing. The “fog of negotiations” must be cleared since, as part of an empty, interminable “peace process,” it serves one purpose only: prolonging the Israeli Occupation. The American cancellation of the April 15th meeting is especially significant (and hypocritical) given that the excuse Americans gave for vetoing the Security Council resolution on settlements last month was that negotiations are the only way to end the conflict. Ideally, the response of the other three Quartet members would be to formally declare the “peace process” ended, opening the way to the only other alternative, the acceptance in September of Palestine as a member state of the UN within recognized borders. That will not happen publically, so it is crucial that the Palestinians declare it, making it clear that it was Israel that led to the collapse of negotiations. Only in that way can they prepare the ground for an independent state in September.

- There are as yet, however, a few more way stations on the road to the UN. In May, Netanyahu may address, for the second time, a joint session of the American Congress. This is his audience: Democrats and Republicans, liberals,

conservatives and Tea Party Christian Zionists. Congress represents Israel’s trump card. Netanyahu believes, with perfectly good reasons, that it will prevent the Administration from putting undue pressures on Israel, will ensure that it not allow any resolution of Palestinian statehood to come before the UN, and if it does, will certainly dictate another American veto.

- In late May the latest Freedom Flotilla, fifteen boats with activists from more than twenty countries, will attempt to break the Israeli siege of Gaza. The Israeli government has already called on the UN and the international community to stop it; in the past few days it has indicated that it might actually allow the Flotilla into Gaza. These are signs of Israel’s rising desperation as September closes in.

There will undoubtedly be other feeble attempts to derail September. Netanyahu, who himself admits there is nothing to negotiate, is mulling a unilateral withdrawal of Israeli troops from parts of the West Bank and giving the PA a little more land. More likely, Israel will try to deflect the trajectory towards September by attacking Gaza – Israeli officials are already talking openly about Operation Cast Lead 2 – or carrying out the ultimate act of deflection, an attack on Iran.

The Palestinian Authority, which over the years has failed to mobilize its greatest resource and ally, grassroots activists the world over, also needs to provide them with guidance and leadership. We have no idea where the PA is heading. Fayyad, the (non-elected) Prime Minister, has declared an intention of seeking Palestinian membership in the UN in September, the culmination of his two-year plan of building a Palestinian state “from below.” Abbas is being coy. At times he suggests that declaring statehood is the only way forward, at other times he explicitly rejects such a move. After the failure to convene the April 15th Quartet meeting and faced with American intentions to “a new push to promote comprehensive Arab-Israeli peace” – code for yet more interminable “negotiations” leading nowhere – it should be clear that the negotiation phase of the phony “peace process” is over. The Fog of Negotiations has cleared. UN acceptance of a Palestinian state within recognized borders becomes the only option left for the Palestinians. Abbas should say this loud and clear. In this context attempts to reconcile with Hamas so as to form a united front takes on added urgency.

If Abbas has other ideas, if in fact he is unwilling to abandon fruitless negotiations and does not intend to approach the UN in September, he should tell us

September

Should the Palestinians ask the UN to accept them as a member state within the borders of 1949/1967? This is a question that preoccupies many activists, especially those who have abandoned the two-state solution for that of one state, be it unitary or bi-national. The judgment is ultimately a Palestinian one, of course. We non-Palestinians can only hope for a vigorous debate within Palestinian society – in the Occupied Territory, within Israel, in the refugee camps and across the Diaspora – which will point us the way. Does September represent a momentous political moment? Israeli General Amos Gilad, head of the Ministry of Defense’s diplomatic-security bureau, warned that “the beginning of Israel’s isolation in September will be no less severe than war.” If so, how should we react? If not, what are the alternative paths for resolving the conflict?

Leaving aside these questions for the moment, what is likely to happen in September? There appear to be two possible scenarios: either a Palestinian state within specified borders is accepted as a full member of the UN or, for whatever reason, it is not. Let’s trace out these scenarios with an eye to civil society’s role.

Scenario 1: Palestine becomes a member state of the UN within recognized borders.

Having (hopefully) prepared the ground well for its admission to the UN, the Palestinian leadership (ideally a broad unity government) would first declare Palestinian independence within specified borders and then submit an application to the Secretary-General, confirming its obligations to the UN Charter. The application then goes to the Security Council. If the Palestinian application wins the support of nine of the 15 Security Council members and all the five permanent members, a recommendation for admission goes to the General Assembly, which must approve it by a two-thirds majority. The Palestinian application would receive near unanimous approval, especially given the pre-condition that the US vote in the Security Council is either a “yes” or an abstention.

There are those who dismiss such an initiative as merely symbolic, with no pragmatic consequences for the Palestinians. Although it is impossible to predict how post-acceptance events would play out, admission to the UN would have several important repercussions:

- A recommendation for admission of the Security Council, followed by an overwhelming endorsement by the General Assembly (with only Israel and Micronesia, its staunch ally in the Pacific voting “no”), would place Palestine formally among the member states of the UN. Not only would it have ambassadors in the capitals of the world, it would also enjoy unmediated access to all the instruments of the international community: the right to introduce UN resolutions, to participate fully in international conferences and to pursue the application of international law against the Israeli Occupation, including access to the International Court of Justice.
- Palestine would have recognized borders (the 1949 armistice lines, upon which there is an international consensus) and would no longer be pressured to negotiate territorial swaps, to “adjust” borders to accommodate Israeli settlements in East Jerusalem and the West Bank or

to accept exaggerated Israeli security demands such as exclusive Israeli control over water, borders with Arab countries, Palestinian air space and Palestinian communications, even over the ability to enter freely into foreign alliances.

Admission to the UN would also end all ambiguity over occupation itself, which has allowed Israel to avoid accountability under international law. Admission to the UN forecloses the need for negotiations. East Jerusalem is Palestinian. Period. The Israeli presence in sovereign Palestinian territory is illegal. Period. Continued occupation by Israel, which would now clearly violate the most fundamental principle of sovereignty upon which the entire international system is based, would become intolerable. This would activate international sanctions on Israel that could not be prevented by the US and Europe.

And what about the settlements? Easy. All settlements built on private Palestinian land must be removed. As to the others, including the large settlement blocs, the Palestinian government could simply: you, the settlers, are welcome to stay in your homes, but you will be living in Palestine, subject to Palestinian laws, with Palestinians free to purchase homes in your communities. The likelihood, of course, is that the settlers would leave voluntarily, their homes sold to Palestinians for whom they would represent a bank of high-quality housing. If played right, the settlement issue in this scenario would merely dissipate.

- In a recent article in *The Guardian*, Oxford academic and former PLO negotiator Karma Nabulsi argued that the time had arrived for a truly representative Palestinian government. Elections should be held for the Palestinian National Council, the Palestinian parliament in exile, which represents the entire Palestinian people: those in the refugee camps as well as those under military occupation, those living in Israel as well as those in the far-flung Diaspora. Placed within an effort to achieve independence by September, elections for the PNC could lay the foundations for a transitional government similar to the ones arising in the wider Arab world.

The chances of the US actually allowing a Palestinian state to emerge in September is minimal, if only because Congress would not allow it. But if, surprisingly, it does happen, what should be the civil society response? The issue seems clear: removing the Israeli presence from Palestine. The BDS movement would certainly be a part of this effort, but now it would receive significant backing from governments, including some European governments, that is presently lacking. And the campaign would have the backing of international law as well. Again, in this scenario we would have instruments at our disposal that are today lacking, in particular tribunals for the application of international law and sanctions, both international and of individual countries.

Scenario 2: Palestine does not become a member state of the UN.

If the Security Council does not recommend Palestine for membership, the General Assembly may send the application back to the Council with a strong recommendation to reconsider. We could speculate over what would happen and whether in that case an American veto might become an abstention, but the

likelihood is that a Palestinian state will not become a member of the UN in September.

What then? The PA cannot survive when there is neither a credible political process nor any prospect of Palestinian independence; it is likely to either resign or collapse. If this happens and the Occupation is thrown back into Israel's lap, it will likely have to reoccupy the Palestinian cities and, so as to prevent Hamas from stepping into the breach, Gaza as well. Merely the threat of that would inflame the entire Muslim world – and beyond. Even the threat of such a thing happening would force the hand of the international community. Whether the US would be pulled into joining international efforts to resolve the Israeli-Palestinian conflict once and for all or whether the rest of the world would simply pass it by is an open question, but the *status quo* would become intolerable.

Who knows where this would all lead? Three things, however, seem certain:

1. That the present situation is unsustainable, if only because of the global disruption it is causing;
2. That the lineal “peace process” of the past twenty years – defining the problem, negotiating its solution and then actually resolving it – is bankrupt and over; and
3. That the present deadlock, if not resolved by the establishment of a sovereign Palestinian state with recognized borders, will lead to collapse and chaos. If we are faced with nothing but another American-led “push” for negotiations, then this is a good thing. Only the bursting apart of the exhausted “peace process” will lead to new opportunities to resolve the conflict, new openings and possibilities, a new logic and strategy, even new players (such as Palestinians outside of the Occupied Territory, new Palestinian leadership and governments joining actively with civil society to resist the Occupation). Hopefully the very threat of collapse and chaos turning into violence will ensure a peaceful transition to resolving the conflict.

In such an open-ended and unpredictable scenario, the role of civil society becomes even more central than today. We must act to protect the Palestinians from a renewed, violent and even more repressive Israeli occupation; we must effectively advocate for sanctions and the application of international law, engaging with governments in ways we have not until now, making any attempt at re-occupation unthinkable; and we must become watchdogs monitoring any subsequent political process to ensure that it does not perpetuate the Occupation or lead to Israeli apartheid or, worse, the permanent warehousing of the Palestinians. Perhaps not agreeing on a particular solution, we should be able to agree on a set of principles that must guide *any* attempt to achieve a just solution. At a minimum they would be:

- A lasting peace inclusive of all the peoples living in Palestine/Israel;
- A peace that provides economic viability to all the parties;
- A peace based on human rights, international law and UN resolutions;
- An addressing of the refugee issue, based on the right of return and Israeli acknowledgement of the role it played in driving the refugees from the country;

- Addressing the security concerns of all the parties and countries in the region; and
- Addressing the other outstanding regional issues that stand in the way of equality, justice, peace and development.

The Challenge of September

There is, I suppose, a third scenario: finessing. Netanyahu told EU representatives recently that the UN has often adopted “anti-Israel” resolutions, that the “peace process” has experienced repeated ups-and-downs and that “no one can impose a peace on Israel.” Under US pressure, the EU and its member states, never truly keen on crossing swords with either the US or Israel, could agree to yet another interminable round of negotiations, accompanied perhaps by some nominal Israel concessions, that would get them past September. Then we enter 2012, the year of the American elections, and any attempt to resolve the Palestine issue is effectively put off till 2013 or longer. Whether or not the PA would go along with this ploy would constitute a precise measure of whether it is a collaborationist regime or not. Regardless, it will not last until 2013, meaning that the scenarios laid out above – with or without a general conflagration in the Occupied Territory and the region – will likely hold even after September.

How to respond to the current political moment is a challenge to all grassroots movements and organizations. Until now there has been virtually no discussion among the hundreds of grassroots groups working on the Palestine issue of September and how we should address it. There has been no leadership on this issue on the part of Palestinian organizations, either in the Occupied Territory or abroad, and no hint that any of the activist community – Palestinian, Israeli or international – is considering any new forms of action or initiative. Collectively we have done amazing work over the past decade and more, raising the Palestine issue to the level of the anti-apartheid struggle. If we have reached the present crisis, it is due in no small part to our exposing the deceitfulness of “negotiations” and making the Occupation truly intolerable. Do we now ignore the political moment before us or engage, and how?

Ali Abunimah's critical views expressed in his recent essay *Recognizing Palestine?* point to an urgent need for urgent civil society consultations. Activists in Palestine, in Israel, in every corner of the earth should be sharing their analysis, views and ideas. September is coming whether we are ready or not. Like it or not, we are part of a political process together with governments. That process, moreover, has a clear political goal: ending the Occupation and achieving a just peace between Israelis, Palestinians and their neighbors. I would argue with Ali that our ongoing campaigns and actions, from BDS, lobbying, international mobilization and pressing for the implementation of international law through resisting house demolitions and the displacement of Palestinians in Bil'in, Sheikh Jarrah, Silwan and the Jordan Valley, are important and must continue. But I don't think they alone add up to a political force capable of ending the Occupation or of achieving a one-state solution. We are in a bad marriage with governments – the Palestinian Authority included. We the people can only bring the issue so far. We are not elected, have no defined constituencies, do not negotiate and cannot sign treaties or peace agreements. We alone cannot

resolve the Palestine/Israel conflict. At some point we must pass the baton to governments. Preferring conflict management over conflict resolution, they will not do the right thing on their own. They will move towards a genuinely just solution only with our constant prodding, and even then we must monitor the process closely in order to keep it honest.

If the PA will engage with the grassroots in Palestine, Israel and internationally, if they see it as a strategic necessity to mobilize their base – us – then perhaps September can be turned from a farce into leverage for genuinely ending the Occupation. September will in no way not mark the end of the struggle. The broadly representative government envisioned by Karma, over which young people in Palestine are demonstrating daily, must

replace the PA, and a focused international campaign to clear Israel out of Palestinian territory must be launched. It must be made clear as well that the “two-state solution” is merely a stage towards the eventual emergence, peacefully and by consent, of a single state, whether democratic or bi-national. And that, in the meantime, the right of return must be affirmed and the rights of Palestinian citizens of Israel protected.

The September initiative does not exist on its own. It is part of a wider political campaign. But by the same token, if it does represent a significant opportunity to further the liberation of Palestine, do we have the luxury of ignoring it? The discussion must be held, and soon.

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