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Israel and Palestine: Can peace talks resume?

LSE Ideas

By Anne de Jong

It all started so promisingly—the famous Cairo speech on the 4th of July by President Obama, the appointment of Northern Ireland peace broker George J. Mitchell as his special envoy to the Middle East and an unprecedented commitment from Secretary of State Hillary Clinton.

Yet barely one year in, preconditions kept the negotiation table untouched, the situation in Gaza in a state of ‘permanent humanitarian crisis’ and prominent commentators already declared this new initiative dead. With even the ever optimistic Mitchell acknowledging ‘unforeseen complexities and difficulties,’ one should ask: Are peace talks possible in Israel/Palestine?

Negotiating Negotiations

One would assume that negotiations start at the negotiating table, but the first obstacle to resuming peace talks is preconditions made by both the Palestinian Authority and the Israeli State. The Palestinian Authority demands a full settlement freeze because, as Palestinian lawyer Michael Tarasi put it, ‘we are negotiating about dividing a pizza and in the meantime, Israel is eating it.’

A settlement freeze was fully supported by the U.S. administration with a strong statement by Secretary of State Hillary Clinton: “The president wants to see a stop to settlements-not some settlements, not outposts, not ‘natural growth’ exceptions. That is our position.”

When Israeli Prime Minister Benjamin Netanyahu rejected this position, however, no sanctions or pressures were put in place. Rather than placing conditions on loan guarantees or limiting military aid, Clinton applauded Netanyahu’s offer of ten months settlement restraint and labeled it ‘an important step forward.’

This settlement restraint does not concern expansion in occupied East Jerusalem where the construction of almost 700 new apartments has just been approved. Nor does it cover infrastructure development to and from settlements in the West Bank. Welcoming Netanyahu’s settlement restraint, and thus renouncing their own demand for a full settlement stop, not only labels the U.S administration as inconsistent, but more seriously it endangers the credibility of Palestinian President Mahmoud Abbas.

He has already finished his term in office without elections and made little progress toward overcoming the internal rivalry between Fatah and Hamas. He cannot come to the negotiation table without losing the already fragile support of the Palestinian people as long as settlement construction is ongoing.

In addition, Israel put forward a precondition for negotiations which it knows that no Palestinian leader can accept: the recognition of Israel as the ‘nation-state of the Jewish people.’ The PLO already recognized the right of Israel to exist as a state in 1993 in a series of official and public letters leading up to the Oslo Accords. The difference this time lies in the acceptance of the national character of Israel as Jewish. This would predetermine negotiations on the “right of return” of Palestinian refugees and further relegate the status of Palestinian-Israelis to non-nationals.

Knowing quite well that the Palestinian Authority cannot afford to disregard 1.5 million Palestinians living in Israel and approximately 5 million refugees and their descendants living in the diaspora, it appears that Netanyahu is stalling if not sabotaging any final status negotiations. And where the Obama administration proved to be flexible on the precondition of a settlement freeze, they blindly accept this far-reaching Israeli demand.

What kind of Peace?

It is possible, though unlikely, that the U.S. might use their economic muscle to force both parties to the table. Once there, however, the 'endgame' looms large. With an apparent worldwide consensus for a two-state solution, it will be Mitchell's job to transform this consensus into a pragmatic peace process.

The Palestinian demands are clear: a sovereign Palestinian state on the West Bank and Gaza with East Jerusalem as its capital. A full withdrawal from the Occupied Territories would not only halt Palestinian hostilities towards Israel, but would also guarantee full normalized relations with the 22 surrounding Arab countries, in line with the 2002 Arab Initiative.

Israel's demands are less straightforward. While Netanyahu expressed the wish for an independent Palestinian state to be created alongside Israel, his Four No's would prevent any pragmatic steps towards that end.

According to Palestinian chief negotiator Saeb Erekat, Netanyahu's Four No's—No to a settlement freeze, No to dividing Jerusalem, No to 1967 borders and No to refugees—would render impossible 'a viable, independent, and sovereign Palestinian state.' Netanyahu's vision of a demilitarized Palestinian state without control over its own borders, riddled with Israeli settlements and with a continued Israeli military presence in the Jordan Valley would create a 'Palestinian state' without sovereignty or independence at all.

Peace or Justice

That brings us to the disturbing contemporary reality: a stalemate in negotiations with an eerie resemblance to the 2000 Camp David breakdown. Without Jerusalem, without sovereign borders, and without at least compensation for the refugees, Palestinians are left with Netanyahu's vision of an 'economic peace' under complete Israeli military control.

Gaza would remain isolated and the West Bank divided into pockets of Palestinian reserves. East Jerusalem, whose annexation by Israel is unrecognized by the international community, would see a continuation of house demolitions and evictions. The status of 1.5 million non-Jewish Israelis as second class citizens would not be addressed, and continued institutional and social discrimination against them would be justified under the banner of the Jewish State.

Are peace talks possible? Sure. But without Jerusalem or viable final borders on the table—without talks that are rooted in international law—they will be empty at best. At worse, they will be a fig leaf for ongoing settlement expansion in the West Bank, ethnic cleansing in East Jerusalem, collective punishment in Gaza and continuing military oppression based on ethnic segregation.

Perhaps a more apt question would be: Would peace talks under current conditions be part of a genuine peace process or merely a continuation of the rapidly-deteriorating status quo?

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