

Essentials for a Lasting Peace in the Middle East

What Must be on the Table

by David A. Hartman

No solution to the conflict between Israel and the Palestinians is possible unless we clearly define the obstacles that can and must be surmounted.

This conflict, which culminated in open warfare in 1948, is rooted in the incompatible claims of two distinct groups regarding the same territory and resources. In 1947, the United Nations partitioned the western and southern parts of the Mandate of Palestine (“Cisjordan”), creating the state of Israel, which was intended for the resettlement of Jewish refugees from World War II. The balance, encompassing the West Bank and Gaza, was to be a Palestinian homeland affiliated with Jordan. At intervals since 1948, hostilities have included the participation of Arab League nations in open warfare. At other intervals, cease-fires and peace negotiations have temporarily suspended the war. The underlying state of emergency, however, has never ceased.

Repeated attempts by the United States to broker peace—Camp David I, the Oslo Accords, Camp David II, and President George W. Bush’s Road Map—have thus far proved futile. Before the successful peace negotiations between Israel and Egypt and those between Israel and Jordan, it was not apparent that the Arab nations would accept a peace that recognized the legitimacy of the state of Israel; today, however, this is no longer the case, as was demonstrated by the Saudi peace initiative of 2002.

Many facets of the peace process are open to debate, but this much is clear: A lasting peace is not possible unless each party accepts the right of the other to exist. Unfortunately, neither side’s leadership has been willing to make the necessary compromises that would enable the peaceful sharing of one country or, alternatively, that would secure a peace agreement that defined the boundaries of two sovereign states. The Likud Party leadership has permitted a continuing Israeli expansion of permanent settlements, outposts, and barriers in Palestinian territories (even during negotiations). It has continued to express its commitment to permanent Israeli occupation of the West Bank, in diametric opposition to the objective of “land for peace” negotiations. The extremist factions of the Palestinians, on the other hand, have shown no inclination to entertain an end to hostilities that does not include the “right of return” of their refugees, whose influx would dramatically alter the demographic balance in Israel, and they have remained committed to the “total liberation of Palestine.”

The recent Geneva Initiative has provided encouraging prescriptions for a *real* road map toward the creation of a nonmilitarized Palestinian state policed by its own security force. In addition, the initiative calls for the establishment of a multina-

tional force “to provide security guarantees to the Parties as a deterrent, and to oversee the implementation . . . of the Agreement,” which would “only be withdrawn . . . by the Agreement of the Parties.” Jerusalem would be policed primarily by Israel. An implementation and verification group would be established by the parties and would include the United States, Russia, the European Union, the United Nations, and other entities to be agreed upon by the parties to oversee the multinational force and implementation of the agreement. This would provide the necessary security for the evacuation of Israeli military and settlements on an expedited timetable of 36 months.

The Geneva Initiative recognizes the harsh reality of the situation: Peace will be dependent upon a clear separation of the hostile parties into equally sovereign states with mutually agreed-upon permanent borders.

The original borders of the state of Israel were established by the U.N. Partition Plan of Palestine in 1947, which assigned 57 percent of the land area to Israel. By the end of the 1948-49 war, Israel had expanded her land area to 79 percent of the former Palestine, and, by 1967, she had occupied the remaining land of the Palestinian territories as well. Following the Six Day War of 1967 and the Yom Kippur War of 1973, U.N. Resolution 242 called for a “withdrawal . . . from territories occupied in the recent conflict,” which has generally been interpreted to mean the pre-1967 borders. This “green line” remains the internationally accepted borders of the Palestinian territories. The occupation of the Golan Heights, taken from Syria and still held by Israel, did not involve the Palestinians, while the Sinai Peninsula was returned to Egypt as a consequence of the 1982 treaty.

Starting with the 1967 occupation of the Palestinian territories, Israel commenced building settlements, bypass roads, and military checkpoints, a process which accelerated under Prime Minister Menachem Begin. They were substantially funded by U.S. “resettlement grants” and loan guarantees and mostly built upon confiscated Palestinian land in the territories. Currently, there are approximately 150 settlements in the territories, housing 210,000 settlers in the West Bank and East Jerusalem (with a goal of 250,000 by 2010), and few settlements in the Gaza Strip.

The clear intent to make these settlements permanent was shown by the corridors of settlements Israel proposed to retain in her proposals for the Camp David II peace plan. If accepted, this plan would have further shrunk the West Bank territory provided for the Palestinians and segmented it into cantons encircled by Israel. This division, in the beginning, would have been on a “temporary basis,” establishing corridors of occupation that would seal off Palestinian territory from the banks of the Jordan River and from Jordan herself. While this

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isolation would have been eliminated (eventually), the principal segmentation, an Israeli enclave of “Greater Jerusalem” extending to the Jordan River, would have remained. The Camp David II proposals did not reasonably provide for Palestinian West Bank sovereignty or territory, and the predictable result was to incite another round of terrorism, which justified Israel’s military retaliation.

The Geneva Initiative, by contrast, recognized the green line as the basis for real border negotiations with the Palestinians. Any addition or subtraction of land would be considered on a one-for-one basis based on like value. The initiative also calls for the removal of all Israeli settlements from Palestinian territories and a provision for real sovereignty—namely, the ability of the Palestinians to govern all of their citizens and land area uncompromised, other than by their agreement to be a “nonmilitarized state.”

Unfortunately, Israeli Prime Minister Sharon has acted unilaterally to build “security” fencing according to proposals by his military along the lines of Camp David II, with comparable additional Israeli annexation of Palestinian territory.

A viable peace will come only if the problem of the Palestinian refugees is resolved. As of 1998, Miftah listed a total of 7.8 million Palestinian Arabs worldwide. Nearly half of them—3.7 million—qualified as refugees under UNRWA’s operational definition of “persons whose normal place of residence was Palestine between June 1946 and May 1948, who lost both their homes and means of livelihood” as a result of the 1948 war, or their descendants (www.un.org/unrwa/refugees/whois.html). Some 1.2 million still remain in 59 recognized refugee camps, more than a half-century after the first war. All 3.7 million of these refugees cannot be realistically repatriated. Unlimited “right of return” will not be acceptable to Israel since this would dramatically change her character as a homeland for the Jewish people. A majority of these refugees do not desire to live in Israel anyway: A recent survey found that only ten percent of them wish to live in a Jewish state, and, of those, only ten percent desire Israeli citizenship (www.hashd.org/english/Shikaki.htm).

Where and how could the Palestinians who are currently in refugee camps be resettled? Jordan might accept the 300,000 in her refugee camps, or possibly more, if she is provided the economic assistance and water resources necessary to develop arable but presently uncultivated land. The remainder could be relocated in the West Bank (with the necessary development assistance), if the majority of the 210,000 Israeli settlers in the West Bank, along with those in the Gaza Strip, return to Israel. The balance of registered refugees should be entitled to restitution based on the circumstances of their relocation. Restitution should also apply to up to one million Jewish refugees forced to immigrate to Israel from the Muslim world in retaliation for the Arab-Israeli wars. Restitution funding may also provide a financial incentive to the current host countries to accept the Palestinians as citizens.

The city of Jerusalem is sacred to three principal world religions; before the permanent boundaries of the Israeli and Palestinian states can be determined, there must be agreement on its status. Jerusalem poses the most difficult test of the possibility of peaceful coexistence of the Israelis and Palestinians. The area including and surrounding Jerusalem contains concentrated populations of both Israelis and Palestinians, as well as religious sites of international importance. The proximity

and concentration of indigenous citizens and tourists provides targets for terrorism, and the sacred sites provide the opportunity for incendiary incidents.

The division of the population of Jerusalem in 1947 at the time of partition recognized the Jews in the west side and the Arab Palestinians in the east. The green line that Israel unilaterally drew in 1949 still encompasses the primary legitimate concentration of Jews in Jerusalem. After 1967, the Israelis ignored it and began to form settlements throughout East Jerusalem. The “municipal border” declared by Israel in 1980 annexed a much larger metropolitan area, including Palestinian East Jerusalem.

The past six decades have been a disaster for the Palestinian people. U.S. support of the Israeli economy and military has exceeded \$100 billion; if we include indirect military costs, that figure could be well over \$250 billion. Beyond U.S. military assistance, one can only guess at the enormity of wasted costs that have failed to bring the conflict one step closer to resolution.

The continued building of Jewish settlements in much of East Jerusalem and its suburbs has compounded the problem of resolving the city’s future. Jerusalem, however, is not Mecca, being interwoven in the foundations of both the Jewish and Christian religions. The Jews have the more compelling case to be the principal custodians of Jerusalem, provided the rights of all parties are preserved. Israeli Prime Minister Ehud Barak’s proposals at Camp David II suggested a far larger area of Israeli control of Jerusalem than had any previous proposals, and President Clinton’s “bridging proposals” were nearly as one-sided, not only for the Jerusalem area but for retention of settlement corridors, with little *quid pro quo* offered to the Palestinians.

Israel’s principal concern is her internal security. The peace treaties she has concluded with Egypt and Jordan have provided undisputed foreign borders to the east and the south, and mutually acceptable borders have been tacitly agreed upon with Lebanon. Only the Golan Heights, Syrian territory occupied by Israel since the 1967 Six Day War, remains in dispute. During the Oslo negotiations, even a resolution between Syria and Israel over the Golan Heights appeared to be possible as

part of an overall accord between Israel and Palestine.

With Iraq's demise as a military power and Israel's friendly relations with Turkey, only Syria and possibly Iran remain potential foreign threats. From a military view of security, Israel holds a decisive strategic edge. The leaders of most Arab states believe that Israel enjoys decisive military superiority and are aware of their own states' comparative weaknesses in all of the traditional areas of power. Israel may continue to have greater capabilities, but her small territorial size makes her more vulnerable to weapons of mass destruction. Peace accords with the intent of a regional ban on WMD's should eventually be pursued as the final commitment to a lasting peace.

Given the relative prosperity of the Israelis, our financial support of Israel's military establishment and economy would be better spent on helping to finance the settlement of Palestinian refugees and developing the necessary infrastructure that will be required to ensure a successful and lasting resolution of the conflict.

Internal security, on the other hand, has been elusive, as terrorism has rendered the dream of a return to the Holy Land a nightmare. This can only be remedied by a proper resettlement of the Palestinian refugees and a guarantee of territorial security for the remaining Palestinian residents, which entails the creation of an independent and sovereign Palestinian state.

Palestinians who are accepted as permanent residents in Israeli territories, as well as any residual Jewish settlers accepted by the Palestinians (and any other minorities), must be granted equal rights as citizens. This would include the privileges of suffrage, representation, holding public office, and civil and criminal justice. At the same time, they must be subject to taxation, military service, and the legal restraints required of any other citizen. The assurance of these rights should be provided by the constitution of a republic whose officials are elected by the citizens to whom they are accountable. In order to assure the acceptance of these and other commitments to the implementation of peace accords, an international military force, as proposed by the Geneva Initiative, should be employed to suppress any internal insurgencies or problems at borders.

A comprehensive peace treaty should include an agreement regarding the equitable sharing of water resources between the Israelis and the Palestinians, as well as the neighboring states of Jordan, Lebanon, and Syria. Merkorot, the Israeli water utility, controls two thirds of the water development, storage, and distribution for both Israel and the occupied territories, totaling around 2,000 MCM per year. As of 1996, it is estimated that the Palestinians in the West Bank and Gaza were being allotted only 12 percent of combined water usage; the average Israeli consumes more than three times as much water for residential purposes than that which is provided to the average Palestinian. Israel uses over half of the combined water supply for an agricultural sector that provides less than three percent of GDP, whereas Palestinian agriculture is generally unirrigated. Only Merkorot is allowed to dig deep wells in the West Bank, and it pumps the principal output from these wells to Israel or Israeli settlements, which, as an extraction of resources from occupied land, violates international law. While Palestinians are prevented from digging deep wells and drawing water from their West Bank aquifer, Israeli settlements in the West Bank alone now draw more water from deep wells than the total amount allowed to the West Bank Palestinians.

An equitable water-sharing agreement with all riparians of the Jordan River—Israel, Jordan, Palestine, and Syria—under peaceful circumstances could be a “positive sum game.” The damming of the Yarmouk River and an end to interference with its water distribution could provide Jordan with an additional 200 MCM per year, which could assist in the resettlement of refugees. Construction of wastewater plants in Jordan and the West Bank and increased surface water capture could augment the water supply. Given a regional peace, a still-broader Middle Eastern water plan could allow for the distribution of Turkey's excess of water capacity.

International law, which rather vaguely prescribes “equitable apportionment” and “reasonable use,” generally includes various regulations for water sharing among states based on historic rights or acres of arable land, or *per capita*. Israel's share of riparian ground and surface water is excessive by any of these standards.

Clearly, any lasting peace will require more equitable water sharing by Israel with the West Bank and Gaza Palestinians, as well as with Jordan. Therefore, the guidelines for equitable water sharing must be on the table as part of a comprehensive peace agreement.

Given the importance of the refugee issue and the general economic circumstances of the Palestinians, international economic and development assistance will be vital to a lasting peace. A comparison of World Bank income statistics for the year 2000 reveals a \$27,500 *per capita* income for the average Israeli *versus* \$1,710 for the average Palestinian. Yet the Palestinians have an 86-percent literacy rate as well as time-tested entrepreneurial capabilities.

The past six decades have been a disaster for the Palestinian people. Over the same period, U.S. support of the Israeli economy and military has exceeded \$100 billion; if we include indirect military costs, that figure could be well over \$250 billion. Beyond U.S. military assistance, one can only guess at the enormity of wasted costs—*e.g.*, Israeli military expenditures, Palestinian relief assistance, and Arab League armaments—that have failed to bring the conflict one step closer to resolution. Indeed, the amount spent on hostilities and their

consequences could have more than adequately financed a peaceful and equitable resolution long ago. The continuing rate of dissipation on the conflict, and the related turmoil in the Middle East, suggests that the means are available and affordable. Building homes and creating jobs for refugees will require arteries of transportation, industrial parks and supporting utilities, and water development and conservation. To this tab must be added resettlement costs and restitution. Regional resources should be developed and coordinated to supplement local resources.

To finance the peace, the Geneva Initiative proposes an international commission composed of the parties themselves, the United Nations, the United States, UNRWA, the Arab host countries, the European Union, Russia, and others. The private sector should be encouraged to participate. In the biblical spirit of "beating swords into ploughshares," the funding of war should be replaced with the funding of peace.

Foreign interference no longer serves the best interests of either Israel or the Palestinians. During the quarter-century following the U.N. partition, the Arab unwillingness to recognize the Israeli state precluded the possibility of peaceful resolution. U.S. economic and military armaments enabled Israel to maintain military hegemony over the more sizable Arab armies. After a peace settlement between Israel and Egypt was brokered, greased with lavish U.S. aid to both countries, the rift in Arab solidarity should have made possible the success of broader peace accords. As continuing U.S. military and economic aid to Israel increased her relative superiority of arms, however, the United States, in effect, encouraged and financed Israeli encroachment on Palestinian territory. An additional perverse effect has been the promotion of the con-

tinued support, training, and arming of Palestinian terrorists by Israel's Arab neighbors.

It is unlikely that extreme Israeli nationalists will be willing to make the necessary concessions for peace, so long as the United States continues to finance new settlements, outposts, and defenses, and the weapons that shield Israel from Arab retaliation and international restraint. In a very real sense, then, the government of the United States is a major contributor to perpetuating the conflict.

It is time for the United States to make her support for Israel conditional on Israel's participation in a constructive peace process. Given the relative prosperity of the Israelis, our financial support of Israel's military establishment and economy would be better spent on helping to finance the settlement of Palestinian refugees and developing the necessary infrastructure that will be required to ensure a successful and lasting resolution of the conflict. Such a policy change is obviously in the interest of the United States and the Palestinians, but it is also in Israel's best interests, as many Israeli policy leaders have been arguing for years.

The change of Palestinian leadership and last year's unofficial Geneva Initiative both provide a more optimistic basis for the renewed quest for peace. The moderate Israelis and Palestinians have spoken by the rational and equitable resolutions of the Geneva Initiative, though their governments have not yet joined them. It is our hope that the U.S. government will take this opportunity to turn over a new leaf and end its unintentional promotion of the stalemate, for the sake of the conflicting parties and, more importantly, for the sake of U.S. national security and integrity. ◀

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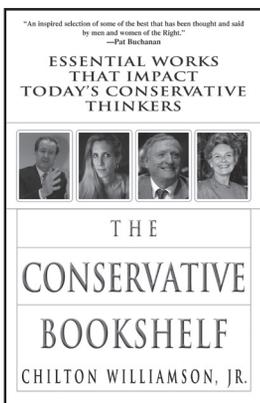
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