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Why Palestinian statehood is a question for the U.N.

Joshua Goldstein, Shibley Telhami

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Article Author(s): Joshua Goldstein
Shibley Telhami

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As the Palestinians seek U.N. support for a state of their own, Washington has advanced two arguments to dissuade them: first, that taking the issue of statehood to the United Nations is a unilateral move away from negotiations with Israel; and second, that the effort will be counterproductive because the United States will veto any such U.N. Security Council resolution.

These arguments miss the point. The United Nations may in fact be just the place to invigorate stalled diplomacy. The question should not be what would happen when the United States vetoes the U.N. resolution but what if it doesn't?

Israelis and Palestinians have been in conflict for decades, and Israel has controlled the West Bank and Gaza for 44 years. The overwhelming majority of Palestinians in these territories were born under occupation. Although Israel has been recognized by the United Nations for its entire existence, it has yet to be recognized by most Arab states. Israelis live in insecurity. Decades of direct and indirect negotiations have not produced peace.

It cannot be ignored that Israeli settlers in the occupied territories vote in Israeli elections, and Palestinians do not. Short of a strong international position, every Israeli government will hear the settlers' voices before hearing the Palestinians'. Occupation is thus prolonged and Palestinian statehood becomes less viable.

Even the argument of Israelis seeking compromise has been distracting, resting on the fear

that, without a Palestinian state, Arabs would undermine Israel's Jewish majority or its democracy. That may be true, but Israel's principal obligation to withdraw from the occupied territories is the same as the Arabs' obligation to accept Israel's U.N. resolutions. When asked by pollsters in 2007, a majority of Israelis said their government should be more willing to make decisions within the United Nations, even when that means sometimes going along with a policy that is not Israel's first choice. As for the Palestinians, without appeal to the United Nations and to international laws and norms, what would persuade them to refrain from using provocative or militant means to rid themselves of occupation?

U.N. Security Council resolutions lay out blueprints, backed by the world's great powers, for moving countries and regions from war to peace. Thanks to persistent efforts, the world's battle deaths in the past decade were about a third of those during the Cold War. The chances of any cease-fire lasting, only 50-50 in the 1990s, have increased to 88 percent. U.N. actions are no guarantee of peace, but overall they are working much better than many realize.

Given congressional opposition to U.N. action, the Obama administration is almost certain to exercise its veto power in the Security Council — itself the ultimate unilateral move and something President Obama opposed when he ran for office. But that is more a symptom of our broken politics than of sensible policy. What if the United States preempted a U.N. General Assembly resolution with a Security Council resolution endorsing a two-state solution? It would have legal and normative implications, providing restraint to both sides and pushing them toward the negotiating table. In the Arab world, where a public awakening is increasingly expressing anger with Israel, a new focus on U.N. legitimacy would not be a bad thing — for Israel and the Palestinians.

U.N. Resolution 1397, passed in 2002, affirmed "a vision of a region where two States, Israel and Palestine, live side by side within secure and recognized borders." Obama has said that the two-state solution must be based on the 1967 borders with land swaps. His administration would not be pushing the envelope far with its own Security Council resolution or by abstaining on a resolution drafted by European allies.

What would such a resolution include? Two states, based on the 1967 borders, with comparable mutually agreed swaps. Israel, as a state of the Jewish people and all its citizens, and Palestine as a state of the Palestinian people and all its citizens. The capital of Israel in West Jerusalem and the capital of Palestine in East Jerusalem. Mutual security arrangements to be negotiated, including possible deployment of international peacekeeping forces. And the Palestinian refugee problem to be resolved in a manner that respects the refugees' legitimate rights, taking into account previous U.N. resolutions and the principle of the two-state solution outlined above.

Even if the United States must negotiate any such resolution, the effort would be better received than attempts to dissuade the Palestinians from taking up the issue of statehood at the United Nations — a move that will be condemned in the region regardless of its outcome. The audience is greater than the Palestinians and Israelis: Polling suggests that the souring Arab mood toward Obama has been principally based on his policy toward the Palestinian-Israeli conflict. As Egypt enters its electoral season and Arabs everywhere are asserting their opinions, much is at stake for the United States.

Washington faces a choice: It can block the Security Council from acting, or it can get out front and shape a solution using the best tool the world has today.

Shibley Telhami is a professor of government and politics at the University of Maryland and a senior fellow at the Brookings Institution. He is co-author of the forthcoming book *The Peace Puzzle: American Diplomacy in the Middle East since 1989*. Joshua S. Goldstein is an emeritus professor of international relations at American University and the author of *Winning the War on War: The Decline of Armed Conflict Worldwide*.

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