

Bye-Bye “Peace Process”? Palestine goes to the UN

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Take away the crass political motives, and what is left in the U.S. plan to veto Palestinian membership in the UN can be summed up in one word: *chutzpah*. The U.S. is threatening to veto a resolution aimed at achieving something Washington claims it supports – a Palestinian state [truncated, still-occupied, demilitarized and divided but nominally independent] side by side with Israel – because they don’t like the venue where this particular step towards statehood is underway. It’s hardly news that the U.S. only supports a Palestinian state created under its own control, within the parameters of its own U.S.-dominated “peace process,” whose 20 painful years have achieved only failure – and worse. The U.S. only supports a Palestinian “state” shaped by the realities of U.S. and Israeli power, not one based on human rights and international law.

The debate over Palestinian statehood and UN membership at this year’s General Assembly meeting has brought the usually staid opening debate to a fever pitch of U.S. pressure, Israeli threats, European division, and Palestinian ambiguity. (It shouldn’t be so fraught – according to the *Guardian*, countries that recognize Palestine represent about 80 percent of the global population, while the ones who don’t have 75 percent of the world’s cash.) Pretty much everyone agrees there’s not a chance that the decision, whatever it might be, will actually change anything on the ground. So why the near-hysteria in the diplomatic world?

The answer lies in three separate but interlocking realities: the changing U.S. policy towards the Middle East in the midst of the Arab Spring; the UN unchanging U.S. policy towards Israel in the midst of election politicking; the divided opinion among Palestinians about the wisdom and significance of the initiative.

THE ARAB SPRING AND PALESTINE

The challenge to, and overthrow of, U.S.-backed dictators across the Arab world is changing landscapes across the region and in countries far from the Middle East. The notion now spreading throughout the Arab Spring, that a revolutionary process could contain within it both an internal focus (the shaking up of old social hierarchies) and an external focus (aimed at shaking out old leaders and old ideas), had its roots in the first Palestinian uprising, the socially inclusive, grassroots-based and non-violent intifada that began a generation ago in 1987. So it should not surprise anyone that Palestinians are still engaged in nonviolent mobilization that aims both to end Israeli occupation, settlement, and apartheid, and to democratize and hold accountable its own internal leadership.

For the U.S., the Arab Spring has transformed the diplomatic/political landscape in the region. For the first time since before World War II, the U.S. cannot rely on sycophantic Arab dictators willing to viciously suppress their own people in order to sign friendly oil contracts and make nice to Israel, while maintaining the good ties to Washington that keep the stream of arms sales and foreign aid flowing. For the first time, some Arab regimes are being forced to at least partly take into account popular opinion. So this time, in such a heated and high-profile atmosphere, a U.S. veto will almost certainly lead to significant diplomatic challenges for Washington's military, resource, economic and political relations.

THE OBAMA ADMINISTRATION, ISRAEL AND ELECTIONS

What makes navigating these treacherous new waters even more difficult for the Obama administration is the usual problem often facing U.S. policy towards the Middle East: U.S. strategic interests (supporting Palestine's UN bid would go far to win over skeptical Arab populations and their nervous governments) are constrained by domestic political interests. That is, the spurious but widely accepted view in the pro-Israel lobby, that Obama is somehow "too tough on Israel," means that fear is on the rise in the White House about the possible loss of Jewish organizing support and especially Jewish campaign contributions in the 2012 election.

If not so dangerous, it would be almost funny to see the right-wing pro-Israel organizations, on the defensive, desperate to figure out how to attack the president for not being pro-Israel enough. On the eve of President Obama's UN speech, for instance, in a full-page *New York Times* ad, the neo-con-led Emergency Committee for Israel was reduced to demanding changes in what the president says (he should "refrain from criticizing Israel"), without even hinting at the need for any change in what the president does. They are fine with Obama providing \$30 billion in U.S. military aid to Israel over these ten years, delighted at Obama escalating joint U.S. military exercises with Israel, thrilled with Obama protecting Israel from being held accountable for its war crimes. But somehow the word is still out: Obama just isn't pro-Israel enough. Recognizing there's just not much more President Obama can do to support Israel, that he's already walking their walk, the influential core of those pro-Israel organizations is reduced to just demanding he talk more of their talk.

Ironically, if the Palestinians do begin their statehood initiative in the Security Council, and the U.S., as promised, vetoes the resolution, the international negative repercussions will be huge, but the political advantage for Obama's 2012 election prospects won't amount to much more than a hill of beans. It will never be enough for Israel's hardest-core supporters. (The other possibility, of course, is that a Security Council move may not result in an immediate vote-and-veto at all, but rather burial of the resolution for months or longer in the endless morass of UN bureaucracy. That would allow the Palestinian leadership to avoid embarrassing the U.S., and would allow the Obama administration to deflect the issue altogether - perhaps till after the 2012 election.)

PALESTINE 194 AND 194 FOR PALESTINIANS

But if the U.S. and Israel are so determined to derail this initiative one way or another, why is Palestinian support for it so uncertain and uneven? Part of the reason this month's Palestinian UN initiative is so confusing has to do with competing Palestinian claims to the number 194. For the Palestinian Authority (whose leaders are running the Palestinian diplomatic campaign) and for many Palestinian supporters in the Occupied Territory, the significance is visible on balloons, bumper stickers, working papers and online logos: "Palestine 194" - articulating the goal of establishing the State of Palestine as the 194th Member State of the United Nations. For others in the territories and

for many of the millions of Palestinian refugees and exiles throughout the worldwide diaspora, the importance of 194 is less about UN membership than about implementation of the UN resolution of that same number. Resolution 194 guarantees the right of Palestinian refugees to return to the homes from which they were dispossessed in the 1947-48 war that resulted in the creation of the state of Israel.

From the vantage point of international law and human rights, Palestinians could win at least two significant gains from the current UN statehood initiative, and confront at least two potential dangers.

The most important gain is the challenge – the first in twenty years – to Washington’s stranglehold on Palestinian-Israeli diplomacy. That alone is huge. As Robert Fisk wrote in the *Independent*, with this UN vote “never again can the United States and Israel snap their fingers and expect the Arabs to click their heels. The US has lost its purchase on the Middle East. It’s over: the “peace process,” the “road map,” the “Oslo agreement;” the whole fandango is history.” The break – finally! – from the U.S.-backed “peace process” in favor of a UN-centered diplomatic initiative, whatever its particularities, represents a shift of historic proportions.

More specifically, UN recognition of a Palestinian state, whether a Member State in the unlikely event of Security Council approval, or the far more likely Observer State authorized by the General Assembly, means that the State of Palestine can participate in other kinds of global engagement. Perhaps the most important possibility will be the opportunity to sign on to the International Criminal Court. That would enable Palestine to call for ICC prosecution of Israeli war crimes committed in what would by then be the territory of a State Party to the ICC’s Rome Treaty. There are no guarantees, of course. ICC prosecution, like UN membership, is a thoroughly political process. And for the same reason that George W. Bush and Dick Cheney have so far avoided jail cells in The Hague, it is certainly possible that Israeli war criminals might escape as well. But the presence of the State of Palestine within the ICC still transforms the potential for international accountability and a small modicum of justice.

Then there are the dangers.

Since the mid-1970s, Palestinians have been represented at the UN by an Observer Mission of the Palestine Liberation Organization. The PLO, deemed the “sole legitimate representative of the Palestinian people” by the UN itself, historically embodied the interests of all three sectors of the Palestinian people: those living under occupation in the West Bank, Gaza, and East Jerusalem; those living as second-class citizens of Israel; and crucially, those millions of Palestinian refugees whose right to return to their homes remains unfulfilled. There is great fear that replacing the PLO at the UN with the “government” of an inchoate “state” of Palestine could lead to the disenfranchisement of all Palestinians outside of the 1967 Occupied Territory.

The related danger is the potential loss of advocacy for the right of return, guaranteed by UN Resolution 194 and committed to by Israel when it was allowed to join the UN in 1949, but never implemented. The fear is that a government of Palestine would not have the authority – nor, more importantly, the political will – to fight for recognition and implementation of that right. Certainly there is no UN prohibition on any government that wants to defend the rights of any people. The Government of South Africa, or, of course, the new Government of Palestine, could in theory take up the cause of Palestinian refugees and the need to implement Resolution 194. But political will remains a problematic reality. Given that the PLO’s own advocacy for the right of return over the years has been limited, the fear looms large that a government of Palestine focused on realizing its official yet non-existent state, would see refugee rights as a much lower priority.

So there are clear differences among Palestinians in how this process is moving forward. But for people in the U.S., the real outrage is watching U.S. officials who still believe they have the right to accept or reject Palestinian decisions about how and in what venue to struggle for their own freedom.

It is outrageous that Washington is threatening the Palestinians, threatening other Member States, and threatening the UN itself with dire consequences if a move is made towards UN recognition of statehood. The Palestinians are being threatened with loss of all U.S. humanitarian aid, Congressmembers are urging that any country voting for statehood should lose U.S. aid, and UN agencies are being told directly that they will lose U.S. funding if they welcome Palestine to their work. It's an old story; in the run-up to the war in Iraq in 2003, the U.S. sent threatening letters to most governments in an effort to prevent the UN from moving against the looming war. The U.S. embassy in Pretoria wrote to the South African government that "[g]iven the current highly charged atmosphere, the United States would regard a General Assembly session on Iraq as unhelpful and as directed against the United States. Please know that this question as well as your position on it is important to the U.S."

It remains unclear how and whether this particular initiative will succeed. But after 20 years of failed U.S. diplomacy based on protecting Israel's occupation and apartheid policies, some means of moving out of Washington and into the United Nations for the creation of a new diplomacy rooted in international law and human rights remains a vital necessity.

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http://www.alternet.org/world/152483/say_goodbye_to_the_failed_%22peace_process%22_as_palestine_goes_to_the_un

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