

MIDDLE EAST PEACE: A GLASS HALF FULL

Chicago Tribune, 1 August 2000

Camp David II was not a defeat. In fact, these latest Palestinian/ Israeli negotiations accomplished a great deal. The 14-day summit marathon was intended to establish more than the framework for a final-status agreement that was to precede the establishment of a Palestinian state, which would then be followed by a peace treaty between the two nations.

The establishment of Israel in 1948 was the beginning of the conflict with the Palestinians. After the 1967 war, these problems were aggravated by Israel's unilateral annexation of Jerusalem and by its establishment of more than 180 settlements in territories Israel seized from Jordan. The Palestinians in these annexed areas--the West Bank, Gaza Strip, as well as in East Jerusalem--continue to live under harsh Israeli occupation.

International law does not permit the annexation of territory by the victors nor does it allow the demographic transformation of occupied territories. On the basis of these well-established principles the Palestinians maintained at first that all of the occupied territories on the West Bank and in Jerusalem, as well as the Gaza Strip, should be returned to them as part of a final peace settlement. But the facts on the ground have changed and Palestinians have been forced to accept relinquishing to Israel part of the West Bank that is heavily populated with new settlements.

Thus, the question of permanent boundaries on the West Bank became an important issue in the Camp David II negotiations. Since Israeli settlements are scattered, drawing boundaries was not easy.

Related to boundary discussions was the question of the security Israelis insisted upon with respect to territories that would become part of Israel and their contiguous

Palestinian areas. The Palestinians gave in to almost all that Israel wanted and that diplomatic achievement should not be underestimated.

The final settlement involved many other complex issues--among them the right of Palestinians to return to their places of birth in Israel and the territories on the West Bank, which would become part of Israel. The same holds true for the right of expatriate Palestinians to return to the territories that would become part of the state of Palestine.

International law clearly establishes the right of people to leave and to return to their territory of origin, which was the basis upon which Israel had long claimed the right of Russian and other Jews to leave their countries of nationality and to immigrate to Israel.

But practical considerations required the placing of some reasonable limitations on the right to return to Israel and to Palestine. For the Israelis it was a question of capacity to absorb Palestinian returnees, both for security reasons as well as to preserve the demographics of a predominantly Jewish state. For the future Palestinian state, it was a question of capacity to absorb a potentially large influx of new Palestinian inhabitants into densely populated areas.

The issue of compensation for Palestinians was another thorny issue. There again, negotiators agreed on a formula with details to be worked out later.

For Israel, security was the important issue. The negotiators resolved through detailed arrangements what Israel needed, even though these arrangements placed severe limitations on the national sovereignty of the forthcoming Palestinian state. This included limitations on the Palestinian state's right to have an army, as well as other questions concerning Israel's military control in certain areas and the right of inspection to ensure against hostile infiltrations as well as joint security cooperation. Once again, the negotiators achieved a diplomatic outcome, which should not be underestimated.

There was significant progress made on a number of other issues, including the movement of people and goods, transportation and utilities and commerce.

All of that surely amounts to the conclusion that the glass is more than half full rather

than half-empty.

What remains is the issue of Jerusalem. The Palestinians insisted on sovereignty over what used to be called Arab East Jerusalem, while Israel insisted on a unified Jerusalem under its control. Arab East Jerusalem, with about 200,000 Palestinian inhabitants, has been under de facto Palestinian control for more than 30 years. Since then, Israel expanded the boundaries of the city to include a ring of settlements that more than doubled the territory of the previous city limits.

Because of the religious, political and psychological dimensions of the question of Jerusalem, both sides had limited room for concessions. The Israeli negotiators showed some flexibility in trying to work out an arrangement that would have given the Palestinians part of the expanded city limits. This would enable Palestine to establish its capitol in Jerusalem, rather than what is considered Arab Old Jerusalem, which includes more than 50 Muslim and Christian religious sites that the Palestinians insist should remain as part of their sovereign state.

What appears to be an intractable situation can still be resolved on the basis of imaginative solutions. Among these approaches is the "concept of condominium" in certain areas or of gerrymandering borders along with the allocation of different levels of administrative controls that would recognize the merits of the legitimate claims of both sides. However, Camp David II negotiators could not agree at that stage of the negotiations.

Even though there were substantial positive outcomes on most issues, it is fair to say Camp David II suffered a setback on that one issue, which is likely to be resolved after a cooling-off period.

This may be for the best.

Certainly, a comprehensive agreement reached at Camp David II would have been subject to great criticism by certain segments of the internal constituencies of both sides. The acknowledged setback, while dampening the optimism of some, also dampens the criticisms of others. A pause for reflection on what was achieved and what was left

outstanding may create the right atmosphere for reaching an equitable solution to the future status of Jerusalem.

During this time, it will be important for both sides to avoid acrimony and to focus on what lies ahead instead of what is reflected in the rearview mirror.

In the next 30 years, the combined population of Israel and Palestine will double and it is inconceivable for these two states to live side by side, separated by high walls and barbed wire. Both states, as well as Jordan, will become interdependent. They will have to share scarce water resources and their economies will require much cooperation. A vision of integration must replace one of rigid territorial and sovereign conceptions.

Europe is a good model of what can be achieved in this subregion of the Middle East.^[1]

There is indeed a brighter future ahead and that is why the Palestinian/Israeli impasse must be overcome.