

The Palestinian-Israeli Conflict: Human Rights and the Quest for Peace

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## **Table of Contents**

- Abstract
- Introduction
- I. History
  - a. Israelites and Canaanites
  - b. The Two Nations
  - c. Political Zionism
  - d. British Involvement
- II. Government
  - a. Government
  - b. Legal Status
  - c. Basic Laws
  - d. International Law
- III. United Nations
  - a. Israeli and Palestinian Claims of Land
  - b. Human Rights
  - c. Reports
  - d. Apartheid
- IV. How to achieve Peace
  - a. Madrid (1991-1993)
  - b. Oslo Accords(1993-2001)
  - c. Abbas' Plan (2014)
  - d. Trump Plan (2018)
  - e. One-state Solution
  - f. Two-state Solution
- V. Conclusion

## **Abstract**

Nationalism's effect on the Palestinian-Israeli Conflict will result in a never-ending cycle of human rights violations. This conflict over legit claims to the land began with the declaration of an Israeli state in 1948. Two peoples, with both similar and different backgrounds, are often the center of the current conflicting claims of jurisdiction over the same land. The aim of this thesis will be to focus on how the continuation of division between these two groups will lead to an endless war. This will be done by looking at and comparing the different arguments for peace. I will use the history of both "people" in an attempt to distinguish that nationalism is being used in a means to divide. Ultimately, the question is whether nationalism and modern ideologies of statehood can resolve the conflict while adhering to the tenets of human rights. The continuation of this conflict ignores basic human rights and is close to the definition of apartheid. I am hoping to identify how nationalism causes a divide between two different groups of people and how this division results in human rights violations. My main goal is to have my audience see that nationalism does not mean the different people living on the land are any less than. Both have fair claims, both deserve human rights. The persistence of this conflict has shifted over time. The claims over this land have shifted from being historical and religious to political and powerful. When it comes to the Palestinian-Israeli conflict, nationalism has become the poster child for the extremes. Nationality has trumped human rights.



## **Introduction**

Natural laws are regulations thought to be given to humans through a superior force, usually God, and are known to be universal throughout the human race, bringing virtue to those who oblige to them. To have virtue is to be morally good and to be able to distinguish right from wrong. When it comes to societies, the set of laws created by man, laws put into a constitution, may differ from the natural laws created by God, and when there is an imbalance of these two laws, the citizen should follow the natural law in order to show their virtue. Natural laws have been the source for the definitions of justice that are a part of the modern democratic and republican traditions. In order for a civil society, justice must be present.

With the moral and ethical background for most of our decision making, not everybody will have the same ideology about justice. According to Cicero, natural law should not only be the guidelines for individual morality, but for the whole of society.

*“For men were created subject to this law, ... you and all good men must allow the soul to remain in the keeping of the body, nor without his command, by whom it was given to you, must you leave your human life, lest you should appear to have deserted the post assigned to men by God.” (Cicero, 1998)*

Cicero believes that if civil law is not compliant with the divine, natural, law, it should not even be acknowledged as law. He goes to the extent of comparing the harmony of divine and civil law, to actual harmony being heard in the wind. Whether one believes in God or not, human virtue must come into play within our daily interactions. To have virtue is to be morally good and to be able to distinguish right from wrong. To witness the atrocities of this conflict, and to remain silent is immoral.

In modern society and in the aftermath of World War 2 and its atrocities, the United Nations was established. The United Nations has established a set of articles declaring what human rights are. According to the United Nations, human rights are fundamental and universal. Announced in Paris on December 10, 1948, the Declaration states :

*“Article 5.*

*No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.*

*Article 6.*

*Everyone has the right to recognition everywhere as a person before the law.*

*Article 7.*

*All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.*

*Article 8.*

*Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.*

*Article 9.*

*No one shall be subjected to arbitrary arrest, detention or exile.*

*Article 10.*

*Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him” (United Nations, 1948)*

These rights, signed by all 193 members of the UN, are meant to guide the conduct of Nations and peoples of the world. Israel became a full member of the United Nations in May, 1949. As a member of the United Nations, Israel has agreed to comply with these rights.

Prior to the decision of the Allies to create a homeland for the Jews in the post-World War 2 period, the British occupied the region, and its decisions on how to divide the region complicated the issue. The competing claims to land gave rise to the

geographical and territorial disputes that have resulted in the current conflict that we have. The British controlled the region and its division of the land became more complicated with historical, religious and political conflict. In Israel, the claim to land comes from their becoming a “modern” group of people. The Israeli rise to a nation-state in the post-World War 2 era gave rise to Israel engaging in the modern discussion of nations that use borders and land claims as the base of an argument for sovereignty. I fear the idea of nationalism jeopardizes the attempt to maintain peace, and the absence of peace will result in a destruction of human rights. The governments that control Israel and Palestine are constantly under backlash for its humanitarian crisis facing their “opponents”.

The Palestinian-Israeli conflict is a controversial topic. It is a conflict that has focused on claims over land and is complicated by religious, political and historical interest. The history of this geographical and territorial dispute is inflamed by contemporary leaders, Mahmoud Abbas and Benjamin Netanyahu, rather than resolved, through their efforts to fear monger and the creation of policies that restrict, displace and settle peoples at will. These decisions are rooted in efforts to take as much land as they can get through the use of fear, terror and policies that specifically target the contemporary claim of power. Although the surface of this conflict may make it seem as a claim to land through history and religion, it has since become a hunger for power. From extremist groups forming and inciting violence to Benjamin Netanyahu’s “nation-state law”, these far-right leaders tend to use nationalism as a way to discriminate and oppress one another. The main issue that needs to be changed is nationalism being treated above humanity.

War is not necessarily unjust. But the circumstances surrounding these two nations are asymmetric. While Israel has a working government, military grade weapons, and a strong military, the Palestinian Territories have smuggled weapons and rocks. Israel claims that their targets are Hamas infrastructure, but according to their claims, they are located in civilian areas. This means that a majority of the targets are hospitals, schools, and homes (Marcus, 2014). The Palestinian “fighting force” is Hamas. Hamas was established in 1987, after the first Palestinian intifada as a way to fight against the Israeli state. They are considered a terrorist organization by Israel, the United States, the European Union and other countries, but while the United Nations continuously condemns Israel for their excessive force and unjust treatment of the Palestinians, the United Nations have yet to condemn Hamas for their violence against the Israeli state (United Nations, 2018).



## **Chapter 1:History**

The Israeli and Palestinian identity both claim to have ancient origins in the territory and therefore legitimate claims to land. Historical record is in dispute, though the biblical relationship of the Jewish people, or the Israelite, to the land of Canaan is broadly accepted. This is a biblical relationship, not political. The relationship in this conflict between the two nations are supported by the nostalgia of biblical history and the usage of linkage to the ancient “originals”. They use nationhood and their ethnicity as a means to divide the people, the Israelis claiming to be descendants of the ancient Israelites, and the Palestinians claiming to share DNA with the Canaanites. This claim holds no meaning in contemporary war crimes and human right violations happening over power. It’s a way to incorporate nationalism into current political propaganda. The basis of this claim can no longer be held accountable for the destruction being done to the people of the land, but yet is a claim that is continuously brought up.

Archeological evidence has been argued over many times, questioning where the Israelites came from. An indigenous person is native to that land, but due to colonization and imperialism, societies have been mixed and displaced throughout the years. The land’s history dates back to pre-history, which is the time in history that the land’s people didn’t have any written records. We have written records of the land’s people, the Canaanites, from 3200 BCE in which it began to be considered history. The land was known as Canaan, until the Iron Age. The people, the Canaanites, had their own traditions and cultures and were a big group of people who were the inhabitants of all of the Levant (Maturin and Hoyland, 2018). In 1896, Flinder Petrie found a very important artifact in Thebes. This piece was found to be created in 1208 BCE and is

known today as the Merneptah Stele (Weidman, 2007). In this stele, the first ever known mention of "Israel". Originally written in ancient Egyptian, translated it states:

*"The princes are prostrate saying: "Peace!"  
 Not one of the Nine Bows lifts his head.  
 Tjehenu is vanquished  
 Khatti at peace  
 Canaan is captive with all woe  
 Ashkelon is conquered  
 Gezer seized  
 Yanoam made nonexistent  
 Israel is wasted, bare of seed  
 Khor is become a widow for Egypt.  
 All who roamed have been subdued.  
 By the King of Upper and Lower Egypt, Banere-meramun,  
 Son of Re, Merneptah, Content with Maat, Given life like Re  
 every day" (Lichtein, 2006)*

This artifact mentions the defeat of Canaan, and of Israel, distinguishing the two as two different entities and states. The stele is significant in Israeli claims to land, for it shows that "the people of Israel" have been an entity since history, but where does this new entity come from? There are different theories regarding where these people came from. There are two major theories as to where these people came from, the religious and the archeological. It must be noted by the reader that the timeline of Biblical history is not concrete. Archeologists have not set a definite year for the events that take place in the Bible, but historians such as William F. Albright, Norman Gottwald, and George Mendenhall have come up with theories to explain where these people came from.

W. F. Albright is an American Scholar who is known as the 'Father of Biblical History'. He came up with this idea that Israelites came from Egypt escaping slavery and conquering land in Canaan. This is known as the Conquest Model. Albright's research revolves mostly around the Bible and believes it was the 12 tribes of Israel that

invaded Canaan and killed all the Canaanites. He used the Pentateuch and the story of Joshua to find the cities mentioned in those stories and would find archeological evidence to prove their destruction. He believes the conquests would have occurred between the Late Bronze Age and Early Iron Age. The Conquest Model has been proven wrong by archeological findings stating the timeline does not match up.

“Of these thirteen cities, only two, Lachish and Hazor, can be interpreted without some difficulty of one kind or another in terms of a 13th-century Israelite conquest. And the most that can be said of Campbell genre was fairly certain, the degree of historical basis was not settled. It seems clear that Albright saw his willingness to admit a possibility of historicity in a text not as an abandonment of a critical approach to historical reconstruction, but as the responsible application of a critical approach”(Campbell and Miller, 1979)

Albright’s approach to the Bible led to a change of the way archeologists, scholars, and historians decided to study the Bible. (Hargus, 2000)

Another theory that tries to explain where the Israelites came from is the Social Revolution theory. This method uses archeology, and modern ideologies of social class. It is based on the socio-political and economic conditions of that time. George Mendenhall and Norman Gottwald hypothesized that the Israelites were not new people coming to the land, but were instead lower class Canaanites who decided on a need for change. Their claims are primarily based on the Amarna Letters, and don’t take into consideration the evidence stated in the bible. (Mendenhall and Herion, 2001)

“First, there are no archaeological indications for large-scale settlement during the fourteenth-thirteenth centuries in the mountainous parts of Palestine, i.e., where the Israelites of the twelfth-eleventh centuries would have settled. Furthermore, there is a clear cultural break in the settlement of these mountain areas between the Late Bronze Age and the Iron Age. Also, there are clear indications of the intensification of Egyptian involvement in Palestine at the time of the Nineteenth and the beginning of the Twentieth Dynasties in Egypt.” ( Junkkaala, 2006)

They began to worship one god and in order to practice peacefully, they migrated to uninhabited areas of the land and settled there. Eventually, they became the majority at that time. Critics of this theory state that it involves too many modern ideologies (Uitti, 2006).

The Israelites, in this sense, would be considered a subdivision of the Canaanite, like the Ammonites and the Hittites. However, the claims of the nation of Israel versus the claims of the Palestinian people take on a set of different characteristics. While they share common descent and history, the fact is the contemporary conflict is based upon claims and counterclaims to real estate and to power. The distinction between the Israelites and the Canaanites is when Israel became a people. Israel became a nation in 1948 with the political rise of Zionism.

“The aspiration for a nation-state was not central in the Zionist movement before the 1940s,” (Shumsky, 2018).

The Jewish nationalism became political with the creation of Zionism. Modern day Zionism is said to be credited to Theodore Herzl. Founded in 1894 by Theodore Herzl, Zionism was the belief that indeed, the Jews would never fit into a country other than their own and because of that, they must come together and form a nation. Herzl brought in the idea of a Jewish homeland in Palestine. Herzl’s main audience was the young Jews who are able to go there and cultivate the land as well as begin families there. Before nationality competitions were an issue, Zionist politicians would use “Palestine” and “Eretz Israel” interchangeably. A major impact on the hostility among the two groups has to do with the Israeli Declaration of Independence labelling the land as

solely “Israel”. After realizing that they would not be accepted into other lands, Judaism became an ethnoreligion which brought this group together to feel a sense of community, thus creating a national identity for the Jewish people (Vital, 1975). While Zionism began as a self-determination for the Jews, politics in the 19<sup>th</sup> century made it inseparable with statehood. Political Zionism emerges during this period of political evolution.

A nation is defined as a large body of people who are connected by common descent, history, culture, or language, inhabiting a particular country or territory (Stevenson, 2011). These people have separated themselves into two different entities and in the process, defy human rights. When a nation then gains a state for their people, it becomes a nation-state. It is not odd nor controversial to see nation-states in the world, but the Israeli government has been using this division of nations to constitute justification for a land claim. A claim that comes at the cost of other people's human rights, causing them to become stateless.

Like many nations, these people faced conquest and imperialism. Around the 1920s, the British gained control over Palestine. The British had obtained Palestine by promising them their freedom in exchange for a revolt against their Turkish occupants. During the years 1915-1916, letters were exchanged between Hussein bin Ali, Sharif of Mecca and Lieutenant Colonel Sir Henry McMahon, British High Commissioner to Egypt. In these letters, Sir McMahon promises that Palestine will be granted to the Arabs, and Turkey would no longer have control over that land. Sir McMahon ended the correspondence clarifying:

“I am empowered in the name of the Government of Great Britain to give the following assurances and make the following reply to your letter :---

(1) Subject to the above modifications, Great Britain is prepared to recognize and support the independence of the Arabs in all the regions within the limits demanded by the Sherif of Mecca. (2) Great Britain will guarantee the Holy Places against all external aggression and will recognize their inviolability.

(3) When the situation admits, Great Britain will give to the Arabs her advice and will assist them to establish what may appear to be the most suitable forms of government in those various territories.

(4) On the other hand, it is understood that the Arabs have decided to seek the advice and guidance of Great Britain only, and that such European advisers and officials as may be required for the formation of a sound form of administration will be British.

(5) With regard to the vilayets of Bagdad and Basra, the Arabs will recognize that the established position and interests of Great Britain necessitate special administrative arrangements in order to secure these territories from foreign aggression, to promote the welfare of the local populations and to safeguard our mutual economic interests. . .” From Sir H. McMahon to the Sherif of Mecca, October 24, 1915 (The McMahon Correspondence of 1915-16., 1939).

All the Arabs had to do was revolt against the Ottoman Empire and all would be in agreement. In that same letter Sir McMahon states:

“The two districts of Mersina and Alexandretta and portions of Syria lying to the west of the districts of Damascus, Hama, Hama and Aleppo cannot be said to be purely Arab, and should be excluded from the limits demanded” From Sir H. McMahon to the Sherif of Mecca, October 24, 1915 (The McMahon Correspondence of 1915-16., 1939).

This single sentence is what the British use as a defense stating that they never promised the Arabs the land. But the Sheriff had considered it obvious that, because Palestine was home to Arabs, Jews and Christians, it would not have been an Arab-only state. It would have been open to all, but not under an occupation.

Two years later, the British created and signed off on the Balfour Declaration, granting the same land to the Jewish people.

“His Majesty’s Government view with favour the establishment in Palestine of a national home for the Jewish people, and will use their best endeavours to facilitate the achievement of this object, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country” (Balfour, 1917).

This secondary agreement, not signed until 1926, gave the land to the Jewish people. The land at this point is promised to two people. The argument that this whole conflict began with the British involvement of the land is a valid one. Had the British not promised the same land to two separate entities, would there have been such a divide between those who had already inhabited and migrated to Palestine?

## **Chapter 2: Governments**

### **Palestine:**

In order for a nation to be considered a state, the 1933 Montevideo Convention states that they must have “1) a permanent population 2) a defined territory 3) a government, and 4) the capacity to enter into relations with other states” (The Faculty of Law, 1933).

The Palestinian government has requested statehood status, but is unable to achieve it considering they are unable to govern themselves. Their population is controlled by Israel, their territory is too fragmented and unstable. Their relationships with other countries and their governance of their own people, must all be under the control of Israel, making it impossible to ever achieve statehood in this condition. The government of Palestine, like the conflict itself, is unique. Palestine and Israel agreed upon, in the Oslo Accords, mutual recognition and governing council after the Six Day War. The Oslo Accords were negotiated by U.S President Bill Clinton, during his presidency but by the time Clinton left office, a new round of Israeli-Palestinian violence had begun. The Accords were signed on September 13th, 1993, by the Israeli Prime Minister, Yitzhak Robin, and the Palestinian Liberation Organization Negotiator, Mahmoud Abbas; Mahmoud Abbas is currently the Palestinian Authorities President and has been since January 2005. The Oslo Accords gave the Palestinians the right to self-governance (Milestones: 1993–2000 - Office of the Historian, 2021).

Palestinian Authority is governed by an interim constitution called Basic Laws. The President is elected for a four-year term and has a limit of 2 terms. This individual holds power as the commander-in-chief and manages foreign relations as well as the



power to veto and the ability to issue decrees when the legislature is not in session (Britannica, 2021). The current President has held his presidency since 2005 after declaring a state of emergency due to violence caused by Hamas and has been ruling by decree (Abu Toameh, 2021). Once elected, the President then chooses a Prime Minister. The Prime Minister holds the primary executive power. Currently, the President of the Palestinian Territories is part of the Fatah political party. It's a secular nationalist movement that focuses on liberating Palestine and establishing a Palestinian State.



Because the Palestinian territories are separated by Israel, they are divided into three types of administrations; Area A, Area B, and Area C [Figure 1]. Area A is under the Palestinian Authority administration and security. Area B is under Palestinian civil law but shares security responsibilities with Israel. Area C is under Israeli administration. Because Jerusalem is claimed by both nations, there has been a compromise in who governs it. Palestine is not allowed to have an army, as stated in the Oslo II Accords, and the trade of

goods into and out of Gaza and the West Bank must be overseen by Israel (Welcome to Palestine, 2017).

The Palestinian claim to land is simple. The Palestinians have been living on this land for generations and generations. Because of Israeli claims to the Israelites, Palestinians began claiming their ancestry to the Canaanites. In 2020, an article came

out from the National Geographic stating that after conducting a study, they've concluded that *both the Palestinians and Jews owe half their DNA to Canaanites* (Lawler, 2021). They have a history with that land, arguably more history than those able to migrate from around the world due to Israel's "birth-right". Birthright is the ability to travel to Israel for 10 days, through the Israeli government, and is given to young Jewish adults between the ages of 18 to 32. What is problematic about this "right" is that in order for someone to be eligible, you must be Jewish. According to the Birthright website, that means:

"You must have at least one Jewish birth parent or have completed Jewish conversion through a recognized Jewish denomination. If you've converted, we may ask you to provide conversion documentation during the application process (Birthright Israel | A Free Trip To Israel | Taglit - Birthright Israel 2021)."

Palestinians of all religions once lived there at one point, but have since been exiled from their homes. Those who return face difficulties entering and exiting the country, many times being told they are not welcome and to try a different day. When Zionism came and forced people out of their homes, that is when the division between modern nations began.

### **Israeli Government:**

Israel's government is a parliamentary democracy. They have five institutions within their government and three branches. The legislative branch consists of the speaker, Knesset, committees, mayors, council heads and local councils. The Knesset's duty is related to ethical issues, employment and the occupation. The Knesset, parliament, is elected by the citizens of Israeli, and then the Knesset chooses the Head of State, the president. The President, currently Reuven Rivlin, serves one, seven year

term and holds ceremonial and formal duties; i.e. signing treaties and laws adopted by the Knesset, citizen appeals, and pardoning prisoners. Following a presidential election, the President chooses a member of the Knesset to become prime minister. The prime minister is the senior-most member of the cabinet and holds the executive power. The Prime Minister is the leader in government and rules both de jure and de facto chief executive. Elections are based on proportional representation systems (Embassies, 2021).

Israel has a basic set of laws in place for its citizens. The first Knesset of Israel was unable to form a constitution, so their Basic Laws are what the country is run by. It holds semi-constitutional status and may be added to throughout the years. The basic law is a set of laws that have been established and focus on two main issues: the powers of governing bodies and basic human rights (Knesset, 2021). Eleven have been enacted, however the ones that pertain to all people of the land are as stated:

“Israel Defense Forces (1976)  
Jerusalem (1980)  
The State Comptroller (1988)  
Freedom of Occupation (1992)”

While Palestine is not allowed to have its own army, in 1976, the Israeli government put out a law stating every able-bodied citizen of Israel must serve in the Israeli Defense Forces at the age of eighteen. Men must serve a minimum of 3 years, while women must serve a minimum of 2 years. There are exemptions to this requirement, and minorities of Israel do not need to serve, excluding the Druze ("Israel's Basic Laws | CIE" 2021).

Founded in March of 2004, the non-profit organization, Breaking the Silence, spoke out about what life was like in the IDF. Over 1,000 former IDF officers and soldiers have been telling their experiences that opened their eyes to the injustice. Their research team ensures every testimony is verified, to ensure nobody is lying ("Breaking The Silence › FAQ" 2021). Their testimonies are given on video and are transcribed into text. A compelling segment of the story is as stated:

“When we first entered [the Gaza Strip] there was this ethos about Hamas – we were certain that the moment we went in our tanks would all be up in flames. But after 48 hours during which no one shoots at you and they’re like ghosts, unseen, their presence unfelt – except once in a while the sound of one shot fired over the course of an entire day – you come to realize the situation is under control. And that’s when my difficulty there started, because the formal rules of engagement – I don’t know if for all soldiers – were, “Anything still there is as good as dead. Anything you see moving in the neighborhoods you’re in is not supposed to be there. The [Palestinian] civilians know they are not supposed to be there. Therefore whoever you see there, you kill.” The commander[gave that order]. “Anything you see in the neighborhoods you’re in, anything within a reasonable distance, say between zero and 200 meters – is dead on the spot. No authorization needed.” We asked him: “I see someone walking in the street, do I shoot him?” He said yes. “Why do I shoot him?” “Because he isn’t supposed to be there. Nobody, no sane civilian who isn’t a terrorist, has any business being within 200 meters of a tank. And if he places himself in such a situation, he is apparently up to something.” Every place you took over, anything you ‘sterilized,’ anything within a range of zero to 200 meters, 300 meters –that’s supposed to be a ‘sterilized’ area, from our perspective.” ("Breaking The Silence › Testimony › “Anything Still There Is As Good As Dead”" 2021).

The Palestinian people have been trying to bring to light the injustices the IDF soldiers have been ordered to do. Whether consciously, or not, the IDF soldiers have been known to discriminate against the Palestinian people and detain children as young as 9, many times for petty crimes, thus terrorizing the Palestinian community. It should be noted that the age of criminal culpability in Israel, under both civilian and military law, is

12 years old. The IDF procedures booklet for settlers states in underlined text, "it will be emphasized that soldiers are not to use weapons against an Israeli" (Cable News Network, 2019).

Politically, the Israeli government is the occupying force in control of the Palestinian territories. Israel makes a great distinction between the term *nationality* (*le'om*) and *citizenship* (*ezrahut*). Citizenship is a native or naturalized person who owes allegiance to a government and is entitled to protection from it (Merriam-Webster, 2021). Because Israel links its citizenship to "Jewishness" anybody who was born to a Jewish mother, or to a person who has converted into Judaism, is considered a Jew and therefore have the option of Israeli citizenship and "The Law of Return" (Columbia Law School, 2021). Being Jewish is not a requirement for citizenship. But it is a requirement for *le'om*, nationality, in which a person's rights to property, movement and settlement, depend on. Having Israeli *le'om* is a way of dividing the population from those who are Jewish Israeli and merely a citizen of Israel (Dunning, 2015). Under the 1907 Hague Regulations and the Fourth Geneva Convention in 1950, their duties of the Israeli states are expressed as the following:

- "The occupant does not acquire sovereignty over the territory.
- Occupation is only a temporary situation, and the rights of the occupant are limited to the extent of that period.
- The occupying power must respect the laws in force in the occupied territory, unless they constitute a threat to its security or an obstacle to the application of the international law of occupation.
- The occupying power must take measures to restore and ensure, as far as possible, public order and safety.
- To the fullest extent of the means available to it, the occupying power must ensure sufficient hygiene and public health standards, as well as

- the provision of food and medical care to the population under occupation.
- Collective or individual forcible transfers of population from and within the occupied territory are prohibited.
  - Transfers of the civilian population of the occupying power into the occupied territory, regardless whether forcible or voluntary, are prohibited.
  - Collective punishment is prohibited.
  - The taking of hostages is prohibited.
  - Reprisals against protected persons or their property are prohibited.
  - The confiscation of private property by the occupant is prohibited.
  - The destruction or seizure of enemy property is prohibited, unless absolutely required by military necessity during the conduct of hostilities.
  - People accused of criminal offences shall be provided with proceedings respecting internationally recognized judicial guarantees (for example, they must be informed of the reason for their arrest, charged with a specific offence and given a fair trial as quickly as possible).”( International Committee of the Red Cross, 2004)

The Palestinian legal status, internationally is as an observer state (State of Palestine Mission to the United Nations, 2021a; Hereafter; SPMUN). Out of the 193 member states of the United Nations, 139 States recognize Palestine as a legitimate state, giving it bilateral recognition (SPMUN,2021b) Legally, Israel has control of the Palestinian people because they are the occupant. Occupation is one entity having control and possession of hostile territory, temporarily in order to stabilize the territories. An occupant has no claims to formal sovereignty in these territories. Israel has control of the Palestinian people, but continue to argue they are not responsible to the Palestinian people.

The Jewish claim to land is not just in its ancestral routes. Mitchell Bard discusses an explanation for the current claims of Israel for its predominance in the region. He states: 1) God promised the land to the patriarch Abraham; 2) the Jewish

people settled and developed the land; 3) the international community granted political sovereignty in Palestine to the Jewish people and 4) the territory was captured in defensive wars (Bard, 2021).

As a point to point rebuttal, one may argue that a religious claim may not be valid for the dismissal of a group who follows a different religion. Religion is subjective to those who practice, and it is not fair to impose it on a population who disagrees. One of the biggest supporters to this claim are Evangelical Christians. Their belief of fulfilling the end times prophecy. These older evangelical Christians believe that when all the Jews are back on the Land “promised to them” Jesus will be brought back for his second resurrection (Inbari and Bumin, 2020).

The second and third claims are ignoring the historical facts of the land, spoken about in the first chapter of the journal. The second claim does not take into account that it wasn't just the Jewish people who settled and developed the land, looking back at the history chapter of the journal, we understand that the Jewish population was not the first population to settle on the land. The third claim states that the Jewish people were promised the land politically, but ignores the fact the Palestinians were also promised the same land. And even if the land was promised to the Jews, that does not dismiss the war crimes and expulsion of millions of Palestinians (IMEMC News, 2019).

The fourth and final claim, that the land was taken in a defensive war, fails to consider the annexation of land from the Palestinian people and their expulsion, the beginning of the war. Collective expulsion, or expulsion en masse, is prohibited by several instruments of international law and is considered to be a human rights violation

( Scholten, 2016). The Israeli state was imposed, it was not created naturally. To ignore the fact the Israeli state comes at the cost of human rights, is to be selective in your agenda.

The Palestinian Authority is hardly a government. The place and the strength of the Palestinian claims have only diminished over time, while the place and the strengths of the Israeli claims have increased. This is not because of the virtue of their claims, but rather their position with other international players. In the post 1967 era, after Israel won the war, they began to see themselves no longer captive to their surroundings. Israel began seeking guidance and direction from the United Nations, in hopes of strengthening their claims of sovereignty and self-determination. If Israel did not have the backing it currently has by the United States, it would not be as powerful as it is today. Palestine will always be disadvantaged in terms of its relative ability to control its own destiny.



### **Chapter 3: United Nations**

Human Rights are aspirational, not definite. The United Nations define Human Rights as

“Rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. Human rights include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education, and many more. Everyone is entitled to these rights, without discrimination.”(United Nations, 2021a)

The United Nations was founded in 1945, as a means to get the countries of the world a place to discuss common issues. They are “committed to maintaining international peace and security, developing friendly relations among nations and promoting social progress, better living standards and human rights”(United Nations, 2021 b). At least they try to. The United Nations has been criticized for not really doing anything to ensure that human rights laws are being followed.

“Most important to note is that U.N. peacekeeping has been most effective when its role involved only mediating and observing peace successfully brought about by other parties... Furthermore, the United Nations cannot end conflicts unilaterally, but only when all warring parties call for peace” (Holmes, 1993).

If a country does not follow the UN Charter, the UN condemns the country publicly and criticizes their actions. So many countries simply choose to reject their criticism, and sometimes the country would withdraw from a council. The United Nations serves as a referee to reduce human extermination, whether the countries choose to change their game is ultimately up to the country. Human rights are aspirational, there is no way there will be a universal status of rights due to the many different cultures, religions and ideologies of the world.

UN resolutions are formal expressions of opinion, given by the UN, to a country they believe has done something they deem controversial. The Nations involved voice their concerns to the entirety of the council in hopes to partake in discussions to resolve the issue (United Nations, 2021c). In the year of 2020, the United Nations condemned the actions of the Israeli government a total of 17 times [Table 1]. Israel has had resolutions for their treatment and exploitation of the Palestinian people. Resolutions brought to the UN are discussed in this setting in an attempt to find peace and justice. The resolutions regarding the treatments and rights of the Palestinians and their extracts are stated below as they are stated by the United Nations Watch ( UN Watch, 2021). Throughout the resolutions, the Countries of the United Nations must vote on whether they agree with what’s being presented or not.

<p><a href="#">“Assistance to Palestine refugees” [A/C.4/75/L.9]</a></p>	<p>“Expressing grave concern at the especially difficult situation of the Palestine refugees under occupation, including with regard to their safety, well-being and socioeconomic living conditions...”</p>
<p><a href="#">“Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East” [A/C.4/75/L.10]</a></p>	<p>“Calling upon Israel to ensure the expedited and unimpeded import of all necessary construction materials into the Gaza Strip and to reduce the burdensome cost of importation of Agency supplies...”</p>
<p><a href="#">“Palestine refugees’ properties and their revenues” [A/C.4/75/L.11]</a></p>	<p>“Reaffirms that the Palestine refugees are entitled to their property and to the income derived therefrom, in conformity with the principles of equity and justice...”</p>
<p><a href="#">“Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories” [A/C.4/75/L.12]</a></p>	<p>“Deplores those policies and practices of Israel that violate the human rights of the Palestinian people and other Arabs of the occupied territories, as</p>

	reflected in the report of the Special Committee covering the reporting period...”
<a href="#">“Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan” [A/C.4/75/L.13]</a>	“Reaffirms that the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan are illegal and an obstacle to peace and economic and social development...”
<a href="#">“Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem” [A/C.4/75/L.14]</a>	“Gravely concerned by the tensions and violence in the recent period throughout the Occupied Palestinian Territory, including East Jerusalem and including with regard to the holy places of Jerusalem, including the Haram al-Sharif, and deploring the loss of innocent civilian life...”
<a href="#">“The occupied Syrian Golan” [A/C.4/75/L.15]</a>	“Determines that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the occupied Syrian Golan are null and void...”
<a href="#">“Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources” [A/C.2/75/L.35]</a>	“Expressing its grave concern also about the widespread destruction caused by Israel, the occupying Power, to vital infrastructure, including water pipelines, sewage networks and electricity networks, in the Occupied Palestinian Territory...”
<a href="#">“The right of the Palestinian people to self-determination” A/C.3/75/L.45</a>	“Recalling the conclusion of the Court, in its advisory opinion of 9 July 2004, that the construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, along with measures previously taken, severely impedes the right of the Palestinian people to self-determination...”
<a href="#">“Assistance to the Palestinian people” (A/75/L.43)</a>	Excerpt: “Aware that development is difficult under occupation and is best promoted in circumstances of peace and stability. Noting the great economic and social challenges facing

	the Palestinian people and their leadership...”
<a href="#">“Committee on the Exercise of the Inalienable Rights of the Palestinian People” (A/75/L.32)</a>	“Noting with deep regret the passage of 52 years since the onset of the Israeli occupation and over 70 years since the adoption of resolution 181 (II) on 29 November 1947 and the Nakba without tangible progress towards a peaceful solution...”
<a href="#">“Division for Palestinian Rights of the Secretariat” (A/75/L.33)</a>	“Requests the Division, in particular, to continue to monitor developments relevant to the question of Palestine, to organize international meetings and activities in support of the Committee’s mandate ... to liaise and cooperate with civil society and parliamentarians, including through the Working Group of the Committee, to develop and expand the ‘Question of Palestine’ website...”
<a href="#">“Special information program on the question of Palestine of the Department of Public Information of the Secretariat” (A/75/35)</a>	“Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the legal consequences of the construction of a wall in the Occupied Palestinian Territory...”
<a href="#">“Peaceful settlement of the question of Palestine” (A/75/L.34)</a>	“Reaffirming the illegality of Israeli settlement activities and all other unilateral measures aimed at altering the demographic composition, character and status of the City of Jerusalem and of the Occupied Palestinian Territory as a whole, including the wall and its associated regime, and demanding their immediate cessation...”
<p>“Jerusalem”</p> <div data-bbox="191 1661 745 1761" style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>Table 1. Resolutions given by the United Nations. ( UN Watch, 2021).</p> </div>	“Expressing its grave concern, in particular, about tensions, provocations and incitement regarding the holy places of Jerusalem, including the Haram al-Sharif, and urging restraint and respect for the sanctity of the holy sites by all sides...”

The year 2020 has brought into question what duties Israel has for the territories. The world was struck by the Covid-19 virus, and seemed to be at a halt. Deaths from illness were extremely high, and it wasn't until the development of the Covid vaccines until the world became "back to normal". Scientists are depending on herd immunity to halt the spread of the disease and the countries that were fortunate to get their hands on the vaccines were instructed to distribute it to their population. Israel had vaccinated more than half their population, and still had vaccines to go around. The first waves of vaccinations were given to Israeli citizens by December 2020. Palestinians who have Israeli citizenship and therefore pay Israeli taxes have access to the vaccine, but those without citizenship were not offered the vaccine until March 2021, and only then were they offered to the Palestinians who work in Israel and travel back and forth from the territories to the state.

Palestinians had been dealing with a sharp rise in deaths and infections by February 2021, and as a way to cope with it, Israel placed a lockdown on the west bank. The United Nations released a statement stating Israel had the responsibility to administer the vaccines to their occupied territories, in which Israeli health minister argues that under the Oslo Agreement it states, Palestinians must take care of their own health. The Palestinians Authorities counter that the Accords also state ""Israel and the Palestinian side shall exchange information regarding epidemics and contagious diseases, shall co-operate in combating them and shall develop methods for [the] exchange of medical files and documents". The United Nations concluded that regardless of what the Oslo Accord states, the Fourth Geneva Accord specifies the duty

to provide health care to occupied territories. This neglect has been given the term “medical apartheid”(Check, 2021).

Some Palestinians have Israeli citizenship, however they do not have Israeli nationality. In 2020, the population of Palestinians worldwide has reached 13.4 million. Out of the worldwide number, 5.1 million of them reside in the Palestinian territories, 1.956 million have Israeli citizenship ( Palestine Population 2021, 2021). In 2020, The Palestinian population *in Israel* takes up 21% of the total population and they are able to get representation in Parliament if voted into it (Population of Israel on the Eve of 2021,2020). If granted Israeli citizenship, the political term for your identity is an Israeli-Arab. Many argue that using the term Arab, instead of Palestinian is a way for the Palestinian nationhood to be erased. Up until 2018, Arabic was an official language of the Israeli state, but the Knesset approved a Nation State Law that downgraded the language to a special status.

The Nation State Law was passed in 2018 and states that Israel is unique to the Jewish people, insinuating that non-Jews will not be given the same benefits (Yazan, 2021). There are three types of persons living in Israel/Palestine. The Jewish Israeli citizen, the Palestinian Israeli citizen, and the Palestinian. Depending on your nationhood, the Israeli government gives you some freedom (Ayyash, 2021). The Jewish citizen is granted freedom of movement, the right to vote, no routine imprisonment without charges or trial, and the right of return. The right of return is granted to any Jewish person from around the world. The Palestinian citizen is granted all *but* the right of return, while a Palestinian with no citizenship is devoid of all rights

(Scheindlin, 2020). It is problematic for most Palestinians to become Israeli Citizens within their own community for if one does they are often thought of as a sellout and losing their identity.

Apartheid is a system of institutionalized racial segregation (Merriam-Webster, 2021). Palestinians do not get the same treatment as Israelis, whether they're citizens or not. They have to go through a checkpoint (Justice Home Office, 2020), they have to live in certain areas of what they're given (Human Rights Watch, 2020), they are constantly worried that something will be taken away from them. The denial of human rights to Palestinians began with the establishment of Israel in 1948, after which the Israeli government forced millions of Palestinians out of their homes, forcing them to become refugees. The denial began with the establishment of Israel, after which Israeli Military and settlers forced millions out of their homes, creating a refugee crisis. This day is known to the Palestinians as Al-Nakbah, which translates to 'the catastrophe' in Arabic. Zionist militia and Israeli forces systemically destroyed and depopulated approximately 418 Palestinian villages, this number excludes Bedouin settlements, hamlets, and city neighborhoods (Khalidi, 1992). The State of Israel was said to take 56% of already inhabited Palestinian land, and over the years, after wars and riots, Israel holds 71% of the land. Previously, Palestine was being ruled as a British Mandate and was made up of Arab and Jewish citizens. There they lived side by side. After the two sides began distinguishing themselves from the other, segregation began to form (United Nations, 2021d). This has led to multiple wars, a Palestinian Nakba, and an ethnic cleansing of the Palestinians.

Since 1948 Palestinians have been forced to move out of their homes to accommodate Zionists from around the world. At this moment in time, this power abuse is still being done. Families, particularly in Sheikh Jarrah, were kicked out of their homes in 1956 and reached an agreement with the Jordan Ministry, who had control of the West Bank at this point, and with the UN refugee agency to provide housing for them in Sheikh Jarrah. The Jordanian government was in charge of providing the land, and the UN was in charge of the cost. After the 1967 war, Israel took control of the West Bank and the town is now under Israeli occupation. Because they are under Israeli occupation, the Palestinians are not allowed to register their homes under their names. The Israeli neighbors of the Palestinians filed a lawsuit in 1970 claiming the area belonged to Jewish people originally and seek the expulsion of the Palestinian residents. The Israeli government ruled that four families of the twenty-eight families, the al-Kurd's, the Iskafi's, the Qassim's, and the Jaouni's, must leave their homes or reach an agreement with the settlers by "paying rent" in their own homes (Organization, 2021). Because they are refusing, and protesting the occupation, they are being met with IDF brutality and violence (Shehadeh, 2021).

The Palestinian people have always been this marginalized and disputed. The expulsion of millions of Palestinians has been a threat to their basic human rights worldwide. With military checkpoints, different ID cards, constant "neighborhood checks" where IDF soldiers can come into their homes unannounced and unwarranted in the middle of the night "for security" (NBC, 2015). The creation of Israel has created a system of oppression in the state and whenever the Palestinians protest it, they're met



with incredible violence. While the Palestinians fight with rocks and low grade weapons, Israel is being funded by the billions that all go to their military, making this “conflict” or “war” completely one sided. Sending a fully equipped army into areas like Gaza, who has no military, is ethnic cleansing.

Ethnic cleansing is defined as the mass expulsion or killing of members of an unwanted ethnic or religious group in a society. It is not viewed as an independent crime under international law, but the United Nations Commission of Experts believe that these practices “... constitute crimes against humanity and can be assimilated to specific war crimes. Furthermore, such acts could also fall within the meaning of the Genocide Convention”(United Nations, 2021e).

Legally, Israel has control of the Palestinian people because they are the occupant. Occupation is one entity having control and possession of hostile territory temporarily in order to stabilize the territories (ICRC, 2004). An occupant has no claims to formal sovereignty in these territories. Israel has control of the Palestinian people, but continue to argue they are not responsible to the Palestinian people. There have been propositions to make “peace”, but there cannot be peace without justice.

There have been blockades to Palestine by the Israeli forces, assaults, and terrorism all around, but nobody sees Palestine as a country in need of help and tends to overlook the country. A major argument and justification for the violence the Palestinians face is Hamas. The Israeli government tends to blame all that they do in the name of “security”, when in reality they are taking part in communal violence (Engineer, 1986).

“The murder of unarmed civilians based on their ethnic, racial or religious affiliations, the forcible displacement of ethnic and religious communities, and the burden that this tragedy places on international humanitarian agencies and donor nations, are now central issues of international relations”(Human Rights Watch, 2009)

Just because something is popular, does not make it right. We, as humans, are evolved enough to have morals and ethics to distinguish right from wrong. Even if a certain way of thinking is popular, that does not justify it being iniquitous. This ideology that people are different harms society. It's not fair to think what political leaders do is in accordance with religion because the actions of the few don't represent the many and are often against the religion. To equate the actions of the Israeli government to the Judaism is anti-Semitic, just as if you were to equate the actions of Hamas to Islam would be Islamophobic. The current state of affairs have prompted many observers of the conflict to describe this conflict as another example of ethnic conflict and Apartheid.

We confine ourselves to tradition, to our “cliques”, and into doing things we feel comfortable doing. As it says in Article 15 of the Universal Declaration of Human Rights, every person has the right to a Nationality. Once a Nation has defined themselves, it is selfish and impractical for them to assume that they now get benefits over another nation. We never really let ourselves run free and that is because of society. We all are afraid of something and whether that be heights, or of people's opinions, it subconsciously stops us from doing what we want. Confinement spread across the different eras all have society in common. If one society believes a certain type of characteristic is “wrong”, another might think it's completely right. If society has changed it's way of thinking all over again every couple of years, how can we aimlessly follow without getting hurt? Everybody needs to break out of confinements and start thinking

for themselves. Media has a way of pitting the two nations against each other. We must educate ourselves to ensure we're not influenced by an external force telling us what to think or do (Foucault, 1988). True peace is the presence of justice, not the absence of conflict. When Israel seeks the latter, Palestinians will refuse and continue to refuse until they are free from the occupation. Nothing is going to change if countries turn a blind eye towards Israel's illegal doings.

## Chapter 4: Roads to “Peace”

### I. Madrid

In an attempt to create peace after the 1991 Gulf War, Spain hosted a conference to begin discussion between the Palestinians, and the Israelis.

*“Peace will only come as the result of direct negotiations, compromise, give-and-take. Peace cannot be imposed from the outside by the United States or anyone else. While we will continue to do everything possible to help the parties overcome obstacles, peace must come from within. We come here to Madrid as realists. We do not expect peace to be negotiated in a day, or a week, or a month, or even a year. It will take time; indeed, it should take time-time for parties so long at war to learn to talk to one another, to listen to one another. Time to heal old wounds and build trust. In this quest, time need not be the enemy of progress”*

- *Opening Addresses in Madrid. George W Bush, October 30<sup>th</sup> 1991*  
(Journal of Palestine Studies, 1992).

The conference was administered by the United States, and letters of Assurances were sent to all who were participating. Two days before the conference, Israel sends the United States a letter, refusing to have any conversations about the discussion of Jerusalem, and if the discussion of Jerusalem comes up, nobody from East Jerusalem is allowed to partake in the discussion. The letter also states that any promises the United States made to the Arab delegations, are nonbinding to Israeli delegates, and that Palestinian delegations are not to operate as an independent delegation (Journal of Palestine Studies, 1992). This limited the Palestinian representation involved in these discussions toward peace. Israel, prior to this conference, would avoid conference diplomacy out of fear the Arab states would join forces against Israel (Encyclopedia, 2021). The conference fixed little to nothing. It posed as a more symbolic progression towards peace than actually creating peace (Harms and Ferry, 2005). The United

Nations adopted a revocation of Resolution 3379. In this resolution, it had stated Zionism as a form of racism and racial discrimination. These meetings fixed economic relations between Israel and the Arab states around it, previously the Arab states had an economic boycott towards Israel.

## II. Oslo Accords

**“RECOGNIZING** that the aim of the Israeli-Palestinian negotiations within the current Middle East peace process is, among other things, to establish a Palestinian Interim Self-Government Authority, i.e. the elected Council (hereinafter "the Council" or "the Palestinian Council"), and the elected Ra'ees of the Executive Authority, for the Palestinian people in the West Bank and the Gaza Strip, for a transitional period not exceeding five years from the date of signing the Agreement on the Gaza Strip and the Jericho Area (hereinafter "the Gaza-Jericho Agreement") on May 4, 1994, leading to a permanent settlement based on Security Council Resolutions 242 and 338” (Israel Ministry of Foreign Affairs, 1995)

The two part Oslo Accords is an agreement between the Government of Israel and the Palestinians Liberation Organization. It began as secret correspondence between Israel and the PLO in 1993. In this plan, the two states agreed upon many things. Israel committed to withdrawing IDF forces from parts of the Gaza Strip and the West Bank. Palestinians gained the right to self-government with those areas, thus creating the Palestinian Authority, Palestinian Police force and authority over education and culture, health, social welfare, direct taxation and tourism on their land will be given to their government (United Nations, 1995). The PLO had to recognize Israel as a state and renounce terrorism, then their interim period would last 5 years. After that, there would be a negotiation to make it permanent. The question of Jerusalem was left unspoken about until the Second Oslo Accords, where they agreed upon partitioning the

West Bank into three administrative divisions (Government of Israel and Palestine Liberation Organization, 2013). Unfortunately, right wing supporters from both sides of the negotiation did not appreciate their governments corresponding with one another. The Israeli Prime Minister Yitzhak Rabin was assassinated two years after the signing of the agreements by a 27-year-old Israeli who had connections to the far right political group, Eyal (A&E Television Network, 2012). Yaser Arafat was vilified until his death in 2004. It was deemed of natural causes, but in 2013 newspapers began to speculate the poisoning of Polonium (BBC, 2013).

### **III. Abbas' Plan**

Being the Palestinian President, one would assume Mahmoud Abbas has the responsibility to get his people out of this hardship. While the beginning of his political career was strong, and directed towards finding peace, by 2006, he lost the ability to lead a united West Bank and Gaza (Rumley and Tibon, 2017). Abbas was involved in working towards the Oslo Accord. In September of 2014, Mahmoud Abbas' decided to create his own plan for peace, but his lack of compassion for the Israeli claim left the United States to say it was bilaterally unfair. The plan for peace was denied by the United States as soon as they saw the contents. According to the United States, it was one sided and left no room for conversation (Abu Toameh, 2014). They believed by offering this plan, it would cause more harm than good to the Palestinian/Israeli relationship. In the plan it proposes a nine month direct talk followed by a three year plan for Israel to withdraw from the Palestinian territories. Abbas also requested for the recognition of the 1967 borders (Hatuqa, 2014). It would be unrealistic to assume

approximately 4 years would be enough time to heal 73 years of suffering. The plan was said to be unilateral, only benefitting the Palestinians and forcing the Israelis to comply.

#### **IV. Trump's Plan (2018)**

President Donald Trump hosted a conference between the United States and Israel to discuss potential demand to put into Trump's peace plan (White House Office, 2020). It was formed without the contribution from the Palestinian Authorities or Palestinians figurehead (Ward, 2020). In Trump's plan, a Two-State solution is supported, but the claim over Jerusalem is completely given to Israel (Welle, 2020). This notion comes after Trump moved the American Embassy from Tel Aviv to Jerusalem, unofficially recognizing Jerusalem, a land that is area c of the compromise, as the Israeli Capital (Landau, 2019). The war crimes committed by Israel seemed to be rewarded by this gift from America. The Plan was seen as a disrespectful offer to Palestinian President Mahmoud Abbas, as he called it "a conspiracy deal" (BBC, 2021). The Plan neglects to offer the Palestinians anything of what they ask, and is completely unilateral in its offer. It denied the Palestinian Right of Return, as well as allows Israel to maintain control of their illegally taken settlements (Usher, 2018).

#### **V. Two-state Solution**

Supporters of the Two-state Solution advocate for establishing two states for two nations, Israel for the Jewish people and Palestine for the Palestinians. Peace cannot be made without distinguishing whether the land will be one state or two. Every peace plan so far has incorporated the Two-state solution. The Two-state Solution was the original plan in the United Nations split up of the state (Encyclopædia Britannica, 2021) But quite frankly, it is out of the question.

Israeli Prime Minister Benjamin Netanyahu has spoken out in 2019 stating a Palestinian state will only be considered if Palestine would be completely demilitarized, and allows the presence of Israeli military forces on its soil. The suggested Palestine, according to Netanyahu, ideally allows Israel complete mastery of their skies.

Palestinians, under Netanyahu's ideal two state solution, are also expected to agree to the follow conditions:

- “ 1. The Palestinians are expected to maintain calm conditions during the negotiations by dismantling their existing security apparatuses and replacing them with new organizations. As part of this effort, the Palestinians are expected to stamp out "terror, violence, and incitement," by educating for peace. They are also required to dismantle and destroy [terrorist organizations](#) such as [Hamas](#), Islamic Jihad, the Popular Front for the Liberation of Palestine, the Democratic Front for the Liberation of Palestine, al-Aqsa Brigades, and all others.
2. The Palestinians must allow a new leadership to emerge which is committed to political reform.
3. Israel will have a say in developing the character of the new Provisional Palestinian State, which will enjoy provisional borders, some sovereignty, but limited police and security forces for internal use only. Israel reserves the right to maintain total control over the movement of people and goods and to exercise supervision of the territories' airspace.
4. The Palestinians are required to declare their acceptance of Israel's right to exist as a Jewish state and cease their support for the return of the Palestinian refugees to Israel.
5. The end of the peace process will be understood to be an end of all Palestinian claims and not merely the conclusion of the conflict itself.”  
(Talhami, 2016)

The Two-state Solution puts both States at risk of war. The land will be divided along the 1967 border plan, and Jerusalem would be split in two (Ayyash, 2021). The Two-state Solution ignores how interlinked these two nations are in terms of economy, settler population, basic infrastructure and even Palestinians residing within Israel. Palestinians are worried that because of the growing number of Israeli settlers, the land will not be divided fairly.



“For Palestinians the key date in the conflict is 1948, and the occupation of the 1967 territories is a symptom of the disease, not its cause. The problem is that the two-state solution does not merely confine itself to dealing with the symptoms; it actively helps to maintain the cause” (Karmi, 2011).

A two state solution separates these two nations and allows for them to continue their segregation. It does not acknowledge the crimes committed towards the Palestinians, nor does it give them the right of return to the homes that were not included in the Palestinian Territories and is a cheap way of not dealing with the problem.

### **One state Solution:**

The One-state Solution would merge Israel, the West Bank and the Gaza strip into one country. Like the Two-state Solution, it is one of the two decisions that must be made. The Palestinians have always rejected the idea of a division, but now just wish for a country of their own. Under this solution, the land would no longer be divided geographically and the Israelis and the Arabs would be living side by side. There are two different models in how the One-state Solution should be administered, the binational model or the secular model (Karmi, 2011).

The binational model of a One-state Solution allows for the two nations to be ethnically different while living in the same state. Zionism in this case would have less of a political approach and more of a cultural meaning (Shumsky, 2018). A Secular model for this solution would mean Zionism would end. The Secular model, presented first by the PLO in 1969, claims to want a democratic state of Palestine that will be the home for all. However, in order to be considered as a citizen in the “new state” residents would

have to renounce Zionism because of the “Palestinian States” opposition to “ all forms of prejudice on the basis of race, color, and creed” (Mavroudi, 2010). The Secular Model, in no way, will be approved by the Israeli government, who owe their creation from political Zionism.

“It is vital to show both peoples that there is another way: we must insist on a debate over alternatives to the two-state solution that will allow each community to secure its rights, identity, and legitimacy by embracing the other as equal. The debate I propose is not an idle intellectual exercise. By talking of a common future and imagining it, we engage in the act of creating it; we introduce a different prospect to endless war. It is only through shattering taboos, questioning longheld assumptions, and articulating a vision that we can move the idea of coexistence in a single state from the far margins to the center of discussion “(Abunimah, 2006).

Abunimah is a strong advocate for the One State solution. He states that although it’s unrealistic, it is the greatest approach towards true peace. Abunimah states that the reason behind the lack of support for a One-state Solution, from the Israeli side, comes from the narrative that only an exclusively Jewish controlled state can guarantee the survival of the nation. The problem of nationality comes into play with this dissection.

Although the idea of nationalism has been prevalent earlier in history and clearly prevalent in today’s society, the *term* nationalism wasn’t originated until 1772 by Johann Gottfried Herder. Herder’s work, *Letters for the Advancement of Humanity*, focuses on the unpolitical aspects of nations. Herder assumed that a nation was an institution with its own cultural and linguistic identity (Herder, 1973). Herder made it quite clear in his works that he believed a nation should be separate from a state’s politics and focused the term nation on the different groupings of people.

## **Conclusion**

With an incredible amount of work and good will, the One-state Solution is an idealist wish list that I believe to be the fairest thing to finally end this disproportionate war. It would take the claims everyone has and grant everybody equality; to create a one state solution in hopes everyone can live together peacefully. The same laws for both people. A right of return for both people. The transition into one government will be difficult due to the fact the two nations cannot agree on how it would work. The only way this region can ever be normalized is for both sides to adopt co-operative policies, and uproot the security/military leadership now running the states. The extremists on both sides of the conflict need to be eradicated in order for any solution to be achievable. Granted these two governments have made no sufficient will to discuss the possibility of any agreement of peace since the Oslo Accords, I believe that the best thing for peace is to share the land. As stated earlier, there cannot be peace without justice. By sharing the land between these two people and allowing them to live side by side would be to allow for cultural Zionism and Palestinian nationalism to coexist together.

A Two-state Solution would be a continuation of the divide between these two people. I believe that through protest and avocation, the information would spread enough to get their governments attention. It is the citizens' protests who want peace and justice in their country that will force the governments to comply. One must speak out about injustice, the Palestinian families who have lost their homes yearn to come

back to their land, and the Zionists who have brought their whole family over have settled in and begun making a home. It would be unfair to kick people out of their homes, which is why, when given equal opportunity, these two peoples would be able to rise together above their governments and make peace. The Jews and the Palestinians have had a very similar history and their relentless hatred toward each other is a historic disaster. One country, two people, and a unique government that allows for freedom, prosperity and hope for both people may be the only solution. A major roadblock is getting the two governments to agree. The longer we wait to solve this conflict, the harder it is for the two communities to become one and the resentment they have for one another would be too powerful for change. It will take much time and patience to establish this resolution, but a resolution for a conflict in this complex, whatever solution one may deem best, will take much time.

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