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Can the United Nations create a Palestinian state?

By Jackson Diehl | October 26, 2010; 11:15 AM ET



On November 15, 1988, Yasser Arafat proudly read a declaration by his Palestinian Liberation Organization unilaterally proclaiming "[the establishment of the State of Palestine on our Palestinian territory with its capital Jerusalem.](#)" Shortly afterward the United Nations General Assembly voted overwhelmingly to support the declaration; within months 93 governments had recognized the state of Palestine.

That state, of course, never came into existence. The PLO declaration, the United Nations vote, even the recognition by scores of countries, proved meaningless. Yet Arafat's successor as PLO leader, Mahmoud Abbas, appears to be giving serious consideration to repeating the maneuver.

During a visit to Bethlehem Monday, Abbas was asked about a rash of reports that the PLO might take its case for statehood to the United Nations rather than continue negotiations with the Israeli government of Binyamin Netanyahu. By his own account, Abbas was dragged into those talks by the Obama administration in August. After only two rounds of meetings he has broken them off, citing Israel's refusal to extend a 10-month moratorium on new construction in Jewish settlements.

Abbas responded by saying that Israel has been taking unilateral measures in the West Bank for decades -- and so has no right to oppose the next Palestinian step, "[which is to resort to the United Nations.](#)"

Abbas is right about Israeli unilateralism: Since the settlement moratorium expired a month ago, construction has begun on more than 500 new homes, according to a count by the Associated Press. It's also true that the United Nations General Assembly, which has a long history of hostility to Israel, would likely respond favorably to virtually anything asked of it by the Palestinians. Netanyahu once noted caustically that if the Arab states wished it, the UN "could declare that the earth is flat."

The question, of course, is whether a Palestinian decision to substitute appeals to international bodies for negotiations with Israel will accomplish anything more than it did two decades ago. True, many states might recognize the new state (again). The International Court of Justice in the Hague might declare Israeli settlements on its territory illegal -- after all, it already declared Israel's West Bank barrier unlawful. New international resolutions would cause anxiety in Israel, where many people worry about what they see as a strengthening campaign to "delegitimize" the Jewish state.

Yet the Israeli "wall" is still standing, six years after the Hague's decree. No country has taken steps to enforce the UN's 1988 vote on Palestinian statehood -- and none would be likely to in this case. In short, it's hard to imagine how a state could be created without Israel's agreement. Sanctions? Those are unlikely to win the support of either the United States or the European Union.

Palestinian and Arab leaders appear to be hoping that after the U.S. midterm elections the Obama administration will crack down on Netanyahu. It can't be a coincidence that the Arab League's deadline for renewing the settlement moratorium is Nov. 8. But Secretary of State Hillary Clinton last week dismissed the idea that unilateral action or appeals to the United Nations could lead to Palestinian statehood. ["There is no substitute for face-to-face discussion](#) and, ultimately, for an agreement that leads to a just and lasting peace," she said.

Seeking a UN declaration of statehood would have one big advantage for Abbas: It could give him an excuse to avoid further talks with Netanyahu indefinitely. The Palestinian leader has made it clear ever since the Israeli prime minister took office in early 2009 that he does not want to negotiate with him. That could be because Abbas doesn't believe that Netanyahu will ever offer acceptable terms for Palestinian statehood. Or, it could be that the aging Palestinian leader is unwilling to consider *any* realistic terms for peace, since those would involve major -- and dangerous -- compromises. An imaginary state, like that declared by Arafat, is a lot easier to found.