

# Tablet

## Palestine, 194th Member?

### Oxford-style debate raged over U.N. membership

By Marc Tracy | January 11, 2012 12:00 PM

At last night's Intelligence Squared U.S. debate <sup>[1]</sup> held at NYU's Skirball Center, the motion was: "The U.N. Should Admit Palestine as a Full Member State." The Oxford style of the contest—one side defends the platform, the other side opposes it, and they are judged purely on their respective success at doing what they are supposed to do, not what is "right" or how the motion fits into a larger context—made for an evening that at once obscured the larger difficulties of the Middle East conflict and highlighted that conflict's intractability. Mustafa Barghouthi and Daniel Levy, defending the platform, defeated Dore Gold and Aaron David Miller, opposing it—they had an audience vote to show for it. But as tempers flared (including, at one point, that of moderator John Donvan, of ABC News) and each side retreated into their respective (and respectively valid) shibboleths, it became clear that the true victor whenever the "peace process" is discussed is the status quo.

The pro- side, and specifically Levy, a former Israeli negotiator currently of the New America Foundation, was able to win, ironically, by downplaying the importance of Palestinian membership. "This is not a panacea," Levy argued at one point (it would be pointless to deny that his English accent serves him extremely well when debating policy in front of an American audience). But it would do some good, he argued: it might halt settlement-building, at least in the long run (Miller pointed out that in the short run it would likely accelerate settlement-building); it would alter "the conceptual universe" (including that of "certain people in New Hampshire tonight"), showing the doubters that there truly is international commitment for a two-state solution. Levy called it "declarative diplomacy," at once providing an ample rationale and shrinking its importance so that the onus was on the other side either to disagree and assert that it would be a big deal—which would have been a risky gambit given the consensus that the end-goal should be a two-state solution—or to argue that this initiative would simply do more small harm than small good, a task made more difficult by its very smallness.

Miller, a former U.S. negotiator, and Gold, a former adviser to Prime Minister Netanyahu, attempted the latter. "U.N. decision in the absence of a plan will not bring the Palestinians any closer to the sovereignty they deserve," argued Miller. He noted that Palestinian Prime Minister Salam Fayyad, a hero (in the West) for building real institutions (in the West Bank), "is against this proposition because he knows it will undermine the work he has done." Miller added, "Recognition would conflate with sovereignty. That may not be legally correct, but that would be the mindset." Gold pointed out, "You need diplomatic flexibility." Here he feinted toward what, to my mind, was their side's strongest argument: that U.N. membership, like borders, settlements, and the statuses of refugees and Jerusalem, is something best left to the negotiating table rather than given up for nothing.

And here we get to the aforementioned flared tempers. For negotiations work best between two sides that are in relatively equal positions to bargain, but, of course, this arguably does not accurately describe the Israelis and the Palestinians. Barghouthi compared them to two mice fighting over a piece of cheese, with the Palestinian mouse imprisoned behind bars and helpless as he watches the Israeli mouse get the whole wedge to himself. To which the rebuttal is that the mouse, trapped behind bars, has put itself on a level playing field—and an un-level moral one—by sending suicide bombers and rockets toward the Israeli mouse.

Levy and Barghouthi had answers for this, too. For Levy, once again, it's about symbolism: Palestinian membership would be something akin to what literary theorists call a speech-act. It would force the Palestinians to get serious. "Palestine: you're in the U.N., read the U.N. charter," which calls for all nations to be "peace-loving," Levy said. " Hamas, you want in? You read the U.N. charter too." Barghouthi went a step further, noting that Hamas has recently called for renouncing violence and accepting the 1967 borders—and without noting that other elements of Hamas have done the exact opposite and that Hamas's infamous charter remains unchanged. "That strains the bounds of credulity," Miller retorted in the understated fashion that was his style. He was referring to Barghouthi's claim that Hamas has reformed, but he may as well have been referring also to Levy's claim that Palestinian membership would reform Hamas.

Gold here went for something like the jugular, asking Barghouthi if he was at a confab in Cairo late last month that included not only members of the ruling Fatah party and other relatively moderate ones like Barghouthi's own, but also Hamas and Islamic Jihad. He had. If the debate were a larger one, this might have been the trump card, but Levy stepped in to note that U.N. recognition would confer legitimacy on the much broader and more representative Palestine Liberation Organization, and he was never pressed on the prospect that Hamas and Islamic Jihad would need to become PLO members for the thing to have any sort of legitimacy among the Palestinian people in the near to intermediate future, and so defused that particular bombshell. (He did make a rare error in all but comparing Hamas to Israeli Foreign Minister Avigdor Lieberman, leaving Gold the easy in to accuse Levy of "moral equivalence," which he did, over and over and over again, like your uncle at the Seder table).

By the end, all that seemed clear is what we probably knew before: continued Israeli intransigence over settlements and continued division among the Palestinians—with a large portion if not the majority supporting the unsupportable Hamas—means there won't be peace in the Middle East any time soon. I thought Levy and Barghouthi (specifically Levy) out-argued Gold and Miller, though it was Miller I found myself most frequently nodding in agreement with. You can make the argument that conferring membership might help compensate for continued settlement-building, both symbolically and instrumentally (as it might give the Palestinians access to international courts). But you are entering too many unknowns—who the Palestinian leadership is, how Israel will respond, how other countries in the region will react—for my taste.

"If we do not have a Palestine, we are saying Kaddish for Israeli democracy," Levy pleaded at one point. Of course, that was not necessarily germane to the motion. The motion, of course, is impossible: full membership would require passage in the Security Council, and the United States will veto any such motion. So instead Levy's *cri de coeur* would have to be filed away in the audience-members' worried minds.

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