

Stein, Kenneth W. "242," January 5, 2007.

Kenneth W. Stein, Emory Professor of Middle Eastern history and Political Science and director of Emory's Institute for the Study of Modern Israel, responds to the inaccuracies in President Jimmy Carter's *Palestine: Peace not Apartheid* each week or so.

This week's issue: United Nations Resolution 242 (November 1967) is inaccurately stated in the book. The resolution, which advanced the idea of land for peace, is the backbone of all Arab-Israeli negotiations — the 1978 Camp David Accords, the 1979 Egyptian-Israeli treaty, the 1993 Palestinian-Israeli Oslo Accords and the 1994 Jordanian-Israeli treaty. The writers of the resolution took five months of laborious negotiation to choose every word. The ambiguity of the document remains its strongest feature, since the authors sought approval by the two superpowers, the United States and the Soviet Union, each with its own interests to safeguard. The text calls for the "application of ... withdrawal of Israel armed forces from territories occupied in the recent conflict." It does not call for *some, all or total* withdrawal, and it does not insist that withdrawal take place from *all* the territories occupied in the June 1967 war. Furthermore, the word *must* does not appear in the resolution.

What Carter says: The "central premise" of Resolution 242 is that "Israel *must* withdraw from occupied territories" (pages 38 to 39, italics added).

Implications of Carter's views: Carter's use of "must" connotes obligation, a demand for action that does not exist in the resolution. Using the logic implicit in this new, altered text, the fact that Israel has not withdrawn from the Golan Heights, East Jerusalem and the West Bank is a violation of Resolution 242. Furthermore, according to the altered text, one can assume that coercion or pressure could or should be applied to Israel until she consents to a withdrawal. Taking this logic further, why would any Arab party negotiate with Israel if she will be forced to withdraw anyway?

Moreover, and this is most significant, the concept of *must/coercion* undermines the core concept of *negotiations between the parties*. Omitted in Resolution 242, *negotiations between the parties* but was inserted into UN Resolution 338, the cease-fire resolution passed at the end of the October 1973 Arab-Israeli war. Without negotiations between the parties, Arab parties can refuse to recognize Israel's legitimacy by having a third party, the United Nations or some other body, such as an international conference, impose withdrawal on Israel or impose sanctions on Israel until she withdraws to the pre-June-1967-war lines. By mandating Israeli withdrawal, Carter gives hope to those organizations like Hamas and others who are verbally and actively committed to Israel's demise, to avoid direct negotiations, and buy time until the international community cuts Israel's size to the pre-1967 lines. And by raising the expectations of *must/coercion*, Carter is turning the clock back to the 1970s and 1980s, when the PLO and other Arab states insisted that the international community *force* Israeli withdrawal from all the territories *before* negotiations. Instead of advancing negotiations between the parties, Carter is working against them: if you do nothing, the international community will do it for you. By extension, if withdrawal to pre-1967 lines is a precondition for negotiations, and not necessarily between the parties, what must Israel then give up in its negotiations for peace if the starting point is the pre-1967 lines? (See the maps on the institute Web page.)

Why would Carter, who knows all the nuances associated with Resolution 242, change the wording? Contextual explanations are illuminating.

1. The notion that Israel must withdraw from the territories it took in the 1967 war is an outcome he fervently believes must emerge from negotiations. This is a prescription, not an adherence to the accepted formula. In the appendix of his book where Resolution 242 is found, the word *must* does not appear; the accurate text is found. He gives the reader two views of what is accurate; or he gives two readers different views of what is accurate!.

2. He truly believes that negotiations should not commence until Israel has left all the territories. Instead of land for peace or land for security, it would land for negotiations! Carter is a fervent believer in negotiations, so including the word *must* is contradictory to his personal outlook.

3. Chances of changing Resolution 242 or removing it as the basis for negotiations are slim, but in merely writing that “*must*” is intrinsic to negotiations, Carter causes those supporters of Israel to feel uneasy and some Arabs to feel emboldened. This is not the first time that Carter mandated Israeli withdrawal. Under the title “Colonization of Palestine Precludes Peace” March 9, 2006, after he monitored the January 2006 elections, Carter wrote, “The unwavering U.S. position since Dwight Eisenhower’s administration has been that Israel’s borders coincide with those established in 1949, and, since 1967, the universally adopted U.N. **Resolution 242 has mandated Israel’s withdrawal from the occupied territories.**” His mistaken quote was eagerly cited on a Pakistani internet site on March 12 as the formula for negotiations. What he invented in March 2006, he affirmed in his book five months later.