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'That's not the Israel I want'

The Trump plan will destroy the two-state paradigm. Europe should reject it, says former IDF commander Yehuda Shaul

In early February, the US administration released the so-called 'Deal of the Century', its vision for solving the Israeli-Palestinian conflict. One of the plan's architects, Trump's son-in-law Jared Kushner, has stated that he doesn't look at the world as it is in 1967, but in 2020 – suggesting that it abandons previously, agreed negotiated peace agreements and international law. So what does the plan propose instead?

We should distinguish between what it proposes and what it does. We have 52 years of occupation. Israel rules over Palestinians without rights and dignity. Israel has fragmented Palestinian space by building settlements, putting restrictions on movement to prevent the emergence of a Palestinian state.

What Kushner says is that it's just accepted. And instead of calling it a problem that needs to be dealt with and solved, let's call today's reality the solution and call it peace. That's exactly what the Trump plan is. It's about making permanent what's supposed to be temporary and a problem to solve via negotiations, based on internationally agreed parameters and international law and principles of UN Security Council resolutions.

It's then about normalising the current reality?

And worse. Because we will call it the solution. We'll call it peace. Because that means it's not occupation anymore, it's annexation and it's accepted. Like giving a kosher certificate to permanent rule over Palestinians without equal rights.

You can look at all the final status issues that we believed, for decades, need to be negotiated – borders, security, refugees, Jerusalem. Now Israel takes about 30 per cent of the West Bank. The so-called Palestinian state will then be a cluster of pieces of land that are disconnected and encircled 360 degrees by Israel. The pieces of land

will be connected by bridges and tunnels that are under Israeli control. The two roads out to Jordan will be under permanent Israeli control. And we, the IDF soldiers, will decide who moves in the so-called Palestinian state, just like we decide today who moves in the West Bank, or between the West Bank and Gaza. How is that a peace treaty?

It seems that Palestinians would be left with a contradiction in terms – a state without full sovereignty?

Yes, take Jerusalem, for instance. Both sides of the Green Line – east and west – go to Israel. Palestinians get a few bits and pieces, fragmented from each other, outside the separation barrier, including Abu Dis, Kafr Aqab and the Shuafat refugee camp. And in a way, that analogy tells you the entire story of this plan. A capital of the future so-called Palestinian state is in a refugee camp. That's what Trump wants. And then calling it peace.

It's intended to destroy all of the agreed international principles based on international law, based on UN Security Council resolutions. It will destroy the two-state paradigm and cement a one-state reality where Palestinians will not have equal rights.

It's about trying to give international legitimacy to a reality where Palestinians will have no rights and dignity. That reality will kill Israeli democracy. Israel will not be a democracy anymore if this is permanent. And that's why the world must reject it to make sure that this doesn't become the baseline for future negotiations. Because the only way this ends, the Israeli-Palestinian conflict, is if both sides walk out of a room with rights and dignity.

I want to go back to something you said – that the Trump plan seems to make a clean break with the past. You say that everything discussed in the last 40 years is basically out of the window. But in your recent piece in Foreign Policy, you argue though that the Trump plan is nothing new, it's "plagiarised". Can you explain that?

At least Ariel Sharon, when he embarked on a plan in the late 70s, beginning of the 80s to slice Palestinian space – to build settlements between Palestinian villages and cities – had the decency to admit that this was a plan to prevent any emergence of a Palestinian state.

The idea that any Palestinian space should be fragmented is the driving principle behind Israel's policy for decades. And that's what we call a problem because it prevents the emergence of a Palestinian state alongside Israel. Now Kushner says that's the solution. Let's accept it all.

Kushner talks about recognising the reality, but the word occupation doesn't appear once in all this plan. What did I do two years in the West Bank, if not occupation? What is it that I did 24/7 for two years as a soldier in the occupied territories? What is it that we do for 52 years in the occupied territories as an army, if not occupation?

One of the things we used to do as soldiers in the occupied territories is what we call making our presence felt. The idea is simple – if Palestinians will get the feeling that the Israeli army is all the time there, they will be afraid to attack. So, what do you do to make them feel this way?

In Hebron, for instance, you have three patrols walking the streets of the old city. You go into a random Palestinian house, without having intelligence on it. Then you wake up the family and search the place. You can imagine what happens when a military unit enters your house at three o'clock in the morning.

Once you finish searching the house, you go out to the street, knock on some other doors, run to the other corner of the street, invade another random house, wake up the next family, search the place. That's basically how you pass your eight-hour shift, 24 hours a day, seven days a week, since September 2000 – when the Second Intifada first started – until today.

Because the only way to rule people against their will forever, without giving them rights, is to make them fear you. In a way, the political mission is Palestinian surrender. And that's exactly what Trump is doing with this plan – attempting to obtain Palestinian surrender.

Let's say the plan would actually be implemented. From your experience as a soldier, what would that mean on the ground, both for the soldiers and for Palestinians? How can we imagine this?

First of all, I want to say the plan is implemented even without being implemented. Because most importantly, what the plan wants is to change the paradigm. It's intended to give us a paradigm of legitimising one unequal state where some people have rights and the others don't.

If this becomes the baseline, then this is not a recipe for peace but for permanent, perpetual conflict. The idea that Palestinians will agree to live forever without rights isn't going to work. Again, the only way we get out of this is if both sides walk out of the room with rights and dignity.

The second thing is annexation. If annexation takes place, that's a tectonic shift. The cornerstone of the international rules-based order is the non-acquisition of territory by force. Isn't that what we learned

from our history?

There's now the committee that was just established a few days ago. Israelis and Americans will sit together and decide how to slice Palestinian land and to take it.

I'll just give one tiny example. What happens if tomorrow you apply Israeli law on the Jordan Valley? In Israel, there's a law called Absentees' Property Law. The law says that anyone who owns a property in the State of Israel but lives either in an enemy state – and there is a list of what are the enemy states – or within the land of Israel that is not the state of Israel – that is, unannexed parts of the West Bank or Gaza – loses their land in Israel automatically. The state takes the land. All Palestinians in the areas that are not annexed but who own land in areas that are annexed lose their claim to it. This means that if Israel annexes the Jordan Valley, Palestinians living in Areas A or B but who have agricultural or family land in the annexed part of the Jordan Valley automatically lose any claim to that land under the Absentee Property Law.

In East Jerusalem, which was annexed to Israel, the attorney generals and military advocate generals in the beginning of the occupation decided not to apply this law to East Jerusalem. But the current attorney general, in today's political climate in Israel, does apply it. This means that if or when there is annexation of the Jordan Valley, the Absentee Property Law will likely be applied there as well.

Kushner kept Netanyahu from annexing territory right after the release of the Trump plan and apparently told him to wait until after the elections. Why?

To be honest, if I were Kushner, I would be against annexation immediately. Because the most important thing the plan can do is to destroy the paradigm of two states. Annexation right away will harm that ability because the world might react more negative too.

Giving legitimacy to the Trump Plan is worse than annexation alone. This is because the Trump plan is a full paradigm shift for the region while also giving legitimacy to annexation. That's why it's so dangerous. It's important that we don't fall into the trap of negotiations. I know, here in Europe it sounds nice – both sides should sit have a dialogue and negotiate to solve the problem, not through violence. No doubt, ultimately, at the end of the day, Israelis and Palestinians will have to sit in a room and negotiate the end of it.

The problem is what are the premises of these negotiations? Is this about a real tangible solution that can give rights and dignity to both sides? That is based on international law? Or is this an attempt to

cement a one-state reality without equal rights?

So you're saying that European politicians should just outright reject the plan?

Very clear, yes. Don't cooperate with a plan that doesn't adhere to principles of international law and the two-state paradigm. And this plan does not fall within that territory.

We have the principles. We don't have to rewrite them. They have been declared policy for decades. We just need to pursue them.

The idea that we will bully Palestinians to submission isn't going to work. In the short run, this would embolden Hamas. Because at the end of the day, what do Palestinian leaders like Abbas do, when he's telling people we shouldn't take to violence. He has nothing left to say anymore. And in the long run, it will be a catastrophe for Israel. This is the beginning of the end of Israel.

As a democracy?

If we're not a democracy, what we have left? That's the vision of Israel that we had. A brute regime that steps over the throats of millions of people forever? That's not the Israel I want.

This interview was conducted by Daniel Kopp.

Also read Nimrod Goren's article 'Moving on from Trump's plan for the Middle East' which presents the international community with some options of how to move forward.



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Yehuda Shaul was born and raised in Jerusalem in an ultra-Orthodox family and graduated from a Yeshiva high school in an Israeli settlement in the West Bank. He served in the IDF as a commander and platoon sergeant in the 50th battalion of the Nahal Brigade from 2001 to 2004, in the West Bank towns of Bethlehem and Hebron. Yehuda founded Breaking the Silence in 2004 with a group of fellow veterans and he currently serves as the organisation's Co-Director.