

## Blog Post OP-ED Version

# **Flipping Israel and Palestine Out of the War Trap - New Safe Zones as a Humanitarian Alternative to a Ceasefire; and a Three State Solution for the Day After**

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What Hamas did on October 7 was immoral and suicidal for the Palestinian population that they are supposed to provide governmental leadership for. Hamas is hoping and expecting Jews to abandon Israel to avoid the danger of Hamas violence. The extreme right-wing nationalist faction in the Netanyahu government has a similar vision: to make life so unbearable for Palestinians that they will immigrate to other Muslim countries.

Israel has been lured into a war trap to kill thousands of civilian Gazans as collateral damage in the military effort to eliminate Hamas. The advantage to Hamas for high Gazan fatalities is that it demonstrates (1) Palestinians need Hamas to protect them; (2) a way to generate new recruits to Hamas; (3) Israel is disproportionately harsh towards the Palestinians, resulting in street demonstrations against Israel all over the world; (4) the difficulty for Israel Defense Forces (IDF) maneuvers and intelligence gathering to find and eliminate Hamas and (5) it is an effective way to demoralize the soldiers in the IDF. Regardless of the guilt of Palestinian civilians towards killing and capturing Israelis and the guilt of the Netanyahu government and IDF towards inflicting casualties on Palestinian civilians, they are all caught in a trap of war that needs a way out.

A way out of that trap is for Israel to flip the script -- in the short term by creating new safe zones inside Israel for Gazan civilians and a longer term approach, a three state solution, pointing to a clearer path to Palestinian Statehood and integration with the Mideast. Going after Hamas militarily is a costly way to try to destroy it. Another way is turning Palestinians against cooperating with and supporting Hamas.

Egypt won't let Gazan civilians live temporarily in the Sinai Peninsula to get out of harm's way under the assumption that either Israel won't let them back in Gaza, or that they may refuse to move back to Gaza under an oppressive Hamas or Netanyahu government, or that Hamas members will infiltrate into the Palestinian civilian population and cause civil discord for Egypt as did the Muslim Brotherhood. Civilian Gazans want to be in a safe place of refuge away from the violent conflict. But there is no place that will accept them. A ceasefire would reduce fatalities but the Netanyahu government seems unwilling to do this because it would go against their prime objective to eliminate Hamas and it would go against the defense objectives of most moderate Arab countries.

Instead or in addition, Israel should provide such a safe place of refuge for Gazan civilians. A fenced and walled temporary humanitarian residential zone inside Israel should be created by

Israel contiguous to the eastern border of Gaza that is 5 miles (8 kilometers) wide as a temporary way station for Gazans to live while the clean-up operations against Hamas are carried on in Gaza. On the west would be the buffer zone inside Gaza and on the East of it would be walls and fences, patrolled by the IDF. This area is largely devoid of Israelis since October 7.

This safe zone is for Gazans with no militaristic or personal affiliation to Hamas. There are experienced screener-interviewer-investigators who can filter in these types of people, and statisticians can create models to predict people who are likely to be peaceful. A good first proxy for this is to let in only women, elderly and children.

If Israel does create a friendly safety zone inside Israel, Egypt may go along and take a substantial amount of Gazan Palestinians temporarily into Sinai. Entry into these zones would have to be voluntary where basic human rights are respected and families kept together; food, medical care, and basic living infrastructure are to be provided, and they will be monitored by NATO and friendly Arab countries. The quality of life would be better than in Gaza even if a humanitarian ceasefire were to be in-effect. In a ceasefire, Israel would be pressured to stop offensive military operations but there is nothing to protect Gazans against retaliatory Hamas violence from criticizing or non-cooperation with Hamas.

Egyptian President El-Sisi and The Atlantic Council has proposed something similar, but in the Negev Desert. With hundreds of thousands of internally displaced Palestinians, more than one area proximate to Gaza, may be required for temporary safe zones. The five-mile Gaza border extension would seem preferable to the Negev because the military is already there and can help in the building of shelters and the provision of supplies; and can secure the area to prevent movement beyond the safe zone. There must be also be ways to reverse the movement into Israel if adverse effects get generated. This could also be an in vivo test for peaceful co-existence in a new two or three state solution.

The longer term strategy is a three state solution: a loose confederation of Theocratic Jewish Israel, Theocratic Moslem Palestine, and Liberal-Pluralistic Israel-Palestine (LPIP), using the UN Universal Declaration of Human Rights as a constitutional framework. These would not be pure theocracies because imposed on their sovereignty would be (1) the UN Universal Declaration of Human Rights which would co-exist with laws generated from the Torah and the Quran; (2) a prohibition on laws and educational programs and materials that incite violence or promote antisemitism or islamophobia; and (3) laws and policies that provide the superstructure for the confederation such as: fiscal sharing, border permeability, and provision for a common defense against external enemies. Each of the three states are to become city-states on the model of Singapore and would borrow Singapore's Maintenance of Religious Harmony Act (MRHA) that defines the following as punishable offenses: "urging force or violence on the basis of religion, or against a religious group or its members; inciting feelings of enmity, hatred, ill-will or hostility against a religious group; and insulting the religion or wounding the religious feelings of another person."

Theocratic Israel would be a mostly Theocratic State that would comport with the concept of Zionism: that Judaism is a nationality as well as a religion, and that Jews deserve their own state

in their ancestral homeland. It would be more Jewish in character, culture, and religion than the present State of Israel.

Noticeably absent in this policy discussion are definitions of borders, their degree of permeability, the extent of rights of return, and revenue sharing. Those can be worked out in future negotiations.

Prime Minister Netanyahu articulated his prerequisites to peace in a December 25, 2023 Wall Street Journal OP-ED: “destroy Hamas, demilitarize Gaza, and deradicalize the whole of Palestinian society.” It is similar to what the allied forces did in Japan and Germany after WW2. Following what happened after WW2, an unoccupied non-aggressive sovereign Palestinian state may require a few years to build. To protect each state from military action from the other states, states may only have local and state police forces for law enforcement and a National Guard that serve under the command of their PM for responding to natural disasters and other state emergencies. In addition, there would be strong weapon control laws which permit only conventional non-automatic weapons: no bombs; no rockets; and no suicide vests. In this early reconciliation phase, following the Post-War constitution of Japan, created with the help of General Douglas MacArthur, the three states would have to renounce the right to wage war and eliminate all non-defensive weapons.

These States would satisfy sovereignty preferences in the sense that no amount of Moslem population growth and military acquisition would dilute Jewish political power and cultural dominance in the Jewish Theocratic Israel; and no amount of Jewish population growth and military acquisition would dilute Muslim power and cultural dominance in the Muslim Theocratic Palestine. It would be permitted for Muslims to live in Theocratic Jewish Israel and for Jews to live in Theocratic Muslim Palestine, but the outsiders would not be able to vote in State elections. LPIP would be a secular state using the First Amendment to the U.S. Constitution: there shall be no law respecting an establishment of religion, or prohibiting the free exercise thereof.

An advantage of this three state configuration is it would allow for religion-focused Jews and Muslims to separate from each other, while allowing members of these groups who desired to live in integrated and secular settings, to be able to do. Minorities such as Atheists, Christians, Reform Jews, and Moderate Muslims would likely choose LPIP. In this three state solution with the one confederated union, a forever Jewish state (tolerated by Muslims), a forever Muslim state (tolerated by Jews) and a secular state would all exist side by side. Think of Jewish Orthodox Brooklyn in the same federation with Conservative Mormon Utah, next to permissive Nevada.

This framework is a start to a walk-back from the trap of war. Over time, the three states may change their ideologies, constitutions, and boundaries, but all done through the rule of law. An Israeli author wrote to me saying "I wish you success in suggesting anything new in an environment that keeps on repeating itself.