

Milestone IV:
Israeli-Palestinian Conflict

ILyea Shanz

PS690-T301 Democracy, Gender, & Reform Ac (2255-1)

May 28, 2025

*Legal Challenges to Israeli Settlements in the West Bank: International Law,
Geopolitics, and the Failure of Enforcement*

Research Symposium

My research explores a central question: Why have Israeli settlements in the occupied West Bank, despite being recognized as illegal under international law, continued to expand without meaningful enforcement or accountability?

After extensive research, I discovered that the legal framework is clear. According to the Fourth Geneva Convention, the ICJ Advisory Opinion (2004), and UN Security Council Resolution 2334 (2016), the settlements are deemed illegal. However, the failure to stop their expansion is not a result of legal ambiguity but rather a product of geopolitical shielding, particularly by the United States, structural weaknesses in the international legal system, and a lack of political will to enforce the law.

My research also highlights the historical complexity of the conflict. The Jewish people have a deep, ancient connection to the land, tracing back to the kingdoms of Israel and Judah. The modern Palestinian identity emerged in the 20th century, shaped by resistance to Zionism, colonial rule, and the dissolution of multiple empires that began with the fall of the Roman Empire. Both groups of people have legitimate claims, deep traumas, and aspirations for security and self-determination.

The human cost of inaction is profound. Palestinians face daily dispossession, fragmented territories, and systemic inequality—conditions that resemble apartheid, as described by scholars such as Greenstein (2020). At the same time, Israel's fear of a Gaza-style scenario in the West Bank, where withdrawal could lead to instability, terrorism, and insecurity, is real and must be acknowledged.

Past peace efforts, including the Oslo Accords and the Camp David Summit, attempted to resolve the conflict through a two-state framework. Nevertheless, these initiatives faltered due to unresolved core issues, such as borders, Jerusalem, security, and the right of return. They were also undermined by a lack of enforcement and the continued expansion of settlements during negotiations.

Considering these challenges, I propose two potential pathways forward:

1. A one-state model: Israel absorbs the West Bank and Gaza, granting full and equal citizenship to all residents, regardless of ethnicity or religion.
2. A two-state model: Israel formally annexes certain settlements, while the remaining West Bank and Gaza become a Palestinian state. Palestinians in annexed areas would have the option to become Israeli citizens or relocate to the new Palestinian state, supported by compensation and resettlement assistance.

Both models present significant challenges, security concerns, identity conflicts, and a lack of political will—but the current status quo is unsustainable. Every new settlement, every expropriated piece of land, and every act of violence make peace more challenging to achieve for all sides.

Ultimately, my research suggests that legal clarity is insufficient. The law can condemn settlements, but it cannot build trust, heal historical wounds, or forge a shared vision for the future. Resolving this conflict requires bold political action, moral courage, and a commitment to justice that recognizes the legitimate aspirations and fears of both Israelis and Palestinians.

The path forward is difficult, but the alternative, which would be continued occupation, violence, and legal paralysis, is far worse. It is time for the international community, Israel, the Palestinians, and all who seek peace to move beyond words to action.