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The Failure of the Two-State Solution

The Prospects of One State in the Israel-Palestine Conflict

EDITED BY

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Contents

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Abbreviations and Acronyms

AAM	anti-apartheid movement
AIPAC	American Israel Public Affairs Committee
ANC	African National Congress
BDS	Boycott, Divestment and Sanctions
CAIR	Council on American Islamic Relations
CAT Eyes	Community Anti-Terrorism Training Initiative
CBS	Central Bureau of Statistics
CJP	Combined Jewish Philanthropies
DFLP	Democratic Front for the Liberation of Palestine
DIME	Dense Inert Metal Explosives
DoP	Declaration of Principles
HILA	Hebrew acronym for 'Parents for the 'Hood'
ICJ	International Court of Justice
IDF	Israeli Defense Forces
ILA	Israel Land Administration
JNF	Jewish National Fund
MOPIC	Ministry of Planning and International Cooperation
NIF	New Israel Fund
NGO	non-governmental organisation
NPT	Non-Proliferation Treaty
OIP	Oslo Interim Period
OPT	Occupied Palestinian Territory
OSM	One State Movement
OSS	one-state solution
OT	occupied territories
PA	Palestinian Authority
PCIJ	Permanent Court of International Justice
PFLP	Popular Front for the Liberation of Palestine

PLO	Palestine Liberation Organisation
PNC	Palestinian National Council
SHATIL	Sherutei Tmikha v'Ye'utz l'Irgunim (Support and Consulting Services for NGOs)
SOAS	School of Oriental and African Studies
SSI	Security Solutions International
TARI	Trans Arab Research Institute
UNCCP	United Nations Conciliation Commission for Palestine
UNGA	UN General Assembly
UNHCR	United Nations High Commissioner for Refugees
UN OCHA	United Nations Office for the Coordination of Humanitarian Affairs
UNRWA	United Nations Relief and Works Agency
UNSC	United Nations Security Council
UNSCO	United Nations Special Coordinator's Office
UNSCOP	United Nations Special Committee on Palestine
WBGS	West Bank and Gaza Strip
WZO	World Zionist Organization

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This volume took about two years to plan and develop. It was inspired by the workings of a conference on the one-state idea held in Boston, Massachusetts, in November 2009. Following the event, a scheme for the book was drawn in consultation with colleagues who specialised in the Israeli/Palestinian conflict, and a number of the programme participants were invited to write on specific topics. Virginia Tilley, who had not been at the conference, was asked to write a chapter on the logics and strategy or 'deeper politics' of Jewish settlements in the Israeli-occupied West Bank in recognition of her expertise in this field.

The idea of the conference surfaced in the winter of 2008 when the Board of Trans Arab Research Institute (TARI), an independent American think-tank, at the suggestion of Professor Naseer Aruri, decided to organise a conference to deal with the concept of the one-state for Israel/Palestine. The Board entrusted me with the position of Conference Chairperson. The William Joiner Center for the Study of War and Social Consequences at the University of Massachusetts-Boston agreed to co-sponsor and host the conference. The Center's Director, Professor Kevin Bowen, ensured that his institution's and Center's facilities were made available to the organisers, and made valued contributions to the development of the Conference Statement. Dr Khair El-Din Haseeb, Director General of the Beirut-based Center for Arab Unity Studies, gave unwavering support and encouragement to the project in all of its phases, and precious advice.

From the outset, the plans for this activity were highly ambitious in terms of the tasks set for the conferees and the logistics needed to shoulder a function of this type and calibre. These plans called for the participation of leading specialists on the subject who were called upon to address an international audience. Evidently, a large number of highly qualified and experienced people was needed to translate the vision for this event to reality. Of these, the contributions of Professor Elaine Hagopian, Nazik Kazimi, Professor Leila Farsakh and Erica Mena made a qualitative difference. A special word of appreciation is due to

Preface

Israel and the Palestinians, supported by many international efforts, have been involved for a whole generation in a process whose stated aim is to resolve the conflict and achieve peace based on a two-state solution. Yet they are still far from achieving this end. The peace process and its conflict-resolution mechanisms have failed to achieve even minimum results. Their visions differ irreconcilably to date, and the obstacles to a peaceful and just resolution of the conflict that is workable for all parties have multiplied. The impact of the Gaza War (2007–8) has further complicated the pursuit of a solution. While realism demands the Israeli and Palestinian sides, and the international community, recognise their failure in effecting a settlement, it would be unwise to abandon the search for a solution. Such a course would have tragic consequences, both regionally and internationally.

Leading scholars from Palestine, Israel, the USA, Canada and Europe have here provided ideas, perspectives and insights examining paths to a workable and lasting resolution of the current conflict, which also addresses the aspiration for justice so central to the whole problem. This volume thus reflects a serious attempt to describe and set out a path which until recently represented thinking the unthinkable, but which has now entered the discourse on the Israel–Palestine issue. The book clearly comes with a viewpoint and its editor and contributors are, it would be fair to say, advocates of a very earnest consideration of the one-state solution – a one-state solution based on justice, fair play and pragmatic common sense, which recognises the national, cultural and religious aspirations of both Israelis and Palestinians as well as their concerns for security and peace, and the difficulties of reconciling their national narratives. Given the intractability of the problem and the desperate need on all sides to explore resolutions, the book intends to make a contribution to achieve this goal.

Introduction: The Failure of the Two-State Solution and Delimiting the One-State Idea

Hani A. Faris

Situating a Problematic: The Two- and One-State Solutions

The Israeli–Palestinian conflict has been among the longest enduring conflicts in modern history. It has been also, and remains, among the most destructive and dangerous conflicts, threatening not only the stability of the Middle East, but also the peace and security of the world. To illustrate, nuclear alerts on a global scale were declared in the past by the super powers in response to developments in the 1973 October War.[1] Moreover, Israel is known to have a significant cache of nuclear armaments and is reported also to have declared a nuclear alert during the same war after Egyptian forces crossed the Suez Canal,[2] destroyed the Bar-Lev line[3] and moved east toward the Sinai passes. Also, some Middle Eastern countries are believed to have chemical and biological weapons in their arsenal – their use cannot be ruled out in future conflagrations. Much depends on how the conflict evolves and whether the international community succeeds in defusing or resolving the conflict issues. Given the prospects, the incessant search for solutions which has earmarked this conflict is understandable. Within this context, and given the abject failure of the existing conflict resolution, the peace-making process and the old-new idea of a solution based on the establishment of a one-state in Israel/Palestine is worthy of careful and detailed consideration.

Many Palestinians and others believe the international community should recognise that the conditions Israel has created in the occupied territories render the two-state solution impossible. For them there is an urgent need to start exploring in earnest the only option left for a final negotiated settlement offering peace with justice for all concerned: Israeli Jews and Palestinians. The latter

consist of Palestinian citizens of Israel, Palestinians in the West Bank and Gaza, 1948 Palestinians and their descendants in the *shatat* (Diaspora). They envision the two communities becoming citizens of a single democratic, secular and multicultural state in all of historic Palestine.

A few words about the one-state are in order. The idea has been the subject of misguided ridicule by a number of Jews and Palestinians alike. It has been described as a 'total illusion' and its advocates as 'inveterate dreamers' and 'time wasters'. The attacks by both sides are principally due to a misunderstanding of what the one-state solution is in both the Israeli and the Palestinian spheres. The following three points illustrate and address some of the existing misconceptions.

First, there is a general tendency among people to think in either/or dualities or bi-polar relationships, rather than in a continuum or a dialectical interaction. The one-state idea is seen as the antithesis of the two-state idea. Since the latter represents today the international consensus on the solution to the Palestinian–Israeli conflict, and both sides to the conflict pay it lip service, many observers discuss the one-state idea as an attempt at undermining the international effort to resolve the conflict. But the one-state idea is not the inverse of the two-state solution. Were Israel to remove Jewish settlers, withdraw to 1967 borders, allow the establishment of a sovereign Palestinian state and address the Palestinian right of return, a predominant sector of the Palestinian population would support such a settlement. Those who would only support such a two-state outcome for the foreseeable future believe a future merger of the two states is feasible. However, facts on the ground tell a different story. For all practical purposes, a viable two-state solution is out of reach and for many a point of no return has been reached. To Palestinians the growth of Jewish settlements in the West Bank is so obvious and invasive, and the number of settlers so large, that many of them firmly believe that Israel intends to annex rather than withdraw from the territories. Alongside the growth of settlements, 'Israel checkmated itself'[4] and shattered the two-state solution by adopting policies such as the expropriation of vast expanses of West Bank territory under different guises, the construction of an elaborate network of Jewish-only bypass roads, modification of the demography and character of Arab East Jerusalem, and control of the water aquifers and other natural resources in the West Bank. Together, these policies have forced the issue of the one-state on to the table again.[5] To one-state advocates the rise of a meaningful two-state system (i.e. two sovereign states along the 1967 borders) is now impossible. They consider the long drawn-out peace process, ongoing for nearly 20 years, as simply furthering the Israeli settlement project, allowing it to continue to annex the land and effect a quiet population transfer. The most the Palestinians could hope for in such circumstances is what they see as a bogus Palestinian entity with a minuscule and truncated structure. If Palestinians view the 'peace process' as a total waste which is not addressing

their human rights and national life of their kin under occupation, then they unsurprisingly ask who the dreamer is and who the realist is in assessing the prospect of a viable two-state settlement.[6]

The second point is that all sides – Palestinian, Israeli and international – ultimately invoke the same rationale to explain their opposition to the one-state idea. They all believe that the overwhelming power the Israelis enjoy will prevent the one-state idea from ever being realised. The Israelis are advantaged by the status quo and could, in time, force the Palestinians to yield to their demands on West Bank territory, resources and demography. Solutions are dictated by the powerful and the only one-state solution the Israeli political/military establishment favours is one that yields control to Israel over most of historic Palestine, if not all of it. However, this form of thinking reflects a static view of power relationships and assumes that political and military powers are permanent barriers to fundamental change. This ignores the experience of the late twentieth century in South Africa where a powerful player, always militarily strong, failed to impose its positions on its militarily weaker adversary. All its efforts and the much larger capabilities it marshalled over a relatively long period of time proved of no value. Rather, it was the African National Congress (ANC) that wrested major concessions and forced change on their opponent. Had the ANC tailored its national aspirations to reflect the realities of power relations, the South Africa apartheid system would still be in place and thriving.[7]

Finally, some of the public, politicians and intellectuals on each side to the conflict view the one-state in terms that are injurious to the other side. To those Israelis, it is a realisation of Greater Israel and securing Zionist hegemony. To their Palestinian counterparts, it is a chance to return Palestine to pre-Israeli days with Palestinian Arab dominance. Properly understood and applied, the one-state is the only scheme that presents the Jewish Israeli and Palestinian sides with a win-win situation, co-existence and the hope of lasting peace. A two-state solution, regardless of its terms, will not resolve the conflict on a permanent basis. At best, it is a solution that may address the needs of the residents of the West Bank and the Gaza Strip who represent only about one-third of Palestinian society. Israeli/Palestinian negotiations since Oslo (1993) indicate that Israel will not concede the Palestinian right of return and the Palestinian Authority (PA) may not insist on strict Israeli adherence to this popular Palestinian demand for the right of return if Israel meets its territorial demands in the West Bank and Arab East Jerusalem. The unsettled status of the Palestinians inside Israel and the *shatat* will forever raise questions about Israel's legitimacy and the acceptance it seeks from the region's populations. While Israeli Jews may be confident about their present power advantage, they are understandably concerned about what the future holds for them. Similarly, the Palestinians and Arabs in general deplore what they perceive to be their present weakness but have confidence in

the long-term future of their aspirations. In other words, irrespective of what may happen with the two-state solution (i.e. whether it fails or succeeds and whatever its contours might be), the conflict will persist until there is a settlement that attends to all the people of both parties. Meanwhile, for those whose concern is the maintenance of an ethnic/religious entity, it would be wise to recall the words of Albert Einstein:

> I should much rather see reasonable agreement with the Arabs on the basis of living together in peace than the creation of a Jewish state. Apart from practical consideration, my awareness of the essential nature of Judaism resists the idea of a Jewish state with borders, an army, and a measure of temporal power no matter how modest. I am afraid of the inner damage Judaism will sustain – especially from the development of a narrow nationalism within our own ranks, against which we have already had to fight strongly, even without a Jewish state.[8]

Additional to the above misconceptions, the objections to the one-state solution of many Israelis are based on additional considerations that derive from Jewish historical experiences in Western societies and are rooted in Zionist doctrines. Foremost among them is the fear of demographic trends among the two communities. The number of Palestinians is expected to equal and start to exceed the number of Jews in historic Palestine by 2017.[9] Being in the minority is viewed as an existential threat and allows for their persecution or for their dominance over a Palestinian majority. The rise of a binational political entity is another cause of concern, since it spells the end of the Jewish character of the state and threatens to replace it with pluralist arrangements and possibly secular public institutions. Finally, a noticeable number of Israeli Jews would not consider living with Palestinians and often display attitudes of superiority towards them.

One-state advocates must attend to legitimate concerns of Israeli Jews about their future welfare within the framework of a single state if their plans are to have a chance of success. The majority of Israeli Jews will not shift positions unless they are certain their individual and communal security and prosperity would be secured and enhanced. Until then, although short-sighted, they will opt for the status quo and conflict management.

Rebirth of the One-State Idea

Both Arab Palestinians and Israeli Jews have shifted positions over time on keeping historic Palestine united and sharing the country under a single state. The Palestinians, from the start of the conflict that followed the founding of the World Zionist Organization (WZO) in 1897 and until the 1970s,

were almost to a man advocates of the one-state. Other than members of the communist parties who heeded Moscow's directives after 1948, hardly any opted for the two-state solution. Meanwhile, the Zionists under the Mandate aspired and worked diligently for a predominantly, if not exclusively, Jewish state in all of historic Palestine.[10] The 1917 Balfour Declaration made such a vision seem feasible and the memorandum the WZO submitted on 3 February 1919, to the Paris Peace Conference, delineated their territorial demands which included part of present-day Lebanon, Syria and Jordan.[11] Later in the Mandate, the Zionist leadership made the tactical decision to publicly support a partition of the country to two states and bide their time for a more opportune moment to achieve a single Jewish state outcome. They basically had no other choice given their demographic minority status and their limited land ownership.[12] The war of 1948 provided them with the opportunity to establish their domain by force of arms in 78 per cent of the land.[13] The remaining 22 per cent were acquired in the June 1967 War. Since then, all of historic Palestine has been under Israeli dominion: directly in the West Bank and de facto in Gaza since 2005.

The Palestinian leadership began seriously to consider a two-state solution after the 1973 October War. It revealed its intention in a staged approach and over time. The process began with the Palestine Liberation Organisation (PLO) announcing its acceptance of the binational state, and floating the idea that Palestinians would set up a national Palestinian authority in any area evacuated by Israel, irrespective of the size of the area.[14] A sarcastic public referred to this scheme as the Jericho state. In time, the PLO officially announced its acceptance of the two-state solution to end the conflict.[15] Finally, it formally accepted, in 1993, UN Resolutions 242 and 338, recognised Israel and revoked its right to armed struggle.[16] Its stated aim was to establish a sovereign Palestinian state in the West Bank and Gaza, and secure the right of return for Palestinian refugees.[17] Meanwhile, the Israeli government position began to shift slowly towards the two-state solution after the 1993 Oslo Accords, except that its position on the issue of boundaries was intentionally left unclear. Finally, the international community, including the Arab countries, followed in the steps of Israeli and Palestinian officials and adopted the two-state solution as the only way to end the conflict and establish peace.[18] Nevertheless, almost two decades have passed since Oslo and all the subsequent negotiations have come to nothing despite all the fanfare and lip service paid to the two-state solution by Israel and the world powers. Palestinians remain stateless and under occupation, their situation desperate, and the likelihood of a total or even near-total withdrawal from the West Bank, including Arab East Jerusalem, is seen as next to impossible.[19]

It is this impasse which drove a range of figures – multi-religious, multi-ethnic and multinational – to revive and promote the one-state idea as the only

rational alternative to the failed two-state solution. As early as 1999, the late Edward Said, after becoming totally disillusioned with Oslo and losing faith in the leadership of the PA, shifted course and openly called for a binational Israeli–Palestinian state. He made several constitutional, institutional and political proposals, but his main contribution was to promote 'the idea and practice of [equal] citizenship, not of ethnic or racial community, as the main vehicle for coexistence'.[20] A number of leading Jewish intellectuals also announced their support of the one-state. The case of Tony Judt stood out. In an outspoken statement, Judt asked his audience to think the unthinkable. Israel, he opined, had become an 'anachronism' and 'dysfunctional', it was time 'to convert Israel from a Jewish state to a binational one', and not only was this solution 'increasingly likely, but actually a desirable outcome'. What was needed to affect this outcome is 'a new political class' among both Arabs and Jews.[21] Inevitably, Said lost favour with the official leadership of the PLO and Judt's essay triggered a wave of attacks on him and his ideas.[22] Nevertheless, given the high regard with which these two individuals were held and their large circle of admirers, the idea of the one-state began to arouse wider interest among intellectuals and across religious and ethnic lines.

Since the turn of the last millennium, international conferences on the one-state and the rise of formal groups propagating the idea gathered momentum. Among such conferences, five stand apart in terms of programme, attendance and information value. The first was the Madrid Conference held on 2–6 July 2007, under the title 'Israel–Palestine: One Country, One State'.[23] The themes debated over five days by 22 Palestinian and Jewish scholars, mainly academics, were: 'reimagining the conflict', 'rethinking the geography and the nation', 'Israel and international law', 'future paths' and 'translating ideas into action'. It was suggested in the sessions that the conferees were involved 'in a profoundly political exercise… a program of action',[24] that the most powerful tool for the one-state cause was its morality,[25] that Palestinians would be ill-advised and offering Zionism a victory to engage in negotiations at present[26] as this would advance the Zionist cause, and that the one-state movement should position the Palestinian refugees at the core of its organisation.[27]

Shortly after, a second international conference on the one-state was held in London on 17–18 November 2007, under the title 'Challenging the Boundaries: A Single State in Palestine/Israel'.[28] While much of the programme covered the same grounds as the Madrid Conference, it featured a novel element. Both Palestinian and Israeli grass-roots activists and some non-governmental organisation (NGO) representatives participated as speakers and discussants.[29] Participants in the Madrid and London conferences issued, on the 60th anniversary of the 29 November 1947 UN Partition Resolution, a statement they named 'The One State Declaration', which has since served as the manifesto of

the one-state movement.[30] It rejected the historical, legal, political, diplomatic and moral foundations of the two-state paradigm, and offered a rationale based on justice and reconciliation for a permanent one-state solution.

The 28–29 March 2009 Boston conference on 'One State for Palestine/Israel: A Country for all its Citizens' was a qualitative improvement on the Madrid and London conferences in several ways. The programme topics were more varied, the speakers represented more constituencies and the after-effect of the conference was more pronounced.[31] The discussion of strategies, logistics, methods, policies and organisational means required for the implementation of the one-state conferred on the programme practical and realistic dimensions that were not sufficiently addressed by previous conferences. The Boston Conference had much more exposure and international media coverage.[32] Overall, this conference seemed to have struck a chord, attracting a large, diverse and enthusiastic audience that hailed from all over the USA and Canada, with a notable presence from Europe and the Middle East. Registration for the conference had to be stopped several weeks before the event when the number of registrants exceeded the capacity of the conference venue. The two organising institutions concluded that the topic of the one-state was arousing considerable interest on the North American continent.

The fourth international conference, titled 'Israel/Palestine: Mapping Models of Statehood and Paths to Peace', was held on 22–24 June 2009 at York University in Toronto.[33] It differed markedly from previous conferences in a number of ways. Unlike the others, which were primarily the work of already committed academics and activists, this conference was organised by two law schools at two prestigious universities: Osgoode Hall Law School at York University in Toronto, Ontario, and the Faculty of Law at Queen's University in Kingston, Ontario. It was also sponsored by them and the Social Sciences and Humanitarian Research Council of Canada. The four organisers were members of the two law faculties. In addition, the conference was quite different in conception. It was not a one-state conference, but an assessment and debate on the utility of alternative state models for resolving the conflict. The two-state was considered alongside the one-state solution. Also, rather than being an assembly of like-minded participants, the Toronto conference included advocates of the one-state and two-state solutions as well as others. Many Zionist Israelis were present and 'the atmosphere was quite charged and at times heated… people remained quite polarised at the end, maybe even more so than at the beginning'.[34] Finally, the number of speakers with assigned topics was larger than anything seen before, reaching as many as 57. In spite of the differences, the Toronto conference made a major, perhaps lasting, contribution to the one-state paradigm. By providing a prestigious academic forum for the discussion of what Zionist advocates often describe as an anti-Semitic idea,[35] the conference helped

break the existing circle of fear often associated with any questioning of conventional Zionist thinking and thereby opened new vistas.

The fifth conference was held on 20–21 June 2008, under the title 'Haifa Conference for the Right of Return and the Secular Democratic State in Palestine'.[36] Undoubtedly, the convening of this conference gave the one-state paradigm a new dimension. The idea had gone beyond the confines of academics and had struck roots in the ranks of the Palestinian community inside Israel. It was seen as part of the recent political awakening process they had been experiencing and offered them a platform to aid their ideas and help unify their ranks. Leaders of the principal parties active among Palestinians in Israel, namely the Democratic Front for Peace and Equality (Hadash), the National Democratic Alliance (Balad) and Abnaa El Balad, addressed the conference. The conference stood out also as a meeting of primarily Palestinian grass-roots activists and youth, supported by a good number of Jewish activists, expressing ideas about their future; this introduced realism to the theoretical debates which the intellectuals of the one-state movement had been engaged in thus far. The conference issued at its concluding session what came to be known as 'The Jaffa Declaration'. Encouraged by the conference success and the enthusiasm it engendered, a sequel to it was held in Haifa again on 28–30 May 2010. In the invitation to the conference, the organisers described themselves as a 'group of activists and individuals from different political movements and parties, human rights organisations, civil society and various sectors of public life'. They announced that one of the principal aims of the second Haifa conference was the establishment of a permanent structure and an international coalition dedicated to the goal of the one-state. Many hoped that the one-state movement inside Israel might turn into a popular Palestinian community organisation, operating in the context of a Palestinian–Jewish coalition and supported by an international body.

Beyond the matter of international conferences, interest for the one-state idea has recently manifested itself in two other ways. First, support for the idea among all Palestinian constituencies, namely Palestinians in Israel, the West Bank, Gaza and the *shatat*, has increased. Polls by the Jerusalem Media and Communication Centre have documented a change in attitude towards the one-state option in both the West Bank and Gaza since the second Palestinian uprising (Intifada) of 2000. In 2001, respondents who favoured the binational state in all of historic Palestine made up 18.3 per cent. They reached 20.6 per cent in June 2009. In April 2010, the Centre's poll indicated their numbers jumped to 34 per cent compared to 43.9 per cent favouring the two-state solution.[37] Significantly the rise in the number of one-state advocates was matched by a rise in the 'optimism' quotient towards the future among respondents which reached 63 per cent in October of 2009. The shift towards the one-state solution appeared to reflect confidence rather than desperation.

A number of scholars and commentators have noted their observations of a change in the attitude of Palestinians. Reporting her observations from the West Bank, Leila Farsakh, a Palestinian scholar, wrote that despite the prevailing depressed mood, 'there is much rumour about the importance of thinking of the one-state solution, yet little coordination between the people talking about it'. She describes the 'grass-roots initiatives' appearing everywhere and how informal groups are being formed in several cities by different, politically oriented activists and university students in the West Bank, Gaza and inside Israel. She concludes that it is 'a matter of time before these islands connect again'.[38] Another well-known Palestinian, Khaled Amayreh, reported from the West Bank that '… a growing number of Palestinians, including intellectuals, academics as well as ordinary citizens are abandoning the goal of Palestinian statehood. Their new strategy is the creation of a democratic, unitary and secular state.'[39] The spread of the one-state idea was also reported as taking place among the Palestinian leadership by no less than the former president Jimmy Carter following a visit to the West Bank and Gaza. He wrote in a *Washington Post* op-ed:

> A more likely alternative to the present debacle is one state, which is obviously the goal of Israeli leaders who insist on colonising the West Bank and East Jerusalem. A majority of the Palestinian leaders with whom we met are seriously considering acceptance of one state, between the Jordan River and the Mediterranean Sea. By renouncing the dream of an independent Palestine, they would become fellow citizens with their Jewish neighbours and then demand equal rights within a democracy. In this nonviolent civil rights struggle, their examples would be Mahatma Gandhi, Martin Luther King Jr. and Nelson Mandela.[40]

Equally noteworthy is the adoption of the one-state strategy by prominent Palestinian figures as evidenced by the proposal of the Palestine Strategy Study Group. Funded by the European Union, the group of 27 Palestinians 'drawn from across the political spectrum' called for a change in strategy to demand a single state: 'This… would regain the strategic initiative for the Palestinians.'[41]

Second, the increasing interest in the one-state idea is manifesting itself also in the rapid manner in which associations for the one-state are proliferating among Palestinians, wherever they live. Many of these associations go by the name 'One State Group'. They are found in Europe, Arab countries and Israel/Palestine. Some have adopted different names. The association in Syria, for example, which is a joint effort by the Palestinian Bader Group in Syria and Natreenkum (Waiting for You) group in Israel, advertises itself rather colourfully as Ajras al–Awdah (Bells of Return).[42] The Association in Geneva, Switzerland, is registered under the name Association for one Democratic State in Palestine/Israel.[43] But in spite of their numbers, these associations lack organisational links or coordination among themselves. Their effect, therefore, is largely localised. It remains to

be seen if an international movement that links them together will rise to make them bigger players in the discourse.

Principal Themes

The 20 chapters in this volume are thought-provoking and carefully reasoned. They are written by established scholars, many of them from leading universities. The chapters deal with critical topics and divide into four themes. Chapters 2 to 6 address the basic question of whether the two-state solution, which has formed the basis of the international consensus on the needed outcome for the peace process at least since the Oslo Accords, remains feasible. The analysis provided by Virginia Tilley, Saree Makdisi, Husam Zomlot, Naseer Aruri and Nancy Murray concludes that the existing conditions have rendered the establishment of a viable Palestinian state alongside Israel impossible. Tilley maintains that the Jewish settlements must be viewed as permanent, a situation that imposes a one-state solution. Makdisi claims that Israel has ensured the failure of the two-state solution by adopting drastic policies to 'Judaise' Jerusalem, knowing that Palestinians would not accept a state without East Jerusalem as its capital. Zomlot traces the Palestinian efforts that went into building a state under occupation and describes how the Western powers that sponsored the Oslo Accords chose not to challenge Israeli policies that undermined these efforts. In other words, the only framework on the table for a settlement between the parties was by definition not workable for the Palestinians. Aruri's overall assessment of the present situation is that Israel, with US support, has crippled the two-state solution and sees the existing peace process as a process to shelter Israel from what is considered to be the threats that come with peace. Finally, Murray's chapter evaluates the difficulties for co-existence, cohabitation and future statehood created by what Palestinians view as a deliberate policy of destruction and debilitation directed against their aspirations, and the ways in which the two-state solution faces insurmountable challenges given the current situation.

The second theme considers the guiding beliefs of both Palestinians and Jews in order to identify the fundamental principles that may guide a historic settlement. Four chapters by Gabriel Piterberg, Marc Ellis, Ali Abunimah and Ilan Pappé propose a new Jewish/Arab liberating narrative. This would explore Jewish and Israeli values, credit the Jewish sense of justice, review essential Palestinian rights, and assess the one-state idea within the frame of morality, international conventions and the imperatives of justice. Their analyses caution against the apparent simplicity and logic of political proposals that seek to divide Palestine, people and country, into two permanently separate entities

whose interests are irreconcilable to each other and therefore whose perception will always be mutually hostile.

The third theme, looking at the practicalities of the situation, has three chapters. Susan Akram, Salman Abu Sitta and Smadar Lavie deal with the Palestinian right of return, the idea of implementing the right of return for Palestinians and, finally, the essential role the Mizrahim and Mizrahi women will have to play to arrive at an Israeli/Palestinian concord.

The fourth and final theme addresses organisational issues needed for building one country and one state. Seven chapters written by George Bisharat, Norton Mezvinsky, As'ad Ghanem, Nadia Hijab, Leila Farsakh, Joel Kovel and Ghada Karmi discuss the building of movements for the one-state among Palestinians, within Israel, in the Arab world, among world Jewry and internationally. The accounts they provide point to the intricacies and enormous challenges involved in these formidable tasks. Several of the chapters point to how a shift in the position of the official PLO leadership in support of the one-state idea can have immense consequences at all levels and galvanise international support for the idea.

These chapters are a sample of the kind of thinking that explores the failure of the two-state solution and a vision for another, more equitable resolution of the conflict in historic Palestine. Such a vision seeks complete and permanent closure. It should look to resolve the conflict issues rather than simply manage them, and allows both Israelis and Palestinians to realise what seem to be their innermost yearning to live and prosper in an undivided state in historic Palestine if it is shared by both peoples. This volume explores the rationale and the route to such an outcome.

Notes

1. For the reciprocal threats the two super powers exchanged on 24 and 25 October 1973, and the worldwide US mobilisation of its armed forces, see Henry Kissinger, *Years of Upheaval* (Boston, MA: Little Brown, 1982), pp. 575–91.

2. Recently declassified state archive documents hint at Israel readying its nuclear arsenal in the 1973 October War. See Yossi Melman, 'Did Israel ever consider using nuclear weapons?', *Ha'aretz*, 7 October 2010. On Israel's nuclear deterrent strategy, see Warner D. Farr, *The Third Temple's Holy Of Holies: Israel's Nuclear Weapons*, The Counterproliferation Papers, Future Warfare Series No. 2, USAF Counterproliferation Center Air War College, September 1999.

3. A 160 km fortified sand and mud barrier, supported by concrete walls, 8 to 10 metres in height and 8 to 10 metres deep, built by Israel after the war of June 1967 all along the eastern bank of the Suez Canal. It was named after the Israeli chief of staff, Haim Bar-Lev.

4. The phrase was coined by Professor Emeritus Elaine Hagopian in a message to the author dated 2 March 2009.

5. Jerusalem is a case in point. Perhaps more than any other, the future of Jerusalem is a defining issue to both Israelis and Palestinians. Israel's 'de facto' policies no longer allow for a neat redivision of the city into Jewish West and Arab East Jerusalem. Not surprisingly, all the diplomatic solutions under discussion point in one direction. A future Jerusalem acceptable to both Israelis and Palestinians can only be reached as part of a larger political solution, and governing Jerusalem will require, in turn, a measure of coordination that can only come from one binational authority. Since the two-state solution has been rendered obsolete, the two communities are doomed to an unacceptable status quo unless they move toward a binational authority in the country and, by extension, in the city. In other words, Jerusalem requires a one-state solution to the Israel/Palestine conflict if it is to become again a city of peace and the home of multiple faiths. For a detailed exposition of this argument, see the article by Mick Dumper, 'A false dichotomy? The binationalism debate and the future of divided Jerusalem', *International Affairs*, 87(3), May 2011, pp. 671–85.

6. When asked about the two-state solution, the veteran Israeli journalist Amira Hass replied: 'Two states – it's more like 10.' The only difference now between Labour and Likud, she said, was a discussion about 'the size and number of the Bantustans' (see www.vancouverobserver.com/search/node/Amira%20hass). She added that the behaviour of the two-state advocates resembles that of a frog. When thrown into boiling water, it senses the danger and leaps out to safety. When placed in warm water and the heat is raised slowly, it stays calm because it gets used to warmth although it is facing imminent death. Israel has been using this policy with the Palestinians in the West Bank since 1967. It confiscates their lands, freedoms and rights. Soon, they will have no homeland left to build a state on. Like the frog, Hass said, two-state advocates among the Palestinians are unaware of the dangers. Editor's notes from a lecture delivered by Amira Hass at the University of British Columbia in Vancouver, Canada, on 28 September 2011.

7. For an incisive analysis on the parallels between the South African and Israeli systems, see Virginia Tilley, 'Has Palestine passed the tipping point? Sovereignty and settler colonialism in South Africa and Israel–Palestine', Paper delivered at the Centre for Humanities Research and Department of History of the University of the Western Cape in South Africa on 17 February 2009, and distributed in North America by Academics for Justice on the same date.

8. From a speech Einstein delivered on 17 April 1938, at the Commodore Hotel in New York City. Einstein reproduced the speech in Albert Einstein, *Out of My Later Years* (New York: Philosophical Library, 1950), p. 263.

9. There are many ways in which to signify the geographical area to which this book refers. In order to impose a sense of continuity, throughout this book, we have chosen the moniker 'historic Palestine' to encompass present-day Israel, the West Bank and the Gaza strip.

10. As late as 1942, the WZO Biltmore Program declared the whole of Palestine a Jewish 'commonwealth'. Many regard the expression as a euphemism for statehood.

11. For the text of the WZO memo, see www.jewishvirtuallibrary.org/jsource/History/zoparis.html.

12. For an account of the calculations of the Zionist leadership regarding the 1947 UN General Assembly's Partition Resolution, see Walid Khalidi, 'The Hebrew Reconquista of Palestine: from the United Nations Partition Resolution to the First Zionist Congress of 1897', *Journal of Palestine Studies*, 39(1), Autumn 2009, especially pp. 26–7.

13. The Zionist offensive was carried out according to a pre-planned scheme known as Plan Dalet. For the details of the plan, see Walid Khalidi, 'Plan Dalet: master plan for the conquest of Palestine', *Journal of Palestine Studies*, 18(1), Autumn 1988, pp. 4–19.

14. In point 2 of the Ten Point Program approved by the Palestinian National Council on 8 June 1974, the Program stated: '… to establish the independent combatant national

authority for the people over every part of Palestinian territory that is liberated'. For the text of the Program, see www.un.int/palestine/PLO/docone.html.

15. The PLO endorsed the two-state solution in the 15 November 1988 Declaration of Independence by accepting post-1947 UN Resolutions. For the text of the Declaration, see www.albab.com/arab/docs/pal/pal3.htm.

16. See the Yasser Arafat letter of 9 September 1993 to Yitzhak Rabin at http://usembassy-israel.org.il/publish/peace/isplorec.htm.

17. The most lucid argument outlining the case for the establishment of a Palestinian state within the framework of a two-state solution was made by Walid Khalidi in 'Thinking the unthinkable: a sovereign Palestinian state', *Foreign Affairs*, 56(4), July 1978, pp. 695–713. The article reflected and guided the political thinking of the Palestinian leadership. It also had an effect on Palestinian intellectuals.

18. The two-state solution dominates the agenda of the USA and all major Western governments. Countries of the developing world, most of whom are sympathetic to the cause of the Palestinians, adopt the positions of the PLO.

19. Lately, a number of Palestinians who were former architects, advocates and negotiators for the two-state solution changed positions. The latest among them is Ahmad Qurei' (Abu Ala'), the man behind the Oslo Accords and the Chief Palestinian negotiator with the Israelis and Americans over a long period of time. In an article published on 17 March 2012, in the *Al Quds* newspaper, Qurei' declared the two-state solution 'dead', and announced that Palestinian negotiators were easy victims who fell through political deception into a trap and have totally wasted more than a decade pursuing a futile goal. He called on the Palestinians to start an internal national discussion on alternatives, especially the one-state solution, which he described as morally superior and fit to be the foundation for future Palestinian struggle and more capable of 'providing satisfactory answers to many puzzling questions; including questions dealing with the destiny of Palestinians and the answer to a permanent solution'. Ahmad Qurei' (Abu Ala'), '*hal aldawlatayn bayna alfashal wa altafsheel*' [The two-state solution between failure and causing to fail] *Al Quds*, 19 March 2012, www.alquds.com/news/article/view/id/341469.

20. See Edward Said, 'The one-state solution', *New York Times*, 10 January 1999. Said acknowledged in his article that 'enlarging the concept of citizenship' belongs to Azmi Bishara, a former Palestinian member of the Knesset.

21. Tony Judt, 'Israel: the alternative', *New York Review of Books*, 23 October 2003.

22. In the week following the essay's publication, the *New York Review of Books* received more than a thousand letters decrying Judt, and *The New Republic* removed him from its editorial board.

23. The conference was organised by Universidad Nómada and the Fundación Europa de los Ciudadanos.

24. The statement is attributed to Virginia Tilley based on the author's copy of an unpublished record of the sessions drafted by the conference secretariat.

25. Ibid. The statement was made by Steven Freedman.

26. Ibid.

27. Ibid. The idea is attributed to Omar Barghouti.

28. The conference was organised by the London One-State Group and the University of London School of Oriental and African Studies (SOAS) Palestine Society. The conference featured 21 speakers of different nationalities, and several hundred were in attendance. To review the programme, check the conference website at www.onestate.net.

29. For a report on the workings of the conference, see Rumy Hasan, 'Just one state', *Al-Ahram Weekly Online*, 20–26 December 2007.

30. The Declaration was authored by 15 participants and endorsed by another 54. For the text, check http://electronicintifada.net/v2/article9134.shtml.

31. To view the programme, speakers and the Boston Declaration, check the conference website at www.onestateforpalestineisrael.com.

32. The full workings of the conference were carried live by TV and radio. Al Jazeera Arabic TV reported on the conference. The Arabic press reported widely on the conference and the Declaration it issued. Reports were featured in the London-based *Al Quds Al Arabi* (22 June 2009), Beirut-based *As Safeer* (18 June 2009), Nazareth-based *Hadeeth An Nas* (26 June 2009) and *Al Mustaqbal Al Arabi*, No. 365 (July 2009), among others. Additionally, four of the submitted papers were featured in a special issue of the journal *Contemporary Arab Affairs* (London), 2(4) (October–December 2009), and five of the submitted papers were translated into Arabic and published in *Al Mustaqbal Al Arabi*, No. 375 (May 2009).

33. For the conference programme, check its website at www.yorku.ca/ipconf.

34. From an email sent by George Bisharat, a conference participant, to the author, dated 26 June 2009.

35. The organisers were aware that such an accusation might be levelled at them and sought to guard against it by including the following provision in the programme's opening statement: 'Our commitment to ensuring that neither anti-Semitism nor any other form of racism has any place in this forum informs both the conference and all aspects of its planning process.' See the conference website under the item 'Welcome'.

36. For the conference programme, see its website at www.ror1state.org. The workings of the conference are reviewed by Yoav Bar at www.ror1state.org/drupal/?q=en/node/93.

37. Poll No. 70 was conducted between 10 and 15 April 2010, on a random sample of 1,198 respondents in both the West Bank and the Gaza Strip, and had a margin of error of +/– 3 per cent. See www.jmcc.org/documentsandmaps.aspx?id=749.

38. From 'Islands of voices' by Leila Farsakh, published by *Lux Magazine*, University of Massachusetts-Boston, April 2009.

39. See http://weekly.ahram.org.eg/2008/889/re61.htm. For another highly interesting account by Meron Benvenisti, see his 30 April 2009 article in *Ha'aretz* entitled 'The binationalism vogue', at www.haaretz.com/print-edition/opinion/the-binationalism-vogue-1.275085.

40. The op-ed was published on 6 September 2009, and is available at www.washingtonpost.com/wpdyn/content/article/2009/09/04/AR2009090402968.html.

41. The *Guardian* reported on the work of the Group on 4 September 2008 (see www.guardian.co.uk/world/2008/sep/04/israel.palestinians).

42. Check their website at http://ajras.org/en.

43. Check their website at www.odspi.org.

PART I

Is the Two-State Settlement Feasible?

The Deeper Politics of Jewish Settlements

Virginia Tilley

Of all the many obstacles to peace in Israel–Palestine, Jewish settlements in the occupied Palestinian territories are most often cited as the most intractable. All realistic analysis of a stable two-state solution in historic Palestine accepts that the West Bank Jewish settlements shatter the geographic contiguity of a Palestinian state past imaginable viability and conclude that all or most of them must therefore be either withdrawn, 'dismantled' or turned over to Palestinian use. Considering that the establishment of a viable Palestinian state within the context of a two-state solution is in the strategic interest of Israel, it is therefore perplexing to many observers that the settlements continue to expand. Not understanding the reasons for this continued growth, international diplomacy has laboured under the misconception that it might stop.

In fact, withdrawal of the settlements, or even a freeze on their growth, cannot realistically be expected to materialise. The best way to understand why, and why Jewish settlements in the West Bank and East Jerusalem impose a one-state solution in historic Palestine, is by grasping the reasons they must be considered permanent. Some reasons for the settlements' permanence are well known and can be summarised briefly, but the deeper and less obvious reasons, which are the true driving motivations for the settlements, will require discussion at more length.[1] During 2005, the Jewish settlements in the Gaza Strip were evacuated, dismantled and razed, leaving Gaza as one Palestinian canton in terms explained later. Hence the question of settlements now pertains to East Jerusalem and the West Bank.

The Permanence of the Settlements

The first and most obvious reason to consider the West Bank settlements to be immovable and permanent is that their stated purpose is to be permanent. Much

has been written about the settlements and many sources on their purposes can be cited today, but the most concise expression remains the 'Master plan for the development of settlement in Judea and Samaria 1979–1983', issued in 1978 by the World Zionist Organization (WZO). Written by WZO head Matityahu Drobles and often called the Drobles Plan, this Master Plan framed all subsequent master plans for Jewish settlement in the West Bank. The WZO Settlement Department remains the principal planning architect of West Bank settlements today (in slightly modified form, after fusing with the Jewish Agency's Settlement Department) and the Jewish Agency and WZO function as 'authorised agencies' of the state of Israel under Israel law. Hence the preface of the Drobles Plan stands as seminal to understanding the strategic purpose and design of the settlements as well as their origins in Israeli state policy:

> Settlement throughout the entire Land of Israel is for security and by right. A strip of settlements at strategic sites enhances both internal and external security alike, as well as making concrete and realizing our right to Eretz-Israel.
>
> … It must be borne in mind that it may be too late tomorrow to do what is not done today. … There are today persons who are young or young in spirit who want to take up the challenge of national goals and who want to settle in J&S [sic]. We should enable them to do so, and sooner is better.[2]

The Drobles Plan detailed the settlement blocs that did not then exist but dominate the landscape today: Rehan, Maarav, Shomron, Kedumim, Karnei Shomron, Ariel, Gush Etzion, Givon, Modi'im and so forth. Their strategic growth was also plainly explained:

> The disposition of the proposed settlement will be implemented according to a settlement policy of blocks of settlements in homogeneous settlement areas which are mutually interrelated – this enabling, in time, the development of common services and means of production. Moreover, in the wake of the expansion and development of the community settlements, some of them may combine, in the course of time, into an urban settlement which would consist of all the settlements in that particular bloc.[3]

Ensuring that the settlements provided Jewish immigrants from Europe and North America with the requisite first-world living standards also required inequitable management of natural resources, particularly water. Such measures cannot be carried out without damaging the social fabric of Palestinian movement and land use that allowed a healthy Palestinian economy.

Thus it is not simply the settlements' physical presence in the West Bank that presents an obstacle to peace. Although illegal under international humanitarian law, their presence could be less ruinous to a future peace settlement if their growth represented some spontaneous process of civilian settlement that linked

organically to adjacent Palestinian towns and villages in ways typical of rural development elsewhere. Such a process would tend over time to generate full annexation and a one-state solution; however, full integration of the population under occupation is, for reasons discussed later, precisely what Israel wishes to avoid. Hence the settlements' placement (and infrastructure) has been adjusted to preclude a one-state solution yet make a true two-state solution impossible. How the settlements accomplish this dual goal, crucial to Israel's interests, is the question requiring greater attention because it explains both their permanence and their true implications for any peace agreement, as discussed later.

The second feature suggesting the settlements' permanency, and the most commonly recognised, is their impact on the 1949 Armistice line or 'green line'. The green line demarcates the internationally recognised borders between Israel and the occupied Palestinian territories and therefore the territory considered in international law to be under belligerent occupation by Israel. Hence it marks the borders considered in international diplomacy to demarcate the territory from which Israel must eventually withdraw and in which the Palestinians will eventually form a state.[4] It is precisely this vital border, however, that has been systematically effaced by settlement growth. In the vicinity of Jerusalem, this effacement has been completed by constructing an unbroken array of urban growth so vast as to defeat any notion that the border can be meaningfully restored. Hence few people today who have witnessed the scale of the urban settlements now straddling the green line believe that a two-state solution is possible without significant adjustments to the line itself. This 'reality' was incorporated into international diplomacy when the principle of border adjustments was formally endorsed by President George Bush in 2004 and has not been retracted.[5]

To be politically acceptable to Palestinians, who believe they have maximised land sacrifices by giving up claims to land within Israel, such adjustments are usually discussed as 'swaps' that would be roughly equitable in size.[6] That is, land inside the West Bank that is transferred permanently to Israel will be of approximately the same extent as land on the Israeli side transferred to a state of Palestine. Whether or not swaps are precisely equal, mutual adjustments may seem both fair and feasible at first brush. For example, a shift of the border just a few hundred metres eastward would suffice to move the entire contiguous settlement complex of HaOranim and Lapid (in the northern West Bank) entirely into Israel. A comparable shift westward would place Palestinian Arab villages such as Beit Awwa (in the southern West Bank) entirely into Palestine.

The swap principle becomes more tortuous, however, regarding settlement blocs located more deeply inside the West Bank, such as the major Jewish settlement-city of Ariel (with a population of approximately 25,000), near Nablus. A border adjustment that incorporates Ariel into Israel would require that Israel annex a deep tongue of land plunging deep into the northern West Bank and

divide it into northern and central sections. Israel has proposed that a system of tunnels and bridges might help to reduce the impact on Palestinian movement and restore 'travel contiguity'. But the detrimental impact for Palestine may be glimpsed by considering why a comparable measure – for example, a tongue of Palestinian sovereignty extending deep into Israel to embrace the overwhelmingly Arab city of Nazareth in the central Galilee – would not be remotely acceptable to Israel.

The swap principle also fails progressively with closer proximity to Jerusalem. In the strategic 'ring settlements', urban Jewish 'neighbourhoods' become so dense as to compel wildly gerrymandered borders to accommodate remaining Palestinian enclaves. Again, an elaborate tunnel and bridge system, combined with border controls, would be required to get from one neighbourhood to another. But given ongoing Israeli construction of these settlements – and the massive infrastructure of highways and power grids that integrates them into greater Jerusalem and Israel itself – the more likely outcome is annexation of the entire middle 'waist' of the West Bank to Israel. Thus the principle of swaps cannot ignore power inequities, which will combine with geographic realities to make land swaps complicit, fragmenting the Palestinian West Bank.

Obstacles to withdrawal on a scale that would ameliorate such difficulties are well known. One oft-cited factor is security. Israel would arguably be safer if it handed the West Bank over to a Palestinian state, because it would defuse threats associated with the conflict and eliminate the need for a buffer zone against neighbouring Arab attack. Nevertheless, too much Israeli–Jewish public opinion, stoked by continual government arguments that Israel is under constant threat of annihilation, holds that the territory is a vital buffer against such attack. A broad belt of Israeli control around Jerusalem, for example, is non-negotiable to this view, as is Israel's retention of the Jordan Valley. (The security argument persists despite its obvious gaps; for example, which regional land army might attack Israel is entirely unclear, and how the tiny West Bank can act as a buffer to missile strikes, which are today the principal threat to Israel's security, is equally unexplained.) A related geographic question is what is sometimes called 'water security'. No Palestinian government can function effectively without reclaiming control over the dwindling West Bank aquifers, but they are vital to Israel's increasingly strained national water supply and Israel therefore cannot and will not give them up.[7]

Also intractable are the economic and political costs of withdrawal. Economically, the West Bank settlement grid presently has a value thousands of times that of the settlements in the Gaza Strip, where withdrawal cost Israel some US$3 billion in compensation and demolition. Costs of withdrawing from and razing the West Bank settlement grid would therefore exceed any resources that might imaginably be found.