

## **ANALYSIS**

### **Is the two-state solution brain dead?**

Recently, many commentators on the Middle East have been saying that the two state solution to the Palestinian-Israeli conflict has now become unworkable and that the only alternative is a bi-national state in the territory of historic Palestine, granting equal rights to Jews and Arabs. The Palestinian Authority and Israel, along with the United States, the European Union, and the Arab States are still committed, at least in theory, to a two-state solution to the Palestinian-Israeli conflict. However, in reality, Israel is creating facts on the ground that are making sure that no viable Palestinian state can ever be created. As Palestinian professor Saree Makdisi notes, Israeli settlements, military bases, roads, and other infrastructure now occupy 40% of the West Bank and most of the rest of that territory is made up of geographically non-contiguous Palestinian enclaves, which are not capable of being turned into a state.

When the Oslo Accords were signed in 1993, there were 116,000 Israeli settlers in the West Bank. Today there are 304,000. More than sixteen years of negotiations have not produced any let-up in Israeli settlement construction – far from it; Israel has proceeded vigorously with the construction and expansion of settlements. The rate of population growth in the settlements is three times higher than that of Israel as a whole. A few months ago Barack Obama issued a clear call on Israel to halt settlement construction in the West Bank but Israel has responded by announcing the construction of hundreds of new houses in settlements and there are now signs that Obama will water down or abandon his demand. This lends much weight to the argument that a two-state solution is now unworkable.

The settlements, while designed to stake Israel's claim to all of historic Palestine and create an exclusively Jewish nation covering all or nearly all of it, have in fact imperiled Israel's status as a Jewish state. While the Israeli presence in the West Bank is entrenched and expanding; in historic Palestine, Jews are either already no longer a majority of the population or soon will not be, principally because Arabs have a higher birth rate and Jews are no longer immigrating to Israel in large numbers. It is today very difficult extricate itself from the West Bank and the settlements it has implanted there, and politically impossible for any Israeli government to propose a withdrawal from the West Bank settlements. Israel hasn't even fully disengaged from Gaza – its continued siege of and effective control over the airspace and territorial water of that territory renders it an occupying power and hence vulnerable to Palestinian resistance activities.



According to the 1907 Hague Regulations (Hague IV, Art. 42), “Territory is considered occupied when it is actually placed under the authority of the hostile army. The occupation applies only to the territory where such authority is established, and in a position to assert itself.”

We can thus speak of Israel, the West Bank and Gaza as forming one indivisible geographic unit, as they have throughout history – under the name of Palestine. Daniel Gavron, a reluctant Israeli convert to the one-state idea who still describes himself as a Zionist says that Israel had a choice between land and sovereignty – as a Jewish state within the 1967 boundaries – and it chose land. Now, he says, historic Palestine has to be shared but cannot be partitioned.

In recent years, Israeli leaders have woken up to the fact that Jews cannot remain a majority in historic Palestine and have (at least verbally) committed themselves to a two state solution requiring Israeli withdrawal from most of the West Bank and perhaps East Jerusalem. The most notable example is former Israeli Prime Minister Ehud Olmert. Initially opposed to any withdrawal from the West Bank and Gaza, he later altered his position, saying that without the two-state solution, Israel would face a “South African-style struggle for equal voting rights, then, as soon as that happens, the State of Israel is finished”. He added that this would be “a much cleaner struggle, a much more popular struggle - and ultimately a much more powerful one” than the current Palestinian struggle for an independent state in the West Bank and Gaza. However, while he was prime minister, settlements were expanded, and more Palestinian land was confiscated in order to construct new ones. He announced a plan to withdraw from most of the West Bank but abandoned it in the wake of the 2006 Lebanon war and later said that “every hill in Samaria and every valley in Judea is part of our historic homeland” (“Judea and Samaria” is an Israeli term for the West Bank) and “we firmly stand by the historic right of the people of Israel to the entire land of Israel”. Thus, an Israeli leader who was apparently committed to the two-state solution was not willing in practice to do anything to bring it about and today a Palestinian state living alongside Israel looks further away than ever. Olmert’s policies seem to have been guided by former Israeli president Yitzhak Navon’s summation of the Zionist programme – “to have as much land as possible and as few Arabs as possible”. In practice this programme is impossible to carry out.

Israel’s policy of grabbing as much land as possible in the West Bank means that it is cannot separate itself from the indigenous inhabitants of that territory. Olmert’s commitment to the classic Zionist programme and his belief in the “historic right” of the Israelis to “the entire land of Israel” meant that even though he recognized that Israeli Jews cannot maintain their majority over the lands they currently occupy and control, his



actions brought the situation he feared – an abandoning of the two state idea to be followed inevitably by a campaign for equal rights in a single state – much closer.

A poll taken in 2003 revealed that 67% of Israelis feared that Israel would soon find itself in a one-state reality. The UN special envoy to the Middle East, Terje

Roed-Larsen, who played a key role in the Oslo accords said in 2002 that the twostate solution was nearing death. Hussein Agha and Robert Malley have argued that the fact that all the major participants in the Middle East conflict, from Benjamin Netanyahu's Likud-led government in Israel to Hamas have given a nominal commitment to the two-state solution shows that the two-state solution is bankrupt. Netanyahu's vision of a Palestinian state, such as it is, offers Palestinians no more than a flag and perhaps a currency in isolated, demilitarized enclaves, without control of their borders. On the other hand Hamas has always rejected the legitimacy of the Zionist state. The only reason the current Israeli government and Hamas accept a two-state solution is because of international pressure.

Perhaps some of the unlikeliest proponents of a one-state solution are right-wing, nationalist Israelis. However, all their proposals involve the maintenance of Jewish domination of this state. For example, Efi Eitam, the racist leader of the National Religious Party has proposed annexing the West Bank and Gaza and granting what he calls "enlightened residency", rather than citizenship to the Palestinians. Another solution proposes the creation of ten cantons, eight Jewish and two Arab in the territory of historic Palestine, each having equal representation in the Israeli Knesset, thus guaranteeing Jewish ascendancy. Such proposals involve Israel annexing the land captured in 1967 and declaring itself in effect to be an apartheid state, something that will not sit well with world opinion. This is probably why they have not been implemented by the Israeli government. The racist and near-racist proposals for a single state offered by the Israeli right show that there are many questions to be answered about the form a bi-national state should take – should it be a unitary state which does not distinguish between Jewish and Arab citizens in any way, or should it be a federation of two autonomous communities? Would Palestinian refugees be allowed to return to this state? Palestinians would almost certainly want to allow them to do so, but Israelis would fear that that would mean that they would become only a small minority in the new state.

As yet, apart from a few very marginal voices on the left of the Israeli political spectrum, there is no support for a single bi-national state in historic Palestine guaranteeing equal rights to all its citizens. The one-state solution is spoken of as a worst-case scenario to be feared rather than a practical and just solution to the Israeli-Palestinian conflict.



Israel's continued control over the West Bank, and over access to Gaza, and its overwhelming military superiority over the Palestinians and the surrounding Arab states means that it has the power to veto a bi-national state for the present. However, the situation today is that all other solutions to the conflict, including the two-state one are impracticable. The Israeli-Palestinian conflict seems like it will continue unsolved until the only remaining solution is implemented.

