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The fallacies of the 'one-state solution'

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In July 1937 Britain's Peel Commission gave up on empire in Palestine. The Mandate, commissioners decided, had become unsustainable. They recommended partition—two states for two people. "Half a loaf is better than no bread," their report concluded.

Three-quarters of a century later, this proposal has yet to be implemented. Now it is becoming fashionable to claim that it cannot succeed or that it should not even be attempted.

It is little wonder that many have lost faith after forty-six years of unrelenting occupation and more than two decades of failed negotiations. While partition remains the consensus solution in diplomatic circles, the idea of forming a single, binational state in Israel and Palestine is gaining traction among intellectuals, journalists, and activists. Although not a single government or significant international organization has adopted, or even seriously considered, the one-state idea, it is now a fixture in academic conferences, independent policy proposals, and punditry. While no official political party or popular movement in Israel or Palestine subscribes to binationalism, prominent Palestinian intellectuals, primarily in the diaspora, have been advocating it, as have some Jewish Israelis, among them former champions of the two-state solution. Even diplomats from countries officially committed to the two-state solution have, in unofficial conversation, expressed skepticism about it and curiosity about the single-state alternative. Versions of single-state arrangements have been promoted in recent years in dozens of books and hundreds, perhaps thousands, of articles and opinion pieces.

Many of these one-state arguments have an aura of sophistication and unconventionality. Yet one-statism is more an expression of moral outrage and political desperation than a well-reasoned proposal.

It is important to clarify exactly what is at issue. The disagreement between one-staters and two-staters is not about whether a single state is likely to evolve from a two-state arrangement, in the long run. Indeed, many two-staters agree that a binational arrangement would likely arise out of a two-state solution, since citizens of two states would care more about economic opportunities and regional interests than about nationalist aspirations and revenge. Rather, the debate concerns the fundamental political question, what is to be done? Should one-statism be adopted as a political program in place of the two-state

framework? On this question, the arguments of one-staters either miss the mark or aim at the wrong target altogether. As a political program, one-statism is a delusion, and a dangerous one at that.



Arguments against partition are either moral or pragmatic. Some moral critics maintain that nation-states are reprehensible, in general. This claim is theoretically dubious, as shown by numerous scholars who have argued for the justifiability of nation states. Regardless, opposition to nation states is not likely to gain wide appeal and influence decision-makers and does not constitute any special reason to oppose partition of Israel-Palestine.

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Other moral critics reject Jewish national self-determination, in particular, claiming that Jews did not constitute a nation in the relevant sense. But these arguments are spurious. Even if prior to the founding of Israel Jews lacked key features of nationhood such as common native language and territory, contemporary Israeli Jews do not. Moreover, the right of national self-determination cannot coherently be denied to Israelis while also being granted to Palestinians.

The more challenging version of the moral argument holds that while a Jewish nation-state is not unjustifiable in principle, it is unjustifiable given Israel's infringements of Palestinians' human and collective rights. Implicit in this claim is that the establishment of a Palestinian state will not remedy the injustices of the 1948 war; it will not relieve the plight of Palestinian refugees or redress the grievances of Palestinian citizens of Israel. This argument touches the core of the Jewish-Arab conflict and should not be dismissed lightly.

But neither should it be overstated. Even if a Palestinian state itself would not resolve these issues, it might in combination with other measures, such as resettlement and compensation for refugees. Furthermore, remedying past injustice is only one consideration among many in deciding a policy's moral desirability. Past wrongs can't always be fully rectified without committing new ones. The just strategy is the best one attainable under the circumstances at the lowest cost. At most, the moral argument against partition shows that it will not bring about perfect justice or the greatest justice among hypothetical alternatives. It does not show that partition is unjust given actual possibilities. Even those who consider one state more desirable than two states have no reason to oppose the latter if it alone is feasible.

But is partition feasible? This is precisely the question raised by pragmatic arguments for binationalism. Edward Said, one of the early prophets of one-statism, argued that partition is practically impossible because the lives of Israelis and Palestinians are inextricably intertwined and because of increasing demographic parity. But the first claim has been falsified by the events of the last two decades, whereby Palestinians have effectively been removed from Israeli daily life. The second simply does not support the conclusion.

More recently, it has become popular to speak, in New Yorker Editor David Remnick's words, of the "one-state reality." Israel's de facto annexation of the West Bank "no longer allows a just two-state solution," says Yehouda Shenhav, author of *Beyond the Two-State Solution* (2013). But this conclusion is too decisive to be supported by what is no more than a metaphor. Annexation is a legal term; it requires the acknowledgement of relevant parties, and nobody—not the international community, certainly not the Palestinians, and not even official Israel—regards Gaza and the West Bank as annexed. The occupants of these areas have not been naturalized in Israel, and they are not subject to Israeli law but to the laws of its military occupation. It is true that one entity controls all the land between the river and the sea and that this entity is a state, but this does not entail that this area constitutes a single state. And it certainly does not entail that this control is irreversible.

The issue is not the status of the occupied territories, but the physical reality, the notorious facts on the ground. The most common argument among partition skeptics is that the two-state solution is dead because Jewish settlements in the West Bank cannot be undone. This claim is not new. In 1982 Israeli historian and former Deputy Mayor of Jerusalem Meron Benvenisti warned that it was already "5 minutes to midnight" with respect to partition due to settlement expansion. There is no doubt that ceaseless settlement expansion has been a major obstacle and a constant source of frustration. But it is wrong to conclude that the

settlements are irreversible. In 2003 Tony Judt lamented that “the two-state solution . . . is probably already doomed,” because “many of [the] settlers will die—or kill—rather than move.” Yet less than two years later Israel removed the settlements in the Gaza strip. Despite mass protest, thousands were evicted in less than a week. No one died, and no one tried to kill anyone.

The supposed immovability of the settlers is no more valid today, when they number some 350,000, than it was in 1982, when they were only around 20,000. About 85 percent of them live in settlement blocs, which extend over less than 6 percent of the West Bank. Most of these areas can be swapped for other territories. Almost all other settlements have fewer than 2,000 residents, making them relatively simple to uproot.

The settlements are also deeply reliant on Israel, ensuring the state’s leverage over them. A systematic analysis of the settlement enterprise—its history, economy, administrative apparatus, and legal status—shows that it is not the independent project of an unruly avant-garde, an aberration imposed on the State of Israel, as it were, against its will. As journalist Akiva Eldar and historian Idith Zertal write in their detailed analysis of the settlement enterprise, *Lords of the Land: The War Over Israel’s Settlements in the Occupied Territories, 1967–2007* (2007):

The expansion of the settlements would not have been possible without massive aid from various state institutions, without legal sanction, and without the expedient and affective ties woven between the settlers and the military. The settlements flourished not only with the authorities’ seal of approval but also with official encouragement and at the government’s initiative.

There is stark irony here, as the complicity of the Israeli government in the settlements, often noted by partition’s detractors, undermines the irreversibility thesis. Nearly every West Bank company and service, from public transport and telecommunications to health care and banking, functions under Israeli statutes or military decrees, which can be rescinded just as easily as they were enacted. Lacking substantial local industry, commerce, and agriculture, more than two-thirds of settlers work inside Israel, and many of the rest are employed by the government or municipalities. While the Israeli welfare state erodes, settlement benefits and subsidies proliferate. Transportation, education, and housing are all cheaper for Jews beyond the Green Line.

Dismantling this state-enabled infrastructure would render life in the settlements practically

impossible. The settlements are reversible precisely because they are—and always have been—a state project. If Israel decides to withdraw its support, the settlements will crumble. As leading Israeli geographer Elisha Efrat writes:

The settlement system established over many years through huge investments, is in fact geographically shaky, inconsistent with the logic of spatial planning, and therefore has little chance to maintain a lasting, independent existence. . . . The collapse and disintegration of this system is only a matter of time.

The strongest practical arguments against partition claim that Israeli society lacks—and cannot create—the political will to uproot settlements. But that is no reason to favor binationalism. There is no reason to think Israelis will muster the will for a single state more readily than for two. One-statism is anathema to the vast majority of Israeli Jews, whereas a substantial—if tragically ineffectual—majority of Israelis consistently favors partition. The fact that no major Palestinian political faction has advocated one-statism is equally telling. Public opinion polls show that the Palestinian majority, too, inclines toward an independent state. Many of them—Islamists and nationalists—ideologically reject one-statism or a shared democratic state. As far as the prospects of generating political will go, partition fares considerably better than its alternatives.

Another kind of pragmatic argument against partition works indirectly: since all previous attempts to establish two states have failed, the solution must be unattainable. But the failures of the peace process count as evidence of the infeasibility of the two-state solution only if the process was not itself flawed. The peace process, however, has been so flagrantly flawed that finding fault in the proposed solution amounts to de-facto exoneration of Israeli intransigence, Palestinian mistakes, and American mismanagement. As one Palestinian intellectual put it, "If the [two-state solution] is unattainable due to the existing imbalance of power, then one should strive to redress this imbalance, not necessarily to alter the political program itself." The same goes for American mediation; the insistence on bilateral, direct negotiations without clear terms of reference; and a host of other deficiencies, which can and should be rectified.



Since one-statism is not the only just or practicable solution, it must be shown to be the better one. A possible justification comes by comparison: a single Western-style, democratic, multiethnic state, in which everyone is treated with equal respect and granted equal rights and opportunities, is better than two ethnocentric, nationalist states in which minorities are discriminated against and resources are unequally divided. Few would disagree.

But here proponents of one state confuse virtues with preconditions. Institutions are not justified by desirable prerequisites but by desirable consequences to which they are the best means. Thus the abstract virtues of a single state entail nothing if they depend on the disappearance of the conditions that make it necessary in the first place. Yet it is just such virtues that one-staters celebrate. "Equal citizenship for Jews and Palestinians . . . will enable the state to free itself of the logic of ethnic-nationalism," Israeli academics Ariella Azoulay and Adi Ophir write. According to Palestinian activist Ali Abunimah, "A single-state democracy . . . offers the potential to deterritorialize the conflict and neutralize demography and ethnicity as a source of political power and legitimacy." This is getting things backwards. In order for a single democratic state to be viable, the conflict must be deterritorialized and demography and ethnicity need to be neutralized (among other things). Equal citizenship requires an egalitarian, non-ethnocentric civic conception; it doesn't just enable it. But if all these goodies were obtained, whether Israelis and Palestinians split two states or share one would be a minor issue.

This is not to say that democracy requires perfect egalitarianism from the start. Every democracy is imperfect, and equal rights are everywhere the object of long-term struggle. But they are won against a background of collective commitment to a unified nation of equals. In Israel and Palestine, ethnicity, not an ideological commitment to egalitarianism, is the principal factor determining people's loyalties and political aspirations.

Another way some one-staters get things backward is by giving theory precedence over reality. Support for one-statism is disproportionately prevalent among intellectuals. It is no wonder, then, that arguments for it seem more attuned to theoretical constructions than to political realities. Analyzing Zionism as a colonial, or settler-colonial, enterprise, many one-staters conclude that solving the problems created by the establishment of the State of Israel requires undoing Zionist colonialism. Colonial regimes, they reason, have ended in one

of three ways: eviction of the colonizers (as in Algeria), elimination of the colonized (as in North America), or the institution of a democratic state for both (as in South Africa). The first two models are neither desirable nor practical, so the only remaining option is the institution of a single democratic state.

This argument rests on the false assumption that the only way to solve a problem is to undo its causes. Undoing the causes may be impossible or too costly—the best treatment for pregnancy complications is not undoing conception. Furthermore, the colonial, or settler-colonial, framework is at best partial. The South-African case in particular is an imperfect analog. Blacks under apartheid were regarded as part of South Africa, not as an external enemy. The African National Congress, for its part, opened its Freedom Charter of 1955 with the unabashed declaration: “South Africa belongs to all who live in it, black and white.” Nothing of the kind exists in Israel and Palestine. These are disparate cases; little is gained forcing them into the theoretical splint.

A common argument for the single-state option is that, unlike partition, it will rectify the inequality imposed on Israel’s Palestinian citizens by dismantling Jewish privilege and address the plight of the refugees by allowing their return to historic Palestine. Some proponents of binationalism add a more equitable distribution of resources to the list of its advantages. But whether a single state holds greater promise for Israelis and Palestinians depends on the details of the proposal and on its feasibility. Yet one-state advocates have been thin on details and unconvincing on feasibility. Even if refugees are allowed to return, it is doubtful that many of them will be able to realize this option. And if they do, most will not be returning to their (or their ancestors’) villages and towns and will not reclaim their lost possessions. The mechanism for ensuring equal distribution of resources remains elusive, and judging by the example of South Africa favored by one-staters, this is no small challenge. Descriptions of the one-state solution are also sketchy on constitutional and institutional arrangements, particularly with respect to core issues such as immigration and security. None of the proposals on offer specifies how agreement on the key matters of sovereignty can be reached given entrenched mutual animosity and aspirations for self-rule.

The feasibility of one-statism is questionable not only for lack of detail about the political arrangement, but also because no account has been given of the mechanism by which it would be implemented. One can deride the anxieties expressed by Israeli Jews as mere disguise for the desire to maintain privilege, or portray them as manipulative means of control manufactured by power elites. But even those who deny the legitimacy of Jewish

fears must meet the formidable challenge they pose for shared sovereignty. Talk of privileges and hegemony might animate activists and junkies of moral indignation, but it does not eliminate the substantive political challenge. Whether one respects the fears and aspirations on both sides or scoffs at them, Israeli relinquishing of control over security is simply not in the cards and won't be any time soon. Palestinian acceptance of the indigenous status of Jews in historic Palestine is no more forthcoming.

In light of these facts, the one-state strategy is to force Israel to capitulate through international political, moral, and economic pressure. But no realistic plan for generating pressure of the magnitude required has been proposed. And such pressure, if it were available, could be employed to advance a Palestinian state more effectively than to promote one state, which, unlike partition, is vigorously opposed by both peoples.



Confronted with these practical difficulties, advocates of one-statism talk about it as an ideal or "new utopian horizon." This is an interesting choice of metaphor, as *horizon* denotes an apparent reality, not an actual one, and *utopia*, as George Orwell warned, "doesn't mean 'a good place,' it means merely a 'non-existent place.'"

Going utopian is a glorified excuse for neglecting real political constraints. Azoulay and Ophir do not say how their desired "separation of nation and state" is to occur; Shenhav doesn't tell us how Palestinians will be swayed to give up "the narrative of destruction and redemption" and Jews to give up "the land regime that gives Jews exclusive preference"; British-Palestinian intellectual Ghada Karmi offers no account of how the single democratic state will be brought about; American political scientist Virginia Tilley doesn't specify what will entice Israel to allow unlimited return of refugees; and Abunimah doesn't explain what will induce Hamas and Islamic Jihad to dispense with their credo of violent opposition to Israel's existence.

But most troubling is that none of these proponents of one state addresses the risks. One of these is what Noam Chomsky calls "the only realistic alternative to the two-state settlement," namely prolonging the status quo of occupation and dispossession. Indeed,

given the current balance of power in Israel, it is likely that if non-partitionist proposals are adopted the resulting state will assume the non-democratic features devised by the right and not the democratic character desired by the left. As Palestinian politician Yasser Abed Rabbo warned, binationalism would make Palestinians "second-class citizens in one state."

In fact, though, the status quo is not the only, or indeed the worst, possible consequence of dispensing with partition. Another possibility is yet more violence. One-staters typically belittle or ignore security. This is unsettling not only for the Hobbesian reason that security is the fundamental concern of government in general, but also because it is the main rationale for partition. The Peel Commission recommended partition after admitting that there was no way to "remove the grievances" of the rival communities "nor prevent their recurrence"—because

the disease is so deep-rooted that . . . the only hope of a cure lies in a surgical operation. . . . There can be no question of fusion or assimilation between Jewish and Arab cultures. The National Home cannot be half-national. . . . Arab nationalism is as intense a force as Jewish. . . . Neither of the two national ideals permits of combination in the service of a single state.

It is absurd to suggest that decades of bloody conflict—wars, terrorist attacks, repressive occupation, dispossession, humiliation, two violent uprisings, and countless clashes and attacks—somehow mitigate this judgment.

Achieving a stable, shared political arrangement that protects the rights and promotes the interests of Jews and Arabs equally can succeed only if it is premised on true parity. Such parity requires mutual recognition and acceptance of both people's indigenous status in the land. It requires, at some level, a sense of shared identity and a joint project. To believe that Palestinians and Israelis will endorse these conditions while Palestinians continue to be occupied by Israel and to violently resist that occupation is at best naïve.

If Israel's dominant powers overestimate the strife between the two peoples, conveniently concluding that the conflict is unresolvable, supporters of one state often seem to

underestimate it. A century of conflict leaves a mark that can't be washed away by political fiat. Ideology, religion, culture, and psychology are not all transformed as soon as "justice" makes its appearance.

Optimism about the potential coexistence of Palestinians and Israelis seems particularly unwarranted as binational and multinational arrangements show strain elsewhere. Aspirations for self-determination are strong enough to challenge the cohesion of developed countries such as Belgium, Spain, the United Kingdom, and Canada, even without a background of occupation. Ethnic violence broke up Yugoslavia and has brought perpetual strife to Lebanon and Iraq. Given the profound animosity and distrust and religious, political, and social divisions between Palestinians and Israelis, Balkanization or Lebanonization are more probable than reconciliation. Indeed, a sober evaluation of the conditions in both societies—the levels of hostility, the indifference and even support for aggression, not to mention the absence of meaningful aspiration for reconciliation and coexistence—unequivocally indicates that violence is a real threat. Everyone would be victimized in that scenario, but given the disparity in arms and means, the toll of the violence would be greater for Palestinians than Israelis. Regardless of one's views about Jewish national self-determination, promoting one-statism without addressing these risks is reckless.



An independent Palestinian state will not fully redress the plight of the refugees or compensate the loss of property in 1948 and the suffering and dispossession endured over five decades of military occupation. It will not guarantee an equitable distribution of resources between the two states or ensure economic prosperity or a functioning democracy in either. And it won't end discrimination against Palestinian citizens of Israel or reverse ethnocentric and racist trends in Israeli society.

But all this is beside the point. A Palestinian state is still the most feasible means for ending the military occupation in the West Bank and Gaza. Why allow the currently unresolvable issues of 1948 to hold hostage the solution of the occupation anomaly that began in 1967? This is an especially bad idea since ending the occupation may create conditions that enable a final resolution of deeper historical wrongs.

It is certainly possible to imagine, analyze, and debate the vision of a single political entity encompassing all of historic Palestine. But as a political program one-state alternative is a dangerous delusion. As an impractical idea, it drains much needed political energies and resources. As a policy proposal, it fails to address the risks it would create. "When meeting with utopian intellectuals," Václav Havel wrote, "we should resist their siren calls. If they enter politics, we should believe them even less."



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