

A Different Way of Thinking About the Two-state Solution

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January 21, 2010

Today, at least on a verbal level, the PLO and the Government of Israel are in agreement that the central outcome of the permanent status negotiations should be a Palestinian State that will exist alongside the State of Israel. Broadly speaking, but especially for Israelis, the understanding of how those two states will interact is one of strict-separation, “we are here and they are there.”

For Israelis, strict-separation is represented by the wall, or “separation fence,” even though the exact location of final borders between the two-states is yet to be determined. It is further reflected in an Israeli determination that no refugees will return, certainly none “by right.” On the Palestinian side, the strict-separation vision is also widely held. It is expressed in the Palestinian determination that aside from minor swaps, all Jewish settlements will be evacuated from whatever land becomes sovereign Palestinian territory, and in the desire for sharp, straight-line borders.

The attachment to the strict-separation paradigm of the two-state solution is so pervasive that at times it leads to a confusion between the idea of two-states and the idea of two-homelands. For instance, in the Clinton Parameters we find the statement, “A new State of Palestine is about to be created as the homeland of the Palestinian people, just as Israel was established as the homeland of the Jewish people.” Similarly, in the Geneva Accords we also find the two-states idea intermingled with a two-homelands idea: “The parties recognize Palestine and Israel as the homelands of their respective peoples.”

This is a confusion. The concept of “homeland” is quite different than that of “state.” States are political constructions; they are created at specific points in time as the result of deliberate acts of human decision-making. But a homeland is a different matter. A geographical region is the homeland of a people, not because of a political decision, but in virtue of a people’s history and identification. It is the area from which a people emerged or flourished and which plays a central role in their own understanding of themselves. To call something one’s homeland is to say something important about oneself and about how one understands oneself in relation to the history of the people with which one identifies. Thus, for Palestinians, while a peace agreement may establish the West Bank and Gaza as the territory of the Palestinian State, such an agreement cannot undo the fact that all of historic Palestine is the homeland of the Palestinian people. Similarly, no political decision or document can change the fact that the historic homeland of the Jewish people does not neatly mirror the borders of the State of Israel. One does not have to accept the religious authority the Hebrew Bible, to recognize the significance of the fact that in this ancient text, dating back as far as 2,500 years, the Jewish people told the story of how Abraham and Isaac and Jacob lived in the region of what is today Nablus, and

how they were buried in what is now Hebron. Indeed, this ancient Jewish story, which formed Jewish self-understanding for thousands of years, puts little emphasis on the coastal plain where most Israelis live today.

The fact that the Jewish people and the Palestinian people, because of both history and identity, have one and the same territory as their common homeland, does not dictate any particular answer to how the two states should relate to one another. It is quite possible to decide that within the common homeland, there will be two, strictly separated states. The problem with this, however, is that precisely because it flies in the face of the fact that for both peoples, the homeland is more extensive than the proposed territorial state, strict-separation has proved particularly hard to negotiate. And if negotiated it will prove very difficult to implement, and if implemented, it will be highly unstable. For instance:

- Implementation. While Israeli negotiators have been willing to agree to the evacuation of most of the settlements in the West Bank, and one can be optimistic that agreement on the borders of a Palestinian state can be found, one can also have severe doubts about implementation. Will any Israeli government actually have the ability to implement the removal of over 75,000 settlers from the central areas of the West Bank? What if a significant percentage of the settlers are prepared to resist their evacuation? Will Israel really fight its own people to fulfill its treaty commitments?
- Sustainability. If Palestinian negotiators (the PLO leadership) accept an agreement that provides no accommodation of Palestinian claims with respect to a right of return, they will be subject to de-legitimization. If a Palestinian State comes into existence on that basis, there is far greater likelihood that Hamas or some successor organization will come to power by winning the first or second democratic elections within that state. If that occurs, could a peace accord survive?
- Negotiability. The political implications of abandoning refugee claims are well understood by the PLO leadership. Accordingly in past negotiations they have sought from the Israelis some willingness to allow a credible number of refugees to return, as well as acceptance, in principle, of a general right to return. On the other hand while Israeli positions on borders have become more forthcoming, in recent years the Israeli position on refugees has hardened. Today there is almost no willingness to allow the return of any refugees. Thus the strict-separation paradigm of the two-state solution faces major problems of negotiability.

Given that a two-state solution along the strict-separation model does not have high prospects of being negotiated, implemented and stabilized, it is worth investigating whether there is a workable alternative model of two-states. What would the two-state solution look like if rather than turning away from the underlying reality of the

common homeland, we were to embrace that reality? Here is how this “common homeland” model for two-states might function:

1. First and foremost, a peace agreement, rather than centering on the creation of two-states, would center on mutual recognition that all of the land between the Jordan River and the Mediterranean Sea, is the common homeland of the two peoples. The negotiating parties, (e.g. the PLO and the Government of Israel) would pledge to do their best to honor the reality of this common homeland. And while they would concede that the current nature of relations between the two peoples may not allow for significant implementation, they would affirm that, in principle, all members of the two peoples, have right to live anywhere within the common homeland.

2. Then, having accepted that there is only one homeland, and that it must be shared, they would agree that at present, and perhaps into the indefinite future, the only practicable option is to divide the homeland into two sovereign states, which in the words of UN General Assembly Resolution 181, are “one Arab and one Jewish.” The treaty, however, would hold out the possibility that over time this pragmatic decision about two-states could evolve into various possibilities including a confederation between the two states, or a single federated state that has two provinces, or even a single unitary state in which all are equal citizens. The parties would agree that periodically, (e.g. every ten or fifteen years) they would convene to explore such possibilities, but that changes would require the agreement of both states.

3. As a symbol of the oneness of the homeland, the Old City of Jerusalem would be outside the realm of political sovereignty. It would be the joint possession of the two peoples, with the Temple Mount under Palestinian administration and the Western Wall under Israeli administration. Possibly, to emphasize the common religious roots of Judaism, Islam and Christianity (the three Abrahamic religions) it would be affirmed that with respect to the Old City, sovereignty belongs only to God.

4. With respect to Jews wishing to live in the West Bank and Palestinians (whether refugees or not) wishing to live within Israel, it would be affirmed that within the two-state model, each state has the ultimate authority over the admission of non-citizens to the territory of its respective sovereignty. On that basis, however, the two-states could decide to enter into any of a variety of experimental programs during a lengthy process of implementation. Thus, as an example, it might be possible to take a settlement such as Ariel and while agreeing that the land it is on is the sovereign territory of the state of Palestine, the two sides might have a trial program in which Ariel will be matched with an area inside Israel, an area which is the traditional home of Palestinian refugees, and that just as Israeli citizens will be allowed to continue to remain in Ariel, so too will refugees be allowed to return to live within a new community inside Israel, one linked to the Palestinian state through special access roads. Such an arrangement would be done on a trial basis. It would represent the hope that ways could be found to allow wider implementation of the right to live anywhere in the homeland. If after several years, it is found that

this is an unworkable idea, then both Ariel and the parallel area inside Israel would have to be evacuated. Yet even this, would not be permanent. If after a decade of peace, after a cooling off period in which a new generation arose, it would remain possible to again explore the viability of this or other ideas to give meaningful expression to the oneness of the homeland.

5. With respect to some of the most vexing problems of security that concern Israelis (e.g. how can they be assured that ending the occupation will not mean rockets from the West Bank landing on Ben Gurion Airport) answers must be found which respect Palestinian sovereignty and the equal dignity of the two states. One possibility within the Common Homeland model is that there could be a joint security force that has a presence along the entire external perimeter of the homeland. Thus, rather than having, as Israel seeks, Israeli troops on the border with Jordan, there could be a homeland force that would also be on the borders with Lebanon, and Syria and Egypt. Again, this would be viewed as experimental, and if it failed then the fallback would be strict-separation between the two states with deterrence as the primary factor on which stability was grounded, but the aspiration would be for cooperation.

6. Economically, the common homeland approach would pursue the goals of the original Partition Resolution of 1947, (UNGA 181) articulated in the section on "Economic Union and Transit," including a customs union, a joint currency that would replace the Israeli shekel, common railways, shared ports and airports, as well as "freedom of transit and visit for all residents or citizens of both States." As noted in Resolution 181, such freedoms would be subject to security considerations, but with genuine peace, both States would be fully open to both peoples.

7. Finally and of great importance, the common homeland perspective would emphasize education that would promote the future ability of the two peoples to genuinely share the same land. This would require a willingness on the part of both societies to open themselves to learning how the other side understands itself and understands the history of the conflict. Neither side would seek to control the curriculum of the other, but both would agree to allow their youth to learn first-hand, from the other, their very different perspectives.

At the present moment the relations between the two peoples are a far distance from what is required to achieve what I have just described. But it would be a mistake to dismiss this as naïve. What it presented here is an ideal to which the parties would pledge themselves. If we think of the peace negotiations as historic then we must recognize that in the relations between the two states there will be ups and downs. And even if at the outset it is decided to operate along the lines of strict-separation, the common homeland orientation expresses an intention to achieve a future in which the two peoples could truly share their common homeland.

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