

Two-State Solution, Two Roads Not Taken

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President Obama has joined the respectable club of concerned leaders who have all tried – in vain – to convince Israeli PM Netanyahu to embrace the two-state solution. There is growing alarm: the window of opportunity is closing on this age-old remedy and the alternative is resurging. In both the media and academe, the one-state discourse is on the rise. Yet there is an underlying question at the one- or two-state crossroads that is often overlooked: a state or two for who?

While military and militants battled for a coercive resolution and diplomats toiled for compromise, a paradigmatic shift recently took place on the normative level. An old-new variable entered the two-state formula: “two states *for two peoples*.” Ostensibly, 2S2P is what Jews and most Westerners always meant: one state for the Jews; another for Palestinians. It goes back to the British Peel Commission Plan of 1937 and to the UN Resolution, a decade later, on the land's partition into a “Jewish state” and an “Arab state.” Since then, however, this underlying normative argument has remained implicit; that is, until the second Intifada. Unlike the first, the second Intifada signaled that (too) many Palestinians seem to prefer the destruction of the Jewish state to the construction of a Palestinian state. Particularly, the normative threshold was crossed in Palestinian insistence on “the right of return” of both the original refugees and their descendents to Israel proper (within the 1967 borders).

Enter the politics of recognition. Until recently, Zionist leaders were satisfied with obtaining Arab acknowledgment of Israel's existence as a *fait accompli*. Thus, in his 1993 correspondence with PM Rabin, PLO leader Yasser Arafat could accept “the right of the State of Israel to exist in peace and security,” but not to the right of the Jewish people to have a state. He was not asked, nor would he agree, to the latter. Since 2002 Israeli Leaders, first Sharon, then Olmert (both encouraged by Livni), and now Netanyahu, demand Arab recognition of Israel's *raison d'être*, its legitimation as a Jewish state. Proponents have regarded this transformation as a means to expose the Palestinians' true intentions; opponents – as an obstacle to pragmatic negotiation. Both are right, but so what? The paradigmatic shift is here to stay. The conflict is now, more than ever before, not only about states and borders, but about peoples and beliefs; not just politics and policies, but identities as well. The Palestinian-Israeli conflict is increasingly a misnomer; it is, much more accurately, a Jewish-Palestinian conflict, an intercommunal, rather than an inter-state, clash.

The resurgent one-state solution is an important outcome of this shift. However, its advocates, too, must deal with collective identities. Is it 1S2P, one state for two peoples, a Jewish-Arab bi-national state? Or perhaps 1S1P, a republican-like state that derives its political legitimacy from the existence of one civic community, a collective, rather than a collection of individuals? Past and present do not hold much promise for either. The 1S2P bi-national path has so far been trod by a handful of polities, most notably Belgium, with marginal success. The 1S1P might have worked had there been a substantial sense of shared identity by the inhabitants of “Greater Palestine.” There isn't.

A dozen intellectuals notwithstanding, Arab/Palestinian and Jewish identities are perceived by the bulk of the local population as mutually exclusive.

What, then, of the oldie 2S2P? Two new paths remained to be explored. First, by truly transforming the conflict into inter-state, the need for popular legitimacy could again be subdued. Utilizing state monopoly of the legitimate use of force, President Sadat and King Hussein could sign a deal that granted Israel formal peace without normative justification. In the Palestinian case, such a scenario would entail a reversal of the prevalent peace approach: it starts with establishing a Palestinian state, a Kosovo-like international enterprise, backed by regional Arab powers, and only then does peace start to be negotiated. Sans Palestinian state, however, fostering popular legitimacy for peace becomes paramount. Diplomacy will not suffice. As long as radicals on both sides have a normative right to veto an agreement, any diplomatic accord is doomed.

An extended “Arab Initiative” to specifically embrace 2S2P, not just 2S, would go a long way to truly facilitating peace. However, the real remedy resides with the people, or peoples. A pan-Palestine plebiscite, a referendum to include all the inhabitants of both Israel and the occupied territories, should provide exactly that legitimacy. Theoretically, the optimal choice would entail the triad 1S1P, 1S2P, 2S2P, the latter’s borders aligned with votes. Practically, however, and considering that 2S2P still enjoys majority support in public opinion among both Jews and Palestinians, an “interim settlement” mechanism is more promising: the leaders would negotiate a deal subject to a referendum (internationally guaranteed) after a year or two. The window of opportunity might be closing, but a new key to the long-locked door might do the trick.