

IS IT TIME TO BURY THE TWO-STATE SOLUTION?

While many may be dismissive of the two-state solution, there are no viable alternatives for peace between Israel and Palestine

By Hesham Youssef

In recent years, as obstacles to achieving the two-state solution (2SS) to the Israeli-Palestinian conflict deepened and proliferated, those declaring its death have likewise multiplied. In op-eds and think tanks across the Middle East and influential capitals around the world, an increasing number of voices have come to view the “two states for two peoples” paradigm as a notion whose time has passed.

For about three decades, especially since the Madrid Peace Conference in 1991 and the signing of the Oslo Accords in 1993, the underlying assumption of Israeli-Palestinian peacemaking efforts has been the necessity of separating Israelis and Palestinians into two independent states. Today, both those who remain supportive of the 2SS and those who see it as impossible have ample evidence to support their case. It is important for public policy makers to examine the arguments of both sides and the suggested alternatives if an agreed separation is not possible, and to assess what all this means for the future of the conflict.

There are widely varying understandings of what constitutes the 2SS, a one-state approach, and other suggested alternatives for resolving the conflict. International consensus on the two-state solution calls for the establishment of a sovereign, democratic, contiguous, and viable Palestinian state based on the 1948 armistice lines that prevailed until the 1967 Arab–Israeli war. This would have Palestinians living next to an Israeli state in peace and security—with East Jerusalem as the capital of Palestine and West Jerusalem as the capital of Israel. However, the predominant thinking espoused for years by Israeli political leaders never included full or effective sovereignty for Palestinians and instead presented a vision closer to enhanced autonomy. Former Prime Minister Benjamin Netanyahu referred to the potential end goal as “state-minus,” similar to U.S. President Donald Trump’s approach which envisioned a Palestinian “state” with almost no real attributes of a state. Current Israeli Prime Minister



Naftali Bennett thought that the Trump plan leaned too far in the direction of a Palestinian state.

△ People stand among the remains of a demolished house in the Sheikh Jarrah neighbourhood of East Jerusalem, Jan.19, 2022.

Ammar Awad/Reuters

Meanwhile, there are different understandings of a one-state approach. The view adhering to liberal values of democracy and human rights envisages a state with equal rights for all those inhabiting historic Palestine, regardless of race, ethnicity, and religion, with little agreement on how it will deal with Palestinian refugees. However, there are Israelis who would define a one-state outcome as a Jewish state from the river to the sea, with a Palestinian population that does not enjoy the same rights as Israelis, living in Bantustans similar to those proposed in the Trump plan.

The Case for Burying the Two-State Solution

The strongest argument for abandoning the 2SS is the seeming impossibility of separating the two peoples. For decades, unilateral Israeli steps have created new realities on the ground. Israeli settlements are now so far into the West Bank and so enmeshed in Israeli life that they seem to be an irreversible reality, making the establishment of a Palestinian state a near impossibility. Forty years ago, in 1982, Jerusalem's deputy mayor Meron Benvenisti warned that the establishment of a two-state solution was already, even then, almost impossible because a hundred thousand Jewish settlers would soon inhabit the West Bank and East Jerusalem.

Today, there are an estimated 650 thousand settlers in the West Bank and East Jerusalem. Even staunch supporters of the 2SS admit the tipping point that would

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prevent the establishment of a Palestinian state is fast approaching. While it is difficult to say exactly what number of Israeli settlers or how much land appropriation in the West Bank would make the two-state solution an impossibility, many pundits and governmental leaders agree that we are moving toward settler levels that would result in destroying the two-state paradigm. One need look no further than the previous Israeli government's annexation plans which were

supported by the Trump administration and, had they been fully implemented, would have constituted the end of the two-state solution.

Moreover, the leadership and political will necessary to achieve the 2SS is absent. In different ways, both Israeli and Palestinian leaders are not ready to come to the negotiating table. In 2016, former Secretary of State John Kerry referred to the Israeli coalition as "the most right-wing in Israel's history". Since then, Israel has moved further to the right. This means that the international community must wrestle with an increasingly uncompromising Israel that is unwilling to accept any equitable territorial compromise. Furthermore, the continued Palestinian division between Hamas in the Gaza Strip and Fatah in the West Bank is weakening the Palestinians' negotiating position. Trust between the Palestinians and the Israelis remains low, and the risks taken for peace by Sadat in the 1970s and Rabin in the 1990s will not be repeated by current Palestinian or Israeli leaders.

Another roadblock in the implementation of the two-state solution is that the international community has never mustered the will to effectively spur the parties toward it. Current trends suggest that this will continue to be the case. Most Arab countries, the United States, and other powers are preoccupied with more pressing priorities central to their own national interests. The United States has taken steps to reduce its footprint in the region and is focusing on great power competition, climate change, COVID-19 implications, and migration. When Washington looks at the Middle East, U.S. leadership is singularly prioritizing the Iranian nuclear file. The European Union has similar preoccupations in addition to dealing with the repercussions of Brexit. Pertinent Middle East actors are no different when it comes to prioritizing a host of national and regional challenges over the Israeli-Palestinian conflict. This dramatically reduces the international pressure necessary to urge parties—particularly Israel—to take meaningful steps toward peace.

At the same time, there are continued efforts to hollow out the concept of the 2SS. Israeli leaders have used terms such as “state-minus” and “autonomy-plus,” but few are willing to entertain a sovereign state for the Palestinians as defined by international law. The Trump administration further weakened the prospects of the two-state solution. Initially, Trump indicated support for the 2SS, but then indicated indifference, offering support for one state, two states, or whatever the parties would agree on. And then, before announcing its plan in January 2020, the Trump administration stated that the new plan was not based on the 2SS. When his Peace to Prosperity plan failed to garner support and was criticized for being heavily skewed toward Israel, Trump reframed his narrative indicating that the plan was based on a “realistic two-state solution,” which ultimately only epitomized for many onlookers the hollowness of his two-state concept.

The Biden administration clearly supports the 2SS, and opposes settlement expansion, but is struggling to reverse what it considers unjustified policies of the previous administration. While the Biden campaign promised to reopen the U.S. consulate in Jerusalem, this was not actualized once in office. Other challenges over the past year have included reversing Trump’s decision to remove designation of the occupied Palestinian territory from the website of the State Department, acknowledging the illegality of Israeli settlements, removing “made in Israel” labels on settlement products, and reopening the Palestine Liberation Organization’s (PLO) mission in Washington. Given these multiple challenges and the limited political capital the administration is willing to expend on this conflict, a diplomatic breakthrough is unlikely.

Another challenge to the two-state solution is that the asymmetry of power between the Israelis and Palestinians has been deepening over the years. The 2SS was based on a premise of Israel’s conceding land occupied in 1967 in return for peace. Israel gained power and continued its unchecked actions, while the strength of the Palestinian national movement has significantly declined.

In 2002, and working within the two-state solution model, Arab countries offered incentives for Israel to recognize an independent Palestine along the 1967 lines. The Arab Peace Initiative (API) promised Israel normal diplomatic relations with all Arab countries, extended later to all Islamic countries, in return for ending occupation and establishing the Palestinian state. In 2020, four Arab countries normalized relations with Israel for reasons that are unrelated to the Israeli-Palestinian conflict, except for the agreement with the United Arab Emirates that was linked with Israel suspending its annexation plans. This dramatically reduced the significance of a crucial dimension of the API. At the same time, Palestinians were becoming even weaker because of their continued divisions, deteriorating governance and public support, and the shifting priorities mentioned above that have negatively affected the level of political support that they had enjoyed for decades.

Within the realm of the two-state paradigm, the Palestinians feel they have already made a historic concession and have nothing left to concede in terms of territory. In 1988, after decades of determined rejection of compromise with Israel, the PLO implicitly recognized Israel and accepted the creation of a Palestinian state on the land occupied by Israel in 1967—representing only 22 percent of what they believed rightfully belonged to the Palestinian people. More recently, they further agreed to limited territorial swaps on a one-to-one basis to accommodate incorporating a number of major settlements within Israel. In all permanent status negotiations, Palestinians have been pressured by the United States to agree to further concessions and have adamantly refused. They will not agree to any additional territorial concessions and the next shift in their position will most likely adopt the one-state approach. Palestinian President Mahmoud Abbas warned as much in his last statement in the United Nations General Assembly, the most forceful he has ever been on this alternative.

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When Israel built the Separation Wall in 2002, one aim was to expropriate 9.4 percent of the occupied West Bank territory into Israel. As occupation continued and the Trump plan accommodated all the Israeli requests, Israeli occupation plans called for annexing 30 percent of the occupied territories' most fertile land and water resources in exchange for 13.5 percent of Israeli arid land in the Negev Desert. The Trump administration's "realistic two-state"—which twisted itself in knots to co-opt the 2SS—was vehemently opposed by the Palestinians as the plan did not secure a Palestinian state at all. When historians look back, they may cite the Trump plan as one of the clearest nails in the coffin of the 2SS.

If the issue of security remained high on the Israeli list of concerns, Arab countries and the international community have stated their willingness to address Israel's legitimate security concerns in a balanced and effective manner. This position was included in the peace agreements signed between Israel and both Egypt (in 1979) and Jordan (in 1994). It is also understood that a future Palestinian state would be demilitarized.

But over time, numerous Israeli policies—settlement expansion, creeping annexation, demolishing houses, evictions, revoking residencies—have proven unnecessary for Israel's security. Rather, they aim at territorial expansion with the underlying goal of preventing the establishment of a Palestinian state.

All these developments lead many to argue that Israel will not agree to a compromise that Palestinians can accept, making a two-state solution impossible. A drumbeat seems to be growing that, if separation of these two peoples will

ultimately be impossible, a global political movement for equal rights—akin in approach to the South African anti-apartheid struggle—may be the future solution to the Israeli-Palestinian conflict.

Exploring the Alternatives

The growing discourse among experts asserting that the 2SS has failed argues that if current Israeli practices continue, the result will be an apartheid state and/or instability that could lead to the mass expulsion of Palestinians from the West Bank. Both outcomes would be politically unacceptable, morally unpalatable, and devastating for all parties involved.

Concerns around such a dystopian future are not new. At the end of his term, Secretary Kerry warned that “if the choice is one state, Israel can either be Jewish or democratic, it cannot be both, and it won’t ever really be at peace”. It is not coincidental that the Trump plan proposed redrawing the Israeli border to transfer around 300,000 Arab Israelis to the Palestinian entity. Mass expulsion is a major Jordanian concern as Israel may try a solution at Jordan’s expense if the two-state solution fails. Thus, an active search for alternatives has intensified—though virtually all alternatives come up short on meeting the aspirations of both sides and may create as many problems as they aim to solve.

Increasingly, the one-state approach is presented as the main alternative. Support for this approach—including by many who previously supported the 2SS—is borne out of the failure to advance toward the two-state solution. Alternatively, a recent report by the Carnegie Endowment for International Peace urged the Biden administration to adopt a “rights-first approach” that would “prioritize protecting the rights and human security of Palestinians and Israelis over maintaining a peace process and attempting short-term fixes.” The argument is nuanced and complex but remains equally difficult to achieve.

Furthermore, confederation models have been envisaging a confederate agreement in which Israelis and Palestinians would have separate governments. Although the Century Foundation, Brookings, and Carnegie have examined the confederation model and have called on the Biden administration to pursue it, it has not received meaningful political attention. While some view a confederation model as a replacement for a 2SS, others suggest that this approach does not necessarily replace the two-state solution but could change the contours of negotiations in a way that would make the 2SS more plausible. However, an Israeli-Palestinian confederation would be extremely difficult to negotiate and implement as it is both a formula to separate and unite Palestinians and Israelis. The two sides would need to prepare themselves for if, or when, the confederation fails as this would result in a return to the two-state approach.

The Two-State Solution Is the Only Route to Achieving Peace

Those who persist in advocating for the 2SS recognize that its likelihood is rapidly fading. Nevertheless, it remains the position adopted by the international community and continues to be held by the key stakeholders. Netanyahu himself endorsed the two states as a goal in 2009, though he continued to work against it. Among the public, the 2SS still maintains a plurality of support that no other approach enjoys. So while a 2SS may be impossible, forcing a one-state outcome may be equally impossible for many reasons.

The one state will not be able to accommodate two diametrically opposed narratives. For example, Israel's day of joyfully celebrating its independence will continue to be a day on which Palestinians mourn their catastrophe (the Nakba). Unless ways can be found for these two narratives to coexist and until both sides can forge a shared national vision for the future, the one-state approach would be a recipe for continuous tension, violence, conflict, and ultimately a situation resulting in perpetual civil strife.

Another major challenge is demography. Between the Jordan River and the Mediterranean Sea, the number of Palestinians already exceeds the number of Israeli Jews. Additionally, the issue of refugee return will be consequential. In a one-state option, the law cannot continue to allow any Jew in the world to receive automatic citizenship, while denying Palestinian refugees the right to return to the one state or denying first-degree relatives of Arab Israelis the right to become citizens of this state. Tensions are already close to the surface over forging a shared society between Israel's Arab minority and Israeli Jews. In a one-state context, the demographic challenge will be magnified, and Jews will eventually become a diminishing minority, which is a situation that Israel, the most powerful party in the conflict, will never accept.

A one-state approach could hypothetically overcome some of the difficulties associated with settlements and borders. However, it will make many other issues more contentious. The name of the country, its flag, national anthem, and all its laws and policies will need to be jointly navigated and determined. So will merging governmental and security institutions—dealing with Israeli nuclear weapons; bridging economic gaps; identification of friend and foe; as well as dealing with extremist groups on both sides, which will be daunting whether it is Hamas and Islamic Jihad or the Kahanist movement and those that insist on having Jewish prayers in the Al-Aqsa complex.

Efforts will need to be made to find ways to balance the interests of Palestinians and Israelis in a manner that ensures neither of them have exclusive control of the land. However, in a one-state solution, it is more likely that one identity will dominate or endeavor to dominate the other, either by force or by sheer numbers. In a one-state option, one side or both will feel underrepresented; it

seems clear that the two national identities are hardening rather than softening, with less respect for the identity and history of the opposing society. Ultimately, neither side is genuinely interested in sharing territory or sovereignty. Israel will not abandon its Jewish identity, and the Palestinians will not abandon their aspirations for sovereignty and self-determination. The asymmetry of power that prevents the 2SS will also prevent a one-state approach.

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Where to Go from Here?

Those in despair over the state of Israeli-Palestinian peacemaking are warranted in their dismay. Yet, many hope that the two-state solution can re-emerge after being sidelined, especially as the international community, including the United States, the European Union, all Arab states, and a number of political forces in the new Israeli government continue to support the 2SS. Israel's Health Minister Nitzan Horowitz recently told Abbas that their mission is to preserve the hope for peace based on a 2SS.

In the United States, political winds around the issue may also be changing. In September 2021, a few members of the U.S. House of Representatives introduced a bill entitled the "Two-State Solution Act." Its aim is to preserve a 2SS that secures Israel's future as a national home for the Jewish people, and the establishment of a viable, democratic Palestinian state. It stipulates that the West Bank, including East Jerusalem, and the Gaza Strip are all occupied territories. It bars U.S. defense assistance from being used to expand Israel's control beyond the Green Line through settlement building, and prohibits demolitions of Palestinian homes or evictions of Palestinian residents. Additionally, it calls for reopening the U.S. consulate in Jerusalem and allowing the PLO to reopen its mission in Washington. The bill is unlikely to pass but it represents an unprecedented comprehensive legislative effort regarding the 2SS.

In the meantime, those committed to peace should abandon the "all is lost" stance. Continuously repeating that an agreement is not possible anytime soon relieves pressure on the parties to make hard decisions, dramatically lowers expectations regarding what can be achieved, and prolongs suffering particularly for the Palestinians. It is unfortunate that supporters of the 2SS and those who believe it is dead accuse each other of being detached from reality. This is quite detrimental to the dialogue and the collective brain power required to advance a just resolution to the conflict.

While many Israeli leaders find the status quo acceptable, regional and international powers must work together to persuade Israel that maintaining

it is illusory. Israeli Interior Minister Ayelet Shaked indicated that “the current situation is the best for everyone,” adding that the Israeli government believes “in economic peace to improve Palestinian lives...but not a state”. The illusion that the status quo can be maintained without risk of disaster must be addressed.

Palestinians under occupation do not consider the situation static or sustainable. Despite having different legal status under Israeli law, Palestinians in Gaza, the West Bank and East Jerusalem, as well as Arab Israelis are all enraged to varying degrees and for different reasons. The result is a series of periodic wars against Gaza, recurring violence in East Jerusalem and the West Bank—including in response to settler violence that is widely condemned, even by the United States—and oppressive Israeli practices in East Jerusalem. Violence erupted between Israeli Jews and Arab Israelis in mixed cities during the recent war in Gaza, a phenomenon that may recur in anticipated future rounds of violence. As such, friends of Israel in the United States, Europe, and increasingly in the Arab World, must help Israel avoid the slide toward disaster. Even the Trump administration indicated that the status quo was untenable and rejected the one-state approach.

As for the political settlement, the 2SS should either be preserved in a firm manner or relinquished altogether. Only the Palestinians have the power to end all pursuit of the two-state solution. Such a decision would be historic, irreversible, and comparable only to their 1988 decision to accept the 2SS along the 1967 lines. Their abandonment of the goal of Palestinian statehood would transform the conflict from one over territory to one over equal rights. But those who believe that a struggle over equal rights has an easier path to peace because of equality’s powerful moral imperative are probably incorrect. Compromise over land remains easier than relinquishing identity, history, and long-held beliefs. As international law and the official position of the main regional and international players continue to be supportive of the 2SS, the pursuit of this paradigm will persist, particularly since there is no significant lobbying by political forces on the ground or internationally for any alternative.

In setting the course back toward Israeli-Palestinian conflict resolution, one of the most important steps has to be championed by the United States—in coordination with the Middle East Quartet and the Arab Quartet—to reach a clear agreement on the parameters of the endgame, and for the United States and the international community to ensure that no steps are taken to undermine peace efforts. Preservation of the road to peace requires ending Israeli policies that would prevent the achievement of that goal, including those mentioned in the Two-State Solution Act.

Moreover, the Biden administration’s policy of pursuing “equal measures of freedom, security, dignity, and prosperity” for both sides needs to be translated

on the ground by recognizing that improving living conditions for Palestinians is crucial, but that economic peace will fail as it has before. Implementing previous agreements between Israelis and Palestinians is also crucial. This means allowing Palestinians to conduct elections in East Jerusalem—a step which can be instrumental to Palestinian reconciliation and reform.

Recent reports by the Center for a New American Security and Carnegie suggest a number of steps to reverse the present negative trends. First, players in the peace process must raise the costs of the status quo by sending a clear signal to Israel that undermining U.S. policy goals will have consequences, particularly regarding freezing settlement expansion in East Jerusalem and the West Bank. At the same time the U.S. administration needs to end Washington's practice of automatically vetoing UN Security Council resolutions critical of Israel and also put conditions on its military aid to Israel. Peacemakers ought to work to reconcile Fatah and Hamas and invest in reforming Palestinian institutions. Finally, there is a need to conceptualize what an acceptable two-state solution would look like, which would need to allow some West Bank settlers to remain if they agree to Palestinian rule. Currently, many of these recommendations are seen as too ambitious or unrealistic in U.S. policy circles—which clearly indicates the need for policy makers to raise their level of ambition.

Further, the way in which Washington addresses the following four developments will determine its relevance in conflict resolution going forward: ending the approval of new settlements, reopening the U.S. consulate in Jerusalem, ending the evictions of Palestinians in East Jerusalem's particularly in the Sheikh Jarrah district, and reversing the designation of six Palestinian human rights organizations as terrorist organizations. If the United States does not address these issues in a manner that can advance progress, these four developments will curtail the administration's ability to advance peace, further undermine its role in the region, and may lead to even more violence.

The challenges are enormous and hopes for a final settlement are distant, but there are constructive steps to be taken, including on the most intractable challenges to the peace process such as the final status of Jerusalem. Policy makers must embrace the fact that there is no substitute for allowing Palestinians and Israelis to fulfill their national aspirations. All sides must refocus on resolving the conflict and putting their dual national aspirations on a constructive path toward peace. 