

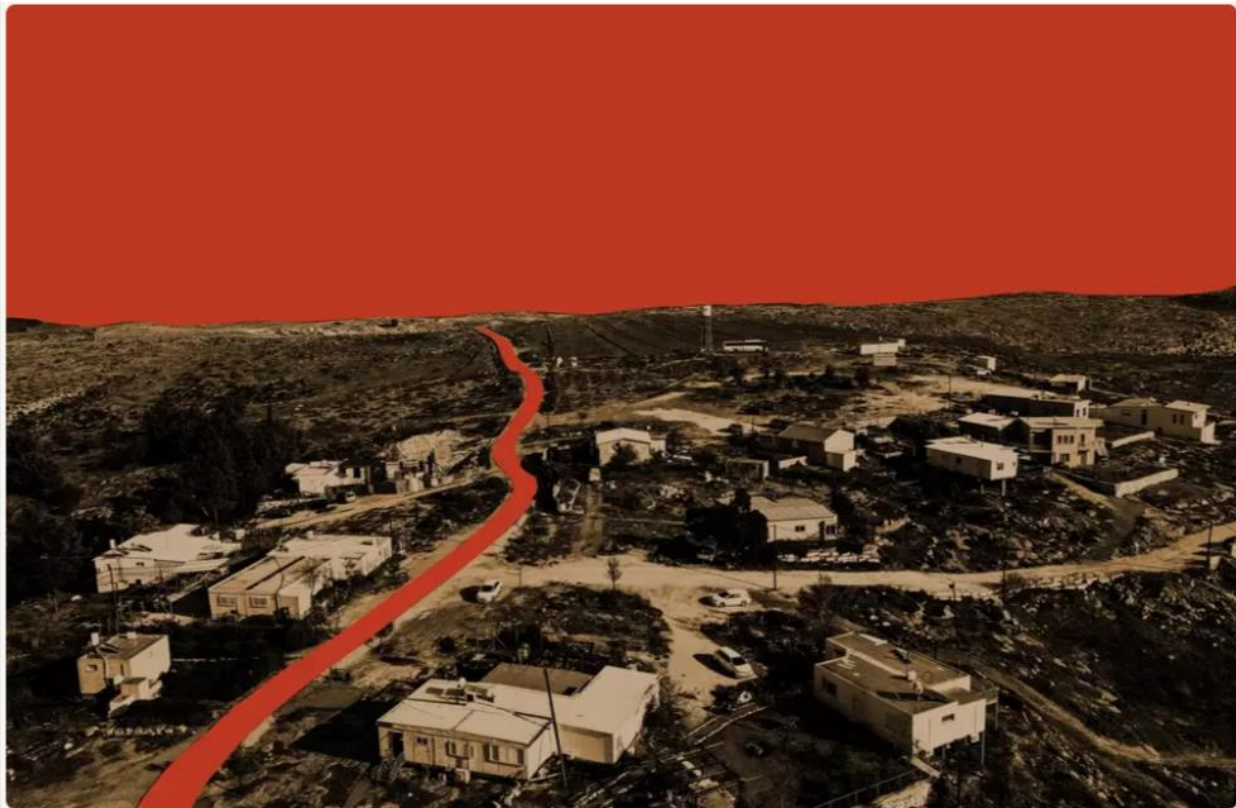
The Three-State Solution

The two-state solution has been dead for decades. A one-state solution frightens Israelis and Palestinians alike. Is three the magic number for peace?

BY

BENJAMIN KERSTEIN

MARCH 22, 2021



ORIGINAL PHOTO: MENAHEM KAHANA/AFP VIA GETTY IMAGES
Mitzpe Avigayil, an Israeli outpost located near the Israeli settlement of Susia in the south of the occupied West Bank

For the better part of the past three decades, especially since the signing of the Oslo Accords in 1993, the consensus solution to the Israeli-Palestinian conflict has been, of course, the two-state solution: a Jewish State of Israel and a Palestinian state in the West Bank and Gaza. The Israeli right resisted the idea for a while, preferring “autonomy” for the Palestinians of the disputed territories, without ever really explaining what it might look like. The Israeli left, by contrast, seized upon the idea as the means of redeeming Israel from

an interminable occupation, and finally securing Israeli legitimacy and permanence in the Middle East.

The international community, led by the United States, has always loved the idea, enshrining it in the 1947 Partition Plan that led to the founding of the State of Israel itself and periodically reasserting it against the maximalists of both the Israeli right and the pre-Oslo Palestine Liberation Organization, as well as the genocidal terror group Hamas. All attempts to achieve it, however, have so far failed.

Perhaps because of this failure, the consensus around the two-state solution is currently fraying. Partisans on all sides have begun making quiet—and sometimes not so quiet—declarations that “the two-state solution is dead,” and usually propose a “one-state solution” in its place.

Israeli one-staters, who are mostly from the far right, demand more or less total annexation of the West Bank and its absorption into Israel proper, with the Palestinians designated as the biblical *ger toshav* or “resident alien”—more than stateless, but less than citizens.

Israel’s pragmatic or secular one-staters have a less grandiose argument: Israel cannot cede the West Bank without fatally compromising its security. The Palestinians, they say, have never and will never give up their irredentist claim to all of Palestine “from the river to the sea,” and any territorial concessions would simply provide them with the strategic high ground of the West Bank. This would allow them to threaten Israel’s central coastal plain—its economic heartland with the country’s only international airport and major ports, as well as most of its population.

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The Palestinian and pro-Palestinian one-staters are somewhat more diverse. On the one hand, there are the genocidaires of all parties, whether from Hamas, Islamic Jihad, or the ostensibly secular Fatah. They all want, essentially, an Arab state in place of

what is now Israel, with the Jewish population either slaughtered or expelled.

One-staters from the pro-Palestinian left, however, have a more sophisticated approach. Usually, they claim that there is already a “one-state reality” on the ground, and the key question is whether the West Bank Palestinians will be granted equal rights, including the vote, or whether they will be subjected to an “apartheid” system instead. Thus, they advocate dissolving Israel as a Jewish state and replacing it with a binational “Israel-Palestine.”

While immediately appealing to Western leftists and some liberals, such an idea is plainly unjust and impossible to impose. It is a non-starter for Israelis, because it would uniquely violate the collective rights of the Jewish people, once again rendering them a de facto stateless community, trapped in the same discriminatory position suffered by the Tibetans, the Kurds, and numerous others. In fact, the one-state approach has little support among the Palestinians themselves.

There is, in addition, a truth that all parties and the international community seem determined to ignore: A Palestinian state already exists in Gaza. It is, of course, a toxic theocracy and a hotbed of social and economic dysfunction, but it is nonetheless a demarcated territory with clear borders populated by and entirely—in fact, absolutely—ruled by Palestinians. It remains partially blockaded by Israel to prevent Hamas from arming any further than it already has. But countries under blockades and embargoes—Cuba for example—are still considered sovereign; and in any case, should the West Bank Palestinians reach an agreement with Israel, one imagines their Gazan neighbors would likely do the same.

Despite the current horrendous situation in Gaza, however, its existence as a de facto Palestinian state is some reason for optimism; it means that both Jewish and Palestinian national claims have already been fulfilled. Self-determination for both communities has been realized, and this only leaves the last, if very difficult question: What should be done with the West Bank?

There is one possible solution to this question that for some reason is excluded from discussions of Israel’s future by parties domestic and foreign, whether in high or low places. It is supremely difficult to accomplish, though it is also an elegant solution, and it has the virtue—so far as I am aware—of originality. And if the one-staters are entitled to their unlikely thought experiments, then others are certainly entitled to the same. The solution is the partition of the territory into three states: a Jewish state in Israel, a Palestinian state in Gaza, and a binational state in the West Bank.

What would such a West Bank state actually look like? It would be a kind of “Judea-Palestine,” in which the Palestinian majority and the Jewish minority beyond the Green Line would be equal citizens in a state that recognizes the political, religious, national, and historical rights of both peoples. Ideally, it would be a sectarian democracy based on parity between the two communities—with a legislature in which representation for both is guaranteed by law. It would have integrated police and security forces, Hebrew and Arabic as official languages, and political offices shared on the Lebanon model, i.e., the president must be a Jew and the prime minister an Arab, or vice versa. There would be freedom of movement throughout the territory, equal rights and restrictions on land and property, recognized freedom of worship for all religions, and equal access to holy sites.

Borders would be based on the 1967 lines and controlled by a joint Israeli-Palestinian security force until a new, integrated border guard could be formed by the new state. The state would also be, to the greatest extent possible, demilitarized in order to prevent sectarian violence. This would involve the disarmament of both the Jewish and Arab communities, including Palestinian militias and the Jewish settlements, leaving the monopoly on the use of force to the authorities. The most difficult issue, of course, would be Jerusalem; while the devil would be in the details, the best-case scenario would be a division based on the 1967 borders with joint control of the Old City.

Such a solution would likely gain the support of Jordan, which would probably see a binational West Bank as very much in its interests. Building on its current involvement in the area, Jordan could play a major role in securing the new state, managing the region’s various holy sites—including in Jerusalem, where Jordan already acts as custodian of the mosques on the Temple Mount. Moreover, West Bank binationalism would preclude a situation in which Jordan is forced to either absorb or confederate the area—threatening the Hashemite monarchy—or else see a potential irredentist terror state take shape on its border. In addition, as Israel would probably become the guardian of and advocate for the Jewish community in the new state, Jordan would fulfill that role for the Palestinians. Most importantly, the simple fact of a moderating Jordanian presence on its eastern border would contribute a great deal to the stability and success of a binational West Bank.

All of this would be, one must admit, extremely difficult to implement, largely due to the ideological claims of both sides to absolute sovereignty. A Judea-Palestine would be neither fully Judea nor fully Palestine, leaving the maximalist demands of the settlers and the Palestinian irredentists supremely frustrated. The Palestinians would not get an ethnically pure national state, and would have to accept a minority whose presence they view as illegitimate and illegal. The settlers would be faced with the currently unthinkable prospect of living as a minority in a country that is not a Jewish state, and the more radical among them would have to give up their messianic ideology.

Nonetheless, both sides might be brought to see the advantages. A binational state in the West Bank would not, for example, uproot either community from their homes; it would allow for both sides to retain their attachment and passion for the land itself and its historical and religious significance; and the sectarian democracy it adopts would allow for official acknowledgement of the sociocultural uniqueness of each community. Should these guarantees be insufficient for any individual citizen, they would be able to decamp to Israel or Gaza.

The binational nature of the state would also be a positive thing for the Palestinians themselves—especially for women, gays, and others who might benefit from protections for minority rights. One need only look at the current condition of Gaza, which is a completely homogeneous theocracy in which chauvinism, racism, and religious coercion have immiserated almost the entire population. A binational West Bank would liberate the Palestinians from both the occupation and the corruption and oppression of their own rulers.

In many ways, to avoid becoming another Gaza, a binational state in the West Bank would *need* its Jewish minority. The presence of a substantial minority group makes democracy and equal rights a moral imperative; fosters openness, liberalism, and diversity; and promotes cooperation and creativity. Indeed, throughout modern history the Jews have tended to be a “creative minority,” helping the process of liberalization and modernization, with their presence often inadvertently minimizing the possibility of a “tyranny of the majority” that threatens to become oppressive or murderous.

It is true that neither the Jews nor the Palestinians in the West Bank are ready to entertain the possibility of a binational Judea-Palestine at the moment, but there are perhaps certain preliminary steps that could be taken. Israel could,

for example, unilaterally freeze settlement expansion, thus reassuring the Palestinians that their majority—which is growing thinner—is preserved. An initiative could then be undertaken to bring the Palestinian Authority and the settlers' Yesha Council together to work on infrastructure and development, thus building trust and dialogue between the two sides. The Palestinians could stop policies that incentivize violence, such as payments to imprisoned terrorists and the families of dead terrorists. And Israel could make it clear that it has no intention of annexing the West Bank itself.

This idea must seem, at the moment, to be vaguely akin to madness. But with Israel smoothly forging official ties with much of the Arab world, it is clear that, even against the most fervent convictions of experts and statesmen, the unthinkable can become inevitable very quickly. At the moment, moreover, both the Israeli and Palestinian Authority governments are mired in denial and self-deception. Contrary to what appears to be the vision of Prime Minister Netanyahu and his party, normalization with the rest of the Arab world will not make the Palestinian issue go away. The almost 3 million Palestinians in the West Bank will still be there—annexing them would still be political and national suicide, and a perpetual occupation remains immoral and unmanageable.

At the same time, however, the Palestinian dream of destroying Israel will remain impossible, the encouragement and lionization of Palestinian war crimes and terrorism will still be self-destructive and morally horrific, and the settler population will continue to grow. Both sides, in other words, must admit to reality and attempt to deal with it in a constructive way.

A three-state solution, with a binational state in the West Bank, would no doubt be difficult to establish; but it has the virtue of never having been tried before, and thus never having failed. This means, at the very least, the possibility exists that it might actually work. And for this reason alone, perhaps, it is worth trying.

