THE TWO-STATE SOLUTION: IS IT STILL FEASIBLE?

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Abstract
Many scholars and politicians have been advocating the end of the two-state solution, given major obstacles like the right of return for the refugees, the settlements, the weakness of the Palestinian state, security and borders. However, this paper argues that the everlasting stalemate in the Israeli-Palestinian peace process is not necessarily caused by problems concerning the two-state solution per se, but it is rather the result of psychological factors such as internal divisions, conflicting stances, lack of trust, and bad timing. Among all these obstacles to peace, the most influential impediment has been Israel’s behavior and unwillingness to compromise during the negotiations. In fact, the Israeli stance and rhetoric, and especially its continuous appropriation of land, have been very problematic, as they have not left space for genuine negotiations and real compromise. In this light, the two-state solution, as well as any other solution to end the stalemate, is not currently feasible, and it will never be unless there is a real change in the Israeli position.

Keywords: Two-state solution, Palestine, Israel, peace process

Introduction
In all the major steps of the Israeli-Palestinian peace process, the parties have been discussing directly or indirectly the recognition of the states of Palestine and Israel. However, no agreement has ever been reached, mostly due to the unwillingness to negotiate and compromise with the other party, rather than due to critics of the proposal per se. At the same time, this solution has been often discussed in superficial terms, without dealing with the more salient aspects of the dispute, which remain unsolved up until today. Recently, due to the long deadlock of the Israeli-Palestinian talks, many have started advocating the death of this proposal, and new alternatives have been put on the table.

This paper assumes the hard task of investigating the two-state solution and its feasibility today. The goal is to determine if we are really facing the end of the “two-state solution era,” or if, in spite of the several obstacles, this proposal remains a realistic option on the ground. I will first define the two-state solution, and then I will briefly explain its historical evolution through the main steps of the peace process. Then, I will look at the main problems that the adoption of this plan entails, as well as the advantages and disadvantages for the two parties. Taking into account the complexity of the issue and the variety of factors involved, which constitute a limitation to the final assessment, I will argue that nowadays we are witnessing an everlasting stalemate due to the Israeli stance and its continuous appropriation of land through settlements. In fact, other factors that have negatively affected the negotiations, like the presence of Hamas, are not insurmountable, while Israel’s behavior and the changing conditions on the ground, meaning the enlargement of the Israeli settlements, might be leading to the death of the two-state solution.

Definition and Content of the Solution:
The two-state solution to the Palestinian-Israeli problem refers to the plan of partition of the land that extends from the Mediterranean Sea to Jordan, creating Palestinian and Israeli states. In this way, the two groups would coexist in the same land, but in two separated
entities, which would guarantee the rights and security of their citizens. The most popular solution recognizes the “1967 borders,” which correspond to the demarcation line (Green Line) as drawn by the Armistice Agreement after the end of the 1948 Arab-Israeli War.\footnote{Neve Gordon, and Yinon Cohen, “Western Interests, Israeli Unilateralism, and the Two-State Solution,” Journal of Palestine Studies 41, no. 3 (2012): 9.} Another solution suggests instead going back to the partition proposed by the 1947 United Nation General Assembly Resolution 181.\footnote{Jamil Hilal, Where Now for Palestine?: The Demise of the Two-State Solution (London: Zed, 2007), Ibid., 2.} This alternative would grant more land to the Palestinians that could accommodate the returning refugees. In this plan, the Jewish state would be reduced to around 50% of the land as opposed to the current 78% (or more).\footnote{Binyamin Netanyahu, A Durable Peace: Israel and its Place Among the Nations (New York: Warner Books, 2001).\footnote{Itzhak Galnoor, The Partition of Palestine Decision Crossroads in the Zionist Movement (Albany, NY.: State University of New York Press, 1995), 293.}} Other plans for partition have also been formulated: under the interpretation of Netanyahu’s government, Jerusalem would remain Israeli, there would be no right of return to Israel for the Palestinian refugees, the settlements would be safeguarded, limited and demilitarized Palestinian sovereignty would be established, and the presence of the Israeli military would secure the territory.\footnote{Gideon Biger, The Boundaries of Modern Palestine, 1840-1947 (London: Routledge, 2004), 213.} Moreover, Netanyahu strongly requires the recognition of the Jewish state.

For several years the parties have been participating into negotiations brokered by external factors such as the United States and Norway, but they have never agreed on a specific plan for partition. Nevertheless, the most popular proposal remains the 1967 division line. This plan is also the most likely to work, as it is more moderate in its claims and requests for both parties. In any case, all the alternatives of the two-state solution presuppose the reciprocal acceptance of existence and sovereignty.

Historically, this solution dates back to the proposal of the Peel Commission, the British royal commission sent to Palestine to deal with the Arab revolts.\footnote{David Newman, and Ghazi Falah, “Bridging the Gap: Palestinian and Israeli Discourses on Autonomy and Statehood,” Transactions of the Institute of British Geographers, New Series 22, no. 1 (1997): 119.} This commission proposed a solution, rejected by the Arabs, which dedicated 17% of the lands to the Jewish. In the same way, on November 27, 1947, the UN General Assembly published Resolution 181 in which it proposed a partition plan that entrusted more than 50% of the land to the Jews. Given the disproportion between the groups’ population size and the amount of land assigned, the Arabs rejected the proposal.\footnote{Ibid., 121.}

The division into two states, thus, has always been identified as a possible solution to the problem, and in many occasions Resolution 181 has been referred to as a feasible solution. However, the Palestinians have not considered it acceptable until 1973, and more officially until 1988 when they renounced to the claim of the entirety of their land.\footnote{Ibid., 124-125.} For what concerns Israel, there had been internal debates before 1948 concerning the possibility of accepting a partition plan or not. Then, with the 1967 great victory, Israel started debating on the future of Palestine.\footnote{Itzhak Galnoor, The Partition of Palestine Decision Crossroads in the Zionist Movement (Albany, NY.: State University of New York Press, 1995), 293.} From that moment on, the various steps of the peace process continued discussing the feasibility of the two-state solution, while slowly moving towards the recognition of the Palestinian state. However, the negotiations continuously failed and no agreement was ever reached. A turning point was in 1993, when, with the Oslo Accords, for the first time Palestine was recognized as an equal power and it established a self-government.\footnote{Ibid., 124-125.} However, once again, Oslo and the ensuing 2000 Camp David Summit failed. Then, President Clinton elaborated the so-called Clinton Parameters that supported a two-state
solution with a detailed plan on how to deal with the most urgent issues, such as Jerusalem and the settlements.\textsuperscript{278} This detailed proposal led to the Taba negotiations in 2001, but it ended in another deadlock. In similar ways, the following proposals and negotiations all ended up in a stalemate: first, in 2002, the Arab League supported the Arab Peace Initiative, in favor of two states, the withdrawal of the settlements, a just solution for the refugees, and the acceptance of the Palestinian state. Second, in the 2002 Road Map for Peace, the Quarter (the United States, Russia, the United Nations, and the European Union) suggested a solution explicitly in favor of the establishment of the Palestinian state.\textsuperscript{279} Third, in the 2007 Annapolis Conference, the United States, Israel, and Palestine discussed a path towards the recognition of Palestine. In spite of all these steps, no real agreement was ever finalized and accepted by both parties.

To conclude, this historical overview does not pretend to exhaust the topic or to explain in detail the peace process and its success or failure. However, what emerges is that the two-state solution was often mentioned either explicitly or implicitly, but the negotiations never developed from ideal thought to concrete implementation of this solution. This was probably due to the lack of dialogue and compromise between the two parties, and also due to the several obstacles that needed to be solved in order to make this plan feasible. I will dedicate the next section to the analysis of the strongest obstacles to peace and to the implementation of this solution.

The Strongest Obstacles to Compromise:

There are several obstacles that negatively affect the two-state solution and its implementation. It is important to analyze them, as they are extremely relevant to the attempt to assess if the solution was ever feasible, and currently is still feasible.

First, the Palestinian state has shown in the past years its inefficiency and weaknesses on many levels. Not only does it have little means of governance, meaning limited powers and resources, but it is also limited by internal corruption and division between the West Bank and Gaza. The issue of division between Hamas and Fatah and the presence of Hamas in the government of Gaza are very important, as disunity strongly affects the effectiveness of political decisions, the success of the negotiations, and the cohesiveness of the state. Moreover, Hamas’ presence complicates the picture, as Israel and Hamas refuse to negotiate with each other.\textsuperscript{280} Hamas’ presence is preventing an agreement between the parties also because one of the reasons for Israel to negotiate is the issue of security from attacks that have mainly come from Hamas and its supporters. This element of hostility, which I will explain further in the last section, is affecting the feasibility of the two-state solution, especially since 2006 when Hamas was elected in Gaza, to the extent that it was defined the “biggest obstacle to peace.”\textsuperscript{281} At the same time, disunity continues affecting the legitimacy and efficiency of the Palestinian government and its services.

Second, the economic conditions of the Palestinian state are dramatic, and they would not benefit from the two-state solution. In fact, the weak Palestinian market and economy would suffer from competition with the much more advanced Israeli ones, and Palestine would have difficulties in accessing their resources, as Israel is already monopolizing them to the expense of the Palestinians.\textsuperscript{282} In addition to this, the problem of human capital is


\textsuperscript{279} Virginia Tilley, The One-State Solution a Breakthrough for Peace in the Israeli-Palestinian Deadlock (Ann Arbor: University of Michigan Press, 2005), 128.


\textsuperscript{281} Daniel Byman, “How to Handle Hamas. The Perils of Ignoring Gaza's Leadership,” Global.

\textsuperscript{282} Hila Ilia. Where now for Palestine?: The Demise of the Two-State Solution, 11.
affecting the Palestinian economic performance, as the majority of educated and skilled workers live in diaspora. This is strongly limiting the Palestinian economic development, and it would be experienced even more with an autonomous state.

Linked to the economic limitations is security, as Israel puts the control of the borders and security as its main priority and precondition to make any compromise.283 How could Palestine be a sovereign independent state with its borders under control of another country? Concessions are needed on this point especially from the Israeli side. In addition to this, since 2002 Israel has been protecting itself through the wall. In the case of an agreement, the functioning and even the existence of this wall would be put into question, and it is debatable that Israel will be willing to do that.

Last, but of crucial importance, are three issues on which compromise and negotiations have decisively failed up until today. First is the problem of the continuously increasing number of settlements in the West Bank. Prerequisite for peace, according to several steps of the peace process outlined in Oslo and the Road Map for Peace, freezing settlements has not been accomplished. On the contrary, they continue to grow at the expense of the Palestinians. The consequences and the implications are manifold. First, the Palestinian land has decreased consistently, thus leaving the Palestinian state with a space that is too small to absorb the number of refugees that are waiting to return.284 The growing settlements might be leading the two-state solution towards its end as, unless they are frozen and dismantled, the Palestinians will not have enough vital space. Plus, not only is the space very small in the current partition, but also the Palestinian cities are cut off, making the organization of the state very complicated.285 In addition to this, the issue of the settlements has also undermined the trust of the Palestinians regarding Israel’s intentions to reach an agreement. However, many scholars agree that in spite of the opposing opinions in the Jewish community on this issue, it is not likely that the settlements will be dismantled any time soon because of their symbolic meaning as Biblical land in the Jewish identity.286 Moreover, in the event of a dismantling, the settlers might react and revert to violence to defend their presence in some areas. But, as Ghazi-Walid Farah states in his article: “Without radical restitution of land and dismantling of existing Israeli settlements, there can be no territorial contiguity to any future Palestinian polity.”287 One of the alternatives to restitution of land is the land swap, meaning other lands in exchange for those occupied by the settlers.288 However, this would need long negotiations and willingness to compromise, the latter often lacking from both parties.

The other two critical issues are the right of return for the refugees and the division of Jerusalem. Concerning these, the stances of Palestine and Israel strongly differ, as the former defends the return of the refugees and their compensation, while Israel opposes it for the demographic shift that their presence might cause. For Jerusalem, then, there is no compromise yet as the Palestinians want the territory as their capital, as stated by Dr. Ashrawi, PLO Executive Committee Member: “Without East Jerusalem as our capital, there can be no Palestinian state or any hope for peace.”289 On the other hand, Jerusalem is the holiest city for the Jews, and the Israeli state will not give away its symbolic center. Middle-

283 Ibid., 56.
284 Ibid., 213.
285 Tilley, The One-State Solution a Breakthrough for Peace, 3.
286 Ibid., 53, 56.
289 “PNN - Palestine News Network,” Dr. Ashrawi: “Without East Jerusalem as our Capital, There Can Be No Palestinian State or Any Hope for Peace.”
of-the-road solutions have been proposed over the years, but no compromise has been reached yet. Many other problems undermine the solution, as for example the lack of trust between the parties and the fact that the two-state solution seems to work only in theory, while the politics, in reality, may be too risky to be adopted. The majority of these problems have been present for a long time, and at the same time some of them have been worsening, especially the increase of the settlements. Therefore, it seems as if the longer we wait, the less feasible this solution becomes.

Advantages and Disadvantages:

It is important to reflect on the advantages and disadvantages that the parties would gain from such a solution. The first obvious advantage is peace, which would halt the violence and discrimination. The states would be divided and autonomous, and they would be finally fully legitimized at a global level. In fact, on the one hand, the Palestinian state would be recognized as legitimate, and their government would gain more acceptability internationally but also internally, wherein the leaders would be considered responsible for successfully resolving the conflict. On the other hand, Israel would eliminate the Palestinian demographic threat while reinforcing the ethnic nature of the state. Moreover, it would enhance its position and legitimacy both regionally and internationally, with the possibility of opening new and positive relations with other Arab countries. In addition to this, the world would benefit from the end of the conflict and the new stability of the region.

However, this solution might be hard on the Palestinians, as their government would face many difficulties. Plus, the Palestinian economy is expected to face trouble and instability (but this could be partially mitigated by external aid). The main threat for the Palestinians is certainly the internal clashes between Fatah and Hamas, which might not accept the compromise. In this case, the success of the solution could be compromised by new violence and further instability.

From the Israeli point of view, the current situation might be more preferable than a change, as they are now free to apply their policies (i.e., settlements) without any concrete obstacle. Therefore, the only real advantage for Israel might be security. As Netanyahu says: “Truth and trust are the problem- if we give the lands to the Palestinians, how do we know that they won’t attack us?” This leads to the question: Would security be guaranteed in such a scenario? This is hard to answer, as Hamas’ unpredictable behavior is likely to affect security. All considered, Israel might be reticent to adopt this solution as it cannot anticipate Hamas’ actions, and therefore cannot predict whether or not security can be achieved. From this point of view, the picture remains uncertain, as the advantages and the disadvantages are numerous, and even if peace would be favorable for every actor involved, this has been the case for a long time and yet other political calculations and obstacles have prevented the success of the negotiations. This suggests that one or both parties involved have not fully committed to partition, and I will investigate this in the next section.

The Failure of the Negotiations and Israel’s Stance:

At this point, what remains unclear is why the various negotiations have failed, and why the parties cannot find an agreement. The answer to this question is more complicated than it seems, but it is important in order to understand what went wrong and what needs to be changed. A detailed analysis on the reasons behind the failure of the peace process is beyond

292  Netanyahu, A Durable Peace, 325.
the scope of this paper, as they have been complex and often unclear. However, I will present some of the main factors that can help us understand why the two parties have not succeeded in finding a solution. First of all, since the beginning, the parties’ goals have contradicted each other. In fact, they both wanted a sovereign state on the same land, and they wanted to prevent, or at least limit, the establishment of the other state. Secondly, internal divisions did not help the parties find a compromise.

In addition to this, some indicative problems emerge from the analysis of the 1992-2000 phase, which includes the Oslo Accords until the Taba Talks. First, both parties lacked trust and were skeptical. For instance, the Palestinians did not believe in the Israeli good intentions, as during this period they never halted the land transfers, with an increase of 80,000 settlers. Moreover, the Palestinian leadership suffered from corruption, and the population gradually started turning towards its Islamic opposition. Then, the most critical issues were left to discuss in the last phase, thus postponing the real problematic matters to the end. Lastly, negotiations in Taba were suspended due to the Israeli elections, and after the change of government the negotiations did not resume.

From many points of view, we can draw parallels between this phase of the peace process and the others, as they have often been characterized by internal divisions, conflicting stances, lack of trust, and bad timing. All these factors show how psychology has often been more influential than substance, meaning that generally the two parties did not disagree on the terms of the agreements per se, but rather due to ideological or psychological factors. On the same pace, Israeli negotiator Shaul Arieli recently released an interview in which he states that political decisions and behavior of the negotiators have constituted the main obstacles to any agreement, and not concrete disputes on the land. Therefore, he argues that through political debate and change of stance it is still possible to implement this solution.

I agree with S. Arieli and D. Sontag that the main problem is related to the behavior of the two parties, and in particular of Israel. For instance, V. Tilley argues that Israel never wanted the two-state solution, and its participation in the negotiations could be explained as a way to gain international support and time, while continuing its space engineering, meaning land appropriations, through settlements. If, on the one hand, it is hard to prove that Israel is not willing to compromise, on the other hand the conditions set by Netanyahu seem difficult to meet and can hardly be accepted.

In 2009 the Israeli Prime Minister gave a speech at the Bar-Ilan University in which he explicitly expressed his support and commitment to the two-state solution. However, his idea of partition favors Israel from many points of view. First, according to his division of the lands, the Palestinian state would be a weak and discontinuous territory interrupted by Israeli settlements. Secondly, he demands the demilitarization of the Palestinian state, with security under the Israeli control. However, in this way the Palestinian sovereignty would be strongly affected. In fact, sovereignty can be defined as “the recognition by internal and external actors that the state has exclusive authority to intervene coercively in activities within its territories.” But how could Palestine intervene coercively in a state of demilitarization?

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295. Ibid., 81.
297. Tilley, The One-State Solution a Breakthrough for Peace, 20.
In this light, Netanyahu’s conditions would clearly undermine the Palestinian effective sovereignty. Moreover, his stance in respect to Jerusalem and the settlements seems to reflect the idea that a peace agreement needs to be signed because the Palestinians are present in the territory and not because they have the right of self-determination. For example, concerning Jerusalem he stated: “Israel is prepared to offer the Arabs full and equal rights in Jerusalem—but no rights over Jerusalem.” Such a position does not help resolve the dispute, as we can hardly imagine that the Arabs will accept it.

In accordance with Netanyahu’s strict conditions, other Israeli political figures have shown their stances clearly against partition. First, Naftali Bennet, head of the Jewish Home Party and a senior member of the current Netanyahu cabinet, argued that the two-state solution is dead, and Israel will continue to build more and more. Then, Dann Dannon, the deputy defense minister from the Likud Party, has encouraged Israel to declare sovereignty over all its settlements. Third, the former foreign affairs advisor to the prime minister Dore Gold has expressed his support to the establishment of Israeli control over the Jordan valley and East Jerusalem, rejecting the 1967 borders.

Netanyahu’s partition plan and the stance of these politicians are instructive, as they show how Israel is today in a position of strength from which it might no longer need to compromise. If we combine their rhetoric with the continuous enlargement of settlements, this scenario is quite problematic for the future of the Palestinian state.

**Hamas: The Real Impediment?**

Certainly, the negotiations have been complicated also by internal disunity on the Palestinian side, and by the presence of Hamas. In fact, Hamas has been an obstacle to peace, especially since 2006 when it was elected in Gaza. In fact, it strongly affirms that it will never recognize neither the Israeli state nor the legitimacy of the two-state solution. Moreover, its use of violence has constituted a major threat to the Israeli security. However, in spite of its radical rhetoric, by now it has accepted the 1967 borders, as it has realized that Israel cannot be totally eliminated, thus showing that it can be pragmatic and flexible to a certain extent. At the same time, Israel refuses to recognize Hamas as a legitimate actor and therefore will not engage in dialogue.

This hostility prevents acceptance of the two-state solution by both parties. Pragmatism from Hamas and Israel is crucial, and to conduct normal negotiations either Hamas has to be excluded from the talks and maybe even overthrown, or Hamas and Israel have to change their stance. The first scenario is extremely unlikely given Hamas’ popularity among the Palestinians and the legitimacy of the democratic elections that installed it. Then, the second scenario is complicated, as both the actors need to agree on a pragmatic and moderate way forward. This seems very difficult, as the road of acceptance would be very long and tough, especially as Hamas is officially recognized as a terrorist group. However, as Byman argues, this is significant to resolve the deadlock: refusing to deal with Hamas would be a mistake. In fact, “Hamas is here to stay,” and opposing it might have the only effect to weaken the Palestinian moderates. Instead, according to Byman, Israel needs to approach it with a mixture of concession and coercion, improving the conditions of Gaza and playing on its vulnerabilities at the state level, especially now that it is weakened by its dispute with Hezbollah in regard to the Syrian war and by the overthrow of the Egyptian Islamist

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301 Ibid., 3.
302 Netanyah, A Durable Peace, 337.
303 Mohammad Ayoob, “Israel-Palestine Negotiations: The Road to Nowhere,” Al Jazeera.
304 Ibid.
305 “Hamas Ready to Accept 1967 Borders.” Al Jazeera English.
306 Hilal, Where now for Palestine?: The Demise of the Two-State Solution, 177.
307 Byman, “How to Handle Hamas”.

545
government. At the same time, it is important to renew the negotiations with the Palestinian National Authority (PNA), in order to prevent a possible internal victory at the hands of Hamas.

Once again, Israel’s willingness to negotiate with the Palestinians will be crucial. In fact, if Israel started new negotiations with the PNA, this could either weaken Hamas, or push it towards pragmatism. In fact, from its current governmental position Hamas cannot afford anymore to only challenge Israel and not compromise. 308

Conclusive Remarks: A Momentarily Death?

The debate on the possible death of the two-state solution is still open, as many scholars present different opinions and useful insights that are valuable on both sides. From one point of view, only history will tell us, as the success of any step of the peace process has been difficult to predict. However, from another point of view, the obstacles are numerous, and the lack of trust and willingness to compromise have prevented the success and implementation of this solution.

This paper has shown the main obstacles and complications of two-state solution, and how negotiations have failed despite the fact that peace would have been an advantage for everyone. From my analysis, I conclude that Hamas is an obstacle to peace, but it is not insurmountable. In fact, its position has turned out to be more pragmatic than its rhetoric, and genuine negotiations between Israel and the PNA might to a certain extent neutralize it. So, the main problem is Israel’s willingness to compromise. Moreover, as a consequence of the Israeli stance, the situation on the ground is changing. In fact, the settlements keep growing in size, the number of settlers is increasing and the Palestinian lands have become too small to fit the refugees who would return. For this reason, halting the settlements is no longer the only problem: Israel would have to proceed through land swaps and dismantlement, but it would be very hard to move such a large number of people, especially since the settlements have acquired a strong symbolic meaning.

Until today, John Kerry, United States Secretary of State, is putting efforts to find a new agreement in the framework of the two-state solution. In the last months, he has been negotiating a new proposal to be accepted by both sides, as the current situation of peace is extremely vulnerable. However, once again, the plan does not seem to concretely answer the most problematic aspects of partition, and does not appear to convince and satisfy the two parts, and in particular Israel. In fact, the plan does not specify in detail which settlements will be maintained and which will be dismantled, and it does not determine with precision the division of Jerusalem. Will the parties accept this proposal? By intuition, the answer is no. In fact, huge debates are currently taking place in Israel, accusing Kerry of “threatening” Israel, and internal crises within the Israeli government make it difficult for Netanyahu to accept this partition plan, as he would most likely loose his majority. On the Palestinian side, there is internal disagreement, but Abbas is more likely to accept the plan as, like before, he does not really have a better choice.

To conclude, a partition plan is not likely to be accepted any time soon, as historical problems continue to obstruct peace. Among them are the difficulty of determining detailed terms of partition acceptable by both sides, and Israel’s position of strength. Will the United States be able to convince their old ally? This question remains open, but everything suggests that the two-state solution is momentarily dead. This is not merely due to its content, as Israel’s unwillingness to compromise would affect any kind of negotiation. Only genuine willingness and a radical change of the Israeli attitude towards the negotiations can revitalize the two-state solution. For now, in spite of Kerry’s efforts, this prospect is not feasible, and it

308. Ibid.
is difficult to predict if this will ever change. The path towards a final settlement is still long and unclear.

References: