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Assessing One-State and Two-State Proposals to Solve the Israel-Palestine Conflict

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JEREMY PRESSMAN, JUN 27 2021

In May 2021, the confrontation in Israel-Palestine again assumed center stage with many people wondering if this conflict would ever end (International Crisis Group 2021). The human costs have been high. Millions of Palestinians and Israelis suffered mental and emotional anxiety. Hundreds were killed, thousands wounded, and tens of thousands displaced from their homes. Given the Israeli occupation and Israel's advanced military firepower, over 90% of the casualties and displaced were Palestinians. In theory, one way the conflict could come to an end is through a negotiated diplomatic outcome, but what would such an outcome look like? In this article, I consider the two most-commonly discussed negotiated solutions to the conflict: 1) one state with equal rights for all Palestinians and Israelis in what is today Gaza, Israel, and the West Bank and 2) two states, a State of Israel and a State of Palestine alongside each other. Each resolution has benefits and drawbacks; neither option is clearly more beneficial or more likely. Moreover, there is no independent decision rule that makes clear how to weigh the pros and cons and choose the better option.

One caveat: A discussion of one-state and two-state solutions is not exhaustive of all the options. The status quo is the current reality and may remain in place for years. In that reality, Israel is the only independent country (the Jewish State), Israeli settlements in the West Bank continue to grow, the Israeli occupation continues, and the Palestinian Authority has quite limited power. The Israeli right has advocated for sub-state options for Palestinians (e.g. autonomy, self-rule) as a long-term resolution, but such approaches have little support among Palestinians.

A one-state solution

A one-state solution means there would be a single country made up of pre-1967 Israel, the Gaza Strip, and the West Bank (Abunimah 2007; Azoulay and Ophir 2012; Lustick 2019; Munayyer 2019; and Tilley 2005). As a placeholder name, let's call this one, sovereign state "the Holy Land." Every person who lives between the Jordan River and the Mediterranean Sea would have equal individual rights, regardless of their ethnic or religious identity. They could live anywhere they want in the Holy Land, and they would have the right to vote in national elections. The capital would be in Jerusalem, and the government would include Jews and Palestinians. As I will further explain below, one state could be solely based on equal individual rights, or it could be a binational state meaning the two communities (Jews, Palestinians) have some communal rights as well.

The central obstacle to this one-state vision is about Israel's self-definition today and how, if at all, that would transition to a single state with full equality for Palestinians and Israelis. Israel as the Jewish State is not compatible with the Holy Land because the latter assumes symbols, laws, and government policies do not favor Jews over Palestinians. Yet Israel today privileges Jews in many ways, e.g. in migration, housing, employment, political rights, and treatment by security organs of the state. Why would Israeli Jews willingly forfeit those advantages? Few states ever willingly modified their self-definition or national identity in such a significant fashion due to external demands rather than internal transformation.

Moreover, could the Holy Land serve as the fulfillment of Zionism and as a refuge for world Jewry if it was no longer defined as the Jewish State? What, for example, would happen to the Law of Return, which gives a Jew from

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anywhere in the world the right to become a citizen of Israel? The law is a key pillar of the Jewish superiority built into the State of Israel, the very kind of differentiation that undergirds the conception of Israel as an apartheid state (Human Rights Watch, 2021). But the law is also tied to the idea of Israel as a safe haven for Jews, somewhere they may automatically seek protection if things go badly in their home country (think violent anti-Semitism).

In concrete terms, it is difficult to imagine how the shift would take place in the state's armed forces and security and intelligence community. Would Palestinians be integrated into the Israeli military and police to bring the numbers closer to 50/50 and to put Palestinians in key leadership roles? Would Palestinian leaders be given access to Israel's nuclear secrets? That seems hard to imagine and yet that is what equality mandates. At the same time, most Israeli Jews would be reluctant to concede exclusive control of the state's security decisions, fearful that they would not be protected in crisis moments.

What would equality mean in socioeconomic terms? In the status quo, Israeli Jews have many times the income and wealth of Palestinians. Would equality involve significant economic redistribution, something that itself could lead to further Israeli Jewish opposition to one state with equality? For comparison, the unification of East and West Germany faced such economic challenges with gaps that were not as stark.

One possibility is that the one state could be a binational state with reserved communal rights. The national civic identity and the Jewish or Palestinian ethnic identity could both continue. How exactly to do that would be complicated. Fundamentally, would it be based on new symbols and ideas (e.g. one new flag) or mutual recognition of dual symbols (e.g. two flags: Israel *and* Palestine's current flags)? Is it possible to imagine a definition of the Jewish community as a subset of the Holy Land that would allow the country to function on the basis of equality and satisfy some or much of the sentiment of Israeli Jewish nationalism (Kelman 1999)?

A parallel problem would arise with the Palestinian right of return. Palestinians, with backing from international law and UN resolutions, claim a right to return to their homes and land from pre-1948, the years before the establishment of the State of Israel. Over 5 million Palestinians are registered as refugees with the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). While past surveys suggest many of the refugees might not want to return permanently, but might be content with visiting and receiving compensation, if even 10 or 20% moved to the Holy Land, it would have a notable effect on the Palestinian share of the population (Greenberg 2003). A majority of Jews would oppose the influx. But many Palestinians would object to any resolution that does not acknowledge and address the right of return. After all, Palestinian collective trauma is rooted in forced displacement, especially 1948 and the Nakba, the catastrophe of Israeli expulsion and lack of return. A strong sense of Palestinian identity and security may depend upon directly addressing that initial displacement and its consequences.

Even if an Israeli-Palestinian agreement did not provide full redress for Palestinian refugees, a limited number – limited by housing availability and financial resources – could simply move to the towns from which they or their ancestors had been expelled or fled (in the cases where such towns and cities still exist). They might not be able to re-enter their exact house in, say, Jaffa or Haifa, but some apartments or homes would likely be for rent or sale, a limited, market-based answer to Palestinian dispossession. Implementing a solution for Palestinian refugees raises many questions (Abu-Sitta 2008; and Scheindlin, 2020).

In a one-state solution, Israeli settlers would have gains and losses. Israeli settlements are towns and outposts built in the West Bank since Israel occupied the land in the 1967 War. First, most countries consider settlements illegal under international law. With an agreed-upon Israeli-Palestinian resolution and the end of the Israeli occupation, that would no longer be an issue. Second, at first glance, it appears Israeli settlers could stay where they are now. Israel would not need to withdraw settlers or close down any settlements since everyone would already be living in the same state, the Holy Land.

That said, Israeli settlements in the West Bank have often been built on Palestinian land and that could open the door to legal wrangling. In the State of Israel to this point, the government, the judiciary, and the military have aided and abetted the illegal expropriation of Palestinian land for establishing or expanding settlements. But as the law and courts changed in this new one state, the Holy Land, presumably that favoritism toward Israeli Jewish claims would

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fade. Could the legal or political system start to un-do the questionable legal-territorial basis of many Israeli settlements? Settlements might not be as stable as they are in the status quo of Israeli occupation.

In addition, Jewish-only settlements would no longer be able to exclude Palestinians from living in them since the basis of the Holy Land is equality for all. In fact, even in what is today pre-1967 Israel, the use of social suitability as a criteria for who is allowed to live in a town – and the way it is often applied to exclude Palestinians – would have to end for equality to take hold. Settlements in the status quo are largely reflective of housing segregation, not equality. Many Jewish settlers might oppose such a shift. All that said, a housing exception would be if the one state was framed in binational terms and granted Jews and Palestinians communal rights, too, thereby allowing separate housing by community.

The deepest challenge to the success of one state should it come into being is whether Jews and Palestinians as co-citizens could form working partnerships, or at least co-exist, in a way that would allow the single state and society to function without frequent ethnic tension and violence. The May 2021 Jew-on-Palestinian and Palestinian-on-Jew violence inside pre-1967 Israel does not bode well for such a possibility. More generally, some analysts worry the tendency toward inter-group hostility, not cooperation, is dominant (Haklai 2021; Olesker 2021; Sucharov 2021). At the same time, tens of thousands of Palestinian and Jewish citizens of Israel stood side-by-side at protests denouncing war and violence and calling for working together. There are organizations that illustrate successful Arab-Jewish partnerships and the values that could help one state function amicably such as the Hand-in-Hand schools, the Oasis of Peace, the Palestine-Israel Journal, the Parents' Circle, and Combatants for Peace. It might be difficult to prevail in the face of hyper-nationalism, but there are kernels of a mutual and stable future.

Meanwhile, though, certain actors in society might well be trying to cause the single state to fail. Some political parties and leaders will make hypernationalist, ethnoreligious, or supremacist appeals that stoke inter-group animosity and conflict. Even if such forces could be contained or marginalized enough to push through to a one-state resolution, they would not disappear. Spoilers might continually seek to undermine and unravel the agreed-upon resolution. In short, defending the new status quo would be a continuing project rather than a static obstacle to overcome.

One state would embody several other advantages not already mentioned. It would have all the attributes of a sovereign state. There would be no debate about its borders. The state and its borders would receive wide international recognition. The Palestinian drive for self-determination would be addressed and, arguably, achieved. Palestinians could again freely enjoy Jerusalem.

A two-state solution

A two-state solution means there would be two states, a State of Israel and a State of Palestine located alongside each other (Beauchamp 2021). The State of Israel already exists as an independent country; its borders would largely revert to what they were from 1949-1967. The State of Palestine would be located in the Gaza Strip and a contiguous section of the West Bank that encompasses 95% or more of the West Bank territory. Jerusalem would serve as the capital of both states, with Israel's sovereign capital in West Jerusalem and Palestine's sovereign capital in East Jerusalem, though an exact division is complicated by the Israeli settlements (neighborhoods) that ring the core of East Jerusalem. The Old City of Jerusalem, and perhaps some adjacent holy sites, would be 1) shared 2) overseen by an international committee 3) or somehow divided between the two states. (A common two-state variant is a confederal plan, but I do not discuss it here. See Avishai and Bahour 2021 and Scheindlin and Waxman 2016.)

Israeli settlements that are located along the Green Line, the dividing line between Israel and the West Bank prior to the 1967 War, would be annexed to Israel. Israel would compensate Palestine with other land adjacent to the West Bank or Gaza at a 1:1 ratio. Israeli settlements in the midst of the State of Palestine would be closed and the Israeli Jewish settlers withdrawn, though a small number of Jewish settlers might seek permission to stay on in the new State of Palestine. A token number of Palestinian refugees would be admitted to Israel. All Palestinian refugees would be eligible for compensation and could move to the new State of Palestine. Palestine's armed forces very likely would have certain additional constraints, at least for an initial time period. The states would have to come to

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agreements on dividing many other resources such as airspace and water. Israel would remain self-defined as the Jewish state. It could continue to promote the idea of Israel as a safe haven for Jews; it could continue the Law of Return allowing Jews from anywhere access to Israeli citizenship.

In contrast, the Palestinian Right of Return would be fulfilled only in a narrow sense. The vast majority of Palestinian refugees would not have the ability to return to their family's home and land inside that were located in what is today the State of Israel. Rather, they could get financial compensation, maybe some symbolic acknowledgment of their plight, and access to the new State of Palestine (comprising about 22% of historic Palestine). Whether this would satisfy most Palestinian refugees is an open question.

Most Israeli settlers would stay in place, but a sizable minority would be removed from their homes. Perhaps half a million settlers would stay in place in East Jerusalem and in settlements along the Green Line. But 100,000 or more (or fewer?) would move; implementation would be challenging (Krieger 2012; Sasley and Sucharov 2011). This could well spark strong opposition from the Israeli settler movement. From the Israeli government's perspective, the whole point of keeping most settlers in place would be to try to minimize political opposition to a two-state solution. I don't know what would happen to settlers who had inserted themselves in the midst of large Palestinian populations in East Jerusalem in places like Silwan, Sheikh Jarrah, or the Mount of Olives.

The status of Jews in Palestine and Palestinians in Israel would remain challenging to handle for exclusionary ethnonational definitions of statehood. Israeli irredentist organizations could come into being to protest the removal of Jewish settlers from parts of the West Bank. Palestinian irredentist organizations could come into being to protest the incomplete resolution of the right of return and the small share of the territory that constitutes the new State of Palestine.

The same risk of inter-ethnic tension that I discussed in relation to one state would apply to a shared city of Jerusalem. In that city, Palestinians and Israelis would need to work together as partners on multiple issues, or at least find ways to co-exist. Palestine would incorporate the Palestinians in East Jerusalem who mostly are currently residents, but not citizens, of Israel. Furthermore, the Israeli citizenry would still be 20% Palestinian so internal Jewish-Palestinian relations would remain a related issue. Some Israeli Jews might call for the revocation of Israeli citizenship for Palestinians and their expulsion to the new State of Palestine.

While Israel would have all the attributes of a sovereign state, Palestine would likely have some limits on its sovereignty, especially in terms of what would be allowed in its military and police forces. A peace agreement might detail monitoring and supervision provisions involving third-parties or an Israeli military presence on Palestine's borders with Egypt and Jordan. There would need to be an extensive negotiation about the border between the states as well as how Palestinians would transit between the two parts of the state, what are today called Gaza and the West Bank. Once that was agreed upon, the states and their borders would receive wide international recognition. The Palestinian drive for self-determination would be achieved.

Many members of the international community support the two-state solution, including the European Union, the League of Arab States, Russia, the United Nations, and the United States. But Israeli-Palestinian negotiators, especially in 2000-2001 (Oslo/Camp David/Taba) and 2007-2008 (Annapolis), have failed to reach agreement on a two-state solution (Pressman 2003; Avishai 2011).

One point of note is that the outline I have presented here of a two-state solution reflects both Israel's bargaining advantage as the more powerful party and the changes on the ground wrought by Israeli settlements. Absent such leverage, for example, the logical dividing line would be the Green Line, and all Israeli settlers would have to move. Or, how to share Jerusalem as a capital is much more complex because of Israeli Jewish settlers in and around East Jerusalem.

Weighing the options

On four criteria for comparing the two options, a two-state solution probably does better on these four metrics, but

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neither option looks especially promising or easier to achieve. Financial cost is a fifth possible criteria that I do not address here.

1. Clarity of blueprint – The two-state solution has more major, unresolved issues. For the two-state solution, where exactly would the border be drawn? Which Israeli settlements would be withdrawn? What counts as a settlement ‘along the Green line?’ How many, if any, Palestinian refugees would be allowed to move into Israel? What would be the status of Jerusalem’s Old City? What restrictions would be placed on Palestinian military and police forces? For a one-state solution, the main question is whether Jewish privilege would be fully eliminated or transformed into Jewish communal rights.
2. Popular support among Israelis and Palestinians – Polling suggests a two-state solution is more popular than a one-state solution among Palestinians and Israelis, but the levels of support vary significantly among polls (PCPSR 2021; Palestinian-Israeli Pulse 2020). In 2020-21, it is uncertain whether any solution definitively has majority support. Moreover, respondents in the same survey may have different ideas about what exactly one- and two-state solutions entail.
3. Political feasibility – Neither option seems politically feasible by which I mean it is hard to see how a plan would overcome existing political opponents in the government and public sphere. A one-state solution has to overcome widespread Israeli Jewish opposition. And since Israel holds the territorial cards, that widespread Israeli Jewish opposition cannot be ignored. The exact form of one state would determine the level of Palestinian opposition. A two-state solution faces opposition from major actors and their supporters in both societies (Likud and the Israeli right; Hamas). Israeli settlers and Palestinians refugees both have reasons that they might strongly oppose two states.
4. International support – A one-state solution has little international support. A two-state solution has extensive international support, but no actor has been willing to use disincentives, e.g. UN Security Council action or trade/aid conditionality or withdrawal, to try to make it a reality, especially in terms of pressing Israel. This is particularly important in the EU-Israeli relationship and the US-Israeli relationship. The United States has been willing to press Palestinian actors in material terms.

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