The article analyzes the recent debate concerning the Bi-National state option as a future scenario of the settlement in Palestine/Israel. Supporters of the idea claim that the idea of separation between Israel and Palestine and the partition of the country into two independent states is impossible and unrealistic. Moreover—this solution is unlikely to lead toward a just and comprehensive end to the conflict. On the other hand, the opponents of the Bi-National solution claim that this option is not realistic and it contains an actual danger to the future of the stability and the existence of either the Palestinians or the Israelis. The main ideas behind this debate are presented and analyzed.

INTRODUCTION

In recent years, following the evident impasse of other solutions, the Bi-National State (BNS) alternative has once again become part of the political discourse among Israelis and Palestinians. The failure of the peace process, the decades-long Israeli refusal to even consider a return to the 1967 cease fire lines, the second Intifada (October 2000), and the ever more pronounced applied instruments of occupation have convinced scholars and those in public affairs to again consider the One State (OS) solution.¹

Although not regarded since 1948 as a viable solution by the Jewish and Palestinian mainstream, the Bi-National (BN) concept was developed during the British Mandate among a few Jewish and Palestinian community leaders. It remained on the agenda until Israel gained its independence; in its aftermath it has all but disappeared.² Following the 1993 Oslo Accords the BN idea, albeit low key, has reemerged as the gradual realization that
Israel’s continuing policy towards a lasting solution offered only limited autonomy and a fractured Palestine, lacking territorial links that were adequate for what should be an honest historical compromise between the two peoples.

In the Israeli–Palestinian confrontation, applying the term Bi-Nationalism has to a large extent been analogous to the idea of a democratic state of all the people living within the Mandatory Palestine/Eretz-Israel borders. It is regarded as such by both the interested Palestinians and sections of the left-wing in Israel, and it is presented as an alternative to the concept of Partition that supports the establishment of a separate Palestinian State alongside Israel. As such it is criticized by those who regard the two-state proposals as the only realistic solution and a historical compromise between the Israelis and the Palestinians.

BNS supporters have been vague in providing details as to its implementation and how to ensure its lasting success. Opponents remain suspicious of how Palestinians and Jews will behave and how the minority will be guaranteed equitable rights. These uncertainties are understandable, as are the numerous difficulties and hurdles, both political and social, in seeking ways to resolve them, especially moving from a state of occupation and military government, from conditions of destruction, ghettos, and closed fences, to one where all are equal citizens living under one law with equal rights. These questions, concerns, among Palestinians and Israelis form the discussion of this article.

THE REVIVING DEBATE ABOUT BI-NATIONALISM

Most of the present discussions on a BNS are by Jewish and Palestinian intellectuals in an active and direct exchange aimed at bringing the conflict to an end and creating a lasting political settlement. Almost all live in and are witnessing the political reality in Israel, on the West Bank, and the Gaza Strip, but also includes the Palestinian Diaspora. As acute observers eager to help solve the conflict, they have come to realize that the political events over the years have made the “two state solution” no longer viable. These exchanges include assessments as to the possible alternatives and the odds that the preferred option might truly achieve political stability.

Among the alternatives are maintaining the present intransigent status quo—the continued occupation and opposition—that would include periods of reduced tensions and possibly some low-key negotiations. It is one that might be applied through Israeli political conduits different from those
experienced in recent years. Through diplomatic, political, paramilitary, and other instruments, Palestinians are conducting a campaign resisting the occupation. Despite both parties’ acknowledgment of the sad prevailing situation, it appears to be sufficiently potent to maintain current conditions. The inability to break this impasse may explain two main reasons for the recently increased interest in the Bi-National option. The strategy that may replace current occupation policies and tactics, waved as a flag that will expedite the call for establishing the two states, Israel and Palestine, is increasingly regarded as a non-starter.

Alternatively, there is the unilateral action option, which Israeli leaders encouraged in the past decade, until disengagement from the Gaza Strip. The Hamas election victory in January 2006 and the Second Lebanon War the following summer reduced the likelihood of Israel adopting this option. This became clear after the war, when the Kadima Party platform, initiated by Prime Minister Ariel Sharon towards the end of 2005, and supported by some Labor leaders, calling for further disengagement steps on the West Bank was removed from its agenda, shelved, and is no longer relevant. From the start, the Palestinians rejected Israel’s unilateral strategy to end the conflict and called for direct negotiations with the aim of reaching a political agreement prior to any political change.

The alternative of direct negotiations intended to bring about the end of the hostilities and a lasting settlement is the one preferred by the Palestinian national movement, which is not keen on long drawn-out gradual negotiations. Although Israel does not acknowledge it, it is not enthusiastic about either track, neither that which calls for a full solution nor that which calls for a gradual ending of the conflict. The past record shows that the Palestinian–Israeli negotiations experienced both. Oslo proposed the gradual negotiation track in which it was agreed to defer the difficult stumbling blocks to a later stage. The Oslo experience failed, not least because the more difficult issues remain the core problems, and ignoring them, or delaying addressing them, does not help in resolving the basic conflict.

The Camp David meeting in the summer of 2000 suggested the other alternative that would, in one conference, provide answers to all the outstanding issues; but that option also failed. This was followed a few months later by the outbreak of the second Intifada when it became quite clear that with the settlement policy continuing, Israeli security perceptions, resolving the water resources conflict, and other hard issues, the Israeli mainstream would not accept the establishment of a Palestinian State in all the lands occupied in 1967.
The proposed BNS is an alternative to the previous possibilities, and as conditions evolved in recent years, there has been a gradual increase in the number of people who have shown an interest in it, who regard it as preferable to the TS solution, that it may possibly be a more practical answer to decades of impasse. When first raised many years ago, it was thought to mainly carry moral weight for both people, but there is a growing number of Israelis and Palestinians who view it beyond its moral force, as a more practical solution.

Official Israel at this time, as the political experience gained since Oslo shows, does not seem to seek a viable solution for the conflict with the Palestinians and an end to the occupation. This stagnation is supported by the international and regional reality that provides it with practical power that prefers the status quo. Thus, Israel appears comfortable managing the conflict rather than trying to resolve it.

From their vantage point, the PLO and the PA (Palestinian Authority) prefer the alternative of negotiation with Israel. In the past, the BN option was not seriously considered in the Palestinian agenda. Since 1988, the declared aim of PLO and the PA has been to establish a State of Palestine within the 1967 borders; during the 1970s, the PLO supported the establishment of a democratic Palestine within the Mandatory borders of Palestine—setting up a national (Arab) democratic state but not a BN one.

Among those who support the BN approach are some who regard it as intermediate among those under discussion. The supporters of the BNS stress that in adopting this approach by the Palestinians, there is a serious moral and political challenge for Israel that attempts to draw the borders of a Palestinian State according to its own interests, regardless of the Palestinian interests.

THE PALESTINIAN CONSIDERATIONS IN ADDRESSING THE BI-NATIONAL STATE ISSUE

Palestinians opposing the BNS come from two sides of the Palestinian political spectrum. The first support the TS solution, while the second includes those calling for a secular or (alternatively) for an Islamist state, and refuse to recognize collective Jewish rights for a national expression within Palestine.

Opponents of the BN solution argue that recognizing the Jewish people as a nation is parallel to defining the Palestinians as a nation, and that turning a religious group into a national group is wrong. This approach
is found mainly among Arab and Islamic activists who are still involved in the historic dialog of Jews and Jewishness as a religion rather than a modern national movement. By recognizing Jews as a national group they would recognize their right to an independent identification, which they obviously reject. Others assert that in recognizing the BNS, they are legitimatizing the Zionist achievements in Palestine and acknowledge all that has happened over the years of the conflict.

Hamas rejects the BNS solution and prefers establishing an Islamic Palestinian State in Palestine or at least in the land that was occupied in 1967; in the meantime it is ready to sign a Hudna with Israel, without recognizing it. Islamic Jihad rejects the BNS solution, because it would recognize the “Zionist Entity” and the occupation of Palestine.

Other groups oppose the BNS on pragmatic grounds, that such a state would be another form of apartheid between the more equal Jews and the less equal Palestinians, that Bi-Nationalism is merely a euphemism for a different form to occupation, that it is not realistic, that Israel will not agree to such a settlement, and that it is and will be more receptive to the TS solution than to the BN one.9

Palestinian supporters of the BN solution refute these claims, arguing that establishing a separate independent Palestinian state is no longer practicable, that geopolitics has turned the two states for the two people into one, and that as events have unfolded in the decades since 1967 the BN solution is more realistic.10

Those who had earlier supported the TS solution have more recently cast doubts about its viability and have begun to consider the BN alternative. Following the outbreak of the first Intifada in 1987, Professor Sari Nusseibeh, then a lecturer in the University of Bir Zeit, and today president of Al Quds University, suggested that the occupied territories be annexed to Israel, which would enable the Palestinians to wage their campaign of opposing the racial government in Israel until the BNS was established. In 1996, he reasserted that the BNS was not only an option but also one that may be pursued.

Palestinian writer Bilal Hasan argues that “The subject of the Bi-National State is not one that one would wish nor is it a demand of those who raise it as an option. It is a fact that became reality and carries political ramifications even though the side (Israel) does not agree with the Bi-National solution.”11

While serving as the Palestinian prime minister, Ahmed Quaria (Abu Ala) stated the possibility that the Palestinians might call for an equitable Jewish and Arab BNS. This followed the continued Israeli land confiscation
The Bi-National State Solution

from Palestinians on the West Bank and the rigid police control over them. Other Palestinian leaders emphasized their commitment to the TS solution. Said Arikat, a prominent negotiator with Israel, warned that while the Palestinians are committed to the TS solution, if Israel continued to build the fence and confiscate land, it would in fact be burying the TS option.12

Along with these pragmatic cases there is the moral issue whose supporters assert that establishing the BN option would make amends for the historical injustice caused to the Palestinians, and once again unite the homeland. The moral aspect may be addressed on two levels, that mentioned above and one challenging Israel in the moral issue of establishing a BNS.

THE PALESTINIANS IN ISRAEL AND THE “BI-NATIONALITY” DEMAND

Palestinians in Israel are the only group of Palestinians that demand clear bi-nationality. For the Palestinians in Israel, the establishment of a Palestinian state beside Israel should be one step forward in establishing a bi-national state inside Israel, inside the green line. Establishing a Palestinian state is considered a demand for most of the Palestinians in Israel, not only because establishing such a state would solve the problem of the other Palestinians through establishing a national homeland for them, but also because it is considered a solution that can contribute to improving the life of Palestinians in Israel.13

The other area of interest for the Palestinians in Israel is improving their individual and collective equality. They have shown a strong demand for achieving equality with the Jewish majority. Statistics show that the majority strongly support bi-nationality in Israel as an expression of their Palestinian identity in the same way that the Jewish majority has and is able to express its own group identity.14

THE FUTURE VISION OF THE PALESTINIANS IN ISRAEL

In December 2006 a group of politicians and intellectuals headed by Shawki Khatib, head of the Supreme Follow-up Committee of the Palestinians in Israel, the most authoritative representative body, and of the National Committee of the Heads of Arab Local Councils, published the “Future Vision of the Palestinian Arabs in Israel”. This document attracted national
and international interest and elicited a wide variety of responses across the political spectrum of Jews, Arabs, and others.

The document is an historic event in the annals of the Palestinians in Israel and of their relationship with the Jewish majority and establishment. This is the first time a representative national body of Palestinians in Israel has prepared and published a basic paper that describes both the existing situation and the changes that are needed across a broad spectrum of Arab life.

It is based on three theoretical principles that constitute the foundations of human social, political, and cultural development for at least the past two centuries. First is the principle of human rights: the document addresses the fundamental rights of the Palestinians in Israel as human beings to economic and social development, women’s and children’s rights, to live without violence, etc., and demands their realization. The second principle invokes civil equality: the basic democratic right to equality before the law and the demand to annul laws, structures, and symbols that alienate the Palestinian citizens of Israel and ensure Jewish superiority. The third principle is that of the right of communities to self-determination, including the autonomous right to manage specific areas of life, such as their own education and cultural and religious affairs.

The authors demanded the implementation in Israel of a consociational BNS, which would replace the existing liberal system exploited automatically by the Jewish majority that constitutes a “tyranny of the majority” in which, in the name of liberal democracy, that majority takes draconian steps against the Palestinian minority and its fundamental rights. The documents contain reactions of different streams among Palestinians in Israel, Israeli Jews, Jews abroad, and Palestinians outside Israel. Most of the responses from the Jewish majority have accused the Palestinians in Israel of undermining Israel’s foundations as a “Jewish and democratic” state.15

HOW ISRAELI JEWS REGARD THE BI-NATIONAL ISSUE

The majority of Israeli Jews regard the possibility of a BNS as a strategic threat to the Jewish State. Clearly, in its nature as a BNS with full collective rights to both people, annexing Palestinians in the occupied territories and setting up OS will upset the demographic balance and put to naught its Jewish being. Those who oppose the BNS do not believe that the OS can remain democratic, or that with the more rapid Arab birthrate it will remain truly Bi-National. This in turn will bring about the collapse
of the democratic regime and turn the Jews into a minority with all the accompanying shortcomings.\textsuperscript{16}

Those supporting the Zionist track to ensure the demographic balance note that

The Bi-National gambit is of little value. The main issue remains of whether the majority will be Jewish or Arab. It will be suicidal if through demographic changes the Jews will become a minority, under a Bi-National regime. Similarly should opposite conditions prevail, one should not expect that the Arab nationalism will welcome it.\textsuperscript{17}

According to them,

To remain a democracy we must maintain the Jewish profile and a dominant Jewish majority for many years. There are no other viable options. There will be no use in a democracy if it will not be the State of the Jewish people. We did not experience living in the Diaspora to become a minority in our own country, depending on the goodwill of the worst of our enemies. We did not toil for a hundred years in creating and bringing to life the Zionist vision, to live in a Jewish autonomy in a country that we built that will provide its fruits to the Palestinians . . . From observing the Arab/Palestinian record, the democracy will be erased in the moment that the Palestinians will be permitted to become the dominant majority in the political arena. As an intellectual exercise anyone can imagine what might happen to him and his family under a Palestinian government. Not only to defend the democracy, did the existence of the State, as a Jewish State come into being, but to protect life itself.\textsuperscript{18}

Not only will it threaten the interests and the dominant position of the Jews in the country but those who oppose the BNS also believe that it will permit the return of the Palestinian refugees to their homeland. They conclude that the Jewish lot in Israel is preferable to their condition in a BNS and that the TS solution will be preferable, even if the price will be relinquishing territorial annexed lands. They prefer the price of surrendering lands to that of agreeing to a BNS.

There are those who oppose the BNS because as long as the BN alternative remains an option, it will delay solving the conflict and cause additional agony to both sides. Others add that the main case of those who raise the subject of the BNS is that the vision of “two countries for the two people” is no longer applicable. They concede that the hurdles are formidable, but where in the world has the concept of the BNS worked? Those
who support the OS solution have not cited one example where it did work for the simple reason that there is no such case. It is easier to propose ideas that sound attractive and are even politically correct without providing even one example where it succeeded; they should not be regarded seriously.19

Left-wing Israeli activist Uri Avineri rejects the BNS, which should be black-balled.

The Bi-National idea is that the whole land from the Jordan to the sea, Palestine and Israel become one state again. . . . It is rather surprising that this idealistic vision is raised again at this time although it failed completely all over the world. . . . The Soviet Union broke up and at present the multi-national Russian Federation (see Chechnia) is in danger. Not only did Yugoslavia breakup but so did the states of which it was composed like Bosnia, Serbia (see Kosovo), whether Macedonia will remain united is a question. United Canada has been vacillating for years. United Cyprus with a Bi-National Constitution has become a dim memory.20

Those attacking the BN option use examples of non-democratic failed bi-national or multi-national states, and neglect mentioning the democratic, successful states, even with problems, such as Belgium, Switzerland, or even Canada. They have different ideas regarding the concept of “two-state solution”, especially when it comes to the Palestinian state, its borders, jurisdiction, level of sovereignty, etc. However, they do not have a clear vision to what extent this solution will be relevant to the solution of the results of the Palestinian Nakba or the 1948 war, including the refugee problem.

Contrary to the real desire by many Israelis to establish a Palestinian state beside Israel, Israel’s official policy moved from large support among Israeli Jews looking for a solution to the conflict based on the UN 242 resolution and the two-state solution under the Rabin and Peres governments (1992–1996), to a new concept of “managing the conflict” under Sharon and Olmert.21

The main components of Israel’s post-Oslo policy are based on the following considerations: demarcate the permanent borders of Israel unilaterally (not through bilateral agreements, at least if there is no partner on the Palestinian side to accept the Israeli borders decisions), keep a numerical Jewish majority within the borders of this state, and establish an accommodating authority on the Palestinian side to provide security and deliver basic economic functions and services. This would enable Israel to annex all the land along the Green Line and the Jordan Valley in addition
to annexing large areas to establish continuity between the Jordan Valley and the Dead Sea.\textsuperscript{22}

Furthermore, Israel would enlarge settlements not evacuated, by stepping up construction and encouraging Jews to settle there. This vision implies ceding control over densely populated Palestinian areas to a PNA and entails the removal of Israeli settlements from these areas. Consequently, eight to nine segregated Palestinian enclaves would be established. Each of these would be surrounded by Israeli settlements and military structures. As such, Israel would not object if these enclaves are called a “Palestinian state”.\textsuperscript{23}

**SUPPORT FOR THE BI-NATIONAL SOLUTION AMONG THE JEWISH LEFT**

During the British Mandate, the Jewish “Brit Shalom” movement publicly called for sharing Palestine, power, and resources between the two peoples on a proportional basis, in addition to sharing government and other portfolios.\textsuperscript{24} The “Kedma Mizraha” followed, advocating close cooperation with the Arabs.\textsuperscript{25} The “Ichud” movement, established as a continuation of the “Bat Shalom” project of 1942, called for the “Equality” solution between the Israelis and Palestinians.\textsuperscript{26} Hashomer Hatzair and Poale Zion were leftist Zionist movements that attempted to advocate bi-nationalism and equality.

The League for Jewish-Arab Rapprochement and Cooperation was formed in the late 1930s as an umbrella organization to comprise all the efforts of the different factions supporting bi-nationalism in historic Palestine.\textsuperscript{27} After the establishment of the State of Israel, other parties called for a bi-national state solution.

Some researchers believe that they called for a BNS based simply on moralistic grounds.\textsuperscript{28} However, I believe that they drafted their political platform based on a “balanced” analysis of the facts, and the interests of the Jews at the time. Whether they were moralistic motives or not, these proposals were a real and substantial political project, based on thorough political analysis.

Since the 1980s, some Jewish intellectuals have revisited the OS solution including the prominent scholar, journalist, and historian Meron Benvenisti, a long-time leftist Zionist activist and a member of the Jerusalem Municipal Council during the 1980s, under its historic mayor Teddy Kollek. His ideas were part of his analysis of Israel’s occupation of the West
Bank, and on what he called “cutting edge annexation” as a result of Israeli settlement in the West Bank and Gaza Strip.29

After Oslo and the establishment of the PNA, Benvenisti continued tackling the conflict in the light of persistent Israeli settlement in the Palestinian occupied territories, particularly in East Jerusalem. He considered the Al-Aqsa Intifada another indication supporting beliefs he held in the 1980s. In an interview with Ha’aretz, the most prominent liberal Israeli newspaper, he stressed that

In the 1980’s I believed it wasn’t possible to share this country, the settlement proceeding and control of territories is an irreversible reality . . . We have realities that don’t allow us to change the situation. Not Oslo or the talk about a Palestinian state can change this situation. Our life situation is that of Bi-nationality. It’s a fixed reality that can’t be ignored . . . All what we can do is to adapt our thinking to this reality.30

Other Israeli political activists and scholars expressed support for establishing a joint BNS based on their belief that the Oslo agreements had failed. Consequently, they voted for Benvenisti’s choice, as a conclusion they had arrived at in recent years. Chaim Hanegbi, a prominent leftist activist, previously supported the Oslo process and believed, like many Israelis, that the time is right for establishing a Palestinian state beside Israel.

Right after the “second” Intifada, I . . . changed my idea and thought of suggesting, again, the joint-state solution. . . . Early in the last summer, I wrote an article against the occupation, at the end of which I included my idea of having a state for the two peoples, a joint Bi-national state.31

Many Israeli scholars followed in Hanegbi’s steps, putting the discussion on the issue of a BNS on the Israeli agenda.32 Ben-Gurion University of the Negev leftist professor Oren Yiftachel also proposed the idea of a BN solution to be adopted after the establishment of a Palestinian state beside Israel.33

Thus a new vision developed in Israel based on the belief that the TS solution has become unrealistic and impossible. The supporters of this idea believe that Israel is to blame for this situation and that Israel’s settlement policy ended the possibility of achieving reconciliation through a TS solution, and consequently paved the way for discussing a solution to the conflict based on the idea of a joint-state for Israelis and Palestinians. This proposed solution is slowly surfacing in the public discourse, media,
academic symposiums, universities, research centers, and on the political platforms of those supporting or objecting to the idea.

CONCLUSION

In 1993, following the Knesset elections of 1992, Israel recognized the PLO as the sole legitimate representative of the Palestinian people and signed the Oslo agreement as a first step in a process aimed to achieve an Israeli–Palestinian peace. Three years after signing the Oslo Accords, Prime Minister Rabin was assassinated by a Jewish extremist who successfully sought to stop the peace process. Following that, rightwing candidate Benjamin Netanyahu was elected prime minister in 1996 and declared the beginning of a new era in relations with the Palestinians.

As Israel came under the leadership of Sharon, its policy shifted from seeking to solve the conflict with the Palestinians, to adopting a new strategy for “conflict management” according to narrow Israeli interests, and so Israel proposed a policy of “unilateral disengagement”. Olmert followed in Sharon’s steps in withdrawal from Gaza by making withdrawals from parts of the West Bank (this time in partial cooperation with the Abu Mazen–Fayyad government).

Israel aims to establish a “separation system” without seeking a historic settlement. As a result, the PNA as a semi-state entity will continue to exist in a vague situation, which is “more than autonomy and less than a state”. This situation could result in a crisis for Palestinians and force them to seek alternative options to that of an independent Palestinian state. This has led some Palestinians, Israelis, and international parties to try to raise the BNS project for discussion.

A majority of Israeli citizens are not ready to give up the Jewish nature of the state. It is clear that the majority of Israelis and policy makers are not ready to pay the full price for a satisfactory resolution of the Palestinian–Israeli conflict, including the return to 1967 borders, the evacuation of all Jewish settlements, the division of Jerusalem, and the return of Palestinian refugees.

The commitment to the Jewish nature of the state, and Israel’s refusal to reach a compromise with the Palestinians, has resulted in the dominance of the politics of fear from the “demographic threat”. This has resulted in adopting polices to unnaturally guarantee a Jewish majority as wide a border as can be demarcated. This Jewish majority and character of the state consequently is expressed favorably to Jews in almost all spheres of activities
of Israel. Israeli policies have been centered on avoiding the possibility of establishing a bi-national system.

The future solution to the conflict cannot be foreseen now, as we are almost as far from the TS solution as we were before the Oslo Accords. Certainly, as we distance ourselves from the TS solution, the possibility of having a solution based on the idea of a joint or bi-national entity should not be ruled out.

Notes


5. Gilad Sher, Just Beyond Reach: The Israeli-Palestinian Peace Negotiations 1999–2001 (Tel-Aviv, 2002) [Hebrew].


7. Ghanem, “Israel and the ‘Danger of Demography’.”


10. Karmi, Married to Another Man; Abdul-Hadi, Palestinian-Israeli Impasse; Farouk-Alli, The Future of Palestine and Israel.
15. Smooha, “The Arab Vision of Turning Israel within the Green Line into a Binational Democracy”.
17. www.jabotinsky.org/jaboworldh/docs/binational_heb.doc
18. www.demographyproblem.com
19. ri Avineri, “A Bi-National State? There is No Such Thing” www.ynet.co.il/articles/0,7340,l-2761657,00.html.
22. Ghanem, “Israel and the ‘Danger of Demography’.”