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Palestinian Center for
POLICY and
SURVEY RESEARCH

Changing the Status Quo: What directions for Palestinians?

Asynchronous and Inseparable Struggles for Rights and a Political End-Game

Sam Bahour

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This initiative has been organized in cooperation with the Norwegian Peacebuilding Resource Centre and the Netherland Representative Office in Ramallah.

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Preface:

Given the current stalemate in Palestinian-Israeli relations and the potential for wide-scale escalation in the near future, PSR has conducted a 6-month policy research on new directions for the Palestinians. The research sought to explore Palestinian discourse on the best means to move forward. Five short policy papers, written by senior Palestinian experts and academics, explore various approaches and directions for the PA to take (see list of papers and authors at the end of the report). All these directions are currently part of the Palestinian public and elite discourse. Each paper describes a specific approach, outlining its potential impact on the Palestinians and Israelis and exploring its contribution to a more effective Palestinian strategy to end the occupation. Each approach therefore represents a component in a larger proposed strategy. The five papers were reviewed and discussed by a task force, a core group of 20 made up of the five authors and fifteen reviewers and discussants. The discussion of the papers took place in six closed workshops attended by experts, policy makers, academics and activists. An open conference was organized on 29 February and was devoted to a discussion of all five papers.

This paper addresses a rights-based approach to resolving the Palestinian-Israeli conflict. Two commentaries by two members of the task force are inserted at the end of the paper. The discussion of this approach and paper among the members of the task force was very vibrant and insightful; for that, PSR wishes to express its appreciation for all members of the core group (see list of names and affiliations at the end of the report) for the time and effort they have devoted to this work. However, the discussion among the members of the task force indicated at times serious differences of opinion. In this light, it should be made clear that this report does not necessarily represent the views of every single member of the core expert group. It only represents the analysis and the assessment of its author.

PSR is also grateful for the support of the *Norwegian Peacebuilding Resource Centre* (NOREF) and the *Netherland Representative Office* in Ramallah without which this project would not have been possible. But it should be made clear that this support does not in any way mean an endorsement, on the part of these two organizations, of the content of the five papers or this final report.

PSR

Asynchronous and Inseparable Struggles for Rights and a Political End-Game

Sam Bahour

1. Introduction

In response to a Terms of Reference provided by the Palestinian Centre for Policy and Survey Research (PCPSR), I was asked to address the question: “How can the threat of abandoning the two-state and adopting the one-state solution be given sufficient credence, in order to coerce Israeli society into facing the implications of maintaining the occupation?”

To answer this question, I have compiled this paper to outline my interpretation of the relevance and objectivity of the one versus two states debate. This debate has recently received increasing media focus and academic input, particularly in light of the seemingly impossible-to-achieve two-state solution that has, rightly or wrongly, long been considered as the internationally-approved mantra for the resolution of the historic conflict between Palestinian nationalism and Zionism.

Before entering the crux of the issue, one state vs. two states, I address the specific question posed by noting that I do not subscribe to the notion that we should be using “threats” to articulate a strategic goal. I believe that such an approach weakens our ability to mobilize political alliances, solidarity communities, and most importantly, mobilize our own people around a clear political goal. We do not need to drop our demand for independent statehood to use the one-state argument to shock Israelis into acting differently. The Israeli side has given us ideal tools for evoking such leverage, such as their fear of demographics and their need, 70 years after the establishment of Israel, for us to issue them a birth certificate; Israel defines this as the need for a “Jewish state” or “nation state of Jews” or the like. Palestinians can use these Israeli-invented political levers to reframe the argument to highlight where continued military occupation and expansion will lead Israel, without explicitly changing our strategic goal of statehood.

The research question focuses solely on the Israeli community. Today, I’m not sure whether our main target group is the “Israeli community,” although it is a key one. If we view pressure from outside as having more relevance to our strategic goal, maybe, as is currently the case, our focus should be toward Third States and other international stakeholders. Ultimately, strategically-crafted external pressure reaches the Israeli community at large – good examples of this are the call for recognition of the State of Palestine, Boycott, Divestment and Sanctions Movement (BDS), EU guidelines, and EU labeling requirements, among others.

Lastly here, must we threaten a shift in our strategic goal to invoke securing our rights and ending the Israeli occupation? Such threats could backfire by causing the loss of support around the world that has taken four decades to nurture, namely the 138 countries that voted yes to the November 29, 2012 United Nations General Assembly bid that afforded Palestine a non-member observer state status, and the over 130 countries that recognized Palestine directly, such as Sweden and The Vatican.

I do not believe that it is in our strategic interest to adopt a one-state approach, not today at least. The bulk of this paper will explain why. While writing, I have in mind an entire generation of Palestinians who were born after the Oslo Peace Accords and who have never experienced a functioning Palestinian political system, which may cause them to minimize any achievements already gained toward freedom and independence as well as possibly underestimate the efforts required to shift national strategies.

In this paper, I will argue that a **rights-based approach** is the most conducive one to the current Palestinian national agenda and that a **political end-game cannot be open-ended**. Moreover, I will also argue that the struggle for national self-determination cannot come at the expense of the struggle for rights - and vice versa. I view these two processes as simultaneous dynamics: one process focuses on the *rights of the individual* (political, human and civil rights), while the second focuses on the *rights of the nation* (national rights, specifically self-determination). My argument is based on the mutuality of these two processes: the 'individual' sphere centered on rights, and the 'national' sphere focused on independence.

For better or worse, Palestinian national rights have been defined in the international arena and accepted by the Palestinian leadership. The national solution of two-states was collectively chosen by the Palestinian leadership in 1988 at the 16th session of the Palestinian National Congress in Algiers and was codified in the Palestinian Declaration of Independence issued that the same year. The sanctity of this solution has been further enshrined in an implicit Palestinian recognition of Israel, given the PLO's acceptance of UN Resolutions 242 and 338 as the basis for negotiations with Israel. Then the Oslo Peace Process was launched with the PLO's explicit and written recognition of Israel, which was restated in 2002 when the PLO accepted the Arab Peace Initiative. Furthermore, the United Nations Security Council resolution 1397, passed on 12 March 2002 to demand an end to the violence that had taken place between the Israeli and Palestinian sides since September 2000 (Second Intifada), was the first Security Council resolution to call for a two-state solution to the conflict. Ten years later, the United Nations General Assembly passed resolution 67/19 on 29 November 2012 which acknowledges Palestinian statehood within the framework of two states. The choice of two states cannot be simply reversed now without an international political fallout, which Palestinians are neither politically nor practically prepared for. Accepting the active political solution of two states, however, does not detract importance from the rights' agenda, nor does it mean these two tracks must operate in the shadow of one track or the other.

I want to reaffirm here, at the outset, that my personal conviction of what political path the Palestinian leadership should have taken throughout its history is immaterial for this analysis. Until and unless the Palestinian political system can reconstitute itself and declare an alternative strategy of a one-state solution, or otherwise, I argue that it is imperative upon anyone engaged in the imperfect world of realpolitik to accept current policy and act accordingly. This current policy of establishing a Palestinian state on 22% of British-mandated historic Palestine has international legitimacy and has witnessed the majority of the world's nations recognizing the State of Palestine based on that international legitimacy. It is therefore not an academic choice, but rather the result of already spent Palestinian political capital.

Simultaneously, the rights of the individual cannot remain at the mercy of the need to arrive at a two-state solution, as a type of pre-requisite to the individual realizing his or her rights. This attempt to link the issues is grounded in a faulty political way of thinking that places the key issue of rights – political, economic and social – at the end of a political spectrum that presumes the need to arrive at a macro-political framework *before* individual rights can be realized. In my opinion, this is fundamentally erroneous. The political end-game is a single dimension to the conflict; however, immediate needs are rights, and these are just as important to individual Palestinians—those living under occupation and elsewhere—as self-determination, if not more so.

In essence, there are two processes at play within our national struggle that should be seen as distinctive, yet complementary: rights (or individual liberty) and a defined political end-game (self-determination).

2. The Proposed Approach¹

Let us, collectively, forget the one-state, or two-states, or, for that matter, the paradigm of partition. **What do we Palestinians want? We want our rights.** In 1949, our national struggle commenced with the rights of individuals: Palestinian refugees who were displaced in 1948—over half the population of Palestine (what become Israel) at the time—and wanted to return home. Today, the right of return for refugees remains unfulfilled and is still an important component of the national agenda. However, in addition to it is the struggle for realizing the human rights of Palestinians living under occupation, in Israel, and as refugees and internally displaced persons.

The fulfillment of these rights will make our lives worth living, and return our freedom to internationally-accepted norms that are enjoyed by millions of global citizens the world over. These rights are political: we want the ability to participate in the political system(s) that governs us. They are also economic: we want to produce and trade with full access to our resources and the free movement of goods and labor within our homeland and across our borders. Moreover, rights are social – we want to re-establish bridges between the fragmented Palestinian communities across the globe, where Gazans, Palestinian citizens of Israel, Jerusalemites, West Bankers, refugees and Diaspora Palestinians can reunite and feel a sense of common identity and purpose.

In light of these needs, academic debate over end-game visions of how to realize our rights should not take priority over spent political capital, namely, the acceptance of the two-state solution by the Palestinian political agency, no matter how weak, and its endorsement by the international community. Political actions that acquiesce to endless academic debate incrementally detract from the capacities needed to achieve statehood and realize our rights now. These must be viewed together. The crucial question is: how do we realize our rights now? If, as a result of realizing our rights, we find ourselves living in two states, or one state, or within an economic federation with multiple states, then so be it. Political end-games are of secondary importance insofar as the political structure that emerges as a result of the realization of our rights is an acceptable one, by virtue of having guaranteed our rights. A key

¹ The core of this argument was developed in conjunction with Dr. Tony Klug and first published [in Le Monde diplomatique](#) in English on April 8, 2014” [If Kerry fails, what then?](#) and in Hebrew at [Local Call](#). This essay was later published in the book: [Rethinking the Politics of Israel/Palestine: Partition and its Alternatives](#) (Bruno Kreisky Forum for International Dialogue and S&D Group of the Progressive Alliance of Socialists and Democrats in the European Parliament, Vienna, Austria, 2014) and in Tikkun Magazine on October 26, 2015 with the title, [Israel Can't Have It Both Ways: Recognize Palestine or Grant Equal Rights](#). The author alone takes responsibility for his framing of this joint work in this paper.

theme to keep in mind here is that we are not engaged in a debate of morality, nor do international venues reward those who can claim the moral high ground. Our conflict is a political one par excellence and requires political tools, first and foremost.

My argument is based on the premise that the occupying power should no longer be able to have it both ways. The entire world, including the U.S., acknowledges that we Palestinians are under occupation, and therefore the Fourth Geneva Convention and other relevant provisions of international law apply to us. Palestinians have also long accepted this definition of our state of affairs. Israel contests this on technical grounds, arguing that the Convention relates only to the sovereign territory of a High Contracting Party, and that Jordan and Egypt did not have legal sovereignty over the West Bank and Gaza Strip (respectively) when they previously governed these territories from 1948 to 1967.

On the basis of this reasoning, Israel has maintained that it is not legally forbidden from annexing, expropriating and permanently settling parts of this territory that it captured during the 1967 war. But at other times, Israel relies on the Geneva Convention to validate its policies, particularly in regard to treating Palestinians under Israel's jurisdiction but outside its sovereign territory differently from Israeli citizens, citing the provisions that prohibit altering the legal status of an occupied territory's inhabitants. Successive Israeli governments have gotten away with this colossal bluff for nearly half a century.

This ambiguity has served the occupying power well, enabling it to pick and choose the application of articles from the Geneva Convention and have the best of both worlds, while the occupied people have the worst of them. The ambiguity of occupation must end!

It is time to call that bluff and compel a decision. The laws of occupation either apply or do not apply. *If it is an occupation*, it is beyond time for Israel's custodianship—supposedly provisional—to be brought to an end, allowing *Palestinian rights to be achieved through withdrawal in favor of a Palestinian state*. *If it is not an occupation*, there is no justification for denying equal rights to everyone who is subject to Israeli rule, whether Israeli or Palestinian, irrespective of where they live under Israeli jurisdiction, from the Mediterranean Sea to the Jordan River. Therefore, *Palestinian rights become an extension of those rights and privileges that are enjoyed by Israeli nationals living within internationally-recognized Israel, minus an eastern border*.

As a matter of everyday life, 'Israel denies the rights of millions of people' but 'is still considered to be a rights-based democracy,'² and therefore a natural 'Western' state. It is ironic that a rights-based discourse has allowed Israel to revoke the rights of an entire class of people – with Western approval. In her writing, the philosopher Hannah Arendt has clearly outlined how the enjoyment of rights becomes a function of the concept of citizenship: by making a clear distinction between citizens (who are entitled to rights) and non-citizens, a state can, if it chooses, ignore the rights of those individuals who are deemed not to be entitled to citizenship – making it 'legal' to strip them of their human rights. The result is a 'legitimate' form of abuse.³

Ironically, by labeling itself as a Westernized, liberal democracy, Israel has positioned itself as an insider in the Western club of self-perceived 'higher values,' using this international legitimacy as a useful cover to take away the rights of others. However, Israel is not a rights-based democracy: no country that places several million people under a never-ending regime of military occupation can claim to be a rights-based state.

² Amjad Iraqi, *Can we call it one state and be done with it?*, +972 Magazine, November 8, 2015 (<http://972mag.com/can-we-call-it-one-state-and-be-done-with-it/113749/>).

³ Noam Sheizaf, *How the very concept of human rights has failed Palestinians*, +972 Magazine, October 20, 2014 (<http://972mag.com/how-the-very-concept-of-human-rights-has-failed-palestinians/97883/>).

Moreover, the US Department of State's 2014 *Human Rights Report on Israel and the Occupied Territories* stated that 'significant human rights problems' include 'institutional and societal discrimination against Arab citizens of Israel, many of whom self-identify as Palestinian, including the Bedouin, in particular in access to equal education and employment opportunities.'⁴ Yet Israel is accepted in the international arena as an entity that is rights-based.

Certain rights should be inalienable — yet Israel refuses to grant them to Palestinians, and the world continues to treat Israel as a rights-based democracy. The Palestinians in the West Bank and Gaza comprise an indigenous population, yet they are the subjects of a military regime within an apartheid state structure. The debate over whether we are currently living in a single state is irrelevant – the answer is a resounding yes. The real problem is that freedom and equality are only extended to some of its subjects. It is an apartheid state, where as Arendt predicted, citizens 'enjoy' rights, while non-citizens live at the mercy of military occupation.⁵

For years, the international community has glued itself to the notion that a two-state solution is still within its grasp, albeit slipping away due to Israel's expansion into the West Bank. In April 2013, Kerry stated that 'I believe the window for a two-state solution is shutting ... I think we have some period of time – a year to year-and-a-half to two years, or it's over.'⁶ Two and a half years later in November 2015, the White House issued further statements concerning the apparent impossibility of realizing the two-state ideal: Robert Malley, President Obama's Special Assistant for the Middle East, North Africa and the Gulf stated that 'a new reality was imposed on the West Bank, which does not only undermine the prospect of reaching a peace agreement between Israelis and Palestinians, but also lowers the chances of renewed negotiations.'⁷ These comments were further echoed by US State Department spokesman John Kirby: 'Netanyahu has repeatedly said that he rejects the one-state solution, so the question now is what will Netanyahu do to prevent this scenario from happening?'⁸ Furthermore, speaking more recently at the Saban Forum in December 2015, Secretary of State John Kerry commented that 'current trends in the Israeli-Palestinian conflict are leading to a one-state reality.'⁹

Their assumption is that the Occupied Territories have not yet been completely absorbed by Israel, and therefore there is still a possibility of 'reversing' the process and returning to the pre-1967 borders with some adjustments. However,

'[T]his longstanding view, however, has ignored the passing of time and insulated itself from the facts on the ground. The reality is that the Israeli and Palestinian generations of the past 50 years

⁴ US Department of State, *2014 Human Rights Report on Israel and the Occupied Territories* (Washington, USA, 2015), page 1.

⁵ Amjad Iraqi, *Can we call it one state and be done with it?*, +972 Magazine, November 8, 2015 (<http://972mag.com/can-we-call-it-one-state-and-be-done-with-it/113749/>); Noam Sheizaf, *How the very concept of human rights has failed Palestinians*, +972 Magazine, October 20, 2014 (<http://972mag.com/how-the-very-concept-of-human-rights-has-failed-palestinians/97883/>).

⁶ Harriet Sherwood, *Kerry: Two years left to reach two-state solution in Middle East peace process*, The Guardian, 18 April 2013 (<http://www.theguardian.com/world/2013/apr/18/kerry-two-state-solution-middle-east>).

⁷ Middle East Monitor, *Analysts: Obama uses one-state solution to impose two-state solution on Netanyahu*, 10 November 2015 (<https://www.middleeastmonitor.com/news/americas/22200-analysts-obama-uses-one-state-solution-to-impose-two-state-solution-on-netanyahu>).

⁸ Ibid.

⁹ Barak Ravid, *Kerry at Saban Forum: Current Trends Are Leading to a One-state Reality*, Haaretz, 5 December 2015 (<http://www.haaretz.com/israel-news/1.690205>).

have only ever lived in one state. With Israeli citizenship or Jewish identity, a person can travel from the Jordan River to the Mediterranean Sea [but will never be able to do this freely until agreement with the Palestinians (one way or the other)], live on most parts of the land, and receive the support and security of the state. But with Palestinian residency, a person's movement is heavily restricted, their place of living is designated in specific areas, and the state's security apparatus is constantly directed against them. The supreme powers presiding over this vast system lie with the Jewish-Israeli political and military authorities sitting in Jerusalem and Tel Aviv — not in Ramallah or Gaza.¹⁰

There are many who adopt the overtly simplistic logic that a two-state solution has failed, therefore the only plausible option left is the one-state solution. However, the fact of the matter is that the two-state solution did not fail – in actual fact, it has never been tried:

'The international community as a whole tends to view the Palestinian issue as a problem of war and peace, or as a diplomatic issue, rather than an issue of rights. Instead of demanding to immediately return to the Palestinians their rights (because rights are inalienable and cannot be revoked in the first place), and only then discuss where those rights will be exercised (within the State of Israel or within a new Palestinian state), the rights were forgotten and the debate focused exclusively on the issues of [statehood and self-determination].'¹¹

The heart of the matter, rights, was, and still is, being ignored. A **rights-based approach** is the most conducive to the Palestinian national agenda in this day and age. The BDS (Boycott-Divestment-Sanctions) Movement, launched in 2005, has led this rights-based focus ever since and has gained global traction. The BDS Movement explains its efforts as 'Palestinian civil society issued a call for a campaign of boycotts, divestment and sanctions (BDS) against Israel until it complies with international law and Palestinian rights.'¹² However, the BDS Campaign does not explicitly call for a specific political end-game, and herein, I claim, is its Achilles' heel.

Irrespective of whether one or two states emerge as a final solution to the conflict, rights need to be achieved and realized. The one-state or two-state argument is in fact secondary to the fundamental argument that *rights* need to be attained – and if this comes within the framework of one-state, two-states or otherwise, then it makes little difference. It's all about **rights**.

3. Historical Background

The continuation of international efforts to realize a two-state solution neither helps nor hurts – the fact is, we are living in one apartheid state, and if the international community succeeds in realizing a just

¹⁰ Amjad Iraqi, *Can we call it one state and be done with it?*, +972 Magazine, November 8, 2015 (<http://972mag.com/can-we-call-it-one-state-and-be-done-with-it/113749/>).

¹¹ Ibid.

¹² <http://bdsmovement.net/>

two-state solution, then all the better. However, the crucial point is that this process should be seen as a parallel, maybe even secondary, course of action which should not come at the expense of the struggle to realize Palestinian rights.

The two-state solution started to be entertained by senior PLO officials long before the Oslo Peace Process, possibly as far back as the mid-70s, with 1988 being the formalization of this approach. A cornerstone essay was published in 1978 by the renowned Palestinian historian Walid Khalidi, entitled, *“Thinking the Unthinkable: A Sovereign Palestinian State.”*¹³ Mr. Khalidi states that the cornerstone of “the juridical status of...Palestine...[is] the concept of Palestinian sovereignty. Not half-sovereignty, or quasi-sovereignty or ersatz sovereignty. But a sovereign, independent Palestinian state.” He argues that:

“Only such a state would win the endorsement of the PLO. Only such a state is likely to effect a psychological breakthrough with the Palestinians under occupation and in the Diaspora. It would lead them out of the political limbo in which they have lingered since 1948. It would end their anonymous ghost-like existence as a non-people. It would terminate their dependence on the mercy, charity or tolerance of other parties, whether Arab, Israeli, or international. It would be a point of reference, a national anchorage, a center of hope and achievement.”

“Of all peoples, the Jewish people are historically qualified to understand this. Only such a state, through PLO endorsement, would win the support of Arab opinion and the majority of Arab states. These results could not ensue from a Bantustan “federal” formula under a Hashemite dressing, or the perpetuation of Palestinian minority status under international guardianship. They are less likely to result from an Israeli mosaic of Indian reserves and hen-runs, crisscrossed by mechanized patrols and police dogs and under surveillance by searchlights, watchtowers and armed archaeologists. But there is no reason why the concept of Palestinian sovereignty should not accommodate provisions designed to allay legitimate fears of neighbors on a reasonable and preferably reciprocal basis.”

Ten years later, the Palestinian Declaration of Independence, proclaimed on 15 November 1988, was overwhelmingly adopted by the Palestinian National Council. It became the self-chosen political mandate of the Palestinian people and paved the way for the historic 1993 Oslo Accords, which legitimized the two-state solution in the international arena when the PLO formally recognized the State of Israel. In the political realm, it would be very difficult to undo this. International legitimacy has put its weight behind the two-state solution through a multitude of UN resolutions and international agreements, making the mantra of two states irreproachable, until an internationally-recognized Palestinian political agency is capable of challenging it.

Moreover, the two-state solution has been accepted by a large part of the Palestinian political spectrum. It is important to note here, in contradiction to the often-proclaimed need for a ‘final status’ solution, that in real life there is no ‘final status’ solution. History does not stop because Palestinians and Israelis have arrived at a deal. The future will bring different realities into play that cannot be imagined today, in

¹³ Walid Khalidi, *Thinking the Unthinkable: A Sovereign Palestinian State*, Council on Foreign Relations, June 1978 (<https://www.foreignaffairs.com/articles/palestinian-authority/1978-07-01/thinking-unthinkable-sovereign-palestinian-state>)

particular in the Israeli Jewish community which has been brought up on a single concept: fear of the other. Post recognition of two-states could bring a confederation, federation, or parallel sovereignty, among a slew of other political arrangements, all possible as long as rights are presumed equal between the two sides. Palestinian intellectual, Professor Edward Said, said it best: 'Equality or nothing.'

We must come to terms with the fact that the Oslo Accords, as a 'big-bang' model, failed. In reality they failed multiple times. Embedded in the Oslo Accords was the need to arrive at a 'final status' within a limited period of time (five years) that put to rest decades of conflict, mistrust and suspicion, while ignoring the significant amount of political capital on both sides of the spectrum that did not believe in, or want, the coming 'peace.' However, history does not stop with this failure. It is dynamic and constantly moving, and the internationally-approved process of trying to realize two-states is a slow and non-linear one: it has traction, it is in process, but it is slow and is not guaranteed to succeed. Moreover, the notion that a just struggle will always succeed is an erroneous one – not every national liberation movement, especially among those fighting colonialist powers, succeeds in fulfilling its objectives. While Poland, Algeria and Ireland stand as examples of success, Uyghurstan, Kashmir, Tamil-Nadu and American Indians stand as stark reminders of national failure leading to total defeat. A just cause can fail. At this particular point in time, the political process and agency to achieve a two-state solution has failed, but the ideal, and the international adherence to this paradigm, are still there, and the two-state solution remains untested in reality.

Today, Palestinian political strategy is being driven in the total absence of a functioning political system. Israel's forced fragmentation of our geographic reality, combined with internal political divisions, disgust, despair and incompetence, allow the status quo to tear apart our societal fabric. If it remains on its current course, the train of national liberation is bound to derail, resulting in serious, if not permanent, damage to our bid for freedom and independence. Repairing the Palestinian political system cannot wait any longer. In light of this background – namely, international acceptance of and adherence to the two-state solution – it would be unrealistic to expect our political agency to be able to change international perspectives, given that even the task of putting its own house in order is currently beyond its means.

4. The Merits of this Approach

The point I would like to make is two-fold. **First, our rights should not remain hostage to the two-state diplomatic non-process, but that does not mean that we should shut the door on the two-state solution.** To do so would, in my opinion, be exceedingly difficult given the amount of international political capital that has been invested in realizing this ideal, and more importantly, it would direct our political energy away from the primary objective: securing our rights, and towards a potentially destructive political process that has no guarantee of success. If we no longer want the two-state solution, then what solution do we want? In answering this question, securing the political capital to unite behind our new solution, and lobbying the international community to drop the two-state solution and replace it with our new, preferred choice will take decades, during which we continue to live under occupation, in refugee status, and in destitution.

We all know how difficult and time-consuming it is to change international perspectives on conflict resolution. It took 43 years from the time of our destruction in 1948 until the start of a diplomatic process in 1991 to try to resolve the conflict that has devastated our people. To try to undo that process will likely take just as long, and will undoubtedly result in continued occupation, settlement building and

land confiscation, until international forums, diplomats, arenas and lobbyists come around to a new way of thinking, if they ever do. To go to the international community now and tell them to scrap the two-state solution is counterproductive, especially at a time when they themselves are coming to the conclusion that Israel has no intention, and may never have had any, to entertain a Palestinian state. We must not misread international players, such as the U.S. more recently, when they float public statements stating the inevitable loss of two-states and a future of one-state. These are short-term tactical statements, not policy change. **Our message to the international community should be: We want our rights. If a two-state solution, your preferred sole solution, is still achievable, then help bring it to reality, but for now, can we demand focus on the issue of rights?**

Second, asking the international community to scrap the two-state solution requires Palestinian political agency to provide an alternative. How many have come to adopt the new mantra of the one-state solution, in a political sense, not a populist or polling sense? The one-state solution is not championed by any major political organ in the Palestinian community, Israel or the U.S. It has not been adopted by any Palestinian political party. It is without political framing, clout or endorsement; rather, it is based on morality, a morality that would exclude the USA, Canada, Australia, and many other states of their political legitimacy as well. My argument, again, is that **our rights should not remain hostage to the adoption of a political end-game, but that does not mean that we should not explore venues and possibilities for building traction towards other ultimate political solutions.** Palestinian political agency working towards this goal should beware of the pitfalls that the older mantra – the two-state solution – faced, mainly the presumed achievement of rights with the realization of a political solution.

As I have outlined, building international traction away from a two-state and towards a one-state solution will take decades and possibly longer, as the ‘international community’ is notoriously fickle, complex and prone to the political pressures and agendas of the day. The one-state idea is never likely to be taken seriously by others unless its supporters are prepared to put in the detailed work to show what it would look like in practice (rather than effectively leaving it as a vague, default idea). Such detailed work would need to envision how both Palestinians and Israelis would deal with such a reality; such a process would inevitably clash head-on with Israeli intransigence and the power differential (militarily and economically), and most likely produce a scenario that would be less attractive than two imperfect, but independent, states. Additionally, there is a serious risk of repeating faulty methodology: placing the end-game before current needs (rights). The Oslo Peace Process placed outcome (a final status agreement) as a precursor to rights, but when that process colossally failed, Israel claimed that statehood was not clearly mentioned anywhere in the process as a defined outcome, thus, it said that statehood demand by Palestinians is meaningless – and, meanwhile, their rights never came up for discussion leaving the issue of rights to remain hostage to an undefined and unknown political outcome. I fear that the one-state political process will do just the same.

The fact of the matter is, as I have painstakingly emphasized: we want our rights to define the political end-game, not the other way round. **The fulfillment of rights should lead to conflict resolution, not the other way around.** Rights lead to peace. Rights lead to conflict resolution. Adopting a new political end-game (one-state) will replace the existing internationally-approved end-game (two-states) as the ideal worth pursuing, and our rights will continue to be denied, waiting for the political end-game to become reality before we can enjoy them. **Our message to the international community should be: We want our rights. If the one-state solution is now of higher political value than the two-state solution, then help bring it to reality, but for now, can we demand focus on the issue of rights?**

Are these two messages contradictory? They are, if we insist on the never ending debate of the end-game - today's end-game, that is, since we noted above that there is no end (final status) to any global 'game' (anyone who does not agree should reflect on how the U.S. evolved from a state of thirteen colonies to one of fifty states within a federal, constitutional republic). If we Palestinians separate the demand for rights from the end-game and focus on the issue of rights almost exclusively, then the two messages are effectively saying the same thing: one state or two states both have their merits, but can we please put these issues to one side, given Israel is not entertaining either, and focus on the issue of demanding our rights? This would not be without precedent and does not need to pre-judge the final outcome. For example, Scotland and Catalan are among examples where, pending possible self-determination/independence in the future, all inhabitants of the existing political entity have full and equal rights. Why not in Israel and Palestine too?

Our rights should no longer remain hostage to political end-games. We want our rights now. Under international law, Israel – as the occupying power – and the PLO, and Palestinian Authority for that matter, are responsible for ensuring that we have these rights. Therefore, rights and politics are two asynchronous and inseparable tracks.

I firmly believe that we should drop the narrative of peace and replace it with the narrative of historical reconciliation (ultimately) and equality (today). The word 'peace' hurts us by helping those organizations that merely pay lip service to changing reality on the ground in order for Palestinian self-determination to be realized, and the remaining ones that seek to shield Israel from genuine accountability for its oppressive policies. In the words of Mathew Taylor:

'Every usage of the word "Equality" helps our cause and hurts the cause of those who wish to defend Israeli oppression. Israel's apologists cannot co-opt a word that, in the U.S., and around the world, relates to the civil rights movement, the end of South African apartheid, integration, ending discrimination and respecting human rights ... Let us cease using the meaningless, counter-productive, empty word 'Peace,' a word that has been a bludgeon in the hands of Israel's machine of colonization and expulsion, a 'Peace Process' that over the course of 20 years has created the peace that Israel wants; the peace of conquest and domination.'¹⁴

This is a failed 'peace' in which Palestinian societal fabric deteriorates in fragmented 'pieces,' left to survive on their own in the realm of multiple, dissociated humanitarian catastrophes.

5. Much Ado About Nothing ¹⁵

Let us step back for a minute from my rights-first argument and consider the fundamental question: assuming a political end-game is achievable, will one state or two states be that fundamentally different?

In my opinion, the destinies of the two entities – Israel and Palestine (two-states), or Israelis and Palestinians (one-state), are eternally intertwined. Both parties to this conflict must recognize that their futures are inevitably linked, in peace even more than in war, and that they can establish cooperation, as equals under international law, with international partners, without forgoing national sovereignty.

¹⁴ Matthew Taylor, 'Haaretz' conference trumpets tired word 'peace' (when the only solution is 'equality'), Mondoweiss, 28 June 2014 (<http://mondoweiss.net/2014/06/conference-solution-equality>).

¹⁵ The core of this argument was developed in conjunction with Bernard Avishai and first published in Haaretz in English on 2 April 2010, *Independent and Interdependent* (<http://www.haaretz.com/independent-and-interdependent-1.283818>). The author alone takes responsibility for his framing of this joint work in this paper.

Granted, a political end-game requires both parties to exercise sovereignty, jointly or separately. But self-determination never meant that a nation (independent or within a federation) does whatever it wants, without any regard for the interests of others, particularly its neighbors. The shared territory is very small, and more like one big megalopolis than two hermetically-sealed states. Water will have to be shared. Security responsibilities will have to accommodate the needs of both parties. An electromagnetic spectrum will have to meet the technological communication needs of both entities. Similarly, postal services, trade relations, environmental management, road networks, movement and access will all have to be modeled and implemented within a framework that recognizes our needs and the needs of the other.

In short, irrespective of a one or two state solution to the conflict, both parties will have to arrive at a 'dignified' framework in which they become equals and partners in each other's lives. The outcome will either be two independent and interdependent states, or two quasi-independent and interdependent state-sharers. This, in my opinion, is an accurate reflection of reality, lending more credence to the notion of the irrelevance of the one or two state debate. Ultimately, one or two states won't look that different once rights are normalized. What both of them have in common is the extension of rights to the have-nots (Palestinians), but not at the expense of the haves (Israelis). My contention is that both entities will have to share an ecosystem in which both parties enjoy equal rights, in a similar fashion to Ohio and Pennsylvania, or Italian-speaking and German-speaking Switzerland.

6. The Palestinian Dimension: Role Players, Self-Renewal and Obstacles

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Today, Palestinian political strategy is being driven in the total absence of a functioning political system. Israel's forced fragmentation of our geographic reality mixed with internal political party divisions, disgust, despair and incompetence, the status quo tears apart Palestine's societal fabric. If it remains on its current course, the train of national liberation is bound to derail, resulting in serious, if not permanent, damage to our bid for freedom and independence.

Repairing the Palestinian political system cannot wait any longer.

The following are a few strategic priorities to repair the Palestinian political system, as well as our national liberation movement:

- **Applying accountability** – It is no longer acceptable that those responsible, politically or otherwise, for our current state of affairs should still be put forward as our saviors. Until the public sees more than a public relations effort to expose failed or criminal elements in our society, then whatever political strategy is chosen will have little legitimacy.
- **Addressing governance** – This is the issue everyone speaks about but no one addresses. How can we seriously move forward with no political system in place? The politically-orientated gatherings organized every week by well-meaning community catalysts cannot serve as a substitute for a

¹⁶ The core of this argument was developed in a policy paper written for Open Democracy and the Palestine Chronicle. Sam Bahour, *Resetting Palestine's Political System*, Open Democracy, February 2015 (<https://www.opendemocracy.net/arab-awakening/sam-bahour/resetting-palestine's-political-system>). An Arabic version of this paper was published by Al Quds newspaper on 27 February 2015 (<http://www.epalestine.com/resetting-pdf-ar.pdf>)

functioning political system. The successful round of municipal elections that were held in the West Bank are a baby step forward, and they must continue, where possible, until all municipal governments are not only elected, but also respect their term in office.

However, municipal-level government is not the arena where political strategy emerges. The leadership and organs of the Palestine Liberation Organization (PLO) and every Palestinian Authority governing unit must regain their credibility before the Palestinian people - inside Palestine and abroad.

Elections may serve a purpose, but they are not a silver bullet. To drive this point home, I urge all Palestinians to [watch a TED talk](#)¹⁷ by the venture capitalist and political scientist, Eric X Li, who argues that China will “morally challenge” the universality claim of western democratic systems. The point is that there are many ways to reach collective leadership at every level of governance; so what are we Palestinians waiting for?

- **Building capacity for the UN battle** – Joining the International Criminal Court (ICC) was a bold and long overdue step, but taking advantage of what this membership has to offer is bound to be a long and hard process. New tools are available to us in order to challenge occupation at an operational level, in strategically chosen international venues. For that to happen, we need dedicated, trained and committed human resources. The quality of our current diplomatic corps leaves much to be desired. The public threat to enter 500+ international treaties and organizations rings hollow to those who know the current state of our human resources, and doubt that our leadership has the expertise or political will to truly take full advantage of international law for the benefit of our cause. This is a dangerous perception. If we are to take statehood seriously, and if we want the world to take us seriously, then we must mobilize human resources that are capable of rising to the occasion.

Only when we work on the three imperatives outlined above will we be in a position to genuinely commence planning our path to freedom and independence.

In the meantime, why do we waste time in dwelling on the need to choose forms of resistance? At least, can we not agree that all internationally and morally acceptable forms of resistance should be supported? These include diplomatic efforts, economic resistance, civil disobedience, the ICC, Boycott, Divestment and Sanctions (BDS), etc. These are all tactics, but they are not a political strategy. Once the political strategic direction is defined, then the intensity of any or all of these tactics can be revisited. But until a political strategy is defined, who is to say which tactic of resistance is valid or invalid?

¹⁷ Eric X Lee, *A tale of two political systems*, June 2013, TedGlobal
(http://www.ted.com/talks/eric_x_li_a_tale_of_two_political_systems?language=en)

7. The Basics for a Political Strategy

We must go back to basics, and ask the political parties - as well as the PLO leadership - a few fundamental questions that can be used as starting points for a new political program. For example, in 2016, do we:

1. Accept international law and UN resolutions as our political terms of reference?
2. Recognize the State of Israel? Not the indefinable 'Jewish' state, but rather the state that is a UN member?
3. Recognize only the State of Palestine of 1948, the state in our hearts and poetry? Or, recognize the *New State of Palestine* (it is unfortunate that we did not call it *new* in the UN bid for statehood, in order to clearly emphasize the distinction between the new and historic states) that has sat in the UN as a non-member observer since November 29, 2012?

Seeing the answer to these and other questions, in writing, from the PLO and major political parties would speak volumes. It would, at the very least, let the Palestinian people know where we stand.

Concurrently, it should be noted that various civil society efforts¹⁸ are charting the options that are available to the national liberation movement. One such effort that I'm involved with is spearheaded by the Palestine Strategy Group (PSG)¹⁹. PSG have produced several publications in this regard, the first being a scenario planning exercise in 2008 that involved all walks of Palestinian political life, titled "*Regaining The Initiative: Palestinian Strategic Options To End Israeli Occupation.*"²⁰ More recently, PSG addressed the need for "*A diplomatic strategy for national liberation.*"²¹ Although these efforts cannot replace politically-adopted Palestinian positions, they are useful inputs to help put the Palestinian political house in order.

We have spent far too much time massaging a reality that we all see and acknowledge as strategically troubling, or outright catastrophic. Yet, little has been done to try to repair the Palestinian political system, although this cannot wait any longer. A just cause is at stake.

8. Current Opportunities

The one-state option may reflect absolute justice, but, at best, this is an academic notion given today's system of global governance and the all too real trail of impairment that history leaves in its path. In a world of *realpolitik*, livable one-state is an illusion, one that makes us feel great, but has little political potential to change reality, at least in today's state of affairs:

¹⁸ Organizations such as [Al-Shabaka](#), [The Palestinian Policy Network](#), [The Palestinian Center for Policy Research & Strategic Studies – Masarat](#), [Palestine Strategy Group \(PSG\)](#), and the [Palestinian Center for Policy and Survey Research \(PSR\)](#)

¹⁹ <http://www.palestinestrategygroup.ps/en/>

²⁰ Palestine Strategy Study Group, *Regaining the Initiative: Palestinian Strategic Options to End the Occupation*, August 2008. (<http://www.palestinestrategygroup.ps/wp-content/uploads/2015/09/Report-2008.pdf>)

²¹ The Palestine Strategy Group, *A diplomatic strategy for national liberation*, June 2015.

(<http://www.palestinestrategygroup.ps/wp-content/uploads/2015/09/A-diplomatic-Strategy-for-National-Liberation-Report.pdf>)

'It [one-state] has little international support, and crucially there is no reason why Israel and its U.S. sponsor would accept it. The two-state solution is impossible to achieve: Israel and the U.S. have a far preferable option, the one they are now implementing; with impunity, thanks to U.S. power ... Negotiations must be mediated by the U.S., which is not a neutral party but rather a participant in the conflict.'²²

The name of the game being played to maintain a seeming status quo is to keep the illusory appearance of a conflict resolution process (the much ridiculed 'Peace Process'), hence the frequent trumpeting of the word 'peace' by all spectrums of American politics – even those who support occupation. There is no requirement that this process ever ends. The status quo continues indefinitely, allowing Greater Israel to consolidate its position through continued land confiscation, settlement building and ethnic cleansing, with the tacit blessing of large sections of American public life:

'If you date the political origin of the conflict back to the 1917 Balfour Declaration (before then Zionism was basically a self-help operation), you're talking about a century-long conflict. When a conflict endures for such a protracted period of time, huge numbers of individuals and institutions develop a vested interest not in its resolution but instead in its perpetuation; what's now called, only half-facetiously, the Peace Industry. Many are now consumed by the dreadful prospect that after a full century, it might actually end. It does send shivers down the spine: the Israel-Palestine conflict might be over. All those UN special sessions and special committees; all those Ramallah-based NGOs, Israeli and Palestinian human rights organizations, and conflict-resolution getaways; all those IMF, World Bank, Crisis Group reports; all those academic programs—Israel Studies, Holocaust Studies—which sprung up to justify Israeli policy (none can lay a claim to intellectual content, and most have been subsidized by wealthy right-wing Jews); all those film festivals, scholarly studies, memoirs and "poetry"; all those Washington-based Israel "think"-tanks; all those Palestine solidarity activists, groups, websites, researchers, and analysts (present company included) ... A huge, sprawling superstructure has been built on the Israel-Palestine conflict...'²³

So, what is to be done? This question is more important now than it has ever been, given Israel is clearly showing its true colors to the world with its current government. As Israel spews blatant racism, institutionalized discrimination, and a clear intention to never allow a Palestinian state to emerge or to grant full citizenship to Palestinians living under its military occupation, it is clear to all that an extremely dangerous point has been reached. The clarity of the Israeli government's political position poses a unique opportunity that should not be missed.

²² Noam Chomsky, *What Comes Next: The one state/two state debate is irrelevant as Israel and the US consolidate Greater Israel*, Mondoweiss, 24 October 2013 (<http://mondoweiss.net/2013/10/statetwo-irrelevant-consolidate>).

²³ Norman Finkelstein & Jamie Stern-Weiner, *The End Of Palestine? An Interview With Norman G. Finkelstein*, New Left Project, 11 January 2014 (http://www.newleftproject.org/index.php/site/article_comments/the_end_of_palestine_an_interview_with_norman_g._finkelstein).

Palestinians cannot, alone, end—or even significantly relieve—the state of misery caused by Israeli dispossession, discrimination, and occupation. Thus, we must find a way to cast a much wider net, and bring into the realm of action those who may not be able to walk the entire trail of our struggle, but can assist us in bringing it to an end.

Even the United States - far from being a neutral party to the conflict – is more frustrated with Israel than it has ever been. This frustration surfaced on several occasions during the Obama Administration’s life-span: first, with the failure of Special Envoy for Middle East Peace George Mitchell; then the inability for Obama to oblige Netanyahu to halt settlement construction; and, more recently, with the multiple failures of Secretary of State John Kerry to restart bilateral negotiations. This led Secretary Kerry to use the words “apartheid state” in describing Israel, although he retracted this the following day. However, it speaks volumes when a U.S. Secretary of State publicly contemplates the notion of apartheid to describe today’s Israel.

In 2012, in a Tel Aviv speech, Mr. Philip Gordon, A White House Adviser, indicated that the “U.S. can’t stop a ‘tsunami’ of boycott and isolation if Israel won’t end occupation.”²⁴ Further to the point, a day before the Israeli Prime Minister arrived for his latest White House visit, the Obama Administration publically floated the thought that Israel is heading to a “one state” reality and Secretary Kerry repeated the theme by saying an “untenable one-state reality” is taking hold.²⁵ It is rarely the case that the U.S. publically criticizes Israel time and time again, and we should not underestimate the seismic shift that these statements represent in U.S. politics.

If we are truly convinced that we are in a political struggle, which we are, then **we must play politics**, a game where persons and efforts who have common cause, not necessarily a total overlap of ideologies or values, find a way to work together. Those who want to work to a political end-game of one or two states should be encouraged to do so, but not at the cost of realizing our rights. Embedded within these efforts should be the issue of **immediate recognition of Palestinian rights and the call for accountability of those entities and persons that are hindering their realization, be they Israeli or otherwise.**

A rights-first approach and calling for the defined political end-game (two-states), while internally allowing for alternative political end-games to be debated, are complementary and not contradictory processes. We need to build political capital in the international community, asking it to demand Israeli adherence to international humanitarian law (Geneva Conventions on the rights of occupied populations), and to hold Israel accountable for denying rights to subjects under its military rule, given every country in the world, except Israel, view the current state of affairs as a military occupation. When Israel refuses, it should be held accountable in the most serious ways. The Israeli government should be put on notice that, by the fiftieth anniversary of the occupation, it must make up its mind definitively, one way or the other. Half a century is surely enough time to decide. This would give Israel until June 2017 to make its choice between relinquishing the occupied territory - either directly to the Palestinians

²⁴ See Phillip Weiss, *White House says US can’t stop ‘tsunami’ of boycott and isolation if Israel won’t end ‘occupations’*, Mondoweiss, July 2014 (<http://mondoweiss.net/2014/07/boycott-isolation-occupations>).

²⁵ See Phillip Weiss, *‘Untenable one-state reality’ is taking hold, Kerry tells Israel supporters*, Mondoweiss, December 2015 (<http://mondoweiss.net/2015/12/untenable-reality-supporters>)

or possibly to an international trusteeship - or alternatively granting full and equal citizenship rights to everyone living under its jurisdiction.

Should Israel not choose the first option by the target date, the international community may then conclude that Israel's government had opted by default for the second option, that of civic equality. Other governments, individually or collectively, and international civil society, may then feel at liberty to hold the Israeli government accountable to that benchmark. We need to break free of the divisive and increasingly stifling one-state-versus-two-states straight-jacket that tends to polarize debate and, in practice, ends up perpetuating the status quo — which is a form of one state, albeit an inequitable one. I propose to bring matters to a head and to enable people to advocate equal rights for Palestinians and Israelis, in one form or another, free of the implication that this necessarily carries a threat to the existence of Israel, to the creation of a future Palestinian state, or to the rights enjoyed by Israeli citizens.

To be clear, this is not a call for a one state, not yet at least. How Israelis and Palestinians wish to live alongside each other is for them to decide and the indications are that both peoples still prefer to exercise their self-determination in their own independent states. A rights-first approach would not foreclose this option. It would remain open for Palestinians to continue to agitate for sovereignty over the West Bank, including East Jerusalem, and Gaza, for a future Israeli government to relinquish these territories and, in extremis, for the Security Council to enforce the creation of two states through the UN Charter's Chapter VII mechanism. However, until this is finally determined, equal treatment should replace ethnic discrimination as the legitimate default position recognized by the international community.

A similar, individual, rights-based principle should extend throughout the region. The stateless Palestinians — not just the four million living under Israeli military occupation but also the five million who have been living as refugees in the surrounding states for the past 68 years — suffer discrimination all over the Middle East. In almost every Arab state, their rights are severely curtailed and they are mostly denied citizenship, even where they, their parents or their grandparents were born in the country. Whatever may have been the original explanation, their continuing limbo status is shameful, so many years on. Palestinians living outside of Historic Palestine do not forfeit any of their national rights by demanding and gaining individual rights in their current place of residence.

The bottom line is that until the Palestinians, like the Israelis, achieve their primary choice of self-determination in their own state (if they ever do), they should no longer, in the modern era, be denied equal rights in whatever lands they inhabit. In the case of Israel and its indefinite occupation, this means putting an end to ambiguities that have lasted far too long.

9. Policy Recommendations to Decision-Makers

The following policy recommendations are made to the various key actors:

- **Palestine Liberation Organization (PLO)**

The PLO is the only Palestinian political agency in operation today. In order to re-legitimize its position, it must reconstitute itself into a representative body at the general public level, via its multitude of organs and units that - at one time - engaged all sectors of Palestinian society globally (e.g. unions, syndicates, guilds, etc.).

Given the November 29, 2012 UNGA resolution A/RES/67/19,²⁶ noting that the "Executive Committee of the Palestine Liberation Organization, in accordance with a decision by the Palestine National Council, is entrusted with the powers and responsibilities of the Provisional Government of the State of Palestine," the PLO should reaffirm its primacy in this role in order to mitigate the political damage caused by the Oslo process, and to become once again a true representative of the fragmented Palestinian people.

The PLO should continue on its path toward utilizing the new tools available to us - following the November 29, 2012 upgrade in UN status - in order to challenge occupation at an operational level in strategically chosen international venues, most notably the ICC.

President Abbas must travel to Gaza and stay there until the reconciliation agreement is implemented. Before he goes, it is imperative that he appoint a Vice President. The issue of appointing a deputy is long overdue, but to understand the urgent need for this I urge all to read the article written by Attorney Haytham Zubi in 2013: "*Calm Constitutional Advice to the President.*"²⁷

The PLO and President Abbas must broaden the scope of the Central Elections Commission to allow it to begin the long and tedious process of registering Palestinians worldwide. It is unacceptable that there has been no serious effort to create a population registry of all Palestinians, not only those under occupation.

The PLO and President Abbas must also activate a new and progressive Political Party Law, to allow new political groupings to legitimately enter the Palestinian political arena. We are deluding ourselves in thinking that the traditional political parties are alive and well, or even have any meaningful existence today. New political thought, and organization, is urgently needed, if Palestinian politics are to survive the tests of time and popular legitimacy.

- **Palestinian Authority (PA)**

The PA should reduce its role from an ineffective quasi-state apparatus and to a representative administrative body, overseeing the daily issues of Palestinians living under Israeli military occupation. The PA must stop viewing itself as the sole entity responsible for – or capable of – preparing for

²⁶ United Nations, A/RES/67/19, *Resolution adopted by the General Assembly on 29 November 2012* (http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/67/19)

²⁷ Haytham Zubi, *مشورة دستورية هادئة الى سيادة الرئيس الفلسطيني*, Al-Quds Newspaper, July 20, 2013

statehood, given that it does not have the mandate to represent all Palestinians in its operations. The PA must lead grassroots resistance to the occupation.

- **Palestinian Civil Society**

It is imperative that Palestinian civil society align itself politically with the national liberation movement, in terms of both focusing on strategies to immediately address acquiring our rights, as well as rallying behind the agreed two-state paradigm. Any variance from these goals should be articulated and lobbied for within the Palestinian political system. Ignoring the issue of political end-games or articulating rhetorical - but not political - end-games are both self-defeating. Civil society has to get political.

10. The Non-Palestinian Dimension: Israel, the U.S. and the International Community

- **Israel**

I have no recommendations for the State of Israel, per se. The current Netanyahu government is profusely clear in its intention to never allow the emergence of Palestinian self-determination. Likewise, it is uninterested in voluntarily removing its restrictions on Palestinian rights. Thus, official Israeli policy is a known commodity and has been so for a long time - there is little hope that Israel will change from within.

On the other hand, Arab political agency in Israel can be engaged to build traction for a rights-based approach. As the third-largest party (Joint List) in Israel's Parliament, Palestinian citizens of Israel have a notable amount of political capital at their disposal, albeit they operate in a structurally discriminatory environment. The first time Palestinian citizens of Israel displayed this mode of proactive political agency was in 2006-7, when they produced 'future vision' documents, such as *The Haifa Declaration* published by Mada al-Carmel (Arab Center for Applied Social Research in Haifa), and *The Democratic Constitution* published by Adalah (the Legal Center for Arab Minority Rights in Israel). These ground-breaking documents describe how Israel can - and must - evolve into a country for all its citizens, regardless of religion.

The collective challenge these documents posed to the particularistic Jewish foundation of Israel was so shocking that mainstream Israeli society, after an initial frenzy of outrage, opted mostly to ignore them altogether. All of this happened inside Israel proper, not in the Israeli-occupied territory of the West Bank, Gaza Strip and East Jerusalem. With sound visions for a better future in place and an electoral victory by their Palestinian brethren in Israel, Palestinians living under Israel's nearly five-decade-old military rule in the Occupied Territories are now poised to make a game-changing strategic shift toward civil rights, with a new (or renewed) political agency that would render Israel's regime of force as naked as the proverbial emperor with no clothes.

While the international community remains in a state of political paralysis, the two-state solution steadily recedes to a far off goal. In the meantime, Palestinians have been left with a defunct national liberation

movement (the PLO), an ageing leadership fraught with disunity, and two long-term strategies that have failed utterly: armed struggle and bilateral negotiations. Instead of frantically trying to revive the PLO as the representative agency of all Palestinians – those under occupation, citizens of Israel, refugees and those in the Diaspora – Palestinians can simply look to the Palestinian political parties inside Israel and already represented in the Knesset, the political body which maintains our disenfranchisement.

In a way, this would not be a wholly exceptional act, since Israel, as the sole sovereign power between the Mediterranean Sea and the Jordan River, governs all three constituencies: Israelis and Palestinians in Israel, as well as Palestinians under occupation in the Occupied Territories.

- **United States**

The United States should recognize the State of Palestine in the same way it has recognized the State of Israel, without one of its borders fully defined. President Obama should grant U.S. recognition of Palestine as an independent state, albeit an occupied one. Such an elementary step is long overdue and may be the sole act that saves the two-state solution. Recognizing Palestine would not be such a groundbreaking move. In 2013, 138 countries acknowledged Palestine as a non-member observer State in the United Nations. Only the U.S. and eight others opposed this (Canada, Czech Republic, Micronesia, Israel, Marshall Islands, Nauru, Palau and Panama). Furthermore, since the 1988 Palestinian Declaration of Independence, over 130 states have already unilaterally recognized Palestine, including the Vatican. In the limited time left in his Presidency, Obama can save his legacy in the Middle East by recognizing Palestine, an act in total alignment with U.S. foreign policy principles of two states for two peoples, Palestinians and Israelis.

- **Other international actors**

The international community holds the most options to positively affect the dual process of realizing Palestinian rights and reaching an equitable end-game. These options are outlined below:

- As argued throughout this paper, it is high time for the international community to hold Israel accountable to being a military occupier, and demand that it ends its occupation; or revisit their policy towards Israel (should it refuse to accept its status as a military occupier); by holding it accountable to its discriminatory policies towards Palestinians under its jurisdiction on both sides of the Green Line.
- Third States must implement their own domestic laws as they relate to Israel. The EU has already begun taking baby steps toward forcing Israel to distinguish between its 'legitimate' activities and those in the Occupied Territory. This practice should increase - and become more penalizing - towards illegal Israeli activity, such as settlement building and trading in settlement products.
- Apply economic sanctions on Israel until it complies with international law. Of primary importance is to stop trade with Israel's settlements; and to stop trading with Israel as it relates to arms, security-related products, and precious metals (e.g. diamonds).
- Apply political sanctions on Israel until it complies with international law.

11. Conclusion

The 'black and white' view of one or two states is self-defeating; the fact is, restricting the dialogue to such territorial issues that focus on the form of statehood crowds out our primary need: **rights**. We should not drop our call and progress made toward statehood, as if such issues are push-button driven, and call for one state, which in today's mindset in Israel is a full-scale, permanent Apartheid state. Until national sovereignty is a realistic agenda for Palestine, we demand to be dealt with as equal subjects under Israeli rule, the only sovereign entity that exists between the sea and the river. Simultaneously, we should not shy away from aligning ourselves with the defined and internationally acclaimed political end-game.

We must get political. Civil society must build the necessary alliances to bring Palestinian rights to the forefront of the international agenda on Israeli-Palestinian conflict resolution. Today, we have no choice but to accept the apartheid one-state reality that we are living in now, and keep the two-state door open, while simultaneously bringing the issue of rights to the forefront of our demands. Our strongest ally is international civil society, but we cannot stop at civil society; it would be stopping short of affecting change. Instead we must leverage the widespread support of civil society in all corners of the world to get states to act, politically and otherwise, to support our just and internationally aligned struggle for freedom and independence.

If Palestinians' rights continue to be denied and Palestinian statehood continues to be ignored by the powers that be, the risk is that Palestinians will redefine their self-determination away from statehood altogether and convert the struggle to a purely civil rights one; at that point, the game is over – even if the struggle for full civil rights lasts another fifty years. One day, Jewish Israelis and Jews around the world could find themselves gazing at the erstwhile 'Jewish State' and admiring (in spite of themselves) Israel's new, grand, pluralistic incarnation, while perhaps wondering nostalgically why they failed to encourage the emergence of an independent State of Palestine when they had the chance. Meanwhile, for the Palestinians to realize a path forward, a Palestinian-led international campaign is needed, leveraging support across the globe, to pressure the Israeli government into making its choice by the proposed deadline: ending the occupation, or equal treatment of all subjects under its control until a political solution is found.

Comment by Radi Jarai:

Sam Bahour's paper is based on the reduction of the possible solutions of the Palestinian Israeli struggle along two complementary paths. The first is to struggle to achieve the individual's universal human rights including the economic and social rights, and the rights of the Palestinian refugees to return to their homes, with full rights of citizenship and without any discrimination based on ethnicity, religion, color, or gender. The second path is based on the two-state solution where the Palestinians collectively demand their national right to build an independent Palestinian state along the boundaries of the forth of June 4, 1967. There is no doubt that the option adopted by the Palestine Liberation Organization in 1974 cost the Palestinians dearly in terms of their acceptance of the Security Council's 242 and 338 resolutions. This led to the declaration of independence by the Palestinian National Council (PNC) in its 1988 meeting held in Algiers, and to the rejection of terrorism as demanded by the United States of America as a condition for the participation of PLO in the Madrid Peace Conference held in October of 1991. The resulting indirect peace negotiations between the Palestinians and Israelis in Washington did not achieve any tangible results. These negotiations were paralleled by the secretly held Oslo negotiations which resulted in the signing of the Oslo Accords where the Palestinians accepted significant concessions.

The writer opines, and I agree with him, that the path of the struggle to achieve individual rights could be more effective than achieving national rights, and that the final political outcome, whether it is the two-state solution, or the binational state solution, does not matter as long as the Palestinians achieve their economic, social, and political rights for all the different sectors of the Palestinian society still living in historic Palestine and in the diaspora. The writer also stresses that the struggle in either path, should not conflict with the struggle of the other path.

Israel's acceptance of either solution –the two-state solution, or the binational-state solution – is a must, and must include her acceptance of the resulting liabilities. The writer then outlines an assumed role that must be played by the international community to force Israel to accept one of the two options, including the non-realistic application of Chapter VII of the United Nations Charter, i.e. the use of military intervention to force Israel to withdraw to the 1967 border.

The author then refers to the statements of the American Secretary of State, and to statements by the official spokesman of the Department of State, and to statements by the National Security Advisor of President Barak Obama, which imply that the two-state option is either bankrupt, or has already failed completely. I add to these the similar repeated statements by the Palestinian President Mahmoud Abbas, and the head of the Palestinian negotiations team, who declared the failure of the two-decades long negotiations. In addition to this, there are the Israeli hardline positions including the repeated statements of Israeli officials, the pledge by the Israeli prime minister to his constituency that he will block the creation of a Palestinian state, and the systematic Israeli policies on the ground designed to block any chance for the achievement of the two-state solution. These realistic statements from the three players in the so called peace process are unanimous that the path of the two-state solution has failed.

Israel has imposed a racist system – Apartheid – against the Palestinian citizens of Israel. According to the human rights organization "Adalah,"²⁸ there are more than forty Israeli laws designed to discriminate against the Palestinians and to deprive them of their rights. This was confirmed by a recent report from the US' State Department referred to in this paper. The Palestinian citizen of Israel have been demanding equality and the rights of citizenship for decades, but to no avail. If it was ever possible to achieve equality under the current Israeli system, it would have happened after seven decades of "coexistence"

²⁸ The Legal Center for Arab Minority Rights in Israel. <http://www.adalah.org/>

with the Jews inside Israel. But Israel is a truly Apartheid state. This I find myself agreeing upon with the author, for Apartheid is a crime against humanity according to international law.

Zionism does not accept the other; its goal is well defined and clear: to execute the Zionist Project by occupying all of historic Palestine, and build the "Iron Wall" which was ingrained in their ideology by Jabotinsky in the twenties of the last century. This ideology is adopted by the Israeli political system, especially the governing Likud party. Under these conditions, what are we to do? To answer this question, should we accept the mirage of the two-state solution, and endless the negotiations to achieve it, and accept to live under the shadows of a Zionist Apartheid worse than the extinct Apartheid of South Africa? Is it realistic for us to keep waiting for the international community to field huge armies to evict Israel out of the 1967 borders? Should we continue exerting all of our political cards towards a failing project and squander our energies, and waste our efforts?

In my opinion there are two levels in the analysis of international politics. First, there is the politics of relations between countries. This level is based on the mutual interests between countries, not on values, principles, and justice. We did navigate this path, and as a result we do not lack formal international resolutions: there is the unfair resolution number 181, which partitioned Palestine in 1947, and we have the resolutions 194, 242, 338 up to the recognition of Palestine as an observer state in the United Nations. All of these resolutions proved to be ineffectual, without any possibility of implementation. The second level of politics is the level focused on winning the sympathy of the world's public opinion. This domain, in my estimate, is more effective and feasible, as exemplified by the experiments of South Africa, and Gandhi's in India. When the BDS campaign started in South Africa in the sixties of the last century, it was opposed by the United States, and all the European countries. But when it was able to gain the sympathy of the popular opinion in these countries, the governments were forced to follow suit, and moved to boycott the racist system of South Africa. Then the Apartheid system capitulated and accepted the democratic solution. This is also starting to materialize for the Palestinian BDS movement launched by the Palestinian civil society organizations in 2005. Since then, it has achieved significant successes pointing to the feasibility of this kind of political activism.

Hence, the one binational state solution is the only solution capable of uniting the Palestinian people. It is the solution which will allow them to bypass their crippling divisions, and will enable them to achieve their goals as a united society. The two-state solution on the other hand only partially solves the Palestinian problem, and ignores many underlying issues. The binational state solution empowers the Palestinians; it will transform them into an actor in forming their destiny. The solution of the one democratic state will be founded on the pillars of international values: freedom, equality, democracy, and human rights. These are the same values of Western democracies. Adopting this option, will present an ethical challenge to the international community: either stand by the democratic values you believe in, or with Apartheid. I presume the international community is not in a position to tolerate an Apartheid system in the twenty first century, the popular demand will be to side with the democratic solution. We will not be asking for mighty armies to fight Israel, but will be asking for boycotting a racist entity to isolate it and banish it from international institutions, including the United Nations.

To achieve these results, we have to enlighten our people and disseminate amongst them the reality that our struggle is long term, and that there is no coexistence with the racist Zionism ideology. We have to teach them that there is no alternative to uniting the Palestinian people around the basic strategy of demanding freedom, equality, democracy, and the achievement of our dream of returning to our homeland and our lost properties. We also have to create a network of relationships with progressive and left leaning organizations in the international theater in order to elevate the Palestinian cause to become the symbol of struggle for freedom and equality for all. We should also invest in our communities in the diaspora to help recruit supporters and to frame Israel as the state of Apartheid. We even could see now that there are encouraging signs among the world's elites, and even inside Israel, of the rejection of the Zionist colonial project.

When the Israeli public finds itself isolated and boycotted by the international community, along with facing a continuing internal Palestinian resistance supported by the Arab and Islamic peoples, it will be forced to seriously think of accepting to live according to the principles of a coexistence based on equality and democracy under the one binational solution. Our mission must be the elaboration of the details of a new liberating democratic national project and make it the standard of democracy, not only as the antithesis of the Zionist project, but also as the standard for the national liberation movements across the world.

There is no doubt that we have any disagreement on the need of reforming the PA, and the PLO, on enhancing the democratic values and practice of the Palestinian political system, and on facing the dire issues in the current Palestinian reality, but this will not achieve the independent states within the 1967 borders. I fully realize that the transformation of the existing strategy to a new strategy with new aspiration requires a comprehensive intellectual debate, and a new political structure, along with a popular understanding capable of digesting and then supporting all the required changes. It is not required from the PA at this stage to adopt this solution (the binational solution). But it will, once it becomes convinced of its own failure, and accepts the responsibility and consequences of this failure. In the meantime, the national organizations and institutions must start the required national debate to elucidate a “new Palestine” concept. Only then, a new national leadership will rise, a leadership capable of enduring the burdens of the struggle to achieve the democratic binational state solution on all the lands of historic Palestine, and thus defeating the racist colonialist Zionist Project.

Comment by Mohammed Daraghmeh:

The Palestinian official policy adopts the two-state solution, and will continue to abide by it for the following reasons. The first is this solution enjoys the intellectual support of the international community whose institutions and literature endorsed the right of the Palestinians to establish an independent state within the borders of 1967. It does not seem that these international institutions are willing to adopt alternative solutions along the lines of the binational state. The Palestinians worry that changing the goals of establishing the two-state solution with the binational state solution will remove the Palestinian cause from the international agenda and priorities, without achieving anything. The Palestinians also worry that replacing the two-state solution with another solution will legitimize the Jewish colonial settlement project on the lands allocated for the creation of the two-state solution, an allocation supported by the United Nations, and many European countries. This follows from the opinion that backtracking from the two-state solution will imply that the Jews and Palestinians possess the right of establishing a state on all the lands of historic Palestine, which contradicts the basis of the Palestinian rejection of the Israeli colonial project in the West Bank and gives it legal and international legitimacy.

Palestinians also worry that backtracking from the two-state solution will squander and end decades of painful struggle against the occupation and the colonization of Palestinian lands. They also fear that rejecting the two-state solution at this stage will end the PA's efforts to internationalize the Palestinian cause through joining international institutions such as the International Criminal Court, and will end the efforts of the solidarity movement to isolate the colonial settlements, their products, and institutions. It will also jeopardize the efforts to prosecute the leadership of Israel in international courts for the war crimes committed against the Palestinian people. All of this might be lost, while the details of the proposed new path are not clarified, and the prospects of its international acceptance, and the chances of supporting its implementation are not known. Other factors behind the continued support of the Palestinian leadership of the two-state solution include their interest in preserving the current status quo of the PA's institutions which provide them the lucrative privileges enjoyed by them and their protégés.

But the new Palestinian generation does not show strong devotion to the two-state solution. This generation have lived and witnessed the Israeli deception practiced for two decades, during which, the Israeli authorities exploited the negotiations as a cover to vastly increase the number, size, and populations of its colonial settlements in the West Bank. They also witnessed the collapse of the surrounding national Arab states, one after the other, such as in Syria, Iraq, and Libya. The fact that the rest of the surviving Arab states do not provide even a semblance of providing their citizens with the basics of dignified life, especially basic personal freedoms, equality of opportunities and equality before the law, the right to elect and share in governess. Instead they have witnessed more oppression, corruption, and repression of any opposition.

The experience of the new generation of Palestinians with the PA is the main reason for the waning of their will to confront the occupation and to continue the struggle for the two-state solution. Many of the Palestinian new generations see the PA as a club for a narrow sector of the Palestinians who enjoy great privileges while the rest of the people suffer from poverty, unemployment, and exclusion.

The PA has failed in building a good governing model deserved by a society suffering from long foreign occupation, from the theft of its land, and the attrition of its resources and energies. The division among the Palestinians also sapped the new generation's belief in the independent state. The infighting between the different Palestinian factions, the collapse of the legislative and overseeing institutions, the relapse of personal freedoms in Gaza and the West Bank, and the siege imposed on two million Palestinians in Gaza for many years, convinced many that the PA does not worth their sacrifices. But the diminishing support of the PA does not mean the new generation acceptance of the occupation. This is exemplified by the recent round of confrontations with Israel, called by some "the popular rising," and by others "the third Intifada," or the "knives uprising." What is remarkable about these confrontations is the participants declare that they are demonstrating against the occupation, and not in support of the state.

Israel:

Many Palestinians, including myself, profess a preference of the binational state solution over the two-state solution. The reasons include the failure of the national Arab states, the failure of the PA to provide a modern form of governance, and also due to the excellence of the Israeli economy and institutions including its parliament, its journalism, its police, its legal system, its universities and colleges, its infrastructure such as roads, airports, trains, etc.

However, we do not have any illusions about achieving the binational state in the foreseeable future and for many reasons, chief among them is Israel's restrictions of the benefits of the Israeli economy to Jews only, and the basic racism of the Israeli state and its institutions, which is based on favoring the "Jewish ethnicity" over all other ethnicities, especially the Arabs. From this perspective, the hurdles which prevented the creation of the Palestinian state within the 1967 borders pale when compared to the hurdles facing the creation of the binational state.

The Judea State:

The current Israeli government follows a strategy based on preserving the status quo. This allows it to continue the Judaization of Jerusalem, and the continued planning and execution of ejecting more than one hundred thousand of its Arab inhabitants to areas behind the "Separation Wall." It will also allow it to annex the area of the Jordan valley belonging to the West Bank, or large chunks of it. This area compromises 28% of the area of the West Bank.

Currently, the Jordan Valley area is inhabited by 60 thousand Palestinians, and five thousand colonialist settlers, who are empowered to control 92% of its land and water resources. The settlers in East Jerusalem number more than 250 thousand, with four thousand living in the old city – three thousand living in the Jewish quarter, and one thousand distributed in the Muslim and Christian quarters. Israel is also continuing the process of controlling Area C, which compromises 60% of the West Bank. It considers

it as a land reserve for the expansion of its colonial settlements, and does not allow any expansion of Palestinian communities on this land, even if that meant the death of the political process. The colonial settlers in the West Bank number more than 681 thousand, which amounts to 22% of the inhabitants of the West Bank. The latest Israeli statistics shows that the numbers of the settlers behind the “green line” will increase in the next ten years to a million settlers, a number close to the Jews who established the Israeli state in 1948. It is evident, that if Israel does not implement the two-state solution, it will face a demographic problem, since the number of Palestinians living west of the river Jordan is projected to reach 53% by 2020. This reason alone should push Israel to look for a solution.

Rights:

In his paper, the writer proposes that the Palestinians should struggle to achieve their civil rights. This is acceptable, but it raises a question: does this form the basis to solve the problem of the status quo (no-solution), or does it lead us to a solution? The option of demanding our rights requires the use of the available laws by Israel. This is possible. But, it requires observance of the option of nonviolent resistance, an option which in the past have led to a state of high alert in all Israeli institutions to stand as an impenetrable barrier against any Palestinian accomplishments in the realm of rights. An example: after the outbreak of the second intifada in 2000, Israel canceled the right of Palestinian family reunifications for families living in Israel proper. It also and the legislated laws preventing Palestinian labor from work in Israel.

It is clear that Israel rejects both of the two-state solution, and the binational state solution. Israel will never accept to grant the Palestinians their full rights to the land, water, Jerusalem, and water resources. But, in the periods of calm, it will allow the Palestinians a measure of improvement in their residency, without achieving equality with Jews.

It seems to me that the Palestinian people are in need to open a wide discussion about a new national project, with strong representation from the new generation living in Palestine and in the diaspora. The age of factionalism is retreating without a pause, and there are many Palestinian bodies around the world with new and innovative ideas.

Autonomy:

Israel is indicating through certain policies and actions that it is working to create a Palestinian autonomy in certain parts of the West Bank with an area that does not exceed 50% of its total area, and to grant the rest to extremist settlers with racist inclinations, to build the “Judea State” in the West Bank.²⁹

It is clear that the colonial settlements in the West Bank will lead to explosive confrontations between the Palestinians and the Jewish settlers supported by Israel. This will create an impassable obstacle against the realization by the Palestinians of their basic rights, and will strengthen the Apartheid system.

Other ideas advanced by some Israelis as an alternative to the two-state solution and the autonomy rejected by the Palestinians include a confederation between Palestinians and Jews on the land of Israel, or historic Palestine. Some Palestinians express openness to this idea because it provides some advantages to them, including keeping their historical, cultural, and emotional ties with villages and cities which they were forcibly evicted from. This option, however, does not return to them their rights to their lands, which will be passed to the Jews. It also allows Israel to banish the Palestinians, who form a foreign element within the Jewish identity of Israel.

Conclusion:

It is clear that all paths to a political solution are closed. The binational state, the two-state, and the confederal or the federal solutions are all closed. This is true because Israel and its institutions adopt a

²⁹ https://en.wikipedia.org/wiki/State_of_Judea

colonial settler project, which plans to Judaize the greatest and most important parts of the West Bank, and which aims to continually repress the Palestinians to force them to leave their land. In the face of the closure of these paths, the demands to at least acquire human rights could open a new path in this conflict, which will be bitter and long.

Maybe we need to start a Palestinian civil rights movement to improve the living conditions of our people, such as in work, movement, ownership, residency. The goal will be to solidify the Palestinian steadfastness to stay on their land in wait for a change in international, regional, and local conditions, which could open one of the political solution options. This, however, must be accompanied by a continuous insistence by the Palestinian PA of achieving the two-state solution and the ending of colonial settlements.

The political solution is not available in the foreseeable future; does this mean we have to resign to waiting? Some opines that we should prepare for the coming confrontations, and I agree with this. But this does not contradict following the path of demanding our rights in our homeland. Our right to build on each piece of land, whether it is located on Area C, or any other parts of the West Bank. We should work to achieve our rights for protection from the aggression of the settlers and the Israeli army, and fight for our right to approach the Israeli courts to litigate against this aggression and violations. We should fight for our right to invest in any part of our homeland, to move, to import and export without any restrictions, for our right to unite families separated by the occupation from Rafah to Ras Al Naqura, to fight for the right to travel from Lod airport, or for the right to build an alternative airport, and for the movement between Gaza and the West Bank.

In the coming decade, 16 million citizens –eight million Palestinians and 8 million Jews- will live on this land. The political solution will be shaped by this reality; therefore, we need to create our own realities on the ground without any hesitations.

What Directions? – List of Policy Papers, authors and commentators

#	Author	Title	Commentators
1	Dr. Sufian Abu Zaida	Peaceful Popular Resistance, is it a Feasible Option?	Qais Abd al-Karim & Mr. Jamal Zakout
2	Mr. Sam Bahour	Asynchronous and Inseparable Struggles for Rights and a Political End-Game	Mr. Mohammad Daraghmeh & Mr. Radi Jarai
3	Dr. Ali Jarbawi	Making Negotiation Viable	Dr. Ayman Daraghmeh & Dr. Azmi Shuaibi
4	Mr. Raja Khalidi	The Prospect for Palestinian Economic Boycott of Israel: Forms and Difficulties	Mr. Fajr Harb & Dr. Ghassan Khatib
5	Mr. Hani al-Masri	Is It Possible to Suspend Security Coordination?	Dr. Naser al-Shaer & Dr. Husam Zomlot

What Directions? Members of Task Force

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8	Mr. Fajr Harb	Activist
9	Mr. Radi Jarai	Al-Quds University
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14	Mr. Hani al-Masri	MASARAT
15	Mr. Saleh Rafat	PLO
16	Dr. Naser al-Shaer	An-Najah University
17	Dr. Khalil Shikaki	PSR
18	Dr. Azmi Shuaibi	AMAN
19	Mr. Jamal Zakout	PNC
20	Dr. Husam Zomlot	Fatah

Changing the Status Quo:

What directions for Palestinians?

September 2015-March 2016

Given the current stalemate in Palestinian-Israeli relations and the potential for wide-scale escalation in the near future, PSR has conducted a 6-month policy research on new directions for the Palestinians. The research sought to explore Palestinian discourse on the best means to move forward. Five short policy papers, written by senior Palestinian experts and academics, explore various approaches and directions for the PA to take (see list of papers and authors at the end of the report). All these directions are currently part of the Palestinian public and elite discourse. Each paper describes a specific approach, outlining its potential impact on the Palestinians and Israelis and exploring its contribution to a more effective Palestinian strategy to end the occupation. Each approach therefore represents a component in a larger proposed strategy. The five papers were reviewed and discussed by a task force, a core group of 20 made up of the five authors and fifteen reviewers and discussants. The discussion of the papers took place in six closed workshops attended by experts, policy makers, academics and activists. An open conference was organized on 29 February and was devoted to a discussion of all five papers.

This paper addresses a rights-based approach to resolving the Palestinian-Israeli conflict. Two commentaries by two members of the task force are inserted at the end of the paper. The discussion of this approach and paper among the members of the task force was very vibrant and insightful; for that, PSR wishes to express its appreciation for all members of the core group (see list of names and affiliations at the end of the report) for the time and effort they have devoted to this work. However, the discussion among the members of the task force indicated at times serious differences of opinion. In this light, it should be made clear that this report does not necessarily represent the views of every single member of the core expert group. It only represents the analysis and the assessment of its author.

PSR is also grateful for the support of *Norwegian Peacebuilding Resource Centre* (NOREF) and the *Netherland Representative Office* in Ramallah without which this project would not have been possible. But it should be made clear that this support does not in any way mean an endorsement, on the part of these two organizations, of the content of the five papers or this final report.

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