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**PARTITION AS A SOLUTION TO THE ISRAELI-
PALESTINIAN CONFLICT**

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Partition As A Solution To The Israeli-Palestinian Conflict

by Roberto Aliboni¹

1. The two-state solution for Palestine

After the end of the Second World War, countries in the Near East became independent. Syria and Lebanon acquired independence in 1945. In 1946, thanks to a bilateral treaty redefining relations with Britain, Transjordan became the Hashimite Kingdom of Jordan. Great Britain's objective of putting an end to its mandate in Palestine proved very difficult, however, because of concurrent claims from Palestinians and Jews to the territory on which the British administration had allowed substantial Jewish settlements to be built. After a dramatic international debate, on 29th November 1947, the United Nations (UN) General Assembly approved Resolution 181 and its plan to split the Palestinian territory under international mandate between the Arab state of Palestine and the Jewish state of Israel.

Since then, the partition of Palestine, namely the idea of two states – a Jewish and a Palestinian state living side by side – has been opposed, then shared, then strongly opposed again. The two-state solution to the conflict between Israel, the Palestinians and the Arabs has not yet been implemented and the conflict is still unsolved.

After having declined for a long time, today partition is once again the solution broadly recommended and supported by most of the international community, as witnessed by the joint work of the UN, the United States (US), the European Union (EU) and Russia in the so-called Quartet. No doubt, there are different opinions on the conditions that have to be met for a compromise to be reached. The compromise that the diplomacy of the international community (including the “moderate” Arab nations) is targeting and supporting involves, in any case, two states living side by side in peace.

While the international community, and the Western public in particular, takes it for granted that the “two-state” notion – as difficult as it may be to achieve – is the right solution to the long-standing Israeli-Palestinian conflict, this perception is clearly not matched by realities. As a matter of fact, there are deep divisions about what to do among both the Palestinians and the Israelis. In both camps, the two-state solution receives strong support as well as strong opposition. Furthermore, while the majority of the members of the Arab League are in favour of the two-state solution, a number of state and non-state actors in the region, Arab and non-Arab, are strongly opposed to any partition. In the Western countries and the international community at large, there is a kind of gap in perceptions: while the two-state solution gained currency and came to be rather widely accepted after the end of the Cold War, things have gradually changed and it is neither likely nor widely accepted today. How realistic is a two-state solution today and what are the prospects for the conflict in an international context in which that solution is not accepted very widely or at all?

This presentation intends to re-visit very briefly the Israeli-Palestinian conflict from the perspective of the two-state solution, i.e. some kind of partition of Palestine. To that purpose, the presentation, first of all, outlines the attitudes of the parties concerned on

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partition as they have changed over time; second, it considers specific dimensions of both Israeli and Palestinian views on the idea of establishing two states within the territory of Palestine; third, it briefly discusses the merits and rationale of the two-state solution (as it is broadly envisaged today by the international diplomacy) with respect to other solutions. Finally, it draws some conclusions.

2. Changes in attitudes toward partition

The attitudes of the parties and international actors involved towards partition have undergone significant changes over time. The partition proposal was put forward in the UN framework by the United States and European countries. The UN essentially took up again the two-state concept set down in the Peel Commission – established in 1937 by Great Britain, in its capacity as mandatory power. Thus, Western countries strongly supported Resolution 181 (only Great Britain abstained). The Western position reflected the desire to meet the Zionist quest for a territory, mostly in response to the genocide against the Jews that had taken place in Europe in the first half of the twentieth century. While Arabs and Palestinians rejected the resolution, Israel accepted it – albeit with open opposition from the revisionist Zionist wing.

It is worth noting that the Israeli leadership – in the hands of Ben Gurion at that time – was not happy with the territorial limitations imposed by the partition. It had not been satisfied with the Peel Commission's plan, which had assigned Israel only 20% of Palestinian territory, and it was not satisfied with the larger assignment provided by Resolution 181 either. As a well known Israeli historian explains,² Zionism includes an inherently expansionist tendency and for ideological or practical reasons somehow envisaged that the Jews would settle the entire territory of Palestine. Both in 1937 and 1947, Ben Gurion accepted the proposed partition with the mental reservation that the assigned territory would be a springboard for subsequent expansion.

So, at this early stage, the Western position was apparently at odds with that of the Palestinians and Arabs and in tune with that of Israel. In fact, though, both parties to the conflict claimed exclusive possession of Palestine – very openly on the Palestinian side, much less so on the Israeli side – so that the two-state solution was actually supported only by Western countries.

In 1967, the overwhelming victory added voice and arguments to Zionist expansionism and swept away any reluctance to express it. The official Israeli position shifted from that of two states to that of one Israeli state, whose borders had to be defined more precisely as soon as possible. While the Palestine Liberation Organization (PLO) was forming in 1968, the Israelis articulated various prospects for the Palestinians as a people (Jordan annexing parts of the occupied territories; Palestinians living autonomously in reserved territories) but they also came to reject firmly any idea of a Palestinian state beside that of Israel.

Meanwhile, the conditions prevailing on the international stage (the Cold War and its impact on the region) made the West put the two-state notion on the back burner, while giving staunch support to Israel – for all its ambiguities towards its borders – against pan-Arab nationalism, Palestinian terrorism and their alliances with the Soviet Union. In

² Benny Morris, *Vittime. Storia del conflitto arabo-sionista 1881-2001*, Rizzoli, Milano, 2° edizione, ottobre, 2001, pp. 837-838 (Italian translation of *Righteous Victims: A History of the Zionist-Arab Conflict, 1881-2001*, John Murray, London, 2000).

this setting, the Western countries came to be concerned less with implementation of Resolution 181 than with that of Resolution 242; in other words, less with the objective of two states than with that of the parties negotiating a compromise based on “land for peace”, according to Resolution 242’s prescription.

As a result, the two-state solution was downplayed and replaced by a process of negotiations on “land for peace”, essentially left in the hands of the interested parties – although the international community was politically and morally expected to facilitate it. The international community, in a sense, became somehow neutral with respect to the territorial final status of Palestine. The parties were expected to negotiate and reach some kind of compromise. The final status, i.e. the solution to the conflict, became *their* problem rather than a problem of the international community. The latter could act as a facilitator, but it lacked ideas on what the solution should be, and did not necessarily insist on two states.

Consequently, while at the earlier stage the two-state solution had been supported by the West and, at least formally, by Israel, in the stage opened by the conclusion of the 1967 war, nobody supported the two-state notion any longer: neither the Palestinians and the Arabs, nor Israel, nor the Western countries.

Things began to change with Egyptian President Sadat’s initiative and the Israel-Egypt peace treaty of 1979. In 1980, the Europeans, in the Declaration of Venice, clearly stated their support for a Palestinian state beside that of Israel, explicitly going back to the two-state notion. The Lebanese war in 1982 resulted in a serious setback for the PLO, which gradually became more amenable to recognizing the existence of Israel and, thus negotiating a two-state solution. This shift in the PLO’s attitude became very clear in 1988, in particular on the occasion of the 19th National Council in Algiers. The first *intifada* at the end of the 1980s – and the failure of Israel’s counter-insurgency policy – convinced Israel that dialogue was necessary, while the collapse of the Soviet Union definitively pushed the PLO towards the same conclusion. The 1991 Madrid conference actually brought Israel and the PLO together and started negotiations between them. However, both Israel and the United States initiated the talks without any preliminary acceptance of the two-state formula. Again, this was something for the parties to establish themselves. The turning point came in 1993 with the Israeli-Palestinian Declaration of Principles (DOP) on Interim Self-Government Arrangements (the Oslo Accord). According to a noted Israeli analyst:

... the DOP did not formally commit Israel to a repartition of the land of Israel and the creation of a separate Palestinian state. But it did rely on UN Security Council Resolutions 242 and 338, which required ‘withdrawal from territories occupied in the recent [that is, 1967] conflict’, and it did proceed on mutual recognition by Israel and the PLO. It also laid out a practical framework for interim self-government, which specified Israeli withdrawal from Gaza and Jericho, promised Israeli ‘redeployments’ from more extensive areas of the West Bank in advance of a permanent-status peace agreement, and provided for a functioning Palestinian Authority under PLO control, with a broad panoply of governmental and state institutions and functions. In short, the DOP did virtually everything to incorporate the logic of partition, except to stipulate it formally.³

After the assassination of Yitzhak Rabin in November 1995, the government of Benjamin Netanyahu endorsed Oslo follow-on agreements (the Hebron Protocol in

³ Mark A. Heller, *Continuity and Change in Israeli Security Policy*, Adelphi Paper 335, The International Institute for Strategic Studies, Oxford University Press, 2000, p. 25.

1997, and the Wye River memorandum in 1998), despite its attempts to outflank, delay and detour the DOP. In fact, it had to recognize that the DOP, and the idea of partition underlying it, was now irreversible. Thus, the Israeli option for partition was confirmed.

While these developments took place, the US continued to maintain its formal neutrality with respect to the final status, although clearly well disposed towards two states. With Clinton, however, in particular with the parameters for a solution which he issued after the failure of the Camp David talks, the US also shifted to open support for the two-state solution. Subsequently, the George W. Bush administration also rooted its policy in the two-state solution. Therefore, at the beginning of the 2000s the situation which had emerged after the 1967 war, in which all actors were against two states, had gradually, dramatically and slowly changed to a new situation in which all parties and actors concerned supported the two-state formula. It thus became the position officially supported by the international diplomacy by means of the Quartet.

As in the last act of a comedy, through the years of the G. W. Bush administration, things have again been reversed. Three factors have contributed to this reversal and have created a new situation in which the dividing line between those in favour and against partition no longer separates traditional actors but cuts across them. The first such factor is the fact that the Bush administration, after expressing its support for the two-state formula, has done nothing to have it implemented. The administration, of its own choice, has not wanted to be involved in the Israeli-Palestinian conflict, has not considered it a priority in any sense, and in fact has supported whatever policy Israel has wanted to carry out. The Quartet turned out to be completely subservient to US policy and played a largely ceremonial role. In other words, international diplomacy has paid lip service to the two-state solution but has done nothing to implement it.

The second factor is the change in Israeli policy with the Ariel Sharon government. The latter, under pressure from the second *intifada* and the terrorism perpetrated by Palestinian Islamist parties, shifted from a policy of implementation of the DOP to a policy of unilateral withdrawal from the occupied territories. This unilateral policy, while not specifically opposing the birth of a Palestinian state, in fact made it impossible, as it is clear that the two states have to be born of a mutual agreement on borders and other issues. In fact, unilateral withdrawal was a disguised attempt to impose an exclusively Israeli solution, leaving the Palestinians in the West Bank and Gaza in a situation of undefined statehood in tune with the long-standing "autonomy" model always supported by the Likud. Needless to say, this change in Israeli policy, largely supported by the Israelis during the last elections in spring 2006, has prevented the two-state solution from progressing.

The third factor is the rise of Islamists in the Palestinian polity. Hamas, the most important Islamist party in Palestine, won the elections in January 2006. Hamas does not recognize the existence of Israel and, consequently, thinks in terms of a final status involving one Palestinian state. This has created a deep split between those Palestinians willing to work towards an agreed solution with Israel and those who reject any such solution.

After sixty years, the situation has now come almost full circle, with the Western countries supporting partition, while other parties do not. There are, however, important differences. In 1947, the West seriously supported partition. Today, in the midst of a great deal of rhetoric and humanitarian aid, it is practically doing nothing. The Palestinians have split: nationalists support some form of partition, while the Islamists have gone back to rejection and exclusion. The Israelis are in a situation similar to

1947: they pay lip service to the peace process but, using Hamas as a pretext, are actually pursuing a continuation of the status quo and are very unclear about the future. As for Arabs and Muslim states, they have also split: the “moderates” support the two-state solution, while the “radicals” do not.

In conclusion, it can be said that the two-state solution was actually only shared during the brief period between the Oslo Accords and President Rabin’s assassination. At all other times, it has been given shaky support at best or no support at all. Today, support is again very weak and uncertain.⁴ And so are the prospects for any solution to the conflict.

3. Alternatives to partition

Partition is essentially a Western-inspired solution. Those in the Palestinian and Israeli camps who support partition today are, in fact, supporting an idea imported from the West that has few followers in their respective countries. At the end of the day, partition may not be the only or necessarily the best solution to the conflict. What are the alternatives to partition? This is the point that will be discussed in this part of the presentation.

The Palestinian Islamists – in tune with the thinking of the Muslim Brotherhood, in particular the Egyptian and Jordanian branches – do not conceive of the existence of a Jewish-Zionist state in the territory of Islam and the Arabs. According to them, the Jews would be fully accepted as a community in the framework of a Muslim-Arab Palestinian state in which they would simply be citizens of that state. Independently of the substantive status these Jewish citizens would actually enjoy in such an Arab and Muslim state of Palestine (historical experience and current trends are not that encouraging), this amounts to denying the existence of Jewish nationalism. Such a proposition would never be acceptable to any Jews and, historically does not make any sense now.

The PLO and the nationalists used to hold the same position as the Islamists until they gradually abandoned it at the end of the 1980s. Today, in general, mainstream Palestinian nationalists no longer support it. There is, however, among nationalists, a debate on the conditions that would have to be met for a compromise to be acceptable. The mainstream Fateh, headed by President Mahmoud Abbas, is more inclined to compromise than younger leaders such as Marwan Barghouti, forged in the two successive insurgencies. For all of them, though, the existence of an Israeli state within the broad 1967 borders is out of the question. The Palestinian nationalists have come to understand that they are faced with another nationalism, whose emergence needs to be realistically recognized, although under a set of conditions to be negotiated.

It must be noted, though, that one such condition – i.e. the return of Palestinian refugees to what is now Israeli territory – could easily turn into a *de facto* rejection of the concrete existence of Jewish nationalism. In fact, if all the refugees were to come back, they would invert the demographic balance in Israel and this would risk turning the Jews into a minority in their own state. Several Palestinian leaders – such as Sari

⁴ Recent comments on the two-state solution can be found in Jamil Hilal (ed.), *Where Now for Palestine? The Demise of the Two-State Solution*, Zed, 2007 (whose contributors point to a binational state or a renewed armed resistance), and the articles contributed in “Is the two-state solution still viable?”, *Bitterlemons. Org*, June 11, 2007, Edition 21.

Nusseibeh – have recognized the paradox involved in the refugee question and have accepted a principle of moderation in negotiating it. The refugee question, unless treated with discernment, could surreptitiously re-introduce the Islamist (or old-style nationalist) brand of rejection of the Jews as a nation into Palestinian-Israeli relations. The refugee question is thus bound to be a most dangerous one in any talks on partition. Any sustainable partition will have to be linked to mutual guarantee by the parties that their national character will be respected and preserved.

In Israel, the idea of a Palestinian state has received recognition only very recently. Before the 1967 war, Palestinian nationalism did not actually exist. But even after the PLO was established in 1968, the Israelis consistently refused to recognize it until the DOP was signed in 1993, despite the self-determination assured Palestinians by Resolution 181. Therefore the question to be answered was what to do with the Palestinian people settled in the territories occupied in 1967, given that they are simply local people with no national identity.

The Israelis provided essentially two responses. The right-wing parties, in particular the Likud under Prime Minister Begin's leadership, proposed to reserve a home for the Palestinians in the West Bank and Gaza – after satisfying Israel's territorial requirements for reasons of security – and to give them autonomy or self-rule with respect to the Israeli administration within those territorial reserves. As for Labour, its preferred approach was the so-called Jordanian option, which envisaged – after retaining the portions of the territories indispensable for national security – leaving the door open to Jordanian influence in the occupied territories or accepting the territories' partial return to Jordan sovereignty (Jordan had annexed the West Bank after the conclusion of the 1948 War and held a claim to the West Bank and Jerusalem until the first *intifada*).

As pointed out, these approaches were brought to an end by the DOP (which replaced the question of what to do with the people living locally in the West Bank and Gaza with the question of how to reconcile the borders of the emerging Palestinian state with the ever-expanding settlements in the West Bank, Jerusalem and Gaza). When the compromise that emerged at Camp David in 2000 proved unfeasible, Ariel Sharon won the elections and forged the so-called unilateral withdrawal approach, whereby Israel would unilaterally decide which territories it would retain and which it would abandon. This restored pre-DOP approaches by considering the Palestinians as local people – destined to live in a leopard skin-like territory similar to the Indian reservations in the US or the bantustans of the past South Africa – rather than as an emerging nation.

Unilateral withdrawal from Gaza has created more problems than it intended to solve (and it may be one of the factors that contributed to Hamas' victory in the January 2006 elections). In any case, combined with the mixed result of the war with the Lebanese Hizbollah in July-August 2006, the policy – proved definitely inconsistent and practically abandoned.

The present situation is probably one of the worst ever seen in the history of the conflict. Israel has no clear ideas about what to do. Neither Israel nor Hamas want partition. In contrast, Palestinian nationalists would be ready to undertake negotiations with a view to achieving an acceptable partition. Negotiations with Israel, however, would be very risky, because (a) Israel is not at all targeting an acceptable partition, (b) the Palestinians, due to their split, are very weak and the risk is that they could accept a solution which, in fact, would turn them into a local people rather than a nation. Were Mahmoud Abbas caught in such a trap, many Palestinian nationalists would no doubt

reject the compromise and this in turn could open another front in the creeping Palestinian civil war.

Today, partition – the solution most favoured by the West – is farther away than ever before. In fact, partition should be favoured by Israel as well, as this country is facing a demographic imbalance in the middle term with respect to Palestinians. Sharon's unilateral approach was motivated by this imbalance and the “existential” need to separate respective territories. However, Israel wants to separate from the Palestinians, without recognizing them as a nation and a state. These two objectives can hardly be reconciled. So, the Israelis need partition but the conditions for getting it are not acceptable to them, so they reject what they need. On the other hand, even if Israel were to accept partition, the rise of Hamas in the Palestinian political arena would make it difficult to implement, as at least in principle Hamas rejects partition. Again, we see that the conflict today is at a standstill.

If a solution to the conflict has to be found, and with partition not accepted as one, the only thing left is the establishment of one state with a bi-national character. This solution has been investigated⁵ and, given that the notion of partition seems to be in deep crisis, has seen a comeback in the literature and the media. However, everything that has been said in this presentation makes it clear that there are hard historical, ideological and political factors that hinder such a – by any other standard – very reasonable solution to the conflict.

Another solution could be a bi-national state based on the kind of communal federation practised in Belgium between the Flemish and the Walloons. This was the solution proposed for Cyprus with the 2004 Annan Plan, but rejected by the Greek Cypriots. No doubt, Hamas and a majority of Israelis would also reject such a communal federation.

Conclusions

This presentation has been constructed around the notion of partition in order to shed light more effectively on the difficult impasse of the Israeli-Palestinian conflict today.

Partition is not in itself the most rational solution to a territory-related conflict. There can be different situations. Partition may be easier to implement in some than in others. It was possible to implement the partition between Czechs and Slovaks, which put an end to the state of Czechoslovakia after the end of the Cold War and the collapse of the Communist empire, in a consensual way and without too many problems. The partition between Serbia and Kosovo suggested by the Ahtisaari Plan is accepted by the Kosovars, who want to secede from the Serbian Federation, but strenuously opposed by the Serbs. In fact, partition of the Serbian Federation could open a new conflict between the parties because the circumstances do not generate a consensus. In the case of partition between Israel and Palestine, both parties oppose it, as they lay a symmetrical and exclusive claim to the same territory. So, this case is even more problematic than the others and the facts, sadly, attest to it.

In general, the Western states tend to consider partition a second-best solution, as it satisfies nationalist demands which are not considered appropriate in a modern state based on citizenship and the equality of citizens, irrespective of ethnic, sectarian, religious or other differences. Furthermore, from a more political and realist

⁵ Virginia Tilley, *The One-State Solution. A Breakthrough for Peace in the Israeli-Palestinian Deadlock*, Manchester, Manchester University Press, 2005.

perspective, partitions (like secessions) could have negative regional consequences on neighbours. That is why the Western countries and the international community tend to be rather conservative in this respect. In the case of the conflicts in the Balkans after the collapse of Yugoslavia, the preferred policy has been less to accept secessions and partitions than to try to hold together traditional states in order to prevent domino effects. Kosovo is an exception and behind this exception there is a rift between the US stance, willing to allow Kosovo to become independent, and the more cautious and principled European position (furthermore the EU considers the Western Balkans as a part of Europe and clearly partitions within its “civilised” territory are not welcomed). On the other hand, the integrity of Georgia and of Iraq are supported to avoid geopolitical chaos in the respective regions. All in all, partition is more of an exception than a rule.

Although partition may in general be inferior to other solutions, in extreme cases, such as the Israeli-Palestinian conflict, it is difficult to see a practical and effective alternative. For instance, as already pointed out, a communal federation including partition at the level of small territorial areas is definitely superior to any stark, traditional partition in national states. But rationality has no place in the situation in Israel and Palestine. A bi-national state in Palestine could be kept as a solution for the future, when new generations have emerged and forgotten bitter past conflicts. But it is not viable today. There is no alternative to partition.

If there is no alternative, the international diplomacy should work towards making partition possible. So far, the international diplomacy has worked a lot, but not been very effective. It has proven biased and cynical. The diplomacy at work on this difficult conflict has not been in good faith. It is high time for such diplomacy to emerge. One new opportunity is provided by the revival of the Saudi Plan approved by the Arab League in Beirut in 2002 and taken up again in Riyadh in 2007. According to the Saudi Plan, the states of the Arab League will normalize their situation vis-à-vis Israel if the latter reaches a “just” agreement with the Palestinians and allows for the establishment of a Palestinian state. To be sure, things are less simple than they appear. However, the Saudi Plan could provide a good new start and the international diplomacy would be well advised to support it and make new demarches in order to put the peace process back on track.