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Bi-Nationalism in Israel/Palestine

Unbearable? Desirable? Inevitable?¹

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In July 2008 the Jerusalem District Court decided to turn down a petition by 21 Israeli citizens who requested that the Ministry of the Interior change their nationality as it appears in the population registry from Jewish, Arab and Druze (and others) to “Israeli”. The court gave as grounds for its rejection that the issue is not justiciable, but also included a short discussion on the plausibility of an “Israeli Nation”, which concluded with the assertion that Israel does not recognize such a nationality, and that such a recognition runs the risk of “considerable ramifications to the identity of the State of Israel” (Ornan v. The Ministry of the Interior). The court here reasserted the contention of Israel that it is not a nation-state in the Western, liberal sense of the word, but rather a state that belongs to a nation which forms merely a subset (albeit a majority) of the entire population. It clearly differentiates between national identity and the affiliation to a state through citizenship (“the respondents argue that the equal side of the residents of the State of Israel – Jews, Druze and Arabs – is Israeli citizenship, not nationality.” [Ornan v. The Ministry of the Interior]).

Israel, then, not only recognizes the existence of more than one nationality among its citizens, but actually imposes this multiplicity on them and objects to the creation of a unifying identity. This insistence, of course, does not come from concern for the cultural survival of the Palestinian minority in Israel, but from concern for the justifiability of the Zionist project: if Israel is not a state of the Jewish people but rather that of some new Israeli people that was established alongside the state, then, goes the argument, Israel has no right to exist, and the Jews have no right to be here. Our sole justification for being here is in David Ben-Gurion's view of the bible as the Jewish people's deed for the Land of Israel. And if this state is no longer the State of the Jews, then it might as well be the state of the Palestinians.

This is not an argument made only by the right-wing in Israel. It is an argument espoused by all those who belong to the Zionist mainstream in today's Israeli society. The growing support in the Israeli public for some sort of a two-state solution is often pointed to as a victory of the left-wing, even as the Zionist Left's parties grow more and more insignificant in the polls. This paradox can be easily explained if one remembers that the debate between left and right in Israel was never one of ideology, but one of practicality. For the majority of the left in Israel, the occupation is not immoral, but inconvenient. The true victory of the left is in the near annihilation in Israeli discourse of any view that diverges from the statist-Zionism advocated by Mapai and its predecessors in the Zionist movement. The liberal underpinnings of the Revisionist movement have all but disappeared in today's right-wing parties in Israel.

But over the past decade we saw the unlikely return of an old rival of the statist-Zionism: the bi-national solution. To say that it has been slowly making its way into the mainstream would be an extreme exaggeration, but it has drawn the attention of many, and is at the centre of a fiery debate among Israeli and Palestinian circles, as well as among diasporic Jews.

This paper looks at reactions to this idea, specifically on the Israeli side of the conflict.² After briefly reviewing the place of bi-nationalism in the theoretical literature, I will start with a review of the history of the bi-national idea in Israel/Palestine, including the background for its re-emergence in post-1967 Israel. I will then establish a classification of bi-nationalists in Israel into three categories of argumentation: the

² This paper does not cover the vibrant debate within the Palestinian community. However, it should be at least mentioned that such a debate exists, and takes a much more central place among Palestinian thought on the conflict. A recent poll pegged support for the bi-national solution among Palestinians in the West Bank and Gaza at 34%, against 44% who support the two-state solution (JMCC 2010).

opportunistic unbearability argument, the practical inevitability argument, and the moral desirability argument. The counter-arguments made to each of the three are then also discussed.

As noted by Hermann (2005), the majority of the debate on binationalism, particularly among the Jewish population in Israel, is conducted by intellectuals and academics. The popular media, with the important exception of Haaretz, is loathe to provide room for such arguments (mostly referred to as post-Zionist or anti-Zionist), and academic publications remain the only prominent stage for this debate. However, an alternative has been found in online forums and blogs which allow those who have no access to either mainstream media or academic publications to engage in a debate surrounding these views. Surprisingly, maybe, this online debate is often far more level-headed and less hysterical than the views expressed within the traditional media. This paper, therefore, will also focus on those debates that take place far from the eyes of both policy-makers and academics in the field.

I concur with the analysis of Yehuda Shenhav (2010) that places the crux of the matter with the left-wing's dependency on a political-theological differentiation between Israel in its 1948 borders and Israel in its 1967 borders – a differentiation that is both geographical (the democratic state within the Green Line as opposed to the occupation of the occupied territories) and chronological (the just Israel pre-1967 as opposed to the evils of post-1967). This differentiation is necessary to reconcile the clash between the left's self-perception as secular, modern and liberal, and the mainly essentialist (and at times downright racist) perception on which the rejection of the bi-national solution is based. Each of the categories of arguments in favour of bi-nationalism challenge this self-perception in a different manner. While far from being an easily achievable goal, bi-

nationalism is still a viable option, and arguably the more moral and sustainable of the existing possibilities, acknowledging the deep-seated conflict between the two legitimate national aspirations of Jews and Palestinians.

Bi-nationalism: A Definition

The term “bi-nationalism” is an oxymoron, at least if one accepts Gellner’s definition of nationalism as that doctrine that holds that the national unit – defined by cultural similarities – must be congruent with the political unit (1983, 1). Nationalism demands the existence of nation-states, and nation-states, in turn, cannot realize but one people’s national aspirations. And yet we live in a world of bi-nationalisms and even multi-nationalisms: of states that house two (or more) peoples who claim the same land as their own. In fact, nationalist projects overlap not only in their territorial claims, but sometimes even in their claims over populations (Roeder 2007).

The link between identity and territory here is crucial. Kymlicka (1995) draws a distinction between polyethnic states, defined by large ethnic minorities created through immigration, and multination states, wherein two or more nations were constituted side by side (though usually not at the same time). Colonial nations, then, even though they have hailed from other areas in the world, are said to have developed an independent identity attached to the specific territory they now inhabit. Immigrants, on the other hand, are assumed either to retain the identity attached to their homeland, or to obtain the host state’s own national identity. And yet, Kymlicka emphasizes that “multination states cannot survive unless the various national groups have an allegiance to the larger political community they cohabit” (1995, 13). To use Rogers Smith’s terminology, without ‘ethically constitutive stories’, none of the existing notions of ‘civic nationhood’ or

‘constitutional patriotism’ can work, “probably not philosophically, certainly not politically” (Smith 2003, 133). It is this point that makes actual cases of bi-nationalism difficult to sustain. The case of Switzerland, which Kymlicka (1995, 13) uses as an example of a stable multinational state is often portrayed (including by the Swiss) as a single multilingual nation. This process of obtaining a single shared identity is exactly the process that creates a nation (Gellner 1997, 45-46). If such a shared identity is not created – that is, if bi-nationalism persists – then by Kymlicka’s own account the state cannot survive.

This observation has brought both postnationalists (e.g., Soysal 1994) and liberal nationalists (e.g., Tamir 1993) to the conclusion that the days of the state as a political unit are numbered, to be replaced by a contraction into local autonomies on the one hand, and/or a broadening to regional and possibly global organizations, on the other (Tamir 1993, ch. 7; Smith 2003, ch. 3).

But the state has proven more resilient. In the face of a world lacking order, the benefits accrued by the existing institutions of the state have not been overlooked by decision-makers. Regional arrangements such as the EU have come against the exact same problems that multinational states have encountered, in addition to a lack of democratic legitimacy. If that is the case, it is not clear why we should not keep relying on the more efficient institutions of existing states while creating those self-same autonomous arrangements within them, that will inevitably also be created if the state is replaced by a regional organization. In this view states are not an indispensable tool, but rather the most expedient one.³ One can certainly strive for both more local autonomy and more regional cooperation without advocating the elimination of the state in the

³ Roeder (2007) advances a convincing argument that state institutions, including what he refers to as “segment-states” are an indispensable tool, *in the creation of nations themselves*.

foreseeable future. This is especially true within compact geographical areas that do not readily allow for further divisions, or within multinational states wherein the two nations are thoroughly mixed, geographically speaking, and cannot be easily separated into viable units. Both of these characteristics apply to the case of Israel/Palestine.

Bi-nationalism in Palestine: A Short History

Bi-nationalism is the absent-present⁴ doctrine within Zionism. It is habitually presented as the domain of several small organizations who have never achieved more than a miniscule membership, but this ignores the fact that the bi-national reality of mandatory Palestine was recognized by many from the very inception of Jewish nationalism. Theodor Herzl's seminal *Altneuland*, a defining text of Zionism, depicts his utopian Jewish society as one living in peace with the Arab inhabitants of the land, which are said to have only benefited from the Jew's settlement of it.⁵ More concretely, Ze'ev Jabotinsky, leader of the right-wing Revisionist faction within the Zionist movement, clearly set out a proposed constitution guaranteeing a full autonomy to the Arabs of the Land of Israel (which, for Jabotinsky, included the transjordan). "In every Cabinet where the Prime Minister is a Jew, the vice-premiership shall be offered to an Arab, and vice-versa," is one of his suggested clauses in this future constitution of the Jewish state,

⁴ "Absent-present" is the quasi-legal definition given to tens of thousands of Arabs residents of Palestine whose rights over their property were not recognized by the State of Israel in the aftermath of the War of Independence.

⁵ Herzl's land of the Jews is a distinctly European-like society, and colonial thought is clearly reflected in his ideas of the way such a settlement will influence the indigenous people of Palestine. Another instance of disconnection from reality can be seen in his belief that the building of the Third Temple on the Temple Mount would actually be well received by the Arabs.

which, he noted is “how not the moderate but precisely the so-called ‘extremist’ wing of Zionism visualizes the constitution of the Palestine of the future” (Jabotinsky 1940).⁶

But if bi-nationalism itself was more widely advocated, at least in the years prior to the Holocaust, the bi-national *solution* was, indeed, a small niche within Zionism. Jabotinsky, to continue with this example, harbored no hope of an Arab acquiescence in any program that provided them with anything short of full sovereignty over Palestine (“Every native population in the world resists colonists as long as it has the slightest hope of being able to rid itself of the danger of being colonized”), and supported a policy of an “Iron Wall”, which would allow the Jews to achieve a majority within the Land of Israel. Only in this manner, he claimed, would the Arabs agree to share the land (Jabotinsky 1923). Those who spoke of a bi-national solution as an actual possibility for placating the Arab fear of Jewish colonialism, Jabotinsky affectionately called “obstinate lovers of political twaddle” (Jabotinsky 1930). By this, he referred most clearly to the members of *Brit Shalom* (“the covenant of peace”), also known as the Jewish-Palestinian Peace Alliance (although it never actually had any Palestinian members).

Brit Shalom was formed in 1925 and began a process of disintegration following the 1929 riots (Hermann 2005, 385). It advocated a bi-national state characterized by a political parity between the two constituting peoples (despite the substantial majority of Arabs in mandatory Palestine at the time), and its goal was described as to “pave the way

⁶ The views of Jabotinsky were most loyally carried forward by his successor as the head of the revisionist movement, Menachem Begin, who later became Israel’s first non-Labour prime minister as head of the Likud Party. In 1977, in preparation to the peace talks with Egypt, Prime Minister Begin presented a plan for an Arab autonomy in the occupied territories, the inhabitants of which will be eligible for an Israeli citizenship (Weitz 2009). Begin, however, was the last of the true followers of Jabotinsky in the Israeli right-wing, and this plan, of course, was never put to use. On the marginalization of Jabotinsky’s liberal views within contemporary Israeli right-wing thought, see Bartal 2001.

for understanding between Hebrews and Arabs for cooperative ways of living in the Land of Israel on the basis of complete equality in the political rights of two nations [each] enjoying wide autonomy and for various types of joint enterprise in the interest of the development of the country” (quoted in Morris 2009, 46).

In the aftermath of the Arab Revolt of 1936-1939, a group of former *Brit Shalom* activists, joined by bi-nationalism advocates Yehuda Leib Magnes, president of the Hebrew University in Jerusalem, and noted philosopher Martin Buber, formed *Agudat Ihud* (the Union Association). *Ihud*, like its predecessor, advocated the “creation in the country of a government based on equal political rights for its two peoples”, but was unable to receive the support of any Palestinian leaders, who opposed Jewish immigration (Morris 2009, 48-49). The few Palestinians who cooperated with Magnes did not hold much standing, and in some cases, such as Fawzi Darwish el-Husseini and Sami Taha, they were assassinated for their betrayal of the Arab nation (Hermann 2005, 385). Speaking in front of the Anglo-American Committee of Inquiry (1946), Magnes and Buber asserted, contrary to the position voiced by the Zionist representatives, that since both Arabs and Jews have legitimate rights in Palestine, the state formed within it can be neither Arab nor Jewish, and that the ideal government should be headed by an appointment of the UN⁷ – both assertions that were echoed in the final recommendations of the committee (Hermann 2005, 386; Anglo-American Committee of Inquiry 1946). Magnes, however, was greeted with great distrust by the Arab representatives, defined by them as “no less extreme and perhaps more dangerous than [the] official Zionists, because [his views] are cloaked in an aspect of moderation and reasonableness”

⁷ This arrangement is reminiscent of the arrangement currently in existence in Bosnia and Herzegovina following the 1995 Dayton peace agreement, where a High Representative is appointed by an international council, with considerable legislative and executive powers.

(memorandum of the Arab Office submitted to UNSCOP in August 1947, quoted in Morris 2009, 96).⁸

Ihud lasted as an organization into the 1960's, but the views on which it was formed have ceased to play any role in the political life of the State of Israel as soon as the state was formed (Hermann 2005, 385-386). In 1948, Magnes himself left Palestine and he died shortly afterwards in the US (Morris 2009, 56).

In a mixture of *Brit Shalom* and Jabotinsky's views, *HaShomer HaTza'ir* movement advocated both striving for a bi-national (socialist) society, and the "unhindered advancement of the Zionist enterprise" (quoted in Morris 2009, 57), through immigration of Jews into Palestine. The movement advocated at one and the same time an effort to achieve rapport with Palestine's Arabs (based on class interests), and to achieve a Jewish majority in the Land of Israel. Similar positions were taken variously by prominent Jewish leaders including David Ben-Gurion, later to become Israel's first prime minister, and Chaim Weizmann, Israel's first president, who briefly advocated a "political parity", if only as a foothold until a Jewish majority can be achieved and Jewish dominance can be established through 'liberal' and 'democratic' means (Morris 2009, 58-59).⁹ But following the achievement of a Jewish majority in the aftermath of the War of Independence,¹⁰ and given the continued refusal of Palestinian leaders to reach a compromise, all previous talk of bi-nationalism or recognition of Palestinian national goals was forgotten. With the conquering of the West Bank and Gaza in 1967,¹¹

⁸ This view, too, is often mirrored today in the suspicion with which Palestinian moderates are confronted with when addressing a Jewish audience.

⁹ In fact, Jabotinsky's Revisionist movement broke from the Zionist movement exactly because the latter refused to make a Jewish majority in Palestine one of its official tenets.

¹⁰ For a discussion of the means used to achieve this result, see Morris (1987).

¹¹ This, only a year after the martial law was finally removed from over the Arab citizens of Israel.

messianic impulses drove parts of the population of Israel to see in it further proof of the rightful ownership of the Land of Israel by the Jews, and a project of settlement of these occupied territories began. While the Palestinians continued to campaign for a one-state solution – a single, Palestinian-dominated nation-state – the occupation of the whole of the land from the Jordan river to the sea increased notions of a Jewish one-state solution, with the Palestinians variously deported, “encouraged” to migrate or simply subdued by force.

For 40 years the idea of bi-nationalism lay dormant. But in the 1980’s historian, journalist and political activist Meron Benvenisti revived it (Ghanem 2009). In an interview to *Ha’aretz* in 2003, Benvenisti described his realization in those early years of the *Intifada*:

The reality we live in is already a bi-national reality, and this reality is a fixed factor. We can’t ignore it anymore, we can’t deny it. What we should do is adapt our thinking and our concepts to this reality. What we should do is look for a new model to fit this reality. (Shavit 2003; see also Hermann 2005).

Benvenisti’s is not an idealistic view of bi-nationalism. Rather, he sees it as a lamentable but undeniable reality. Unlike some in the radical left, such as Chaim Hanegbi who also interviewed to *Ha’aretz* for the same story (Shavit 2003), Benvenisti did not oppose Zionism at the outset. He is no anti-Zionist, but rather a post-Zionist.

I think it’s time to admit that the Zionist revolution is over. Maybe we should even make a formal declaration that the Zionist revolution is over, and set a date for the termination of the Law of Return. And to start to think differently, to start to talk differently... Today I am a sad and pessimistic man, a man living in a deep sense of crisis. And when I bid farewell now to my father’s dream of a Jewish nation-state it isn’t easy for me. It’s hard. (Shavit 2003).

Benvenisti's writings, and particularly this interview, sparked a debate that has not subsided yet, drawing numerous comments, and some support, from Jews both in Israel and without, and Palestinians. We turn, then, to an analysis of the role of the binationalist idea in contemporary Israel, to the reasonings offered by Benvenisti and others in favour of bi-nationalism, and to criticisms of these ideas.

Bi-nationalism and Its Critics

Bi-nationalism has become the boogeyman of Israeli politics in recent years. Most mentions of the concept in the mass media are as cautions meant to induce the reader to support a two-state solution. Minister Dan Meridor, in an interview to *Haaretz*, talked of Menachem Begin's plans for a Palestinian autonomy with equal citizenship. "I never thought that the Whole Land of Israel idea will be without equal rights to any Arab who so wishes. I thought that if the Knesset had not 12 Arabs members by 20-30, then so be it... But the demography evolved in a more severe direction... There was no contradiction for me between the Whole Land of Israel and liberal values, until I realized the numbers just don't add up... I reached a painful conclusion that we have to decide. If we keep the whole land, we can't remain a democracy, we can't keep human rights, equality for all, because the result would be a bi-national state" (Weitz 2009).

"Bi-nationalist" has even attained, in some circles in both the left and the right, the characteristics of a slur, along with "post-Zionist". Thus, Eldad Yaniv, former political advisor to Ehud Barak and co-author of the "National Left" manifesto (Hasfari and Yaniv 2009), writes in a diatribe against the current government that "the government of Israel and Netanyahu at its head are the new post-Zionists. They are the camp of bi-nationalist gluttonous capitalism facing the majority of the national camp, which believes that

ending the occupation is an Israeli interest, with an agreement or without one” (Yaniv 2010; for similar comments, see also Taub 2010).

This view of bi-nationalism as the ultimate evil has not escaped the eyes of advocates of the two-state solution, and some have opportunistically taken to supporting calls for a bi-national state in an attempt to scare the government and the voters into accepting all the demands of the Palestinians. Some (e.g. Wallach 2009b) attribute this motivation to statements by Palestinian leaders such as Saeb Erekat (Haaretz 2009) and Ahmed Qurei (BBC 2004; Reuters 2008). Others, however, unabashedly call upon the Palestinians to demand a bi-national state for the explicit purpose of eliciting fear in the stubborn Israeli leadership, which will drive them to seriously promote the two-state solution (e.g. Li'el 2010; Drucker 2009). In private conversations some supporters of the bi-national state admit that they still prefer the two-state solution and hope their support of the one-state solution will push Israeli society to agree to a two-state settlement. Wallach (2009) has, however, identified the flaw in this line of argument, in his critique of the interview with Dan Meridor cited earlier:

Let's assume that the choice really is between dividing the country and a Rhodesian scenario, does it make sense to insist on Ma'ale Edumim? On sovereignty over the Temple Mount? Even on a complete rejection of the Right of Return? ... If the primary interest is maintaining a democratic state with a Jewish majority, then all other things are secondary... A leader who truly believes that the choice is between division of the country and a bi-national democracy, must prepare the Israeli public for a root canal. And I don't see Meridor, Olmert, Livni, and certainly not Netanyahu, going in that direction.

Meridor himself draws a plan of action that focuses on establishing “breathing space to manage the conflict until the other side agrees to a settlement. Breathing space means we stay within the world of two states and don't move to a world of one state” (Weitz 2009). That is, he sees the bi-national threat as avoidable as long as the two-state solution is still on the table.

But bi-national thinking (Raz-Krakotzkin 2004; Katz 2010) is characterized by transcending the notion of a particular solution. Instead, it focuses on understanding the problem through an alternative prism. Some supporters of bi-nationalism don't even reject the two-state solution, and might even see it as a necessary first step. Rather, they see bi-national thinking as a prerequisite for any viable arrangement of sovereignty within Israel/Palestine, including a possible Palestinian state (Raz-Krakotzkin 2004). Benvenisti sees the narrative underlying the two-state solution as inherently mistaken. Bi-nationalism for him and many of his fellow bi-nationalists (Raz-Krakotzkin 2004; Amihai 2009) is first and foremost a description of the current condition of Jews and Arabs in Israel/Palestine – a condition to which the institutions of the state have yet to catch up. Rather than view the conflict as one between two national movements, he believes a more correct interpretation is one between a colonialist power and an indigenous society (Benvenisti 2007, 47-51). Looking at the situation through such a lens, he claims, allows the viewer to discern the causes of the cycle of ever-increasing violence between the two communities as a version of the “settler syndrome”, wherein the violent reaction of the native population to settlement is construed by the settlers as aggression and, in turn, allows the latter to see themselves as victims, thus warranting counter-actions, which perpetuate the cycle. The indigenous population's violence is

wholly justified, then, and no number of victories by the settlers, short of full genocide, will lead to peace.

For Benvenisti, this was an earth shattering realization (Shavit 2003), but this is the exact perspective taken by Jabotinsky 80 years earlier, when he foresaw that no agreement can be reached with the Arabs from a position of minority (because they have no reason to accept it, as they do not recognize the Jewish claim to Palestine), but nonetheless required that once a majority is achieved, a bi-national state with full autonomy and equal rights to both national communities be formed (Jabotinsky 1923).¹² It is not that Benvenisti has given up on the Zionist vision (at least in its liberal form), but rather the Zionists themselves who have veered from the path they have set themselves, and replaced it with an ethno-nationalist dogma of hegemony and oppression of the minority, arguably because they replaced the perception of Zionism as a movement of settlers with its view as an indigenous national movement.

This is not to say that the rationale behind the thinking of Jabotinsky is the same as that of Benvenisti. The latter would have been glad to see a two-state solution work, and certainly does not espouse the expansionist aspirations of Jabotinsky and his followers. And yet the end result for the two is surely more alike than is the endgame promoted by the two-state solution advocates. For Benvenisti, the two-state solution is patently unstable. The interdependence of Jews and Palestinians, the close quarters made all the closer by Jewish settlements in the occupied territories and the project of “Jewification” of areas within Israel proper that were characterized by Arab majorities (i.e. the Galilee and the Negev, as well as Jerusalem), and the simple geographical facts of the region, he claims, make the area between the Jordan river and the sea a single, indivisible

¹² See also supra note 6 on Menachem Begin’s plans to this effect.

geopolitical unit. A separation into two states will inevitably require such a level of cooperation between the two entities that they will, for all intents and purposes, be a federal arrangement (Benvenisti 2007, 209). Given this situation, Benvenisti argues that thought must be given to the bi-national nature of the resulting arrangement, rather than leaving it to be resolved through additional conflict. For him, the bi-national one-state solution is not the most desirable or easiest solution, it is merely the only possible moral one. Furthermore, while he never actually predicts the end of the nation-state writ large, he nevertheless points out that in internal national disputes in the recent past, the suggested solutions were invariably in the form of federal bi-nationalism, even if they haven't always come to fruition.¹³ Therefore, Benvenisti believes such a form of federal bi-nationalism, with “soft” boundaries that remove the obstacles of surgically partitioning the land, is the only solution possible, both practically and morally (Benvenisti 2007, 222).

The notion of “inevitability” forms one stream of bi-national thought in Israel (e.g. Peretz 2007; Wallach 2009a). This notion plays an ironic role within the mainstream political debate, as it relies to a great extent on the acceptance of the right-wing view that the Disengagement will not repeat in the West Bank and at the same time plays to the hands of the mainstream left, who blame the right for driving Israel towards a condition of inevitable bi-nationalism (e.g., Yaniv 2010). Some critics of bi-nationalism have pointed to this seeming capitulation of the radical left in the face of right-wing as the central flaw in bi-national thought (Lieblich 2010). Others see it as a basis for a

¹³ Benvenisti gives the examples of Northern Ireland, Bosnia, and Cyprus, in addition to the more stable cases of Switzerland, Canada and Belgium (Benvenisti 2007, 214-218). These very cases, alongside others, are used by Smooha (2009) as proof of the *instability* of bi-national arrangements. Smooha in turn supports a more “thin” cultural autonomy for the Palestinians within Israel, more akin to Jabotinsky’s vision, albeit alongside a Palestinian nation-state.

previously unthinkable cooperation between the radical left and “the democratic right” (Shenhav 2010)

As seen by Benvenisti, partition and bi-nationality are not a mutually exclusive dichotomy, but rather points on a continuum between a one-state and a two-state solution, all defined by an inevitable level of bi-nationalism. The non-identity of bi-nationalism and the one-state solution is most obviously seen in the *Future Vision of the Palestinian Arabs in Israel* (2006), a document issued by the National Committee for the Heads of the Arab Local Authorities in Israel. This document sets forth a program that requires both the formation of a Palestinian nation-state in the West Bank and Gaza, *and* the transformation of Israel into a bi-national, “consensual democracy” devoid of symbols of Jewish nationhood.¹⁴ This vision has rightly been criticized as openly advocating an end of Jewish national aspirations while at the same time demanding the very same national rights to the Palestinians which are denied of the Jews (Smootha 2009). In other words, this is a mirror-image of the Israeli right-wing’s attempts at denying such rights to the Palestinians, implementation of which will inevitably bring about the creation of two *Palestinian* states within mandatory Palestine. That the two would eventually converge, to the detriment of what Jews should remain there, would then be surprise to no-one.

Much as we may dismissed out of hand those views that ignore the national aspirations of the Palestinians, so we may dismiss those which ignore the national interests of the Jews. But as Benvenisti noted in a recent column in *Ha’aretz*, just because the debate around bi-nationalism is often abused to promote anti-Israeli propaganda, that

¹⁴ It is also of note that this document is careful to refer to the Palestinians as a “people”, which is merely a part of the “Arab and Islamic nation”. This choice is particularly peculiar in light of the common trope of Jewish right-wing activists claiming that the Arab nation already has 22 states, and therefore another one is unnecessary, especially since the Jews have no alternative. If the Palestinians are a people but not a nation, it isn’t clear why they should have a nation-state.

does not mean the debate should be shunned altogether. “Thus is the fate of all those who seek new paths” (Benvenisti 2009).

Even if one accepts the thesis of inevitability, the issue of the practical and moral arrangement still remains. Can the two nationalisms be reconciled in a just manner? Chaim Gans, in his *A Just Zionism* (2008a), seeks precisely such a reconciliation of the two national groups within Israel/Palestine. In this remarkable work¹⁵ Gans keenly observes the conditions which have led to the current impasse, and finds Zionism wanting without condemning it completely. He shows that both the Jewish immigration to Palestine and the hostile response of the Arab inhabitants were justified in a world that touts the right to self-determination on the one hand but refuses to distribute the costs of self-determination equally among all nations, on the other. But if the Jews were justified in landing on the shores of their historical homeland in the aftermath of the Holocaust,¹⁶ how they conducted their business subsequently is inherently unjust.

Gans argues that the right to self-determination does not grant a nation the right to a nation-state, i.e., a state wherein the nation is hegemonic in all areas of life. Instead, he argues for a statist realization of self-determination through a package of rights granted to each national group within the state, and the elimination of hegemonic practices and symbols from the state level (Gans 2008a, 62-68). Yet, at the same time Gans argues in favour of the two-state solution (2008a, ch. 4; 2008b) while clearly stating

¹⁵ The book is in fact a practical application of the more elaborate theory of nationalism established in Gans' previous *The Limits of Nationalism* (Cambridge University Press: 2003).

¹⁶ Amihai (2008) sees the argument that justifies the State of Israel based on the horrors of the Holocaust as “unfair towards the Jews to immigrated to the country before the Holocaust, and to those who came from countries where the Holocaust did not take place, and not from a sense of persecution.” In a panel at the APSA 2009 conference on Gans' book, his reliance on the Holocaust as justification for the State of Israel was also criticized on similar grounds.

that the Palestinian citizens of Israel will still be eligible for self-determination within Israel.¹⁷ He adds that while the theoretical principles he put forth advocate that this be mirrored in the Palestinian state, practical reasons preclude this (2008a, 107-108).

This comes strangely close to the solution advocated by the National Committee for the Heads of the Arab Local Authorities in Israel (2006), wherein, in essence, the Palestinians end up with “one and a half” states. Gans’ assertion that the Jews must relinquish hegemony in all fields but security and immigration is actually the sole deviation from their program, and it is not clear how this hegemony might be sustainable if the Palestinian minority achieves majority, or even near-majority status.

So at the same time that Gans rejects the one-state solution because it is “an attempt to completely deny the Zionist narrative of Jewish identity, whatever its interpretation might be” (2008b), he advocates for a two-state solution in which the Zionist narrative receives little more than a nod. The state he envisions is not “Jewish”, but “of the Jews”, and not exclusively so at that.

In fact, Gans rejects only one form of the one-state solution. He readily admits that his principles make the federal, bi-national one-state solution morally superior to any other solution (2008b). However, he rejects this solution on practical grounds:

“It is clear that political equality between the two nations within one state would lead to either stalemate in most issues requiring decisions, or to violent conflict, and that political inequality would lead to the domination of one of the nations

¹⁷ Polls show that a majority of Israeli Palestinians will object to moving into the Palestinian state once one is formed, including the option of land exchange between the two states that would transfer Arab villages bordering on the Palestinian state to Palestine’s authority (Smootha 2009). Gans acknowledges this, and requires that such an exchange be done with the consent of the population in question (2008a, 106). He ignores here the substantial social pressures that will be put on that population if the question was ever actually presented to them, and the possibility that nationalist pressures will lead to a decision which isn’t actually preferable to those who make the decision.

over the other... The practical problems which will arise for the one-state solution will not arise during the process leading up to its implementation, but rather during the everyday process of maintaining it after it has been implemented. The problems could therefore go on forever. Thus, there is no doubt that the two-state solution is morally and practically superior compared to the one-state solution” (Gans 2008b).

Here, he is much in agreement with Benvenisti, who said to Ari Shavit in 2003 that “I know what I stutter to you here isn’t really a solution. Because even if there was some federal structure here, it won’t bring peace. There will be no peace here. And even if there is some bi-national arrangement, it will only manage the conflict. On the fringes there will always be violence”. Even Gans, after all, agrees that “of course, this does not mean that the two-state solution can really be attained” (2008b). Gans views the federal, bi-national solution as desirable but impractical,¹⁸ while Benvenisti views it as lamentable but unavoidable: Gans’ two states will be tied so tightly together that they are better off confederating into one. The problems he raises against the one-state solution will manifest just as doggedly in a two-state arrangement. Should we not revert then to the bi-national, single federal state solution which is manifestly more just?

That the bi-national solution is not merely inevitable but actually desirable is a view that is slowly gaining ground among bi-nationalists. The argument made by Gans (2008b), in combination with the criticism of the non-viability of the two-state solution, leads some to advocate a single, bi-national state solution even if a two-state solution is deemed possible (Katz 2010; Shenhav 2010). This view returns to the roots of Zionist bi-nationalism, to arguments such as those of Magnes and Buber, who sought such an arrangement on both practical and moral grounds. Authors such as Yehuda Shenhav

¹⁸ An interesting twist on this way of thinking was offered by Avissar (2009), who sees the bi-national option as more moral in theory, but as one that can only be achieved through great evils.

challenge Israel's self-perception as a liberal democracy and argue that to justify such a title, Israel must accept its bi-national nature and reform its institutions to reflect the multiple identities that exist within its population.

The opposition offered by many Israeli critics (at least those on the left wing) to the bi-national solution revolves primarily around practical issues, but underlying them is a great distrust of the Palestinians and Arabs in general, generated to a large extent of an essentialist perception of Arab culture. Benny Morris sees no particular problem in claiming that “in effect, there has been no evolution in terms of attitudes toward Zionism and Israel. The years 1937, 1947, 1978 – when Arafat rejected the Sadat-Begin Camp David Agreements, which provided for Palestinian self-rule in the Gaza Strip and West Bank – and 2000 were all of a piece, with no real movement or change in final objectives... Al-Husseini [in the 1930s and 40s]... the PLO,.. and Hamas today – all sought and seek to vastly reduce the number of Jewish inhabitants in the country, in other words, to ethnically cleanse Palestine” (Morris 2009, 166-167). Morris grants that as opposed to the leadership of Palestinian Arabs before 1948, Arafat’s PLO adopted a “plan of phases”, which is aimed at gaining a foothold in the form of a Palestinian state, and slowly taking over the rest of Palestine from there. However, he both ignores the fact that the exact same can be said of the Zionist leadership in the years leading up to Israel’s independence (in fact, he points it out himself, yet never acknowledges this similarity, see Morris 2009, 64: “Ben-Gurion ... hopes that the emergent ministate would serve as a springboard for a future expansion of Jewish sovereignty over the whole of, or at least over additional parts of, the Land of Israel”); and, in another ironic twist, that the exact same arguments were raised by the Arabs themselves in opposing the bi-national solution while *they* were the majority in the land (pp. 96-98).

The thrust of this criticism (and similar mirror-image objections raised on the Palestinian side) is that the other side simply cannot be trusted. Both sides have ample historical proof of this inherent untrustworthiness of the other: the violent acts of the Arabs from the riots of 1929, through the revolt of 1936-1939, numerous wars, up to and including the two *Intifadas* with their abhorrent use of suicide bombers; and, on the other hand, the expulsion of Palestinians from their homes in 1948, the cruel oppression of Palestinians both in Israel proper and in the occupied territories, the settlement of Jews beyond the Green Line which merely proves the expansionist goals of Zionism. The violence of one side justifies the reaction of the other. The identical criticisms and mistrust of both sides lead to identical strategies: striving for a foothold as a springboard to expansion, attempting to reach a majority which would then “justify” hegemony, the ‘womb as the ultimate weapon’ and so forth. But since both sides use the same tactics, both easily see through the other’s ploy.

The coup de grace of those opposing the bi-national solution is often simply that neither side actually wishes for it (see, e.g., Smooha 2009). This is a tautological reason to oppose a plan (after all, the two-state solution was hardly supported by a majority of any side until quite recently¹⁹). But more importantly, it is deceitful because it ignores the

¹⁹ Morris aptly shows that the two-state solution is not truly supported by the PLO, never mind the Hamas which has gained much support among the Palestinian over the years since Oslo. However, his depiction of a majority of Israelis supporting a two-state solution which led to the rise of the Rabin government is deceitful: Rabin’s government was a minority coalition, supported from the outside by the Arab parties, and even this slim majority was more a result of the loss of votes due to splintering on the right wing than because of the masses rallying to the support of the left. That no other left-wing coalition, with or without Arab support, was possible since, is a testament to the insubstantiability of Rabin’s victory. Furthermore, it must be remembered that Rabin did not run under the “Two States for Two Nations” ticket, but rather on a plan of some sort of autonomy. The Two-State solution was still the purview of Hadash in the 1992 elections, and it is questionable whether the Labour party could have achieved even its meager victory if it had advocated a two-states solution in advance (I am indebted to Aryeh Amihai for this insight).

fact that the two-state solution is in fact a great many solutions, and there is no reason to assume that as long as the above mutual distrust continues, any one of these options can be agreed upon. Oslo, after all, was a miserable failure. But if the distrust *can* be dispelled, once again bi-nationalism becomes a more viable solution.

It is precisely for this reason that the newer stream of advocates of bi-nationalism see the rejection of the “1967 paradigm” (Shenhav 2010) and the adoption of “bi-national thinking” (Raz-Krakotzkin 2004; Katz 2010) as both desirable and critical in achieving any sort of long-lasting peace. For as long as the two sides are locked into the 1967 paradigm, which sees the problem as merely an issue of the 1967 occupation without incorporating the matters of Israel's Arabs and the refugees, no rapport can be achieved, and no trust can be built. And once it is rejected in favour of the “1948 paradigm”, all practical impediments to bi-nationalism can be diffused.

That nobody on either side supports a bi-national, federal one-state solution, however, is simply not true. Support for this idea was raised a full decade ago by no less a prominent Palestinian than Edward Said (1999), and additional supporters from both sides occasionally raise their voice (including signatories of the *Future Vision*, e.g. Ghanem 2009), to the degree that Benvenisti wondered recently whether bi-nationalism was becoming “fashionable” (2009). Even this does not satisfy the opponents of bi-nationalism. Hermann (2005) even complained that the existing support for bi-nationalism is primarily within intellectual circles, which lends “their recommendations more than a touch of ‘ivory tower’ overrationalisation and detachment from reality” (398) – a curious critique indeed, coming from a professor of political science. This ignores the existence of a political party largely dedicated to the idea of bi-nationalism: Balad. While officially supporting a two-state solution with a “State of All Its Citizens” formula (see

also Bishara 1993), Jamal Zahalka, co-founder of the party and its leader since Azmi Bishara fled Israel following charges of treason, has gone on-record in support of a single bi-national state over the entire area of Israel/Palestine, with a form of federal regime (Ettinger 2002). Supporters of Balad have suggested that the party's continued support for the two-state solution in its platform is out of fear of being disqualified based on laws preventing parties opposing Israel's Jewish identity from running for elections (Saba'a-Huri 2009). With growing support for the bi-national solution among Palestinians on both sides of the Green Line, arguing against support for this solution by Jews because nobody wants it becomes more and more absurd.

Conclusions

All in all, the initial observation of Benvenisti remains true: Israelis and Palestinians are living currently in a bi-national reality. None of the alternative solutions proposed, except for those that advocate abhorrent actions such as ethnic cleansing or mass deportation, honestly tackle this reality. If the Jews and the Palestinians are ever to achieve even a degree of relative calm in Israel/Palestine, bi-nationalist thinking must be addressed head-on.

Each of the three streams of bi-nationalism challenges mainstream thought on the Israeli-Palestinian conflict. The opportunistic unbearability stream challenges the mainstream's willingness to compromise “Jewishness” for democracy. The inevitability stream challenges Jewish Israelis' perception of both the relationship between the Jews and the Palestinians, and between left and right within the Jewish mainstream. The desirability stream challenges Israel's self-perception as a liberal democratic state, and

requires a reevaluation of the commonplace differentiation between pre-1967 and post-1967, both chronologically and geographically.

Jabotinsky was right to argue that the Arabs would not concede a bi-national state while constituting the majority, but he was wrong to believe that the Jews, once they achieve the same status, will be more magnanimous. It has taken decades of bloody conflict, and the near parity of the two peoples in the land between the river and the sea, for bi-nationalism to achieve any sort of standing within both nations. It is for the younger generation, those who were born into this reality, to forgo the old grudges, recognize the old injustices but find ways to reconcile them without eliminating the other side, and build a new state that recognizes the rights, needs and obligations of both its constituent nations.

This sort of recognition cannot yield but the thinnest of allegiances to the joint state, and indeed, little more than that is hoped for by advocates of bi-nationalism. The shared identity that the plaintiffs in *Ornan v. The Ministry of the Interior* is not one based on language, culture or national affiliation, but precisely this sort of thin, civic identity. Bi-national thought, as opposed to the utopian Zionism, is a practical, realistic view. The federal state that bi-nationalism could result in must not be expected to perform roles it cannot possibly do. It will be but an administrative unit, there to facilitate an arena for the inevitable constant contestations that will exist in this region for decades, if not centuries, to come. But better that these inevitable struggles be carried out within the framework of a single democratic country with cross-cutting cleavages and interests,²⁰ than without such a framework, where struggles are won with guns, bombs and rockets.

²⁰ See Smith (2003), ch. 3.

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