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Two States or Not Two States? Leadership and Peace Making in the Israeli–Palestinian Conflict

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ABSTRACT *The debate around the viability of the so-called ‘Two-State Solution’ and the perspective of an alternative ‘One-State Solution’ began to attract renewed attention after the collapse of the Oslo process. We suggest that instead of debating the viability of rival constitutional schemes, a more fruitful approach to the issue of peace making in Israel/Palestine should focus on the structural elements of the picture more than on future possible outcomes of the diplomatic process. This article focuses on the role of the two leaderships by analysing their historical background, discourses and policies in order to understand to what extent the debate on the TSS/OSS dichotomy reveals the hidden logic of the alternatives. Our aim is to describe the ‘primordial soup’ that enables discussion and decisions with respect to the different scenarios addressed by the debate. We conclude that the TSS/OSS alternative hardly identifies meaningful coalitions for peace making and the attainment of either of the two solutions seems to be unlikely without a dramatic change the very identity of Palestinian and Israeli leadership; the rhetoric about the ‘missed opportunities’ of negotiation contributes instead to obscure the resilience of the status quo.*

After the dramatic breakdown of the Israeli–Palestinian peace process in 2000/2001, the debate around the viability of the so-called ‘Two-State Solution’ (TSS) and the alternative concept of ‘One-State Solution’ (OSS) began to attract renewed attention from scholars, journalists, policy makers and activists (Halper, 2003; Judt, 2003; Shavit, 2003; Abunimah, 2006; Peled, 2006; Tilley, 2006; Hilal, 2007; Inbar, 2009; Morris, 2009).

The TSS focuses on the idea of the partition of Palestine into two sovereign entities and the birth of a Palestinian state – including more or less the entire West

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Bank and Gaza Strip (WBGS) and East Jerusalem.¹ Under the label of OSS we group together all the various approaches calling for the reunification of Palestine into a single state; implicitly, this would amount to the end of Israel as a Jewish state and the creation of a common citizenship for Palestinian and Jewish communities – albeit various options have been put forward with respect to the details of such an institutional arrangement.

This debate could be welcomed to the extent that it focuses on a crucial theme – the dynamics of territorial and institutional integration between Israel and the WBGS – long overshadowed during the 1990s by the dominant discourse about the imminence of the TSS (Falah & Newmann, 1995; Smooha, 1997); still, the empirical measure of the viability of rival constitutional schemes rests on shaky ground. First, it is easy to point out that any solution would be better than the present chaos, but at the same time neither the TSS nor the OSS seems to be in sight. Second, the two models could easily overlap: the TSS would require inter-state co-operation and the OSS the presence of consociational arrangements (Dumper, 2009).

We therefore suggest that today – when the very nature of *demos* and boundaries in Palestine is difficult to define (Allegra, 2009) and the decision-making process is dangerously kept in balance between impasse and chaos – attention should be given to the structural elements of the picture rather than to future possible outcomes of the diplomatic process. This article focuses on one important element of the peace-making process – among others, such as the choice of peace-making model itself, the role of public opinion and threat perception and so on (Barak, 2005; Shamir & Shikaki, 2005; Maoz & McCauley, 2009) – that is, the role of the two leaderships. Our analysis delves into discourses and policies to discover to what extent the debate on the TSS/OSS dichotomy reveals the hidden logic of the alternatives.

Our aim is not to determine the ‘Palestinian’ or the ‘Israeli view’, but to describe instead the substrate (‘the primordial soup’) that enables discussion and decisions with respect to the different scenarios addressed by the debate. As this article will show, the TSS/OSS alternative hardly identifies meaningful coalitions for peace making and the attainment of any of the two solutions seems to be unlikely without a dramatic change in the way the two parties look at the conflict itself. Meanwhile, the rhetoric about the ‘missed opportunities’ of negotiation contributes to obscure the present structural lack of incentives to progress toward a negotiated solution and the resilience of the status quo.

1. The Leadership and National Identity: Land and People in Palestine

The TSS and the OSS put forward two different visions of how citizenship and territory should be defined in the area of Palestine. These two elements represent the traditional focus of any form of nationalist political thought; still, the history of Palestine – whose recent past has seen mass immigration and transfers, territorial colonization, controversial boundaries and contested borders – contributed in giving ‘people’ and ‘land’ a peculiar meaning.

Zionism's Dilemma: 'Chosen People' vs. 'Promised Land'

Israel defines itself as an ethnic (Jewish) democratic state. While the exact meaning of such a formula is widely disputed, Israel's Jewishness is universally recognized by many scholars whose judgements about its democratic performance diverge. Historically, Zionist state building was always based on a *völkisch* notion of political community, similar to a German 'ethnocultural, differentialist understanding of nationhood' (Brubaker, 1996) and contrary to other nationalist movements, Zionism never tried to include local minorities in the national project (Cohen, 1989; Butenschön 2000); as a result, the Palestinians were kept at the margins of the Zionist/Jewish society. This proved to be true even for those Palestinians who became Israeli nationals after 1948: despite a relative growth in their assertiveness both in the political and in the civil society fields, they always remained second-class citizens, deprived of the right to equal access to the resources of the state (Lustick, 1980; Kretzmer, 1990; Rouhana, 1998; see also Mossawa, 2010; Israeli Democracy Institute, 2010). The territorial dimension represents the second pillar of Zionist discourse. For Zionists the notion of land as the fundamental ingredient of sovereignty overlapped with a national mystique of redemption: settling Palestine amounted to an anthropological revolution that would eventually trigger a new era for the Jewish people. During the Mandate era, land became the object of a more pragmatic reflection on the various hypotheses of the partition of Palestine (Shelef, 2007). The most important limit to Zionist territorial ambitions was related to the idea of Jewish majority; as David Ben-Gurion put it, Israel could be 'large', 'Jewish' and 'democratic', but only two out of these three conditions could be fulfilled at the same time.

In 1948, the Zionist victory and the Palestinian exodus produced what Chaim Weizmann defined as a 'miraculous simplification' of the pre-war precarious demographic balance: within Israel's boundaries – including about three-quarters of the Mandate – Palestinians constituted roughly 10 per cent of the population. In 1967 the conquest of the WBGS reopened the demographic 'Pandora's box'. Social scientists, activists and politicians began to debate the political consequences of future population trends in the light of the narrow margins the state had to secure a Jewish majority as well as the looming danger of reaching a point of no return beyond which Israel would eventually not be able to disengage from the WBGS (Friedlander & Goldscheider, 1979; Lustick, 1993: 11–20). After the inception of the first Intifada (1987) destroyed the model of 'coexistence under occupation', the idea of a TSS began to gain the upper hand in Israeli society, and especially on the left. This shift, however, did not undermine Zionist consensus about Israel's Jewishness: the Israeli 'peace camp' argued instead that the TSS represented the only way to *maintain* the structure of the Jewish democratic state. Meron Benvenisti recalled how during the 1980s he 'started with the assumption of the Israeli Zionist left ... that the rational solution was two states for two nations' and indeed described binationalism as a possible nightmare for Israel (quoted in Shavit, 2003; see also Benvenisti, 1984). The TSS came to be seen as the only way to preserve Ben-Gurion's 'small' but 'Jewish and democratic' state. The self-defining statement published on the website of Peace Now, for example, states that

Peace Now maintains that the [occupation of the WBGS] endangers ... the democratic nature of Israel as the state of the Jewish people [and calls for a] comprehensive solution to the problem of refugees ... without infringing upon the right to self-determination of the Jewish people in the State of Israel. (Peace Now, 2003)

In 1993, the signature of the Oslo agreements embodied this growing consensus on the idea of an Israeli disengagement from the WBGS. This shift proved to be durable and did not affect the Zionist left alone. After its victory in the election in 1996 even Benjamin Netanyahu's Likud chose to remain within the Oslo framework; years later, Ariel Sharon was the first Israeli prime minister to define the creation of a 'Palestinian state' as the ultimate goal of the peace process, followed by his Kadima fellows Ehud Olmert and Tzipi Livni (Sharon, 2003; Olmert, 2006; Livni, 2009). The TSS even gained the formal – if somewhat reluctant – support of leaders such as Netanyahu and Avigdor Liberman (Netanyahu, 2009; Ravid, 2009).

From Exile to Palestine to Chaos: The Palestinian National Movement

The late 1960s represented a turning point in the development of Palestinian national consciousness. After the dramatic political and military defeats of the 1930s and 1940s, a new national leadership grew around Yasser Arafat and the Palestinian guerrilla organizations, whose major success was to secure the unity of the dispersed Palestinian people through the Palestinian Liberation Organization (PLO). The PLO – and Fateh itself, a 'broad church, opening its hands to parishioners of various kinds' (Agha & Malley, 2005: 22) – acted as an umbrella, representing the Palestinians of the WBGS as well as those in the refugee camps or living in other states. The logic of PLO, a 'state in exile', was inclusive toward all the political factions and the organization succeeded in giving a unitary and independent political representation to the otherwise fragmented Palestinian people.

By the end of the 1960s, the PLO began to change its political platform with respect to the ultimate goals of the national liberation movement by gradually abandoning the vision of a complete reversal of the consequences of the war of 1947–49 (Muslih, 1990; Sayigh, 1997). In 1968 Fateh began debating the idea of a 'secular democratic State'. Such a state would include Muslims, Jews and Christians on an egalitarian base; up to that point, however, territorial and political maximalism still represented the dominant stream within the PLO. In 1974 the idea of establishing a national power on a part of Palestine as a transitory step toward its complete liberation was raised for the first time by the 12th Palestinian National Council (PNC). After 14 years of heated debates the PLO officially endorsed the TSS with the declaration of the 19th PNC, held in Algiers in 1988. The Oslo agreements represented a further step on this path, establishing an autonomous Palestinian government in the WBGS. The powers of the PNA were very limited in scope and could be exercised only on an archipelago of small jurisdictional islands; however, the PLO mainstream hoped that the advancement of the diplomatic track

and the birth of a limited Palestinian self-government would eventually trigger a virtuous circle of state building (Shaaf, 1993).

The birth of the PNA contributed to the transformation of the Palestinian national liberation movement (Schulz, 1999). The management of a ‘quasi-state’ gave Arafat and his ‘Tunisians’ – the label identifying the leaders who returned to Palestine from their exile in Tunis, the seat of PLO headquarters after its expulsion from Lebanon in the early 1980s – a crucial asset with respect to the balance of Palestinian politics, allowing them to use the political and financial leverages of the PNA to promote their own agenda. The rise of the Tunisians, on one hand, undermined the stance of the Diaspora, whose decline was symbolized by the progressive demise of the claim for the right of return in the leadership’s discourse (Nabulsi, 2005; Hanafi, 2006). On the other hand, this shift did not result in a corresponding empowerment of the local leadership born during the Intifada: both the prominent personalities of the WBSG and Fateh’s ‘young guard’ remained at the margins of the PNA, while the Islamist movements refused to recognize the new political system (Frisch, 1997; Klein, 1997). The early phases of the PNA saw an ‘occupation of the institutions’ by a restricted group of Arafat’s loyal supporters, eventually evolving into what has been called a ‘neopatrimonial’ or ‘neopatriarchial’ regime centred on Arafat (Brynen, 1995: 25; Frisch, 1997); in that, the development of the PNA paralleled the experience of many post-colonial states, where ‘a dominant party ruled the state for a long period and as a result blocked the way for a real change of power’ (Jamal, 2001: 26).

Still, the wide consensus enjoyed by Arafat rested primarily on the perspective of rapid progress on the path of state building; the shortcomings of the PNA and of the chaotic nature of the Arafat-centred political system could be justified because of their provisional nature and the need for a ‘modern absolutism’ to advance rapidly toward the goal of state-building (Anderson, 1991). The lack of such progress eventually eroded the consensus enjoyed by Fateh and the PNA. The shortcomings of the latter in terms of governance and lack of accountability, rule of law and human rights came under increasing criticism (Sayigh & Shikaki, 1998; Amundsen & Ezbidid, 2004). At the same time, the replacement of the mobilization of militants with a process of co-optation of individuals and groups within the institutions weakened Fateh’s social base and prevented the renewal of the leadership (Jarbawi & Pearlman, 2007). The growing stress within the PNA and Fateh exploded after the beginning of the second Intifada in 2001: Arafat’s strategy had proved to be ineffective with respect to state building, and the PNA was now clearly unable to protect the population of the WBSG, not to say to carry on its own policy without Israel’s assent.

Both the US and Israel challenged Arafat’s leadership by openly supporting Mahmoud Abbas and the PNA executive against the presidency, while at the same time Fateh’s Tunisians faced the growth of the internal opposition in the movement, represented by younger leaders such as Marwan Barghouti. The Sixth General Conference of the movement, held in Bethlehem on August 2009, avoided the perspective of an immediate breakdown by strengthening Mahmoud Abbas’ role and, to a certain extent, renewed the leadership by co-opting members of the so-called ‘young guard’ into Fateh’s Central Committee (ICG, 2009); in the end,

however, the situation remains tense and confused. Finally, Hamas' rise for the first time provided Fateh with a serious political competitor – as became evident with the electoral round of 2006 (Stetter, 2006) – creating a profound political and territorial split within the Palestinian national movement.

2. TSS, OSS and the Two Leaderships

We have presented the paths followed by the Israeli and Palestinian leadership in the last 40 years and will now address the perspectives of the two leaderships with respect to the OSS/TSS alternative. In other words, does the reference to the TSS or OSS help us to build meaningful maps of preferences, challenges and possible coalitions as far as peace making is considered?

Palestinian State or Unilateral Separation?

If we look at the Israeli leadership through the OSS/TSS lens, one sound conclusion seems to be unavoidable: the Israeli leadership is apparently committed to the TSS. The almost total lack of support for the binational solution remains a defining trait of Israeli politics: as the Palestinian Israeli analyst As'ad Ghanem notes, 'there is no doubt that the Israeli public and government stand against the bi-national state solution' (Ghanem, 2007: 64).

Given the almost universal rejection of the OSS, the usual taxonomy of Israeli politics defines two broad groups: (i) the 'Israeli peace camp', and (ii) the 'national right'. The 'peace camp' would openly advocate the TSS. Within this camp a more 'dovish' side (represented by NGOs such as Peace Now, intellectuals like David Grossman, Amos Oz and A.B. Yehoshua, and the Israeli Palestinian minority) would support a solution roughly based on the terms of the Geneva initiative, while the centre-left political mainstream (represented by Kadima and the Labor party, and by leaders such as Livni, Barak and Peres) would remain more cautious on the terms of territorial compromise. The 'national right' would be still reluctant to support the creation of a Palestinian state. The mainstream (such as Likud and Yisrael Beiteinu) would anyway support Israel's disengagement from the WBGs and the perspective of 'economic peace' and 'demilitarized state' put forward by Netanyahu (Harel & Ravid, 2009; Netanyahu, 2009), while a minority of radicals (the settlers' movement and the growing national religious camp) simply reject any hypothesis of compromise with the Palestinian.

Leaving aside the already self-evident fact that the OSS has no support in Israel's political mainstream, the 'peace camp'/'national right' dichotomy remains problematic. The first ambiguity relates to the very notion of the Palestinian state. The Israeli political discourse referred to various overlapping notions such as 'state', 'self-governing authority', 'non-territorial autonomy', 'Palestinian entity', 'local autonomy' and so on; as a matter of fact, the word 'state' never appeared in the text of the Oslo agreements, and was consistently avoided by Israeli leaders during the 1990s. Even admitting Rabin's role in opening up a 'window of opportunity' by creating 'however temporarily, a cultural space in Israeli politics ... a

construction of an Israeli national identity and interests that were tied to ... territorial compromise with the Palestinians' (Barnett, 1999: 6), it is worth noting that Rabin's 'red lines' before Oslo excluded the birth of a Palestinian state; indeed, in 1995 he referred to the future Palestinian entity as 'something less' than a state (Shlaim, 1994; Aronson, 1996). With the impasse of the peace process, the potential unleashed by Rabin's brief tenure vanished, and even during the Camp David summit, the Israeli delegation headed by the Labourite prime minister Barak still avoided the use of the word 'state', referring instead to a model of a demilitarized Palestinian entity with continuing Israeli border control (Enderlin, 2002; Morris, 2002; Pressman, 2003). Against this background, it is difficult to argue that Netanyahu's idea of 'demilitarized state' (Netanyahu, 2009) with continuing Israeli control over the Jordan valley (Ravid, 2011b) places him in a different political universe with respect to Ehud Barak or Tzipi Livni. In the same way, we could paradoxically use the idea of TSS to trace a parallel between the Geneva initiative and extreme formulations of ethnic gerrymandering based on territorial separation and land swaps along demographic lines (Arieli et al., 2006); in 2008 for example Tzipi Livni proposed to include various Israeli Arab localities within the borders of the future Palestinian state (Ravid, 2011a). On the other side, the definition of the 'peace camp' itself is ambiguous, to the extent that it includes the Israeli Palestinian minority, whose main political claim relates to the achievement of civic equality through radical reform of Israel's Jewishness, which for example Peace Now wishes instead to maintain (Stern, 2007). The same difficulty is to be found when we try to judge the evolution of political positions over time. Did the recent opening by Netanyahu towards the idea of a Palestinian state move his position anywhere significantly nearer to Barak's and Livni's? How can we interpret the decision by Barak – credited with delivering the Palestinian delegation in Camp David 2000 the 'most generous' Israeli proposal in terms of final status agreement – to join Netanyahu's coalition government in 2009 along with Avigdor Lieberman's Yisrael Beiteinu? Indeed, the lowest point of Israeli–Palestinian relations came after the failure of Oslo, when formal support for the TSS became far more open and widespread in the Israeli political spectrum. We could of course dismiss the adherence of Israel's 'hawks' to the TSS as a rhetorical move; yet we should not forget that the only Israeli prime ministers to evacuate Jewish settlements – Menachem Begin and Ariel Sharon – actually came from the Likud. In our opinion, this means that the fundamental mistake is inherent in the notion that adherence to the TSS represents a 'turning point' or a 'conversion'.

A more realistic approach should instead stress the high degree of continuity of the Israeli leadership's preferences with respect to the WBGs. As Levi Eshkol put it in addressing Golda Meir, a few months after the Six Day War, the Israeli leadership did 'covet the dowry [the WBGs], but not the bride [the Palestinians]': all Israeli policies in the following 40 years tried to find an equilibrium between contradictory territorial and demographic goals by encouraging the development of limited Palestinian self-government.² Moshe Dayan was one of the first to argue that it was better to 'let the Arabs rule themselves as far as possible ... don't try to interpose an Israeli administration' (Benvenisti, 1984: 45), and the Labourite 'Jordan option' was

in fact based on Palestinian municipal autonomy. Menachem Begin himself authored in 1979 the first formal proposal of 'Arab autonomy', while at the same time his government tried to nurture a loyal Palestinian leadership by promoting the so-called 'village leagues' (Tamari, 1984).

From this point of view, the turning point determined by the signing of the Oslo agreement appears far less epochal as far as peace making is concerned. The increasing consensus over the TSS should be viewed instead as a form of 'tactical learning' (Nye, 1987; Bar-Siman-Tov, 2003) aimed at conflict reduction more than a drastic change of beliefs and agenda. Demographic fears remain one of the main non-partisan drivers of Israeli politics today (Zureik, 2003): the Israeli leadership agrees on its separation from the Palestinians with or without agreement, but the territorial and institutional consequences of this separation remain uncertain. The implementation of the TSS can therefore be interpreted as a refinement of established policies, none of which implies the birth of a viable Palestinian state (Falah, 2005; Li, 2006; Ben-Porat, 2008; Gordon, 2008: 29).

This continuity in the development of Israeli policies toward the WBGS could also be considered in the light of the 'failures' of Israeli decision making. As Michael Barnett (1999: 27) noted, the new electoral system introduced in 1996 encouraged split-ticket voting, thereby increasing the fragmentation of the government. Indeed, two Israeli analysts noted that during the 1990s, 'election campaigns did not produce ... serious deliberation of the issues at stake, the alternatives, or possible trade-offs ... [Elections] did not contribute to legitimation of bold policy initiatives in this area beyond procedural legitimacy' (Shamir & Shamir, 2007: 486). As Chuck Freilich (2006: 663) concisely put it in his analysis of the field of national security: 'the Lord is our shepherd, says the Book of Psalms, and fortunate this is, for no one else in Israel has the overall authority and structural capability needed for effective decision-making'. The Israeli settlement policy – one of the main drivers of transformation of the political and social reality of the WBGS – has been defined by Israeli analysts and policymakers in terms of 'blindness' (Eldar & Zertal, 2007: xix), 'casualness' (Gorembeg, 2006), 'foolishness' (Gazit, 2003) and 'innocence' (Shimon Peres, quoted in Gazit, 2003: xix) to underline how the Israeli leadership found itself progressively trapped by its inability to reconcile the daily evolution of facts on the ground in the WBGS with a longer term strategic perspective. This is not the place to argue about the ultimate motives of these flaws in terms of decision making; enough to note that this 'non-decision' – be it 'innocent' or not, to use Peres' words – gradually made any change of direction more difficult. Even if we avoid the notion of 'thresholds' (Lustick, 1993: 11–20), there is no doubt that the proliferation of facts on the ground gradually altered the self-perception of the country and the political balances. While the actual commitment of Israel's leadership towards the birth of a Palestinian state can be a matter of discussion, the cumulative result of 40 years of Israeli policies in the WBGS renders enormous the political price of reverting the past policies.

As a result, the Israeli debate on the TSS reminds us of Benvenisti's (1989: v–vi) dry comments on the way Israeli politicians were toying with the Jordan option during the 1970s:

the Jordanian option ... enables [the liberal Israelis] to express genuine desire for peace without coming to terms with the community with which they share the land ... It is painless, too, for the Arabs – even the most moderate – are unwilling to accept their ‘territorial compromise’ map.

The Jordanian option also represented a smokescreen for other political goals, since focusing on such an (unrealistic) option could serve the interests of those who wished to maintain the status quo while appeasing the international community. Above all, both supporters and opponents of the Jordan option agreed on the fundamental assumption that the West Bank would remain under Israeli control. The whole discussion concerned policy implementation more than strategy, and focused on whether the Jordan option could strengthen Israel’s position in this respect, addressing issues such as negotiation versus unilateralism, the choice of partners, the alternative between formal or informal autonomy, the extension and location of specific areas to be annexed and so on (see for example the transcripts of the roundtable held in 1976 by the Carnegie Endowment for International Peace: Fabian & Schiff, 1977).

After Arafat: The Fragmentation of the Palestinian Political System

The collapse of the peace process apparently reshuffled the Palestinian political cards. The crisis of Palestinian society – trapped between ‘the weakening of civil society and the absence of a State’ (Hammami & Tamari, 2001: 16) – indeed favoured the emergence of a strong social and political opposition to the old PNA leadership; this opposition has been widely interpreted as an open challenge to the TSS itself. Following this perspective, two main orientations are usually identified in the Palestinian political environment: (i) the ‘mainstream’ and (ii) the ‘rejection front’. The ‘mainstream’, the dominant faction within Fateh, the PLO and the PNA, would support a TSS roughly based on the terms of the Geneva initiative and direct negotiation with Israel as a means to achieve such a solution. As the Palestinian Reform and Development Plan (PRDP) – conceived by the PNA leadership as a tool to achieve statehood – points out, the Palestinian state will be ‘an independent Arab State with sovereignty over the West Bank and the Gaza Strip on the pre-June 1967 occupation borders and with East Jerusalem as its capital’ (PNA, 2008: 4). The ‘rejection front’ includes Hamas but also the Palestinian Marxist left and the international network of Palestinian supporters of the model of the ‘democratic state’. For all these groups the reference for the permanent solution of the conflict would be 1948 and not 1967; in one way or another, all of them call for the end of Israel as we know it – to be achieved through armed resistance, the reform of its Jewish features or the full implementation of the right of return – and the implementation of a OSS, albeit its ‘flavour’ could be alternatively Islamic, Marxist or liberal democratic.

As for the Israeli case, however, the TSS/OSS alternative does not help us to assess the perspectives of a resumption of the peace process. In the first place, it overemphasizes the maximalism of the ‘rejection front’. Hamas is often blamed for its rejection of the TSS on the ground that the organization’s Charter calls for the

destruction of Israel. In the first place, we should be aware of the basic truth that extreme, violent actions constitute channels of 'violent dialogue' (Ayyash, 2010) even beyond the intentions of the protagonists, and that violence itself is an established – and to a certain extent, rational – means of political action that cannot be reduced to blind fanaticism. More importantly, many analysts stress that the Charter rhetoric hides Hamas' de facto acceptance of the terms of the TSS formula (Hroub, 2006; Mishal & Sela, 2006; Gunning, 2008; Challand, 2009); maximalist rhetoric constitutes primarily a political tool to mark the distance from Fateh's mainstream – the same is true, to a certain extent, for other factions as well as for Fateh's 'activist' stream. Indeed, in his 2007 assessment of the perspective of peace negotiations after Hamas' electoral victory, Khalil Shikaki (2007: 12) noted that 'while Abbas is strongly opposed to the Road Map's option of a Palestinian state with provisional borders, Hamas is not. Ironically, the position of Hamas, the group Israel refuses to engage, looks closer to its own'. On the other side, while it is clear that Fateh's mainstream is ready to compromise on a great deal of critical matters such as Jerusalem, the settlements and the refugees, not all the relevant negotiation issues can be seen as settled once and for all (see for example the recently published 'Palestine Papers': Al-Jazeera, 2011; also Benn, 2011). In the same time, the same moderate leadership cannot avoid resorting from time to time to the rhetoric of resistance – and even occasionally refer to the OSS to pressure Israel (BBC, 2004; Haaretz, 2010). It is also worth remembering that the articles of the PLO Charter calling for the destruction of Israel were abrogated *after* the beginning of the Oslo process, and Fateh's political programme still maintains that the right to exercise armed struggle 'remains an immutable right that legitimacy and international law confers' (ICG, 2009). Today, Fateh's political discourse expresses a range of options spanning from Marwan Barghouti's motto 'security for Israel, yes, security for the occupation, never', to Abbas' call for 'a popular and cultural resistance'.

A more realistic representation of the informal consensus among the Palestinian factions on the TSS can be probably found in the so-called 'Prisoners' document' of 2006 – signed in its first version by representatives of Fateh, Hamas, Islamic Jihad, Popular Front for the Liberation of Palestine (PFLP) and the Democratic Front for the Liberation of Palestine (DFLP), and endorsed by Mahmud Abbas himself (JPS, 2006; PPSA, 2006). The document still contained references to the full implementation of the right of return; however, given the decline of Diaspora in Palestinian politics, it is reasonable to conclude that this claim also represents to a certain extent a show of rhetoric and loyalty to the very roots of the Palestinian national movement. It may be an exaggeration to define this informal consensus as a shared political platform, but at the same time it would be a mistake to equate the opposition to Fateh to a rejection of the TSS. The tensions between Fateh and Hamas escalated precisely when the Islamic movement decided to participate in the PNA elections, thereby extending to its widest limits Palestinian consensus over the legitimacy of the institutions born out of the Oslo process – and, implicitly, over the TSS: as Ismail Haniyeh confirmed after the elections, 'if Israel withdraws to the 1967 borders, peace will prevail and we will implement a cease-fire for many years' (Rubinstein, 2006). Of course, the clashes that occurred between Fateh and Hamas

in June 2007, and the consequent separation between the West Bank and Gaza Strip, dramatically deepened the gap between Palestinian factions. However, while we believe that the resumption of meaningful Israeli–Palestinian negotiations could have positive effects on the Palestinian political debate, it cannot be ignored that the central issue here is not the formal adhesion of Palestinian factions to the TSS but instead ‘resolving ... the central contradiction that has bedevilled the Palestinian national movement since the early 1990s. How can it build state institutions while still under occupation?’ (Agha & Malley, 2005: 24). A first crucial issue therefore concerns the dynamics of intra-Palestinian political competition and the relation between the political system and Palestinian society. Again, the present poor state of intra-Palestinian relations derives from contrasts on political issues – such as the formation of the cabinet, the timing of presidential and parliamentary elections, the reform of the security services, etc. – and from the rising influence of local clans and strongmen after the second Intifada (ICG, 2007). Fear of the definitive collapse of national solidarity explains the resurgence of the debate on the role of the PLO. As Mustafa Barghouti put it, ‘we must work in order to reform and restructure PLO [...]. It is necessary, indeed, that all the movements will be represented in the new PLO in order that all the Palestinians will be able to choose the leaders they want’ (phone interview, 25 February 2009). The Prisoners’ documents also stressed the need for ‘improving and activating the PLO, through the membership of Hamas and Islamic Jihad, as the sole legitimate representative of the Palestinian people’ and the same argument was put forward by an appeal published by Palestinian businessmen in the same period (JPS, 2006: 170–72, 173).

The same dynamic can be found within each faction. While the debate within Fateh is often described in terms of the rift between the Tunisian ‘old guard’ and the ‘young guard’ of the first Intifada, the generational gap has been reducing in recent years: Fateh’s ‘youngsters’ are now first-rank leaders – whose status has been recognized through their inclusion in the movement’s Central Committee in 2009 – and do not represent a cohesive group. The main bone of contention within Fateh relates instead to the overall strategy of the movement. On one side, Fateh’s mainstream – represented by the PNA presidency but also by younger leaders such as Mohammed Dahlan and Jibril Rajoub – shares a bureaucratic/statist attitude, and considers the institutions of the PNA as the crucial tool to advance the national agenda through confidence-building measures and international diplomacy; within this perspective, Fateh should merely provide this strategy with the necessary resources and momentum. On the other side, Fateh’s ‘activists’ – and their most prominent leader, Marwan Barghouti – argue for a bottom-up strategy based on grassroots activities and the resumption of the discourse of resistance: a renewal of Fateh – and its transformation into a political party – would be paramount in order to create a more successful approach to negotiation. At the same time the activist stream also supports the reconciliation between Hamas and Fateh, an option regarded with suspicion by Fateh’s mainstream (Abu Saif, 2007; Shikaki, 2007; Haddad, 2009; Napolitano, 2010). During the 1990s, Hamas built its political success by strengthening its social constituency and exploiting the ‘advantage of being second’ in the Palestinian political system (Bianchi & Bocco, 2007). After its

victory in the 2006 election, Hamas faced a dilemma similar to the one Fateh encountered in the 1990s: on the one hand, the movement has become the representative of the Palestinian cause through resistance and armed struggle; on the other hand it came to govern part of the WBGS, and should therefore deliver good governance and be accountable before Palestinians. Since 2006, Hamas has been unable to solve this dilemma; while its performance with respect to rule of law and corruption could be favourably compared to Fateh's PNA, some observers point out that Hamas should still demonstrate its commitment to political pluralism toward all Palestinian factions and unambiguously accept the political and institutional burden of its victory in the 2006 elections (Challand, 2009).

3. Conclusions

As a whole, the political process examined in the preceding paragraphs seems to suggest that the TSS/OSS alternative does not represent a useful analytical tool to understand the reality of the Israeli–Palestinian conflict.

In the first place, the two models do not help us to individuate meaningful coalitions with respect to the perspective of peace making. The supporters of the OSS are either politically irrelevant or – on the Palestinian side – tend to use the idea of a binational solution as a rhetorical tool to exert political pressure. However, the almost universal consensus on the TSS hides the fact that the two leaderships hold different views with respect to what the TSS means: the nature of the future Palestinian state, as well as the territorial arrangement in the metropolitan area of Jerusalem, remain so far divisive issues (Al Jazeera, 2011; Benn, 2011). This ambiguity contradicts the widespread interpretation of the failures of the peace process in terms of 'missed opportunities' – such as the negotiations in Camp David (2000) and Taba (2001), the informal 'Geneva agreements' (2003) or more recently the diplomatic talks under Olmert's tenure as prime minister – linked to collective or even personal failures of the leaders and a 'lack of mutual trust' (Sayigh, 2001; Ross, 2004; Ben-Ami, 2005; Kelman, 2007).

A more satisfactory explanation of the present impasse can be found by looking to the trends developed in each camp in the recent past. On one side, while the Israeli political panorama is more fragmented than it used to be before the 1990s, the Israeli leadership progressively cemented its internal consensus on a unilateral improvement of the present status quo through territorial separation. While Michael Barnett (1999) could describe the elections of 1992 as a clash of opposite visions of national identities, rooted in different historical narratives and tied to different frames of reference, the following years contributed to close this window of opportunity and to destroy the illusion that the various components of the Israeli leadership have something radically different to say about the future status of the WBGS. Israel's 'identity conflict' opened in 1992 was symbolically settled by the birth of Kadima under the joint leadership of Ariel Sharon and Shimon Peres and later by Labor's support of Netanyahu's government.

On the other side, while Oslo and the PNA progressively became the only game in town for Palestinian politics – either through the marginalization of 'rejectionist'

Diaspora leaders such as Farouk Kaddumi or through the eventual inclusion of the Islamists in the political process – the Palestinian leadership underwent a process of fragmentation. The last ten years saw the progressive dismantlement of the monopoly on the Palestinian political system achieved by Arafat with the inception of the Oslo process; increasingly, this fragmentation developed at the territorial level, the recent split between the Fateh-held West Bank and Gaza ‘Hamastan’ being only the most visible and dramatic aspect of this process.

Somehow paradoxically, these two paths – whose common element is adhesion to the principle of separation – contributed to the present lack of any substantial incentive to progress towards the realization of the TSS. The Israeli political consensus on the unilateral separation between a ‘greater Israel’ and the residual Palestinian areas matches the traditional answer of the Israeli leadership to the structural challenges of control of the WBGs; at the same time, short-term political ‘cost–benefit analysis’ is likely to deprive the Israeli leadership of the necessary resources for advancing any other agenda. In the present situation there is little incentive to alter well-established strategies, as in other situations where ‘the costs of resolving the conflict may appear higher than those of continuing it under controlled conditions’ (Bar-Siman-Tov, 2003: 27) – even if this attitude is likely to lead to an intensification of the conflict in the long run (Lochery, 2007).

The price of the maintenance of the status quo is far higher for the Palestinians; still, the leadership’s inability to advance toward conflict resolution does not originate only from the (undisputable) lack of power and autonomy of Palestinian institutions. Intra-Palestinian rivalries and the fragmentation of the political system did play a major role in paralysing the PNA and in weakening the leadership; the tension between negotiation and resistance remains an unresolved issue. More subtly, the strong link between the Palestinian leadership and the PNA assumed a conservative flavour. For Fateh ‘moderates’ it is difficult to go beyond the evident failure of the PNA, since they invested all their political capital in the peace process; bold political moves that risk undermining their central position in the political system are therefore unlikely even if the PNA is no longer an effective tool for state building. Hamas experiences the same difficulties, to the extent that its claim to be the legitimate representative of the Palestinians rests on the movement’s victory in the 2006 elections and therefore on the political legitimacy of the PNA.

The achievement of both the OSS and the TSS therefore seems to be unlikely without a fundamental change of the identity of the two leaderships. The OSS remains today fundamentally outside the historical path covered by the two sides; at the same time, compromise on the TSS is unlikely because of both the ambiguity of this formula and the inherent weaknesses and the lack of long-term vision affecting both leaderships. The looming third option in the debate is the persistence of the status quo; while almost no one openly defines it as a viable long-term option, the indefinite continuation of the present institutional framework for the governance of Palestine represents the most probable outcome. The question would then be how, and for how long, this model will successfully dominate its intrinsic tensions in an atmosphere of growing political and demographic stress.

Notes

¹ The best known blueprint based on the concept of TSS is the Geneva Initiative, at <http://www.geneva-accord.org>.

² See for example the examination of Israeli policies in the West Bank presented by Shlomo Gazit (2003). Ample documentary evidence of electoral platforms, government guidelines, plans and territorial blueprint can be found in Lukas (1992), Hirsh and Lapidoth (1992), Benvenisti and Khayat (1988), and on the website of the Israeli foreign Minister (<http://www.mfa.gov.il>). For a discussion of the failed Camp David summit of 2000 – and of Israel's proposal for the final status agreement – see Pressman (2000), Enderlin (2002), Ross (2004) and Swisher (2004).

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