

The Decolonization of Palestine

Towards a One-State Solution

By

Jeff Halper

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by**Jeff Halper**

The times, they are a-changin', even when it comes to the interminable Israeli-Palestinian "conflict." On January 5, 2018, *The New York Times* ran a piece entitled: "As the 2-State Solution Loses Steam, a 1-State Solution Gains Traction." Mustafa Barghouti, a prominent Palestinian political figure, noted: "It's dominating the discussion." Even mainstream Zionists (if they are honest with themselves) see the writing on the wall. As Peter Beinart wrote recently, "I have begun to wonder, for the first time in my life, whether the price of a state that favors Jews over Palestinians is too high. The painful truth is that the project to which liberal Zionists like myself have devoted ourselves for decades – a state for Palestinians separated from a state for Jews – has failed. The traditional two-state solution no longer offers a compelling alternative to Israel's current path. It is time for liberal Zionists to abandon the goal of Jewish-Palestinian separation and embrace the goal of Jewish-Palestinian equality." Soon after, he published a piece in *The New York Times* (July 8, 2020) entitled: "I No Longer Believe in a Jewish State."

Jewish Voice for Peace, one of the largest Jewish organization in the United States, issued an explicitly anti-Zionist position paper in 2019. Entitled "Our Approach to Zionism," it states: "Jewish Voice for Peace is guided by a vision of justice, equality and freedom for all people. We unequivocally oppose Zionism because it is counter to those ideals.... While it had many strains historically, the Zionism that took hold and stands today is a settler-colonial movement, establishing an apartheid state where Jews have more rights than others. Our own history teaches us how dangerous this can be."

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For all this, the Israeli-Palestinian “conflict” continues to appear irresolvable. By making itself militarily useful to the world’s hegemons (especially the US), forging alliances with the autocratic elites of the region, employing skillful lobbying, strategically manipulating the Holocaust and accusations of anti-Semitism to its purposes and deploying massive financial resources to burnish its image, Israel has succeeded in normalizing its control over all of historic Palestine while politically marginalizing the Palestinians. But the “two-state solution” has always been merely a cynical tool of conflict management; it was never intended to genuinely resolve the “conflict.” Indeed, it hides the very reality that we are not dealing with a conflict at all, but with a case of settler colonialism that can only be resolved through decolonization. Recasting the “Israel-Palestine Conflict” as Zionist settler colonialism releases that power of decolonization to get to a just post-colonial situation in a way that conflict resolution, negotiations and technical compromises cannot.

Settler Colonialism: What We Need To Know

Sometimes, the very name you give to a phenomenon determines how it is understood and what can be done about it. Since 1948, we have spoken of the “Arab-Israeli Conflict.” This term well describes the six major wars Israel has fought with its Arab neighbors: the 1948 War of Independence, the Sinai Campaign of 1956, the 1967 war, the 1973 war between Israel and Egypt, and the two wars fought in Lebanon (1982, 2006). It may also apply to “informal” wars between Israel and its Muslim neighbors, the “war of attrition” waged between Egypt and Israel from 1967 to 1973 being a case in point, or the slew of “dirty wars” involving special operations units, targeted assassinations, sabotage, cyber-attacks, terrorism and regime change. Since 1987, when the first Intifada catapulted Israel’s long-standing

occupation into public view, we speak also of an “Israeli-Palestinian Conflict.” That has given rise to all the futile diplomacy, negotiations, peace plans and “peace processes” with which we are so familiar.

The ‘two-state solution’ has always been a cynical tool of conflict management; it was never intended to resolve the conflict.

The terms “war” or “conflict” conceal a deeper struggle, however: the colonization of Palestine by the Zionist movement, culminating in a state of Israel ruling over the entirety of the country. To be sure, colonization *generates* conflict. But “conflict” did not simply erupt for one reason or another. Jews, in fact, had lived in peace with the local Arab population for centuries, if not millennia. Zionism shattered this historic relationship.

Driven by persecution and the rise of nationalism in Europe, it was European Jews with little knowledge of Palestine and its peoples who launched a movement of Jewish “return” to its ancestral homeland, the Land of Israel, after a national absence of 2000 years. In their newly minted nationalist ideology, they were the returning natives. In their eyes, the Arabs of Palestine were mere background. They had no national claims or even cultural identity of their own. Palestine was, as the famous Zionist phrase put it, “a land without a people.” The European Zionists knew the land was peopled, of course. But to them the Arabs did not amount to “a people” in the national sense of the term. They were just a collection of natives – though not *the* Natives, a status the Jewish claimants reserved for themselves. They played no role in the Zionist story. Having no national existence or claims of their own, the Arabs were to be removed, confined or eliminated so as to make way for the country’s “real” owners.

This form of conquest – for that is what it was – took the form of settler colonialism. Zionists felt a deep sense of historical, religious and national connection to the Land of Israel. But in claiming Palestine for themselves alone and rejecting the society they found there, they chose to come as settlers – or more precisely, their choice of settler colonialism rested on formative elements in both Jewish and European

societies, such as the notion of biblical “chosenness” and a Divinely sanctioned ownership of the Land; a self- and externally enforced ethno-national existence in the European “Diaspora”: embeddedness in the rise of European nationalism, primarily the “tribal” nationalism of Eastern Europe and European experiences of settler colonialism (particularly of Germans in Slavic lands); immediate pressures of economic and religious persecution; and more, which we will discuss presently.

The upshot is that Zionists intended to displace the local population, not integrate into it as immigrants would. And displacement is by definition a violent process: Zionist ideology justifying the displacement of the indigenous population. The “logic” of settler colonialism worked itself through nationalist ideology. Early Zionist leaders presented the “conflict” as one ethno-religious nationalism against another so as to deflect attention from settler colonialism, garner the support of the Jewish people and stifle diasporic Jewish opposition. They also used arguments of self-defense to win support of non-Zionist Jews, especially allies in Britain and the US. As the only legitimate national group, the Zionists reduced “the Arabs” into a faceless, dismissible enemy Other. Zionist ideologues like David Ben-Gurion and Golda Meir knowingly altered the framework from one of settler colonialism to that of conflict between an aggressive (and foreign) Arab “Goliath” and the peace-loving (native) Jewish “David.”

Whatever its justification, the Zionist takeover of Palestine resembled other instances where foreign settlers, armed with a sense of entitlement, conquered a vulnerable country. The European conquest of North America from the Native Americans is perhaps the best-known case of settler colonialism, not to ignore the settlement of Spanish and Portuguese in the Caribbean and parts of Latin America – all of which imported slave labor. The violent settlement of Australia and New Zealand is well known. So is the subjugation by Dutch Afrikaner and British settlers of South Africa, of Kenya and Rhodesia by the British, of Angola and Mozambique by the Portuguese, of Algeria by the French, and of Tibet by the Chinese. Lesser known cases include the Russians in the Kazakh Steppe, Central Asia and Siberia, the Tswana and Khoi-San peoples of southern Africa, the Indonesians in

New Guinea, and the Scandinavians among the Sami.

It’s true that settler colonialism generates conflict between the colonist usurpers and the indigenous population. No population is willingly displaced. But if a conflict involves two or more “sides” fighting over differing interests or agendas, then a colonial struggle is not a “conflict.” Colonialism is unilateral. One powerful actor invades another people’s territory to either exploit it or take it over. There is no symmetry of power or responsibility. The Natives did not choose the fight. They had no bone to pick with the settlers before they arrived. The indigenous were not organized or equipped for such a struggle, and they had little chance of winning, of pushing the settlers out of their country. The Natives are the victims, not the other “side.” Nor, to be honest, are they a “side” at all in the eyes of their conquerors. At best they are irrelevant, a nuisance on the path of the settler’s seizure of their country, an expendable population, one that must be “eliminated,” if not physically annihilated then at least reduced to marginal presence in which they are unable to conduct a national life and thus threaten the settler enterprise. Such a process of unilateral, asymmetrical invasion that provokes resistance on the part of Native peoples threatened with displacement and worse can hardly be called a “conflict.” Rather than the “Israeli/Palestinian/Arab Conflict,” we must speak of Zionist settler colonialism.

Why does this matter? Because it has everything to do with arriving at a just resolution, and you can only do that if you have a rigorous analysis. The conflict paradigm has led us to reduce a century-long process of colonial expansion over all of historic Palestine into a limited struggle to “end the occupation” over only a small portion of it (22 percent). By focusing solely on the Occupied Palestinian Territory (OPT) – the West Bank, East Jerusalem and Gaza – the conflict model leaves Israel “proper” out of the picture altogether. In so doing it legitimizes, or at least ignores, Zionist colonialism over the vast majority (78 percent) of Palestine.

If the problem is a dispute between two countries or a civil war between two nationalisms, as the Palestinian/Israeli “conflict” is often phrased, then a conflict-resolution model might resolve it. But it cannot resolve a colonial situation.

That requires an entirely different process of resolution: decolonization, the dismantling of the colonial entity so that a new, inclusive body politic may emerge. This is not to say that the OPT is not occupied according to international law. It is, and after 50-plus years the occupation should be ended. It is only to point out that occupation is a *sub-issue*. It must be addressed, but only as one element in a much broader decolonization of the settler state of Israel. Only that will end “the conflict,” not limited Palestinian sovereignty over a small piece of their country.

Before moving on to decolonization – or to “resolving the conflict” as most people put it – let us revisit the origins of the Zionist project so that we may understand its basic character. Let’s begin by asking: What is Settler Colonialism, and how can it be ended?

In broad strokes, settler colonialism is a form of colonialism in which foreign settlers arrive in a country with the intent of taking it over. Their “arrival” is actually an invasion. The settlers are not immigrants; they come with the intent of replacing the Native population, not integrating into their society. The invasion may be gradual and not even recognized as such by the indigenous. And as in the case of Zionism, it is not necessarily violent, at least in its early stages. In the end, a new settler society arises on the ruins of the indigenous one. The Australian anthropologist Patrick Wolfe suggests that a “logic of elimination” is inherent in all settler colonial projects, in which the native population is “disappeared” through displacement, marginalization, assimilation or outright genocide. The settlers validate their right to the land by inventing narrative, stories, that justify their claims to the territory. The Zionist settlers claimed to be the “real” natives, both because they are “returning” to their native land and because, given its barrenness, only they love and “develop” it. Settler narratives either ignore the indigenous population or cast them as undeserving, unassimilable, menacing and unwanted. The indigenous cease challenging the normalcy of the settler society only after they disappear, remaining at best “exotic” specimens of bygone folklore.

Unlike Algeria, Kenya, Zimbabwe, Mozambique and Angola,

where the settlers ultimately left, or the US, Canada, Australia, New Zealand and parts of Latin America where settler colonialism won out and the indigenous were reduced to marginal “Fourth World” status, Palestine/Israel, resembles more apartheid-era South Africa (and perhaps Tibet and Chechnya). In these cases the indigenous population was not rendered small and marginal, but remained major national groups who did not surrender their sovereignty to the settlers or their right of self-determination. As in the case of the Blacks in South Africa, the Palestinians demand the decolonization of the Israeli settler state, to be replaced by a completely new polity in which their national rights are restored. In short, the Zionist settlers and the indigenous Palestinians have arrived at a draw. The former have proven strong enough to establish a state of their own and temporarily marginalize the latter, but are not strong enough to decisively defeat them. For their part, the Palestinians are strong enough to mount a major challenge to settler dominance, preventing the “triumph” the settler state realized over Fourth World peoples.

Even if they should succeed in overthrowing the settler regime, however, as in fact happened in South Africa, the Palestinians are unable to expel the settler population, which is too large and embedded. Decolonization in this case is only partly achieved by the rise of a new polity. The indigenous may achieve self-determination, but they must share their sovereignty with the settlers. An additional phase of decolonization is thereby called for. Together with an inclusive polity and civil society, and in tandem with a process of reckoning with the settler past, a new, shared political community must emerge that gives meaning to the new layer of national identity that “thickens” joint citizenship.

ODSC: A Plan of Decolonization

We have to go back to the first and second stages of the PLO’s political program, almost half a century, to find a comprehensive and relevant vision of what form decolonization might take. The steady abandonment of the anti-colonial struggle for a two-state solution and conflict resolution in the 1970s and 1980s meant that from that time to this, no detailed

program of decolonization has ever been presented, not by the Palestinian leadership or by its academics or civil society activists. Nonetheless, the rise of a new cycle of settler colonial analysis in the last two decades has revived this perspective, both theoretically and politically. Settler colonialism, always the language of the Palestinian people, has become accepted as part of the mainstream political discourse. I would humbly suggest a fourth phase of Palestinian political mobilization: a return to an anti-colonial analysis.

The one-state movement is still tiny. Nor is there an agreed-upon plan – although the single state initiatives are anti-colonial – and not all the initiatives agree on details. They all flow, however, from the logic of decolonization rather than conflict resolution. Some envision a binational or multicultural state that recognizes both Israel and Palestinian national identities, while others insist only on equal individual rights. Key issues such as the land regime, the fate of the settlements (dismantled or integrated?), the nature of the economy (socialist? capitalist? a mixture?), the role of religion (should the new state be secular or does religion play a formal role?), even the right to one's sexual orientation – all these and more still need to be ironed out. Nonetheless, the different one-state groups have endeavored to coordinate with one another. Their different political programs share the following common elements:

- The historic land of Palestine belongs to all who live in it and to those who were expelled or exiled from it since 1948, regardless of religion, ethnicity, national origin or current citizenship status;
- The implementation of the Right of Return for Palestinian refugees and their descendants in accordance with UN Resolution 194 is a fundamental requirement for justice, and a benchmark of equality. It also signifies Palestinian national sovereignty, the ability to address one's peoples' needs with a significant measure of self-determination;
- Any system of government must be founded on the principle of equality in civil, political, social and cultur-

al rights for all citizens. The regime of ethno-religious nationalism should be replaced by a constitutional democracy based on common citizenship, thus enabling and fostering the emergence of a shared civil society;

- The recognition of the diverse character of the society, encompassing distinct religious, linguistic and cultural traditions, and national experiences. Constitutional guarantees will protect the country's national, ethnic, religious and other communities;
- There must be just redress for the devastating effects of decades of Zionist colonization in the pre- and post-state period, including the abrogation of all laws, and ending all policies, practices and systems of military and civil control that oppress and discriminate on the basis of ethnicity, religion or national origin;
- The creation of a non-sectarian state that does not privilege the rights of one ethnic or religious group over another and that respects the separation of state from all organized religion;
- In articulating the specific contours of such a solution, those who have been historically excluded from decision-making – especially the Palestinian Diaspora and its refugees, and Palestinians inside Israel – must play a central role;
- Putting into place an inclusive economy offering economic security, sustainability, meaningful employment and just compensation;
- Acknowledging a connectedness to the wider Middle Eastern and global community that requires engagement in creating new regional and global structures of equality and sustainability upon which the success of local decolonization ultimately depends.

Let's take as a starting place in our project of decolonizing Zionism/liberating Palestine the 10-point program of the One Democratic State Campaign. The ODSC is a Palestinian-led group of Palestinians – primarily, though certainly not exclusively, '48 Palestinians – and Israeli Jews who came

together in Haifa in 2017. Its plan is based upon previous one-state plans and conferences, though is far more detailed. I have been involved from its inception. Its political plan, which I'm using as a "gateway" into issues of decolonization in Palestine, was forged over two years of discussion involving a core network of some 50 activists and academics, both from within Palestine and abroad. The ODSC plan is not intended to be the final word, of course; in fact, it is a project in its infancy which nevertheless integrates previous work and initiatives in order to move the urgent project of decolonization forward. The ODSC website is <<https://onestatecampaign.org>>. Although the 10-point program is brief and requires much more detailed work, it is grounded in the political logic of settler colonialism, thus returning to Palestinian analysis going back a century and a quarter. More important, the ODSC program "thinks through" the process of decolonization.

Let us now turn to the political program itself.

Preamble to the ODSC Program

In recent years, the idea of a one democratic state as the best political solution for Palestine has re-emerged and gained support in the public domain. It is not a new idea. The Palestinian liberation movement, before the Nakba of 1948 and after, had promoted this vision in the PLO's National Charter, abandoning it for the two-state solution only in 1988. It was on this basis that, in September 1993, the Palestinians entered into the Oslo negotiations. The two-state solution was also endorsed by all the Palestinian parties represented in the Israeli Knesset. But on the ground Israel strengthened its colonial control, fragmenting the West Bank, East Jerusalem and Gaza into tiny, isolated and impoverished cantons, separated from one another by settlements, massive Israeli highways, hundreds

of checkpoints, the apartheid Wall, military bases and fences. After a half-century of relentless "Judaization," the two-state solution must be pronounced dead, buried under the colonial enterprise on the territory that would have become the Palestinian state. In its place Israel has imposed a single regime of repression from the Mediterranean Sea to the Jordan River.

The only way forward to a genuine and viable political settlement is to dismantle the colonial apartheid regime that has been imposed over historic Palestine, replacing it with a new political system based on full civil equality, implementation of the Palestinian refugees' Right of Return and the building of a system that addresses the historic wrongs committed on the Palestinian people by the Zionist movement.

We, Palestinians and Israeli Jews alike, have therefore revived the one-state idea. Although differing models of such a state range from binational to a liberal, secular democracy, we are united in our commitment to the establishment of a single democratic state in all of historic Palestine.

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As formulated below by the One Democratic State Campaign (ODSC), the goal of this political program is to widen the support for such a state among the local populations, Palestinian and Israeli alike, as well as amongst the international public. We call on all of you to join our struggle against apartheid and for the establishment of a democratic state free of occupation and colonialism, based on justice and equality, which alone promises us a better future.

The ODSC Program

1. *Decolonization.* The only way to resolve a settler colonial situation is through a thorough process of dismantling the colonial structures of domination and control. An inclusive and democratic polity, ruling over a shared civil society, replaces the colonial regime. Once a new political community arises offering equal rights for all, once the refugees return and once all the citizens of the new state gain equal access to the country's lands and economic resources, a process of reconciliation may begin. Israeli Jews must acknowledge both the national rights of the Palestinian people and *past colonial crimes*. In return, and based on the egalitarian democracy that has been established, the Palestinians will accept them as legitimate citizens and neighbors, thereby signaling the end of Zionist settler colonialism. Having entered into a new post-colonial relationship, the peoples and citizens of the new state – whose name will emerge through the process of shared life – will be able to move on to the future they and their children deserve.

This first Article bridges the Preamble's presentation of the problem – Zionism as a settler colonial project – with the detailed program of decolonization offered. It lays out the entire process of decolonization. The ODSC program begins with the dismantlement of the Domination Management Regime and its replacement by a new, shared, inclusive and democratic polity and civil society. It progresses into the new post-colonial relationship between Palestinians and Israeli Jews. In this new relationship, the Palestinians regain their sovereignty, their rights and their country, within the framework of a single democratic state shared equally with Israeli Jews and others. For their part, Israeli Jews, by accepting this new relationship in a political community enabled by the

indigenous Palestinians, play a now-constructive role as the decolonized polity moves on towards its post-colonial future.

Only the indigenous can declare an end to the colonial situation. Replacing the Zionist settler state with a unitary democracy entails two major challenges. How can Israeli Jews be induced – or forced – to accept the status of equal citizens in an inclusive democracy, one that dismantles their domination and control but then allows them to end their otherwise unresolvable estrangement as settlers? And how can the Palestinians be induced – though they cannot be forced – to allow “their” country to be transformed into a civil polity that includes Israeli Jews?

2. *A Single Constitutional Democracy.*

One Democratic State shall be established between the Mediterranean Sea and the Jordan River as one country belonging to all its citizens, including Palestinian refugees who will be able to return to their homeland. All citizens will enjoy equal rights, freedom and security. The State shall be a constitutional democracy, the authority to govern and make laws emanating from the consent of the governed. All its citizens shall enjoy equal rights to vote, stand for office and contribute to the country's governance.

As befitting an anti-colonial program, the ODSC program relates to the entire country of Palestine as the object of liberation, and not merely pieces of it. The great revolution here and in other one-state programs is that after decolonization, all the country's inhabitants will enjoy equal rights as citizens. A constitutional democracy replaces the settler regime in which one's place in society is dictated by one's ethnic, religious and national identity. The state no longer “belongs” to one particular group but to its citizens. One citizenry, one parliament, one set of laws, one civil society of equals whose civil, human and national rights are guaranteed by a Constitution and a High Court that enforces it.

The role of religion in the new state is a major point of

contention among single state advocates, specifically, should the state be secular? This is a fundamental issue that will have to be decided in the future. The ODSC program adopts the PLO's position of non-sectarian government. Its vision of the new state is secular in the sense that the authority to govern and make laws emanates from the consent of the governed and not from religious law, and there is no official religion, although religious laws may still function alongside civil institutions. Since the term "secular" has so many connotations, mostly negative to religious people, and since the majority of Palestinians and Israelis alike describe themselves as "religious" or "traditional," our strategy, like that of the PNC, is to advocate a non-sectarian democracy while refraining from using the red-flag term "secular."

3. *Right of Return, of Restoration and of Reintegration into Society.* The single democratic state will fully implement the Right of Return of all Palestinian refugees who were expelled

in 1948 and thereafter, whether living in exile abroad or currently living in Israel or the Occupied Territory. The State will aid them in returning to their country and to the places from where they were expelled. It will help them rebuild their personal lives and to be fully reintegrated into the country's society, economy and polity. The State will do everything in its power to restore to the refugees their private and communal property and/or compensate them. Normal procedures of obtaining citizenship will be extended to those choosing to immigrate to the country. Coursing throughout the ODSC plan is a commitment to human rights. Article 3 acknowledges and prioritizes the right of Palestinian refugees and their families to return to their homeland. But the refugees do not possess only the *right* to return. Based on the political logic

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of our program – that of equal citizenship – refugees *should* return as part of the in-gathering of our country's citizens. Just because people flee a conflict, are driven out or merely choose voluntarily to reside elsewhere, they do not lose their citizenship unless they take steps to revoke it. The return of the refugees and their descendants represents nothing more than restoring to them a civil status they should never have lost in the first place. Indeed, UN Resolution 194, adopted in December 1948, resolved that refugees wishing to return to their homes and live at

peace with their neighbors should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or equity, should be made good by the Governments or authorities responsible.

The ODSC program goes further than mere return and enfranchise-

ment of the refugee community, however. It recognizes that this population is, in large part, traumatized, impoverished, undereducated and under-skilled. It will need a generation or more, supported by a vigorous program of affirmative action and economic investment, before they truly "come home" as integrated, and productive members of society. Hence Article 3 affirms that the new state "will help them rebuild their personal lives and to be fully reintegrated into the country's society, economy and polity. The State will do everything in its power to restore to the refugees their private and communal property of the refugees and/or compensate them."

4. *Individual Rights.* No State law, institution or practices may discriminate among its citizens on the basis of national or social origin, color, gender, language, religion or political opinion, or sexual

orientation. A single citizenship confers on all the State's residents the right to freedom of movement, the right to reside anywhere in the country, and equal rights in every domain.

As a liberal democracy, the post-colonial state envisioned in the ODSC plan guarantees equal rights to all citizens regardless of their national, religious or ethnic affiliations. This goes a long way towards dismantling the structures of domination and separation. It also reorients Arab-Jewish relationships around the principles of equality, shared human rights and coexistence, thus paving the way for the emergence of a shared civil society, as proponents of a "rights-based approach" envision.

This very practice of democratization fundamentally alters the institutionalized inequality that exists between Israeli Jews and Palestinians, whether they be Palestinian citizens of Israel ("Israeli Arabs") or stateless inhabitants of the OPT. Although Israel presents itself as the "only democracy in the Middle East," we understand that Zionism is all about establishing an exclusively "Jewish" state, a goal and political reality that forecloses any genuine civil equality.

In fact, Israel has never tried to hide this. While Palestinian citizens of Israel have a right to vote, their vote only counts if it is cast for a Zionist party; the Joint Arab List, currently the third largest party in the Knesset, is effectively frozen out of all coalitions and political decision-making. In fact, the very notion that Israel should be a democracy of equal rights for all its citizens has been rejected outright; in 2018 the Knesset refused to even discuss a bill by the Joint Arab List calling for equal rights on the grounds that it "seeks to deny Israel's existence as the state of the Jewish people." (Not even the Arab parties can support, let alone legislate, the idea of a single democratic state over all of historic Palestine. To simply participate in elections, candidates and their parties must declare that they support Israel as a "Jewish" state. In every election the Arab parties are disqualified, only to be allowed to run after appeals to the Supreme Court.) Palestinians of East Jerusalem, we should note, are barred from voting in national elections because they have not been

granted citizenship – although Israel officially annexed East Jerusalem *twice* (in 1967 and 1980). As "permanent residents" they may vote only for the (Israeli) Jerusalem municipality, and live in fear of having their residency evoked if they travel abroad for any reason.

5. *Collective Rights*. Within the framework of a single democratic state, the Constitution will also protect collective rights and the freedom of association, whether national, ethnic, religious, class or gender. Constitutional guarantees will ensure that all languages, arts and culture can flourish and develop freely. No group or collectivity will have any privileges, nor will any group, party or collectivity have the ability to leverage any control or domination over others. Parliament will not have the authority to enact any laws that discriminate against any community under the Constitution.

Palestinian citizens of Israel, permanent residents of the East Jerusalem and the stateless population of the West Bank and Gaza share a common political status in one fundamental way: Israel does not recognize their collective rights as a people – indeed, their very collective existence. In 2018 the Knesset passed a Basic Law (akin to a constitutional amendment in a country with no constitution) entitled "Israel as the Nation-State of the Jewish People," popularly known as the Jewish Nationality Law. It stemmed from a contradiction in Israel's Declaration of Independence that has longed dogged the Zionist idea: that between "the establishment of the Jewish state in Palestine" and the commitment that the Jewish state "will uphold the full social and political equality of all its citizens." The law has myriad consequences, but for our purposes two stand out. First, it affirms that while Palestinian citizens may have *individual* rights, they have no collective rights; the State of Israel "belongs to" the Jewish people exclusively. Second, and more threatening to Palestinian civil rights in Israel, the law instructs the courts that when a conflict arises between a "democratic"

principle (such as equal legal or human rights) and “Jewish values” (such as protecting Israel as a “Jewish” state, expropriating land, denying building permits or economic rights), the court must rule on the basis of the latter.

Nonetheless, when we move to a one-state perspective, it is clear that the land between the river and the Sea has become bi-national. It might seem, therefore that binationalism, a political system that recognizes the existence of two national groups in the country and calls for a democracy based on power-sharing or federation that protects each group’s collective national rights, should be the foundation of the new shared state. While *no* single state option is acceptable to Israeli Jews, and there is no way to promote it within the Israeli political system, the binational option would in principle be the easiest one-state concept to “sell,” since it validates Israeli Jewish national identity and leaves it intact as a fundamental component of the new state structure.

Although binationalism creates power-sharing mechanisms, decentralizes authority, encourages inclusive coalitions and grants each group some autonomy, it does not amount to decolonization. On the contrary, Palestinians tend to reject it because it validates Zionist settler colonialism. “Recognizing *national* rights of Jewish settlers in Palestine or any part of it,” contends Palestinian activist Omar Barghouti, “cannot but imply accepting the right of colonists to self-determination,” and therefore contradicts the very notion of decolonization. In this the Palestinian-American journalist Ali Abunimah concurs.

The ODSC program recognizes the binational character of the country, of course, but understands that reinforcing ethno-national segregation through binationalism contradicts the goal of decolonization. It also makes the emergence of a new, common political community difficult by perpetuating impenetrable barriers of identity and interaction between citizens. The ODSC plan prefers to nurture the emergence of a new “national” (state-based) identity and political community, relegating ethno-religious national identities to expression within each community.

Article 5 of the ODSC program on “collective rights” thus states: “Within the framework of a single democratic state, the Constitution will also protect collective rights and the freedom of association, whether national, ethnic, religious, class or gender.” Most Palestinians understand that Israeli Jews will remain in the country after decolonization. That is not the problem. The problem is Palestinians being forced to legitimize, even institutionalize, Zionist *national* rights. By recognizing the right of people to their collective identities the ODSC plan merely lays the foundation for a cultural plural society within the framework of a shared unitary state. As the Palestinian/Israeli Raef Zreik puts it:

For the Palestinians, injustices of the past cannot be overlooked, and the way the colonial past has shaped the relationship between the two communities must be tackled and unpacked.... The settler cannot simply one day stop being a settler as if there is no past: the past injustices and dispossessions must be settled and addressed.

The collective communal and national aspect must also be taken into account for the Israeli Jews. Any forward-looking solution must take the collective Israeli-Jewish identity into account and give an answer to people’s need and interest in their culture, religion, nationality, and history. In this sense, the category of citizenship does not aim to comprehensively replace these interests, but rather to create a space where a conversation based on an equal footing can take place. Citizenship, in this regard, stands for the new “we,” based on equal terms of engagement. It does not abolish identity but puts it in its place and tames it.

Under the rubric of “ethical decolonization,” Barghouti accepts the possibility of the birth of a common, post-oppression identity where “the indigenous Palestinians and the indigenized settlers”

can live in equality, peace and security, individually and collectively.

Any program for a single state will also have to deal with the fears the two peoples harbor of the other's communal identity, understandable given the background of more than a century of colonialism, resistance and suffering. Besides their refusal to recognize the legitimacy of Zionist national identity, many Palestinians simply do not believe that Israelis will actually relinquish power. For their part, the large majority of Israeli Jews also resist inclusiveness in a democratic, citizen-based civil society with "Arabs," their permanent enemies and contestants for ownership of the land. Article 5 attempts to address these fears, affirming; "No group or collectivity will have any privileges, nor will any group, party or collectivity have the ability to leverage any control or domination over others. Parliament will not have the authority to enact any laws that discriminate against any community under the Constitution."

The very process of engaging in this dual process of decolonization and nation-building may well help forge a new civil society and shared national identity. Over time, as civil life assumes a normalcy and routine, it will expand until it eventually encompasses, to one degree or another, all sections of the population. One example might illustrate how this process of nation-building might work. In the 2019 international FIFA football standings, Israel was ranked 93 and Palestine 103 (out of 211 national teams). Neither team has managed to break into the World Cup. Imagine if, by combining them, a strong enough team would emerge that would be a World Cup competitor. That alone would go a long way towards creating a common national identity and acceptability of the Other. Examples of immigrants or minorities becoming stars of international teams demonstrate the dynamic power of sports, entertainment, the media and other sectors of civil society towards integration.

6. Economy and Economic Justice. Our vision seeks to achieve justice, and this includes social and economic justice. Economic policy must address the de-

grades of exploitation and discrimination which have sown deep socioeconomic gaps among the people living in the land. The income distribution in Israel/Palestine is more unequal than any country in the world. A State seeking justice must develop a creative and long-term redistributive economic policy to ensure that all citizens have equal opportunity to attain education, productive employment, economic security and a dignified standard of living.

We begin by deracializing the economy. In an ethno-nationalist state like Israel, access to land, natural resources and economic opportunities and the right to social benefits all depend on what national, ethnic and religious group you "belong to." Decolonization must first of all ensure equal access and equitable redistribution of resources to all the country's citizens. But it must go deeper than that. While Palestinians and Israeli Jews alike desire a modern economy, and many are enraptured of capitalism's promises of a good life as consumers, our role in establishing a new polity is not merely to replace one set of political and economic elites with another.

Article 6 sets out briefly the fundamental expectations that the new economy must fulfill. Much work remains to be done in the sphere of land reform, economics and social policy. A proper balance must be found between a market-based economy – which, after all, is still the global norm – and a kind of eco-socialism that is egalitarian and sustainable. It must offer equal access to all forms of employment, a safety net of job protections and benefits, and shelter for non-commodifiable social and cultural resources.

7. Constructing a Shared Civil Society. The State shall nurture a vital civil society comprised of common civil institutions, in particular educational, cultural and economic. Alongside religious marriage the State will provide civil marriage.

Article 7 turns to the next phase of decolonization: the processes of constructing a post-colonial polity and shared

civil society. The goal of a single state is to normalize relations among its citizens. That requires a shared civil society. Settlers can only be “sufficiently indigenized” if a civil space is opened to them, conditional on their readiness to engage in the decolonization process. Indeed, only when citizenship is deracialized can a level civil “playing field” emerge.

Once participation in a democratic polity and a civil society of equals becomes normalized, the conditions arise for the forging of a new post-colonial *relationship* between Palestinians and Israeli Jews that transcends the legal formalities of common citizenship. In this new relationship, which, following Mahmood Mamdani, we are calling a *political community*, the Palestinians regain their sovereignty, their rights and their country within the framework of a single democratic state shared equally with Israeli Jews and others. For their part, Israeli Jews, by accepting this new relationship enabled by the indigenous Palestinians, are now able to join in fully as the country moves on towards its post-colonial future. Only at this point does the name of the country emerge (whatever it will be), the expression of a new state-generated “national” identity.

For the sake of brevity, I won’t go into detail over the next three articles of the ODSC plan, which are fairly self-explanatory. They are:

8. *Commitment to Human Rights, Justice and Peace.* The State shall uphold international law and seek the peaceful resolution of conflicts through negotiation and collective security in accordance with the United Nations Charter. The State will sign and ratify all international treaties on human rights and its people shall reject racism and promote social, cultural and political rights as set out in relevant United Nations covenants.

9. *Our Role in the Region.* The ODS Campaign will join with all progressive forces in the Arab world struggling for democracy, social justice and egalitarian societies free from tyranny and foreign domination. The State shall seek democracy and freedom in a Middle East that respects its many communities, religions, traditions and ideologies, yet strives for equality, freedom of thought and innovation. Achieving a just political settlement in Palestine, followed by a thorough process of decolonization, will contribute measurably to these efforts.

Article 9 turns to decolonization in its regional context. It does not take place in isolation, disconnected either from its region or, globally, from international politics or racialized capitalism.

10. *International responsibility.* On a global level, the ODS Campaign

views itself as part of the progressive forces striving for an alternative global order that is just, equitable and free of any oppression, racism, imperialism and colonialism.

The good news is that the campaign to decolonize Palestine is further along than we realize

How Do We Get There?

The good news is that the campaign to decolonize Palestine is further along than we realize. Grassroots resistance among Palestinians has succeeded in mobilizing major segments of the international civil society – trade unions, religious denominations, intellectuals, academics and students, political and human rights organizations, activist groups, alternative media outlets and social media, general public opinion, and even some government officials and parliamentarians. The

Palestinian cause has attained a global prominence equal to that of the anti-apartheid movement. Palestinians have become emblematic of oppressed peoples everywhere. A wide range of activities advance the Palestinian cause. Protest actions in the OPT, grassroots campaigns, lobbying, hosting international conferences, producing a wealth of books, articles, films, social media presentations and advocacy materials. Israel's panic over the BDS campaign demonstrates that it has already lost in the Court of Public Opinion. Only the shallow support of governments, Christian evangelicals and a diminishing Jewish Establishment remain.

What is lacking, of course, is a political end-game. The illusionary two-state solution collapsed with the Oslo "peace process" that started in 1993, leaving us all floundering. It is that crucial piece, a political program together with a strategy for summoning power in its pursuit, that the ODSC, alongside others, is attempting to insert. So armed with an analysis, a shared vision of the future and the outlines of a political program, let's now turn now to strategy. How do we get there?

The strategy of political organization proposed here builds on the international support the Palestinian cause has generated. It seeks to offset Israel's strength as a recognized state and its military and economic superiority with civil society organization. This model sets out a strategic "tripartite alliance" among three main political actors: the Palestinians at home, in exile and abroad; the Israeli Jewish public; and the international community, both civil society and governments.

The Palestinians. The struggle for decolonization must be led, of course, by the Palestinians themselves. It is their struggle. No other party can define for them what decolonization entails, what will replace it. No one else can represent their collective voice. On the surface it appears that the Palestinians have little power or leverage. Yet as strong as Israel is, it is not winning in the Court of Public Opinion. True, it has the support of many governments, but that does not translate into widespread support among the world's peoples. Indeed, a worldwide Palestine solidarity movement already exists. For all its seeming clout, Israel has not been able to bring its colonial venture to completion. It has not been able to normalize

itself as the replacement of Palestine. Nor has it succeeded in removing Palestine from the international agenda.

The international community. The international civil society represents the Palestinians' strongest potential ally. It represents a prime source of summoning effective power. Although the struggle for freedom in Palestine has become a global issue, neither the PA nor Palestinian grassroots leadership has taken advantage of this wellspring of support to support a political plan. Even when the international public has been tapped, support remains limited and unfocused by the lack of a political end-game. The BDS campaign supports a "rights-based" approach but its three demands – ending the occupation, enacting the Right of Return and ensuring equal rights for Palestinian citizens of Israel – fall well short of a political program.

Armed, however, with an end-game such as that of the ODSC, the international civil society is eminently mobilizable. A coordinated, focused, Palestinian-led one-state campaign, evoking the moral and legal authority of international law and human rights, would empower the international grassroots to pressure their governments to change their policies, as the anti-apartheid struggle did. It must be mobilized and led, however, by Palestinians and their anti-colonial Israeli Jewish allies, armed with a political program, strategy and effective organization.

Israeli Jews. There is a large literature on the importance of engaging settlers in the process of decolonization. The lesson of Oslo suggests, however, that that may be futile. Engagement, unsettling, decolonization, the construction of a new, shared political community and, ultimately, reconciliation in a post-colonial reality – these are not processes that interest settlers. The vast majority of Israelis, like the whites in South Africa, will not be willing partners in the process of decolonization. Why should they? As the dominant population enjoying a monopoly over the country's economy and politics, what would motivate them to bring in the Palestinians? As a settler population whose goal has always been the Judaization of Palestine, why would they give that up, especially as their colonial project seems on the edge of victory? And having demonized "the Arabs" as mere terrorists who have no

national claim to *our* country, how could we do an about-face and suddenly embrace them as fellow citizens? No, if South Africa is an example, decolonization will have to be imposed on Israeli society. The Palestinians will have to empower themselves to a point where Israeli Jews *must* engage with them, as the ANC did in South Africa.

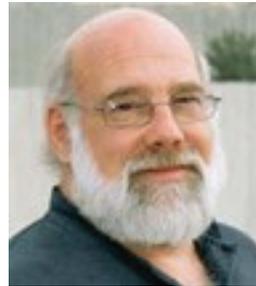
This does not mean that Israeli Jews are irrelevant. Particularly relevant is that (small) segment of the population who are more open to civil or “liberal nationalism” that could entertain a pluralistic democracy. As in South Africa, the presence of Israeli co-resistors, “colonists who refuse,” lends credibility to the struggle. The academic literature affirms the possibility of settlers being transformed through anti-colonial resistance. Shared resistance, over time, may nurture the emergence of a post-colonial society.

The Tripartite Alliance that thus emerges among Palestinian Arabs, their Israeli Jewish allies and the international civil society has one primary objective. Given the inability to overcome settler colonialism from the inside, it seeks to marshal those forces, especially of international public opinion, that can cause its collapse. Israeli settler colonialism, like that of South Africa, is only sustainable as long as it has international support. The main task of the Triple Alliance must be to mobilize public opinion abroad so that governments change their policies towards Israel and the issue of decolonization.

How, then, does settler colonialism actually end? When a new, inclusive political community arises. Decolonization means *replacing the colonial regime and its unequal structure of settler/indigenous relations with a new polity and economy (including access to land and resources). It means the emergence of a civil society which is genuinely inclusive and democratic, yet also accepting of cultural pluralism.* Replacing an ethnocentric colonial state that “belongs” to one particular group with a democracy. The ODSC plan, while requiring much more detail, systematically targets these structures of domination and control. And that is why it is so important to have a political end-game that provides a clear blueprint for decolonization, and not only a vision. ■

About this Issue

Our author, Jeff Halper, immigrated to Israel in



1973, where he taught anthropology at Haifa and Ben-Gurion Universities.

In 1997, he co-founded the Israeli Committee Against House Demolitions.

This is his fifth feature article for The Link. His third, in 2012, concluded that the Two-State Solution was dead; his fourth, last year, documented the influence of the Israeli military on U.S. police training.

This present article is based on his forthcoming book *Decolonizing Israel, Liberating Palestine*. To order his book, please go to the publisher’s website: www.plutobooks.com.

While Jeff Halper is a founding member of the One Democratic State Campaign (ODSC), he wants to make it clear that this article is his analysis, and that it reflects in good faith the views and intentions of his comrades.

In 2006, Jeff Halper was nominated for the Nobel Peace Prize.

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