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Is The Two-State Solution

Dead?

By Jeff Halper

Let's say it clearly and categorically: the two-state solution is dead. If the possibility ever genuinely existed — a subject historians are welcome to debate — it is gone as a political option. We should even stop talking about it because constant reference to an irrelevant "solution" only confuses the discussion.

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About This Issue

Jeff Halper immigrated to Israel in 1973, after attending rabbinical school in the United States, where he was born. He taught anthropology at Haifa and Ben-Gurion Universities and, in 1997, co-founded the Israeli Committee Against Home Demolitions (ICAHD). Its purpose is to challenge Israel's policy of demolishing Palestinian homes in order to expand its civilian population into the Occupied Territories through settlement construction and land confiscation. In 2002, he wrote his first feature article for The Link. "A Most UnGenerous Offer" and, in 2004, his second, "Beyond Road Maps and Walls." Both can be accessed on our website at www.ameu.org.

We should note that the topic of Dr. Halper's current *Link* issue, "Is the Two-State Solution Dead?" is one that is vigorously debated. For that reason we encourage readers to post their own opinions on our website. Go to our home page and under *Current Issue* click **Read Current Issue**. At the end of the short introduction, click on **Continue Reading the Issue**. At the end of the actual article you will find **Leave Comment.** We welcome your responses.

Due to limited shelf space, we are once again offering, on page 14, a number of books from our research library, many of them at substantially reduced prices. In our regular book list, on page 13, we include Jeff Halper's latest book, "An Israeli in Palestine: Resisting Dispossession, Redeeming Israel," which elaborates on many of the points in his article. AMEU's video selections are found on page 15.

John Mahoney, Executive Director (Continued from Page 1.)

How do we get to such an unequivocal pronouncement? Well, it only takes a little digging into the positions behind the official words and the ability to decipher the "codes" in which the Israeli-Palestinian conflict is couched to arrive at the unsurprising and straightforward conclusion that Israel has no intention of allowing a viable and truly sovereign Palestinian state to emerge even on the 22% of historic Palestine that is the Occupied Territory.

The Bar Ilan Speech: Understanding the Codes

To nail down Israel's opposition to a two-state solution and the measures it has taken "on the ground" to eliminate it, let us look at Prime Minister Benjamin Netanyahu's June 14, 2009 speech at Bar Ilan University, a conservative religious school in Israel. The prime minister was being pressed by the new Obama Administration to actually utter the phrase "two-state solution."

On the surface, what Netanyahu said seemed to meet Obama's expectations: "In my vision of peace, there are two free peoples living side by side in this small land, with good neighborly relations and mutual respect, each with its own flag, anthem and government, with neither one threatening its neighbor's security and existence."

This may sound good, but then there's the fine print. Let us look carefully at the key qualifications Netanyahu mentions in his speech. They can be presented as eight fatal obstacles to a two-state solution:

1."The simple truth is that the root of the conflict has been—and remains—the [Palestinians'] refusal to

recognize the right of the Jewish People to its own state in its historical homeland."

We're talking here about ownership. What the prime minister of Israel is saying is that the historic land of Palestine is owned by Jews, and exclusively by Jews. Put another way, it means that non-Jews, even Palestinians who have lived on their land for generations, even Palestinians who have Israeli citizenship, do not own any part of historic Palestine. Indeed, the Zionist claim of exclusive ownership over Palestine as the Land of Israel may have allowed for a tactical acceptance of partition in 1947, but has steadfastly, until this day, precluded the existence of a Palestinian People with competing national claims to the land.

This exclusivity of ownership means that Israel is not a democracy. No one put this more bluntly than former Israeli Prime Minister Ariel Sharon who noted that it is no accident that the terms "democracy" or "democratic" are totally absent from Israel's Declaration of Independence. Sharon spelled it out: "The intention of Zionism was not to bring democracy, needless to say. It was solely motivated by the creation in Eretz-Israel of a Jewish state belonging to all the Jewish people and to the Jewish people alone. That is why any Jew of the Diaspora has the right to immigrate to Israel and to become a citizen of Israel." ("Democracy & the Jewish State," Yedioth Abronoth, May 28, 1993.)

Israel began exercising its exclusive claim in 1948 when, after seizing half of the partition area allocated to the Arabs, it reduced the Palestinian population living within its expanded borders from 950,000 to 154,000, a drop of 80%. Then, after the occupation of 1967, it established "facts on the ground" to foreclose any coherent, viable and truly sovereign Palestinian state. In fact, Israel officially denies having an occupation since it recognizes no other claimant, and certainly not the Palestinians, who never had a state of their own and whose claims are therefore disqualified according to Israel's unilateral "principle of the missing sovereign."

Netanyahu's assertion that Palestinians have refused to recognize the state of Israel is false. In 1988, the Palestine Liberation Organization (P.L.O.) recognized the state of Israel, both in its official acceptance of U.N. Resolution 242, which acknowledges "the

sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force," and in the political communiqué that accompanied the Palestinians' declaration of independence in which the nationalistic principles of the P.L.O. and its goals are defined as "ending the Israeli occupation and achieving the Palestinian people's inalienable right to repatriation, self-determination, and the establishment of the independent Palestinian state." Since then it has been Israel's decision not to permit the establishment of a Palestinian state in the Occupied Territory, i.e., on only 22% of historic Palestine, which has constituted "the root of the conflict."

2. "Palestinians must truly recognize Israel as the state of the Jewish people."

Now, at Bar Ilan, Netanyahu inserted a fresh demand: before any negotiations could begin, the Palestinians had to recognize Israel as a Jewish state. This introduced an entirely new element that Israel knew the Palestinians could not accept, if only because it prejudiced the status of Palestinian citizens of Israel. This is not merely an academic concern; it clears the way for "transfer," for ethnic cleansing, if a Palestinian state were to be established. "My solution for maintaining a Jewish and democratic state of Israel is to have two distinct national entities," said Tzipi Livni, Foreign Minister in the previous Olmert government and currently head of the Kadima Party. "And among other things, I will also be able to approach the Palestinian residents of Israel, those whom we call Israeli Arabs, and tell them: 'Your national aspirations lie elsewhere." (Jerusalem Post, Dec. 11, 2008.)

3. "Whenever we discuss a permanent arrangement, Israel needs defensible borders."

This is another code phrase for annexation of even more Palestinian land.

Although Israel presents its positions as emanating from legitimate security concerns, the truth is that the two major "facts" that have eliminated the two-state solution have nothing to do with security: the creation of seven settlement "blocs" that imprison the Palestinian population in small, impoverished, resource-poor and truncated cantons (Prime

Minister Ariel Sharon's term), and the construction of the "Separation Barrier."

From the start, the settlement enterprise was a pro-active push to establish effective control over strategic parts of the West Bank, not to impose security—the army could do that well enough and civilian settlers might actually get in the way. At the same time it was an attempt to establish new borders of an expanded Israel. Both the ideologically-driven settlers of the "Greater Land of Israel" movement and Israeli government officials placed the settlement activity squarely within the Zionist enterprise. Just as pre-state settlements played a major role in establishing the borders of Israel before 1967, so would the settlements in the West Bank (or, in the Zionist lexicon, Judea and Samaria) determine whether the Greater Land of Israel would or would not come into being. "Defensibility" had nothing to do with it. No one even pretended that the annexation of Palestinian "East" Jerusalem had any security justification.

This is clearly reflected in the major document legitimizing Israeli control of the Occupied Territory, President George W. Bush's April 14, 2004, letter to Prime Minister Sharon, which is at the foundation of Israel's assertion that the U.S. recognizes the legitimacy and permanency of the settlement blocs.

Like Netanyahu's Bar Ilan speech, it starts out sounding good: "As part of a final peace settlement, Israel must have secure and recognized borders, which should emerge from negotiations between the parties in accordance with UNSC Resolutions 242 and 338." But then the underlying codes reassert themselves. "In light of new realities on the ground, including already existing major Israeli populations centers, it is unrealistic to expect that the outcome of final status negotiations will be a full and complete return to the armistice lines of 1949, and all previous efforts to negotiate a two-state solution have reached the same conclusion," writes Bush, fatally undermining the "Road Map" initiative he himself had proclaimed just a year before.

Notice the language. No "settlements" or "Occupied Territory," only "existing major Israeli populations centers...." And they are not connected in Bush's letter to security but are rather presented merely as "new realities on the ground." In one fell

swoop Bush both sanctioned and normalized Israel's major settlement blocs while, by declaring it "unrealistic" to expect that Israel would withdraw to the 1949/1967 lines, he eliminated any possibility that a viable Palestinian state could emerge.

The role of Congress in supporting the Bush letter should not be overlooked, since it is the overwhelmingly "pro-Israeli" position of both parties that gives Israel the security of knowing that support for its policies, no matter how outrageous and even detrimental to American national interests, will be passed from administration to administration, Congress pro-actively reining in any president who even appears to be unduly pressuring Israel. Thus the House, in an act that went almost unnoticed by the media and the public, passed Resolution 460 endorsing the Bush letter by the almost unanimous vote of 407-9. In fact, the Congressional Resolution went even further than Bush, eliminating any reference to a negotiated settlement or to a "viable, contiguous, sovereign, and independent Palestinian state." The next day the Senate passed a similar resolution (SR 393) by a vote of 95-3. Sharon, as might be expected, called the votes one of the biggest diplomatic achievements in Israel's history. "This is a great day in the history of Israel," he told a meeting at the ruling Likud Party headquarters in Tel Aviv. "The bipartisan congressional support for the president's letter and the State of Israel is without a doubt one of the most important diplomatic achievements for Israel since its creation."

Besides giving Israel the authority to construct settlements within East Jerusalem and the settlement blocs (despite the Road Map's requirement that settlement construction be stopped), the significance of the Bush letter in nullifying the 1967 borders upon which a two-state solution rests is evident in the policies of the Obama Administration to this day.

In his own policy speech at the State Department on May 19, 2011, Obama, too, started out positively. "The borders of Israel and Palestine," he declared, "should be based on the 1967 lines with mutually agreed swaps, so that secure and recognized borders are established for both states." Even mentioning the 1967 lines, in contradistinction to the Bush letter, sent Israel and its advocates into apoplexy.

Obama quickly backed down. On May 22, in a

speech before AIPAC, Israel's lobby in Washington, he issued a correction that could only be picked up by those familiar with the codes, a correction of fundamental significance to any two-state solution. "I know that stating these principles - on the issues of territory and security - generated some controversy over the past few days. I wasn't surprised.... Since questions have been raised, let me repeat what I actually said on Thursday - not what I was reported to have said. I said that the United States believes that negotiations should result in two states, with permanent Palestinian borders with Israel, Jordan, and Egypt, and permanent Israeli borders with Palestine. The borders of Israel and Palestine should be based on the 1967 lines with mutually agreed swaps so that secure and recognized borders are established for both states. The Palestinian people must have the right to govern themselves, and reach their potential, in a sovereign and contiguous state.... Now, that is what I said."

So far, so good. Then came the punch-line. "And since my position has been misrepresented several times, let me reaffirm what '1967 lines with mutually agreed swaps' means. By definition, it means that the parties themselves-Israelis and Palestinians-will negotiate a border that is different than the one that existed on June 4, 1967 [applause from the AIPAC crowd]. That's what mutually agreed-upon swaps means. It is a well-known formula to all who have worked on this issue for a generation. It allows the parties themselves to account for the changes that have taken place over the last 44 years [more applause]. It allows the parties themselves to take account of those changes, including the new demographic realities on the ground, and the needs of both sides.... If there is a controversy [over my previous statement], then, it's not based in substance." Obama virtually quoted from Bush's letter, Netanyahu smiled -he was fresh from his second speech before Congress which was received with 28 rounds of applause and 28 standing ovations. And the two-state solution was buried, yet again.

4. "Any area in Palestinian hands has to be demilitarized, with solid security measures..."

Demilitarization doesn't sound bad. True, most countries regard their armed forces as the very symbols of their sovereignty. And true, Israel has been named 2012's "most militarized nation in the world" by the Global Military Index (for the sixth year running). Yet at least one country, Costa Rica, has renounced a military, so maybe not having an army isn't such a bad thing for the Palestinians.

The problem is, as with all code words, "demilitarization" means much more, especially when reframed as "security-based diplomacy" by Israel's military strategists.

Last year the Jerusalem Center for Public Affairs, a right-wing think tank with close relations to "pro-Israel" think tanks in the U.S., such as the Jewish Institute for National Security Affairs (JINSA) - yes, there really is an organization with that name-the Washington Institute for Middle East Policy and the Heritage Foundation, convened a conference of Israel's leading military thinkers to deliberate on "Israel's Critical Security Requirements for Defensible Borders: The Foundation for a Viable Peace." I attended, and the convocation reminded me of C. Wright Mill's characterization of such people as "crackpot realists." So "realistic" and hard-headed were their assessments, so authoritative was their security-speak, that one could understand why Netanyahu's seemingly reasonable "security-first" approach eliminated any two-state solution.

The military "experts" concluded that there is simply no room from a security perspective for any form of a Palestinian state. The conference, whose conclusions were published in a volume of the same name and edited by Dan Diker (2011), sets out explicitly the principles guiding Israeli military thought:

* The Palestinians are Israel's permanent enemies; the Middle East is irrevocably hostile to Israel. The assumption driving Israel's political and military leadership, as well as the vast majority of its population, is that the Arabs—Palestinians and other Arabs, and by extension the entire Muslim world—are Israel's permanent enemies.

One military expert at the convention, Moshe Yaalon, a former Israel Defense Forces (I.D.F.) chief of staff and presently Israel's deputy prime minister, pointed out that while the Zionist leadership has always been ready to reach an historic compromise with the Palestinians, the Palestinians have been un-

willing to forgo their commitment to armed struggle and other forms of opposition "to the right of the Jewish people to live peacefully in a nation-state of their own in their historic home, the Land of Israel." The lesson to be learned from this, concluded Yaalon, "is that the Palestinians have adhered to their historical narrative of armed struggle that denies Israel's right to exist as a Jewish nation-state, regardless of signed agreements or unilateral Israeli withdrawals."

Another military expert, Major-General Aharon Ze'evi Farash, former head of Military Intelligence offered two scenarios of what would happen were a Palestinian state established. First, it would be a failed state that would serve as a convenient base for the development of terrorist infrastructures. And secondly, looking at the region as a whole, the threat to Israel would develop to the east of the Palestinian state, and Palestinian territory would be used as a base from which to attack Israel.

A somewhat more critical military thinker, Shlomo Gazit, writes in his book "Trapped Fools" (2003; 8-9) that throughout the history of Zionism "Israeli leaders did not see a Palestinian people with political aspirations of their own, but rather intransigent enemies whose only hope was the destruction of the state of Israel." The Palestinians, according to this line of thinking, will never accept the idea of the state of Israel in their midst-and especially an exclusively Jewish state of Israel-thereby locking Israel into permanent conflict, a constant struggle for its very existence. Since Israel will never know genuine peace, it must ensure a qualitative military edge over its enemies, hence its obsession with security and the importance it gives to security politics. Israeli leaders keep holding to this dogma, despite the P.L.O.'s acceptance of the two-state solution in 1988, its reaffirmation in the Arab Peace Initiative in 2002, 20 years of negotiations in the Oslo process, formal peace treaties with Egypt and Jordan and, until the second Intifada at least, functional relations with many of the Arab and Muslim countries.

And in a sense this is true in a kind of Catch-22 way. Since Zionism, as embodied today in Israeli government policy, claims an exclusive right of the Jewish people to the Land of Israel and since it has never, until this moment, acknowledged Palestinian

national rights or even the very existence of a Palestinian people, Israel has left the Palestinians with little choice but to be its permanent enemies until Israel agrees to a political settlement that addresses their national aspirations. Such an approach forecloses any just and workable peace.

- * Israel's formal diplomatic positions on the peace process must be derived by first establishing its security needs, rather than the reverse. This is the principle Diker set down in another JCPA publication (2010:92) and which Yaalon confirms in the conference report: "Israel's vital security requirements and a conditional endorsement of a Palestinian state were laid out by Prime Minister Benjamin Netanyahu in his first major policy speech at Bar-Ilan University. [The] ideas he endorsed represent a restoration of Israel's traditional security-based approach to achieving a lasting peace."
- * Israel will maintain an active and constant military presence in the Occupied Territory. According to Moshe Yaalon, the recent decline in Palestinian violence is not a generous response to Israeli gestures. Rather, it is due largely "to the construction of the security barrier, ongoing IDF operations in Judea and Samaria that keep terrorists on the run, the increased rivalry between Fatah and Hamas, and a growing realization that Palestinian terror doesn't pay."
- * No return to 1949 armistice line/1967 borders. Listen again to Yaalon, and recall that he is currently Israel's deputy prime minister:

[The JCPA conference] is a corrective to the widelyheld view in many international quarters and even in limited circles in Israel about the "need" and even the "inevitability" that peace requires Israel to withdraw to the perilous 1949 armistice lines (erroneously called the 1967 "borders"). These borders would not achieve peace - they would weaken Israel and invite war by denying the Jewish state strategic depth and topographical protection against Palestinian rocket and other attacks. The 1949 armistice lines enabled Israel's enemies to deploy and operate in dangerously close proximity to Israel's main population centers to such an extent that they constituted an existential threat to Israel.... If the IDF were withdrawn to the 1949 lines, the conquest of Judea and Samaria would become easier and therefore assume even greater strategic

value to Hamas and its Iranian patron.... Israel and the Hashemite Kingdom would thus both be threatened by the attempt to develop a "Hamastan" in Judea and Samaria (Yaalon 2011).

* <u>Maintaining control over strategic parts of</u> <u>the West Bank and of a 'greater" Jerusalem.</u> Again Yaalon:

Israel's security depends on its retaining defensible borders. This means maintaining control over key areas of Judea and Samaria and certainly over an undivided Jerusalem. Any division of Israel's capital city will invite sniper attacks, and mortar and rocket fire on the country's capital from the surrounding high ground. In the event that the Palestinians obtain full sovereignty in Judea and Samaria, those areas—as Gaza before them—may be quickly taken over by Hamas and become staging grounds for attacks on Israel. This would pose a particularly serious threat due to the topography of the territory, which includes high ground from which even relatively primitive rockets - and even mortars-could easily strike Ben-Gurion International Airport (Yaalon 2011).

- * If a Palestinian state were to emerge, it will not have territorial contiguity. This includes no territorial contiguity between the West Bank and Gaza or within the West Bank. "Transportational contiguity" will be permitted only under Israeli supervision. This is an Israeli term brought up repeatedly in negotiations and is meant to offset the Palestinians' loss of territorial contiguity. It would indeed allow Palestinians to drive from Jenin to Hebron, but would maintain Israeli control—checkpoints and various kinds of surveillance—as well as the right to arrest Palestinians as they traverse "Israeli" space.
- * Israel will keep its major settlements and the settlement "blocs." When Ehud Barak proposed to "jump" to final status negotiations in 1999, he consolidated the settlements Israel sought to retain into "blocs" that expanded Israel onto 85% of historic Palestine (versus today's 78%) and reduced the Palestinians to "cantons" on only 15% of their historic homeland. Instead of dealing with 200 settlements, Barak had only to negotiate the annexation of seven settlement blocs: (1) the Jordan Valley Bloc that comprises some 30% of the West Bank, the Jordan Valley—from which Palestinians have been almost entirely removed, except for the city of Jericho, and re-

placed by settlers - and which contains some of the Palestinians' most fertile land and the source of much of the West Bank's water (the Jordan River). Without the Jordan Valley, which Israel insists is its "security border," the Palestinians have no unmitigated border with Jordan, and thus no genuine sovereignty; (2) the Ariel Bloc that divides the West Bank east and west, creates the northern Palestinian "canton" and preserves Israeli control over the Territories' largest water aquifer; (3) the Modi'in Bloc that connects the Ariel settlements to Jerusalem; (4-6) a "Greater Jerusalem" consisting of three settlement blocs: Givat Ze'ev to the northwest of the city, the expansive Ma'aleh Adumim Bloc extending to the northeast and east of Jerusalem, which effectively cuts the West Bank in half again and creates the central and southern Palestinian "cantons," and the Etzion Bloc to the southwest; and (7) a corridor rising from the settlements in the south to incorporate the Jewish community of Hebron.

Israel will keep all these major blocs because, in the words of Yaalon, "We have learned from bitter experience that territorial withdrawals do not alleviate grievances; they indicate weakness and convince Israel's enemies that victory is possible" (Yaalon 2011).

- * <u>Israel will retain permanent control over the mountains running through the center of the West Bank and over the Jordan Valley.</u> Again, in the name of defensible borders, this has to do with the threat from rockets that Hamas is said to possess with a range of more than 50 kilometers. If launched from the Judea-Samaria mountain ridge, argues Yaalon, these rockets could strike the center of Israel, where more than 70 percent of the population resides.
- * Military thinking rules out a Palestinian state; only limited "autonomy" is possible. This, according to Yaalon, has always been Israel's position. Nothing Israeli leaders have done or said, including Menachem Begin at the 1978 Camp David Accords, and Yitzhak Rabin at the 1993 Oslo Accords, constituted intent or consent to establish a Palestinian state within the pre-war 1967 lines.
 - * A Palestinian state, should it emerge, must be

demilitarized and Israel must retain security control. This means that Israel must insist on preventing the prospective Palestinian state from acquiring any arms or maintaining forces other than those necessary for internal Palestinian security and preventing terror attacks on Israel. But even a demilitarized Palestinian entity does not mean that Israel can afford to fully relinquish security control. Yaalon insists [There] "will have to be a permanent IDF presence controlling the border crossings, particularly on the eastern side of any future Palestinian state, as well as the right of the IDF to enter the Palestinian entity when warranted."

- * Israel must control all the borders, plus the "external envelope" around any Palestinian state. This, according to Major-General Aharon Ze'eve Farkash, quoted in the Diker report, includes "proper supervision and inspection by the IDF and other third-party monitors, not outside security forces, at the international border crossings to prevent the smuggling of prohibited weapons and dual-purpose materials, infiltration of terrorists, and the transfer of funds and other forms of aid to terrorist groups in the Palestinian state." And it includes "supervision of the external envelope along the borders of the Palestinian state, including supervision of the seas." (Farkash 2011:46)
- * Israel must control Palestinian airspace and the electro-magnetic sphere. Again, Farkash (2011:45): "Israel must control a unified airspace in order to prevent hostile military action and terrorist aerial activity from the skies over a Palestinian state, or through it, aimed at the Jewish state." But Brigadier-General Udi Dekel (2011:76-78), former head of the IDF Strategic Planning Division, raises yet another little-known restriction on Palestinian sovereignty: Israeli control of the electro-magnetic (communications) sphere. He writes (2011:76-78):

Similar to Israel's vital security requirement to control a unified airspace if a Palestinian state is established, the topographical conditions and limited distance between the population and communication centers of the two entities do not allow for division of the electromagnetic spectrum. Since it largely occupies the central mountain ridge, the Palestinian Authority enjoys a topographical ad-

vantage-with its communication systems far less vulnerable to disruptions and jamming than those of largely coastal Israel. A small Palestinian transmitter station on Mount Eival, near Nablus, for example, could jam virtually the entire communication system in Israeli areas broadcasting on the same frequencies.... Israel's position is that it must retain overriding control of the electromagnetic spectrum, and there must be an effective supervisory apparatus in place to guarantee that its decisions are implemented. The Palestinians, on the other hand, view this issue-as in the case of airspace-in the context of sovereignty. They demand full independence in managing the electromagnetic spectrum and consider Israel's demands to be excessive and their own to be based on international conventions.

- * No reliance on "foreign forces. This is code for no international presence that would allow Israel to withdraw to the 1967 lines, a necessary condition for the establishment of a minimal Palestinian state and the achievement of a two-state solution.
- 5. "And, to ensure peace we don't want them to bring in missiles or rockets or have an army, or control of airspace, or make treaties with countries like Iran, or Hezbollah..."

In his Bar Ilan speech, Netanyahu again framed this demand around Israel's need for security. In essence this means that Palestinians will not be able to make any military treaties.

6. "Jerusalem remaining the united capital of Israel..."

Netanyahu also insisted in his Bar Ilan speech that Jerusalem must remain "the united capital of Israel." This demand alone, which has always been presented by Israeli leaders as absolute and unbending, torpedoes any two-state solution. Not only does it ignore completely the religious, cultural and political significance of Jerusalem, but the disconnection of a "greater" Jerusalem from the rest of Palestine destroys any economic viability a Palestinian state may have. The World Bank estimates that 40% of the Palestinian economy revolves around Jerusalem, where tourism would be its largest potential industry, and excluding it from a Palestinian state cuts out that state's economic heart.

But, like the two-state solution itself, a Palestin-

ian capital in East Jerusalem is already a dead letter. The Israeli "closure" of the past 18 years prevents Palestinians from the West Bank and Gaza from entering; its own local economy has virtually died. Israeli settlements and highways, around and throughout the city have destroyed the urban fabric of Palestinian East Jerusalem, fragmenting it into disconnected ghettos (or "villages," as Israel calls them). "Jerusalem remaining the united capital of Israel" is only another confirmation that the two-state solution is gone.

7. "The territorial issues will be discussed in a permanent agreement. Til then we have no intention to build new settlements or set aside land for new settlements."

This statement from Netanyahu is not only deceiving, but indicates to what degree Israel has in fact completed its incorporation of the West Bank and East Jerusalem. Even the term "settlements" is misleading because it minimizes the size and degree of control of settlement cities, some of them housing 50,000 residents or more, spread strategically throughout East Jerusalem and the West Bank settlement blocs.

Three circles of expropriation surround each settlement. Besides the built-up area of the settlements that one actually sees, each settlement possesses an expansive master plan that you don't see (e.g., the urban space of Ma'aleh Adumin extends from Jerusalem to Jericho, effectively cutting the West Bank in half). All this is then integrated in the even more expansive seven settlement blocks that radiate out, comprising about 25% of the West Bank.

Since the U.S. recognized the settlement blocs as being permanently a part of Israel, all Israeli construction within them is considered "in-filling" or merely "thickening" existing settlements to account for "natural growth." Then there are myriad ways of grabbing additional Palestinian land, some legal, some not. The "Special Security Area" (SSA) framework surrounds twelve settlements east of the Separation Barrier with rings of land that are closed to Palestinian entry, though more than half of this ring land is under private Palestinian ownership. B'tselem, the Israeli Human Rights organization, estimates that pirating private Palestinian land by settlers blocks Palestinian entry to tens of thousands of

acres of farm land, thus annexing them *de facto* to the settlements. Other areas have been designated as Nature Reserves or "closed military areas." And on and on....

The bottom line is that, in one way or another, Israel already controls the strategic land it needs to foreclose any viable, sovereign Palestinian state and can indeed complete its settlement enterprise without expropriating additional land or building "new settlements."

8. "We need a clear agreement to solve the Palestinian refugee problem outside of the borders of the State of Israel ... this humanitarian problem..."

Netanyahu's words guarantee there will be no resolution of the conflict. The question of the refugees is *not* a "humanitarian problem," but a human rights issue rooted in the refugees' *right* to return to their homes *inside* Israel, as defined in United Nations Security Council Resolution 194.

Reading the Bar Ilan speech with a critical eye and informed by both the "facts on the ground" and Israel's security thinking, we have a better insight into the cryptic remark made by Netanyahu at his address before the U.N. last September: "The Palestinians" said the prime minister, "should first make peace with Israel and then get their state."

What is evident is that a Palestinian state is not in the cards.

January 26, 2012: The End Of All Illusions

We have passed many "turning points" and deadlines in the struggle to end the Occupation. The latest, following Mahmoud Abbas's approach to the U.N. last September, was laid down by the "Quartet:" the parties had until January 26, 2012, to present their positions, particularly on borders, so that negotiations may resume. The Palestinians, who have maintained their position for the past 25 years, did so almost immediately. Negotiations can begin on the basis of the 1949/1967 lines and an end to Israeli settlement construction.

Israel delayed until the last day, then presented a position without maps or explanations whose implications, now that we have de-coded the discourse,

we can readily understand. In any permanent agreement between Israel and the Palestinians, said Isaac Molho, Netanyahu's representative, most of the Israelis who live in the West Bank will remain in Israeli territory, while the Palestinians in the West Bank will be in the area allotted for a future Palestinian state.

The Palestinians rejected this out of hand and declared the negotiations ended—though at this writing there are hints that they may go on until March due to American and European pressure. The P.A. threatens to launch a "diplomatic offensive" to put Israel under an "international siege." It may apply to the U.N. General Assembly for non-member observer state status, which they would surely receive. And Fatah and Hamas are again talking of a unity government and elections in May, 2012.

None of these steps would end the Occupation, though they may shift support in world public opinion towards the Palestinian cause.

Ironically, even as the two-state solution disappears irrevocably under the weight of Israeli settlements and U.S. obstructionism, even as negotiations fail miserably and Israel publicly proclaims positions that rule out a viable Palestinian state, and even as the two-state solution is being rejected as unjust and inadequate by growing sectors of the Palestinian public, the P.A. continues to cling to it.

Why it does so is not clear. As a paragovernment, it may be locked in by diplomatic constraints. Or it may be seduced by the billions of dollars being channeled into its institutions, into Palestinian N.G.O.s (just look at the massive new buildings and expensive new restaurants in Ramallah) and into the upper- and middle-classes so dear to the neoliberal Prime Minister Salam Fayyad. Or maybe it is ensnared by the privileges conferred on its V.I.P.s by Israel or by a false sense of power bestowed by its American trained and equipped militia—which many Palestinians consider a second oppressive occupation regime.

Where Is Israel Heading? Toward Warehousing

Israel and its supporters also know full well that the two-state solution is dead, and good riddance because it gave too much land and sovereignty to a collection of people whose national rights Israel has always denied.

But it nevertheless plays a key role in perpetuating Israeli control of the Occupied Territory, holding everything in place until the Occupation is normalized, the Palestinians pacified, and the world moves on to the next urgent conflict. By playing along with variations of a two-state solution that it knows are unacceptable to the Palestinians—for example, a "two-state solution" in which the Palestinians are locked into a non-viable, semi-sovereign Bantustan—Israel is able to avoid any genuine solution to the conflict, since any genuine solution would require either too large a concession of land or shared sovereignty with the Palestinians.

But while Israel endeavors (with the U.S., Europe and, for its own reasons, the Palestinian Authority) to keep the two-state charade going on indefinitely, it has already moved on to the next stage: putting in place an apartheid regime or—its preferable solution—simply warehousing the Palestinians forever.

The term "apartheid" is an emotive one. We recall the firestorm that greeted Jimmy Carter's 2006 book "Palestine: Peace Not Apartheid," but since then it has entered into the mainstream debate. The Israeli newspaper Ha'aretz has run editorials warning of an impending apartheid regime over the Occupied Territory, and even Ehud Olmert, when he was prime minister, warned that if the two-state solution dies Israel would "face a South African-style struggle for equal voting rights, and as soon as that happens, the state of Israel is finished. Israel's supporters abroad would quickly turn against such a state."

So far Israel has avoided that eventuality by keeping the illusion of negotiations going. (Even as I write this, Feb 2, 2012, Netanyahu has asked the visiting U.N. Secretary-General Ban Ki-moon to "prod" the Palestinians to "continue the peace talks." "Israel," he said, "is interested in continuous talks with the Palestinians while preserving the security interests of Israeli citizens.")

But in hindsight, given current Israeli policies and the fact that Israel has completed its *de facto* an-

nexation of the West Bank, a remarkable development has emerged: apartheid is the *liberal* "solution" based on a concept of "two-states" pushed by Barak, Sharon and Olmert in which the Palestinians would get a truncated Bantustan in the nooks and crannies of the settlements. Netanyahu's vision of warehousing, embodied in his famous phrase "autonomy plus—independence minus," is far more chilling.

Ehud Barak was the first to give an explicit name to Israel's policy of apartheid: *hafrada*, which in Hebrew means "separation," just as it does in Afrikaans. *Hafrada* is Israel's term for its policy towards the Palestinians, most tellingly in the official name of the Wall—the "Separation Barrier" (*mikhshol hahafrada*). Apartheid is neither a slogan nor a system unique to South Africa. The term describes precisely a regime defined by two elements: one population separating itself from the others, then creating a permanent and institutional regime of domination. Exactly the conception of Barak, Sharon and Olmert.

The Bertrand Russell Tribunal on Palestine, convening in Cape Town, South Africa and hearing testimony on separation and domination not only in the Occupied Territory but within Israel itself, issued a clear statement on why Israel's policies constitute apartheid:

This discriminatory regime manifests in varying intensity and forms against different categories of Palestinians depending on their location. The Palestinians living under colonial military rule in the Occupied Palestinian Territory are subject to a particularly aggravated form of apartheid. Palestinian citizens of Israel, while entitled to vote, are not part of the Jewish nation as defined by Israeli law and are therefore excluded from the benefits of Jewish nationality and subject to systematic discrimination across the broad spectrum of recognized human rights. Irrespective of such differences, the Tribunal concludes that Israel's rule over the Palestinian people, wherever they reside, collectively amounts to a single integrated regime of apartheid.

Yet apartheid at least pretends to respect the political rights of the people it in fact oppresses. The regime in South Africa promoted an "eleven-state solution": the creation of ten black Bantustans (actually called "homelands") on 13% of South African land, the rest becoming a "white democracy." Israel's version of the two-state solution would do

the same: create a Palestinian Bantustan on 15% of historic Palestine, grant it putative sovereignty yet keep it entirely under Israeli control and domination, the rest of the country becoming a "Jewish democracy."

Warehousing makes no such pretense. Just as in a prison, Palestinians would become inmates-or more accurately, wards of the international community – to be fed, protected, but that's all. It represents the bleakest of realities for the Palestinians, since it is a static condition leading nowhere. Aided by the U.S., Israel merely delays and dallies for years, prolonging "negotiations" indefinitely by perpetually holding out the possibility of a two-state solution, all the time pacifying the Palestinians by military operations, mass arrests, infiltrating thousands of collaborators, revoking residency, confining them to tiny and impoverished enclaves (the cells of the prison) surrounded by high walls-in general making life unbearable so as many as possible will leave altogether. At some point down the road, Israeli rule will be normalized and the Palestinians quietized, any attempt on their part to resist put down as "terrorism." The world will move on to other issues, perhaps, as in Israel, to its own internal problems and to the obsession with entertainment and, like prisoners, the Palestinian will simply disappear, become a non-issue.

The haunting specter of warehousing lends an urgency to resolving the Israeli-Palestinian conflict—though colonization and displacement more accurately capture the nature of what is happening in Israel/Palestine than "conflict" does, given the tremendous disparity in power and control between the two "sides." Yet in the current political paradigm of the two-state solution we simply cannot get there from here. The Israeli facts on the ground, combined with an American refusal to allow a genuine, if tiny, Palestinian state to emerge, have brought us to a dead-end. Nor is a one-state solution, be it a democratic or bi-national state, possible given the present constellation of American and European support for Israel as a "Jewish" state.

If the Palestinians are to salvage any dignity as a people, the public relations battle has to be reframed. Today, Israel stands before the world and claims that it has to treat the Palestinians the way it does be-

cause the security of their state demands it, and for that reason it absolutely cannot enter into a peace process that might actually threaten its hold over the Occupied Territories and the congressional support it enjoys.

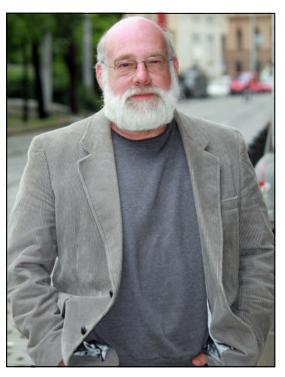
That argument has to be reframed. In my book "An Israeli in Palestine," I write that President Obama should take a leaf out of President Ronald Reagan's strategy of assertiveness. In 1981, when Reagan sought to sell AWAC surveillance plans to Saudi Arabia, the Israel lobby in the U.S. mustered enough opposition in Congress to potentially block the sale. In response, Reagan pulled rank. I am the Commander-in-Chief, he reminded Congress, and I am telling you that this sale is in the vital interests of the United States. Framed like that, Congress approved the sale.

By anchoring Administration policies in an *American* reframing, i.e., what's best for U.S. interests, Obama might be able to replicate Reagan's success. This would mean that he must state firmly and unequivocally that a complete end to Israel's Occupation and the establishment of a truly sovereign and viable Palestinian state next to a secure state of Israel is in the vital interests of the United States. Only that will effectively counter congressional opposition to putting pressure on Israel, without which there is no chance of a breakthrough.

Still, that said, I believe the conflict is ultimately unsustainable. This is not merely a localized conflict between two peoples but is a global one fundamentally disruptive to the international system and a challenge to the rule of international law and human rights that cannot be allowed to prevail. We must keep the pressure on—through BDS (Boycott, Divestment, Sanctions) and our flotillas to Gaza and resistance actions inside the Occupied Territory, lobbying governments and mobilizing public opinion. But we must also seek the collapse of the "peace process" of the past 20 years and the agency that allows it to continue, the Palestinian Authority.

This may seem like a cruel thing to say, but in my view only when the Occupation is thrown back squarely into Israel's lap will it become unsustainable. Only then will the international community, pushed by an inflamed Muslim world and a galvanized global civil society, be forced to act. When that moment arrives, we must be primed to ensure that the new political possibilities that arise from out of the chaos lead to genuine justice and a lasting peace.

Part of the process of "clearing the table" will be to abandon, once and for all, the illusion of a two-state "solution."



Link author Jeff Halper.

Jeff Halper has been arrested countless times he literally is not sure of the number —for standing in front of bulldozers and Israeli soldiers sent to carry out Israel's demolition orders.

In 2006, he was nominated for the Nobel Peace Prize for his work in liberating both the Palestinian and the Israeli people "from the yoke of structural violence," and for building equality between these two people "by recognizing and celebrating their common humanity."

In May 2009, he received the prestigious Kant Foundation World Citizen Award in Freiburg, Germany, in recognition of his "courageous commitment to human rights and the human dignity of politically and socially marginalized population groups."

Dr. Halper is the author of the forthcoming book, "Globalizing Palestine: Israel and the World's Arms and Security Industries," which is based, in part, on his present Link article. He can be reached at Jeff@ICAHD.org.

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Ateek, N.	A PalestChristian Cry for Reconciliation	paper 2008	2008	224	\$24.00	\$17.50	Sabeel founder's program of non-violence.
Aziz, B.	Swimming up the Tigris	cloth	2007	314	\$24.95	\$19.95	Real life encounters with Iraqis.
Bennis, P.	sr. Conflict	paper 2007	2002	196	\$10.00	\$9.00	\$9.00 An excellent primer.
Carter, J.	Peace Not Apartheid	cloth :	2006	265	\$27.00	\$12.50	Critical analysis of Israel's occupation.
Chacour, E.	Blood Brothers	paper	2003	240	\$12.95	\$10.95	Updated ed. with introduction by James Baker III.
Cook, J.	Blood and Religion	paper 2006	2006	222	\$18.00	\$16.50	\$16.50 Can Israel be both a Jewish and a democratic state?.
Cook, J.	Disappearing Palestine	paper 2008	2008	294	\$27.95	\$16.75	Israel's experiments in human despair.
Eldar, A. & Zertal	Lords of the Land	cloth	2007	531	\$29.95	\$15.50	Inside account of Israel's settlement policy.
Fayez, J. ed.	The Colonization of Palestine	paper	2007	56	\$9.95	\$3.00	\$3.00 Updated listing of 452 destroyed cities, towns, villages.
Finkelstein, N.	Beyond Chutzpah	cloth	2005	332	\$22.50	\$15.50	The misuse of the charge of anti-Semitism.
Fishbach, M.	Records of Dispossession	cloth	2003	467	\$39.50	\$15.50	\$15.50 New figures on the land "swap" of 1947-48.
Gubser, P.	Saladin: Empire and Holy War	paper 2010	2010	453	\$38.00	\$9.50	\$9.50 A fresh look at the 12th century Muslim leader.
Halper, J	An Israeli in Palestine	paper	2008	317	\$27.95	\$23.50	By a longtime opponent of the occupation.
Jayyusi, S.	Anthology	paper	1996	754	\$22.00	\$16.00	Collection of modern Palestinian literature.
Karmi, G.	Married to Another Man	paper	2007	350	\$29.95	\$22.50	Israel's dilemma in Palestine.
Khalidi, R.	Resurrecting Empire	cloth	2004	223	\$23.00	\$17.95	Analysis of US role in Middle East.
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Makdisi, S.	Palestine Inside Out	cloth	2008	365	\$24.95	\$18.95	Why Arafat had to walk away from Camp David.
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	Sufism	paper	1999	52	N/A	\$7.00	Israel's plans to "Judaize" Arab areas in Israel & WB.
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Ali, T.	Bush in Babylon	paper	2003	202	\$12.00	\$10.00	The re-colonization of Iraq.
Bamford, J.	A Pretext for War	cloth	2004	420	\$11.00	\$9.00	How US intelligence agencies were abused.
Baroud, R.	The Second Palestinian Intifada	paper	2006	216	\$27.95	\$12.50	Chronicle of the struggle.
Barsamian, D.	The Pen and the Sword	paper	2010	180	\$11.70	\$8.50	Conversations with Edward Said.
Bowen & Early, eds.	Everyday Life in the Muslim ME	paper	2002	411	\$21.75	\$12.50	Insightful look into Middle East cultures.
B'tselem & Hamoked	B'tselem & Hamoked Absolute Prohibition	paper 2007	2007	104	N/A	\$7.00	\$7.00 Israeli report on torture of Palestinian detainees.
B'tselem & Hamoked	B'tselem & Hamoked Families Torn Apart	paper	1999	164	N/A	\$7.00	Effect of Occupation on families living under it.
Doughty & El Aydi	Gaza: Legacy of Occupation	paper	1995	202	\$31.00	\$8.00	A photographer's journey.
Elmessiri & Stevens	Israel and South Africa	paper 1977	1977	228	N/A	\$9.00	\$9.00 Zionist links to white South Africa supremacy.
Engelhardt	The American Way of War	paper	2010	220	\$12.70	\$8.00	How Bush's war became Obama's.
Esposito, J., ed.	Voices of Resurgent Islam	paper	1983	294	\$27.20	\$8.00	Articles by political activists and academics.
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Gordon, A.	I Painted the Snow Black	paper	2001	161	\$70.00	\$12.00	Palestinian survivors, most women, tell their stories.
Grodzinsky, Y.	In the Shadow of the Holocaust	paper	paper 2004	277	\$19.95	\$9.00	The forced role of Jewish survivors in founding Israel.
Hart, A.	Zionism, v.1	paper	paper 2009	337	\$15.00	\$8.50	Zionism seen as the real enemy of the Jews.
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