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Some New Suggestions for Solving the Israeli–Palestinians Disputes

Abstract: Many suggestions have been presented for solving the Israeli – Palestinian dispute. As for now, none of those suggestions, presented during more than thirty years of negotiations, have been accepted by both sides. As for this, some new ideas have to be entered the arena. Here some new, “out of the box”, geographical proposals are presented, based on actual events and geographical realities which exist in other areas. These proposals could be seen as un-human or politically wrong suggestions but as all other proposals were rejected, the decision makers of both sides, as well as the leaders of the world, can use the presented suggestion as a base for future negotiations.

Keywords: *Israel; Palestine; enclave; national state; citizenship; peace agreement*

The Israeli – Palestinian dispute, which has run for about 100 years, seems to be a dispute without solution, as most of the proposals which had been presented during the years have never brought a peace agreement between the two sides.

The aim of this article is to present “out of the box” suggestions which, if adopted by both sides, could bring the much needed peace between Israel and Palestine. As such, this is not a scientific article; rather a gathering of some thoughts which are aimed to enrich the reader’s minds concerning alternative ways of thinking which could be used during peace negotiations.

In order to present the new way of thinking, here is the summary of all what has been presented in the past. The various peace proposals which were presented differ according to the degree to which it was assumed that there may exist a Palestinian negotiating partner and the degree of integration envisaged between Israel and the Palestinian entities. These proposals can be broadly categorized into four main political paradigms. Some of these paradigms have given rise to one or more formal plans. Others have remained in the realm

of academic discussion. The general principles of those plans will be presented as they transpire from the public debate

The “Two states solutions”

These proposals are based on repartition of the land west of the Jordan River between Israel and the Palestinians. These solutions are based on (1) the necessity for separation between Israel and the Palestinians; (2) the need to provide the Palestinians with a real sense of national independence. The “two states” solution may include ideas for border changes, beginning from the “minor border modifications” and ending with territorial swaps with Egypt, Jordan or even Syria and Lebanon. The plans of this type include the following:

Ayalon – Nuseiba plan, The Geneva Accord, The American Presidential Concept, the Arab League (Saudi) Peace Plan and General Territorial swaps.

The “One state” solutions

These proposals advocate a single state west of the Jordan River. This concept implies one of the following sub-paradigms of relationships between the individual and the state: (1) community-oriented (defining each citizen’s affiliation as Jewish or Palestinian as the frame of reference for his relationship with the state); (2) individual-oriented – a “state for all its citizens”; (3) extra-territorial citizenship – distinction between residency and citizenship. The plans of this type include:

- a) Establishing a bi-national Jewish-Palestinian state west of the Jordan River
- b) Establishing a single democratic “state for all its citizens” west of the Jordan River.
- c) Israeli annexation of the WB and Gaza without according citizenship to the Palestinian residents and encouraging their emigration.
- d) Israeli annexation of the WB and Gaza, while defining Jordan as the formal expression of Palestinian national identity (Jordan as the Palestinian State) – and providing the Palestinians in the West Bank and Gaza with Jordanian citizenship and voting rights.
- e) Cantonization – creation of Jewish and Palestinian cantons in one confederal state in the entire area west of the Jordan River.

Federal/Confederal Solutions

These solutions include various combinations of links between three parties: Israel, Palestine and Jordan. These plans include:

- Jordanian-Palestinian Federation/Confederation
- Israeli-Palestinian Federation/Confederation

- Jordanian-Palestinian-Israeli Federation/Confederation/Union
- Jordanian-Israeli Condominium.

Interim proposals

These are based on the assumption that either (1) the two parties are not yet ripe to take the strategic decisions necessary to implement the above solutions and therefore they need a period of adaptation, or (2) the Palestinians have lost their ability to rule themselves and are in need of a “mandate power” to prepare them for democratic institutions and independence. The plans of this type are:

- The Road Map as accepted by the Quartet,
- Unilateral Disengagement,
- International trusteeship,
- Jordanian/Egyptian trusteeship .

The distinction between “one state” and “two states” solutions is not always clear-cut. This ambiguity is inherent in the difficulty to draw a line between federal, confederal and united entities and it is further complicated by mechanisms for the implementation of the “right of return”, which many claims turns the slogan of “two states for two peoples” into “two states for one (Palestinian) people.

Furthermore, many proposals are dependent on variables of external geo-political and socio-economic factors and the involvement of third parties in the peace plan: Jordan, Egypt, Syria and Lebanon in the first tier, and the rest of the Arab world in the second tier. The absence of any of these parties has an impact on the relevant plan. Some variables are subject to quantitative analysis (water, natural resources, population growth, and security considerations). The ultimate form that a process may take would also derive from “soft” variables such as national identities (of Palestinians, Israeli Arabs, and Jordanians), irredentism, social-religious trends and so forth which cannot be objectively assessed.

As up to now, none of the different proposals, plans, programs, solutions finds its way to be implemented. It seems that new ideas have to be presented.

Here are my three different suggestions:

Jewish Enclaves in a Palestinian State

A massive evacuation of settlements located outside large settlement blocs, home to about 100,000 residents, will be necessary if future Israeli governments seek (or are required to) implement the principle implied by the “two states for two peoples” plan. This will be highly challenging, traumatic from a human and societal perspective, and politically problematic. At the same time, most of the difficulties can be overcome with advance national planning of the evacuation, suitable compensation, an internal Israeli dialogue that unites the

population, appropriate legislation, and a comprehensive and empathetic plan to resettle those evacuated.

Nonetheless, the evacuation of tens of thousands of people from their homes and their settlements, including forcible evacuation of those who refuse to leave at the behest of the government, is a difficult task for the country, and could potentially result in bloodshed and civil war. Thus there is a need to examine other, less conventional ideas that could reduce the number of Israelis living beyond the final borders of the State of Israel who will need to be evacuated, including the idea of retaining Jewish settlements within the borders of a Palestinian state, provided that it is in the context of a permanent agreement that brings about an end to the conflict.

The idea appears impractical, first and foremost from a security perspective, especially given the state's responsibility for the security of all its residents and citizens, both within its borders and beyond. Nonetheless, an initial analysis of this possibility is in order, irrespective of any opinion on its political or diplomatic feasibility.

The idea itself is not new. A territorial enclave is sovereign territory of a state that is not connected by land to the main territory of the state and is entirely surrounded by land territory of another state. There are territorial enclaves that extend over large areas of thousands of square kilometers, but enclaves are generally small, comprising an area of several square kilometers or even less. In most instances, there is no problem traveling from the enclave to the mother state, but sometimes, passage involves a complex administrative procedure. The global diplomatic map shows approximately 100 territorial enclaves around the world. Some 200 enclaves used to be located near the border between India and Bangladesh, abolished two years ago, some 20 are found on the border between Holland and Belgium, and the rest are located in various areas of Europe and Asia.

The Jewish settlements outside the large settlement blocs in the West Bank can be divided into three categories: Israeli enclaves within Palestinian territory; autonomous Israeli settlements under Palestinian sovereignty; and settlements of Jews in the territory of a Palestinian state with no special status.

The largest settlements – Ariel, Ma'aleh Adumim, Efrat, and Kiryat Arba – with tens of thousands of residents, will remain under full Israeli sovereignty as part of the State of Israel, and their residents will remain Israeli citizens. Agreed-upon routes will be used for passage to and from these settlements to other areas in the State of Israel, and traffic on these routes will be unrestricted, without oversight by the Palestinian state. Today, the total population in these settlements is 69,000, and their built-up areas total 770 hectares. This area will be taken into account during the discussion of exchange of territories between the State of Israel and the Palestinian state. If Efrat and Ma'aleh Adumim remain within the boundaries of the State of Israel as an integral part of a permanent border, only Ariel and Kiryat Arba will remain as two enclaves that are home to some 25,000 people on a built-up area of some 350 hectares.

Ten mid-size settlements, each home to between 2,000 and 7,000 people, will be in the territory of the Palestinian state and under its sovereignty, but they will conduct themselves

as if they were autonomous in all respects. These settlements are Beit El, Ofra, Emanuel, Kfar Adumim, Kochav Yaacov, Eli, Kedumim, Talmon, Karnei Shomron, and Shiloh. Any Israeli in these settlements will keep his Israeli citizenship, and the settlements will conduct their lives independently in all municipal-social-administrative areas, such as education, social services, and health. The total population in these settlements is some 40,000, and their built-up areas total 850 hectares.

The residents of some sixty-five small and isolated settlements with a total population of 36,000 who decide to remain in their homes will be able to retain their Israeli citizenship and also receive Palestinian citizenship. These settlements will be under the full sovereignty of the Palestinian state. The residents will retain their right to ownership of their private lands and the public areas in the settlement, but in all other matters, including the right to vote, they will be citizens of the Palestinian state. Those who remain in these settlements will be subject to the sovereignty and the laws of the Palestinian state, as Israeli Arabs are subject to the sovereignty of the State of Israel. The territory of these settlements will not be taken into account during the discussion on exchange of territories between Israel and the Palestinian state.

A permanent status agreement on the basis of the principles reviewed here could ensure the continued existence of some of the Jewish settlements and make forced evacuations unnecessary. The residents themselves will choose whether to remain in their homes. Over time, some and perhaps most of this population will choose to return to the borders of the State of Israel of their own volition and receive compensation for the private property they left behind in the settlements, while others will remain willingly within the borders of a Palestinian state on the basis of the proposed models. This action will be taken freely and without the use of force, and occur over a lengthy period of time.

Another positive aspect is that the areas of the enclaves can be expected to be limited compared to the extensive areas of the settlement blocs discussed until now. Creation of the enclaves will reduce the need for territorial “fingers” in the direction of Kiryat Arba, Ariel, and Emanuel, which will reduce the amount of land needed for land swaps with the Palestinians in a peace agreement. The land of the settlements in the second category (autonomy) and the third category (residence and citizenship) will be under the sovereignty of a Palestinian state, and thus it will not be necessary to “pay” for them with territory west of the Green Line.

Nevertheless, there is a decided possibility of friction and clashes between the enclaves and their Palestinian surroundings, which could develop into a state of high intensity open conflict. Many experts believe that from political, security, and practical aspects, the idea is not at all feasible, even in a state of full peace. Anyhow, under conditions of a permanent resolution, the possibility exists that agreement can be reached on the idea presented here. It was recently reported that Benjamin Netanyahu suggested to the Americans that the possibility of leaving Israeli enclaves in the territory of an independent Palestinian state be established, in order to prevent the dismantling of settlements and the evacuation of their

residents. Will Netanyahu's proposal for Trump be fulfilled and give Netanyahu and Trump the Nobel Peace Prize?

Real "Two states for two Nations"

The slogan "Two states for two peoples" has been floating in the air for several years, but it seems that all those who try to interpret this formula face difficulties. The Palestinians maintain the establishment of a Palestinian state on the 1967 borders without any Jewish settlement in their territory. At the same time, both Palestinians and Palestinians in Israel demand that the State of Israel be left as a state in which there is a Palestinian national minority numbering more than a fifth of Israel's population. This is not a situation of "two states for two peoples." It is a state of one state for one people and a second bi-national state. It seems, therefore, that it is appropriate to examine the idea that indeed the creation of "two states for two peoples" is true and not merely declarative. The complex situation is the result created by the circumstances in the area designated to be a Palestinian state, the area occupied by Israel 50 years ago, (Approximately 200,000 in the expanded city of Jerusalem and about 420,000 in Judea and Samaria). On the other hand, there are about 1.8 million Arabs living in the State of Israel, of whom about 350,000 are residents of extended Jerusalem who are not citizens, about 100,000 are Druze, 100,000 are Christians and 1.4 million are Muslims. The two populations – the Jews in the territories of Judea and Samaria and the Muslims in the territory of the State of Israel – do not see eye to eye that they are part of the state in which they now live or will settled in the future when the Palestinian state will be established.

Almost all of the Muslims living in Israel define themselves as Palestinians and not as Israelis; they vote for a party that seeks to change the character of the Jewish state. While they are not a potential enemy to the state, they do not identify with the symbols of the state and its very existence as the state of the Jews. The settlers in Judea and Samaria will certainly not want to live in a state under Palestinian sovereignty.

In order to prevent civil war or any other form of violence, such as in the case of the Turkish invasion of Cyprus, which created two national units on the mixed island, it is possible to take a "Preemptive Strike". This will be done by concentrating all the Jews in the State of Israel and concentrating all the Palestinians in the state of Palestine. Implementation should be conditional first on the establishment of an independent Palestinian state in the territory from which Israel withdraws, in accordance with official agreement between Israel and Palestine, guaranteed by the Powers and Western countries and under the auspices of the United Nations. As part of the peace agreement, the Arab settlements of Nahal Iron (Wadi Ara) and the "Triangle" (area along the Green Line, mostly with Arab settlement (Taibe, Baka Garbiye and more) will merge with the Palestinian state, in exchange for the Jewish Settlement Blocks, which will merge into Israel, This will lead to the placing of approximately 400,000 Israelis (200,000 in the expanded Jerusalem and another 200,000

in Judea and Samaria) in Israel, while about 500,000 current Palestinian residents of Israel (300,000 in larger Jerusalem, and 200,000 in Wadi Ara area will live in the Palestinian state. And the rest (Israelis in Independent Palestine state and Palestinians in Israel), will be given the option of changing places of residence for a number of years (Sakhnin with Ariel, Reina with Emanuel and so on) or to receive full compensation for their property to be left in the area where they use to live.

The problem of the Arab Bedouin in the Negev can also be resolved, so that all who do not live in orderly settlements will be transferred to the settlement north of the Arad–Be’er Sheva road, a region already inhabited by quite a few Bedouins, and this area will be transferred to the Palestinian state, as part of the “one-to-one” exchange of territories.

It is also possible to determine that anyone who chooses to remain in his present place and is willing to declare loyalty to the state in which he lives and to fulfill all the obligations and get all the rights granted to the residents of the country in which he is present, can remain in his home and in the country in which he chose to be a citizen.

The program is not humane and does not meet the need and personal will of anyone involved in the process. However, an organized, supervised action that carries with it compensation to those who are forced to move or declare loyalty without a war or violent struggle, constitutes a small payment for the desired peace between Israel, the Jewish state and the Arab, Palestinian state. The borders will be open, people will be able to continue to work and to spend time in places where they worked first, and even economic and security cooperation can be achieved against anyone who opposes the arrangement, and there will be many. Jerusalem will also be divided so that the Jewish population will be part of the State of Israel and the Arab population will be part of the Palestinian state. The Old City and its religious surroundings (the Mount of Olives and its western slopes) will have a special status, under the control of an international body, in cooperation with the religious stakeholders in Jerusalem, and a status as a separate state, like the Vatican. The Palestinian state will be demilitarized, with police forces to prevent public order violations. There will be international and Israeli supervision of the introduction of products into the Palestinian state, but not of the movement of people. For several years, Israel will keep warning stations on the Jordan and at certain altitude points. We can also think of economic cooperation later on.

Changing the citizen Status

Many proposals are circulating in the air regarding possible arrangements for resolving the Israeli-Palestinian conflict. Occasionally, new proposals are raised, old proposals are returned to, but so far no proposal which had been raised fulfils the aspirations of both sides. Although at various stages of the mutual discussions, some principles for an arrangement have been accepted.

All rightly argue that the conflict stems from the desire of both sides to control all areas of Mandatory Palestine. It is also accepted by the majority, but not by all, that the solution

is the division of land between the two peoples, a principle that has been celebrated for 80 years since its proposal by the British Royal Commission in 1937.

Beyond the spatial division, there is a central phenomenon that the parties find difficult to deal with. The existence of Israeli Jewish settlements within the territory designated for a Palestinian Arab state and the existence of a large Palestinian population, over 1.5 million residents, inside the State of Israel. It is clear that on the one hand, the Palestinian leadership is not interested in Jewish Israeli settlements in its territory. On the other hand, the majority of the Jewish population in the State of Israel is not comfortable with the existence of a large Arab minority within it, especially when the Arab political party (The United Party) is openly opposed to the basic principles of the State of Israel as the state of the Jewish people.

Various proposals have been suggested in effort to settle this complex issue, including an evacuation of all settlements, leaving Jewish settlement blocs within the borders of the State of Israel in return for transferring vacant areas from Israel to the Palestinian state, exchange of territories and partial population – the annexation of the “Triangle area” and Wadi Ara to the Palestinian state in exchange for the annexation of the Settlements blocks to Israel. It was also proposed to establish a federal framework of two units in one state, the annexation of the entire area inhabited by Jews and empty areas to the State of Israel, and other proposals. It seems, however, that the combination of territories with Israel without proper territorial compensation or the transfer of hundreds of thousands of people on both sides does not seem realistic, even if world leaders strongly support such moves.

I suggest that in order to achieve the goal of “Two States for Two Peoples”, the following arrangement should be pursued:

1. A Palestinian State shall be established in the territories of Judea, Samaria and Gaza, based on the armistice lines with some agreed upon changes. This includes the entire area of the settlements except for the changes detailed in the next section.
2. All communities and residents who wish to do so – Jews in the Palestinian state and Arabs in the State of Israel – will remain in their homes and won't be compelled to move.
3. Exchanges of territory and population will be carried out by joining Jewish settlement blocs beyond the Green Line into the State of Israel, while the Wadi Ara area and the “Triangle” will be transferred to the Palestinian state.
4. And this is the novelty – the Jewish residents who will remain within the Palestinian state will be Israeli citizens holding permanent resident status in the Palestinian state. They will enjoy all the rights as any local citizen, except for the right to vote in Palestinian elections.
5. All Palestinians living in the State of Israel, who wish to preserve their Palestinian Muslim identity shall be citizens of the Palestinian state while retaining the status of permanent residents of the State of Israel and, like all permanent residents, shall have all the citizen's rights except the right to vote for the Knesset. The Druze population,

which are already practically integrated in Israel, as well as the Circassians and the Arab Christians, will continue to maintain their Israeli citizenship

6. Anyone who is not prepared to accept this status, Israelis or Palestinians, will be able to move to the state of his people, while receiving compensation for his property that remains in the territory of the country he left.
7. Each State shall maintain its sovereignty over all territory within its boundaries and shall safeguard the rights of permanent residents therein and shall ensure the prevention of any harm to these residents.
8. Security arrangements shall be defined on behalf of both sides in order to protect the permanent residents from the majority population of the country in which they reside.
9. Movement of people and goods from one country to another will be open, with the exception of the right to settle or to add new people to the status of permanent residents, except for direct descendants of current permanent residents and special cases.

This arrangement will not harm any person. Palestinian residents of Israel will remain in their place with all their rights, except for the right to vote for the Israeli Knesset (Parliament). They can vote for the Palestinian parliament of the Palestinian state. The residents of the Jewish settlements will continue to be Israeli citizens and will not be involved in the internal life of the Palestinian state. If permanent residents decide to move to their majority state, this will be done of their own free will, without coercion or pressure from the majority state.

This proposal, too, appears to be an unacceptable proposal, but as stated, it contains the least of the harm to people's lives, as opposed to all other proposals raised to this day.

Conclusion

As for now, all proposals aimed at solving the Israeli – Palestinian dispute were not accepted by one side or the other. Here were presented three “out of the box” suggestions, which can be seen as unacceptable in the first reading but could be presented at the discussion table in order to find an acceptable reaction by those who deal or will deal with the future peace negotiation between Israel and the Palestinians.

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