

Zionism, the Jewish State, and an Israeli–Palestinian Settlement: An Opinion Piece

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WITH HIS REELECTION, Barack Obama now has an opportunity to reassess his policy in the Israeli–Palestinian conflict. With the domestic politics of the issue less overriding—at least for a while—the major issues can be reevaluated on their merits. This article considers several of the issues that such a revaluation should address.

In his 25 May 2011 speech before the U.S. Congress, Israeli Prime Minister Benjamin Netanyahu said, “It’s time for President Abbas to stand up before his people and say, ‘I will accept a Jewish state.’” The demand that the Palestinian leaders must formally recognize Israel as a Jewish state has been reiterated by Netanyahu and other members of his administration since last May; while there is some ambiguity over whether the demand is to be understood as an Israeli precondition before negotiations for a two-state settlement can even begin, as opposed to being merely a necessary outcome of such negotiations, the weight of the evidence suggests that Netanyahu and most members of his even more right-wing and intransigent governing coalition intend it as a precondition, and that is how Palestinian Authority leaders have interpreted it.

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Israel signed peace treaties with Egypt in 1979 and with Jordan in 1994 without asking or receiving official recognition that Israel was a Jewish state; and even in negotiations with the Palestinians, there was no such demand included in the Oslo negotiations of 1992–93 or at the 2000 Camp David and subsequent Taba negotiations in early 2001. The issue apparently rose for the first time in 2002, when Prime Minister Ariel Sharon declared that a peace agreement with the Palestinians must include “references to Israel’s right to exist as a Jewish state and to the waiver of any right of return for Palestinian refugees to the State of Israel.”¹ As well, in 2007, Israeli Prime Minister Ehud Olmert reportedly took the same position.²

The crucial point, however, is that both Sharon and Olmert were insisting that the Palestinians explicitly recognize Israel as a Jewish state as a component of an overall settlement, not as a precondition before negotiations could even begin; moreover, again unlike Netanyahu, neither made the demand a central issue. For these reasons, as well as because of Netanyahu’s obvious lack of interest in a fair peace settlement with the Palestinians under *any* circumstances, his demand is best understood as a cynical ploy to raise yet another obstacle to a two-state agreement. Netanyahu is widely expected to be reelected in the Israeli elections scheduled for January 2013 making the prospects for a two-state settlement even more remote. But even if an Israeli government that genuinely seeks a two state settlement should sooner or later come to power, the Jewish state demand almost certainly will continue to be an important issue.

ZIONISM AND THE JEWISH-STATE DEMAND

A “Jewish state” is generally understood to mean a state in which Jews are a large majority and have political sovereignty, whose armed forces and other security institutions are overwhelmingly Jewish, which is predominantly Jewish in culture and religion, and which allows, as a matter of right, unlimited Jewish immigration. The primary alternative conception to Israel as a Jewish state is that of Israel as “a state of all its citizens,” meaning a fully democratic state in which all its citizens, Jewish and Arab alike, are fully equal, and in which Israel refrains from taking measures to preserve its current large Jewish majority (about 80 percent).

Traditional Zionism, until recently the nearly unquestioned central ideology of Israeli Jews, holds that Israel is and must remain a Jewish

¹ Quoted by Yosef Kuperwasser and Shalom Lipner, “Why the PA Must Recognize a Jewish State,” *Foreign Affairs* 90 (November/December 2011): 2–9, at 5.

² Raef Zreik, “Why the ‘Jewish State’ Now?” *Journal of Palestine Studies* 40 (Spring 2011): 23–37, at 23.

State. Today, however, a small but growing number of Israeli and Jewish critics elsewhere in the West have come to regard traditional Zionism as an anachronism and a major obstacle to a just settlement of the Israeli–Palestinian conflict. Though there are some differences within each school of thought on the issues, three general positions have emerged.

Anti-Zionism

The most-radical critics of Zionism are probably best described as “anti-Zionists,” for they argue not only that Zionism should be cast aside today but that because of the inherent conflict between Zionism and the rights of the Palestinians, the creation of a Jewish state in a land belonging to another people was *never* justified, not even in the aftermath of the Holocaust.³ Most anti-Zionists favor a “one-state solution” of the Israeli–Palestinian conflict, meaning a binational democratic state of all its citizens (Jews, Israeli Arabs, and Palestinians in Jerusalem, the West Bank, and Gaza), irrespective of whether the Jews continue to constitute a majority. Indeed, anti-Zionists tend to support the Palestinian “right of return” to Israel itself, which if realized would certainly guarantee that the new binational state would have an Arab majority.

Post-Zionism

A second and more-moderate position is that of “post-Zionism,” which holds that while Zionism and the creation of Israel was initially justified because of the Holocaust and previous periods of murderous anti-Semitism, it is no longer either necessary or desirable that Israel continue as a Jewish state. Post-Zionists believe that Zionism has become an anachronism and an unbridgeable obstacle to a just settlement of the Israeli–Palestinian conflict, and they therefore join with the anti-Zionists in supporting the concept of Israel as a fully democratic state of all its citizens, with no special privileges for the Jews, and irrespective of whether the Jews continue to constitute a large majority.⁴ For these reasons, post-Zionists are less interested in a two-state settlement of the Israeli–Palestinian conflict than in the creation of either a single democratic binational state or some kind of confederal Israeli–Palestinian state.

³ The best-known anti-Zionist is probably the Israeli revisionist scholar, Ilan Pappé. See especially, “The Post-Zionist Discourse in Israel, 1991–2001,” *Holy Land Studies* 1 (September 2002): 3–20; and “Israel: Between Civic Democracy and Jewish Zealotocracy,” *Journal of Palestine Studies* 29 (Spring 2000): 33–45. A more-recent example of vociferous anti-Zionism by an Israeli émigré is Gilad Atzmon, *The Wandering Who? A Study of Jewish Identity Politics* (London: Zero Books, 2011).

⁴ Perhaps the most well-known Israeli post-Zionist is Avraham Burg, a former Chairman of the Jewish Agency and the *World Zionist Organization*, and later the elected Speaker of the Knesset. Burg develops his recent views in *The Holocaust Is Over; We Must Rise From Its Ashes* (London: Macmillan, 2008).

Liberal Zionism

There is no one definition of “liberal Zionism.” However, most Israelis who identify themselves as liberal Zionists—or are so considered by others—share a number of characteristics.⁵ First, liberal Zionists believe that the creation of the Jewish state of Israel was justified on the grounds of a Jewish right and demonstrable need for a refuge from anti-Semitism. Secondly, however, most liberal Zionists reject traditional Zionism’s *other* arguments for a Jewish state in the land of Palestine on the basis of religious claims, biblical mythology, ancient territorial “rights,” or colonial impositions (that is, the Balfour Declaration).

Third, liberal Zionists are adamantly opposed to the occupation and to the continuously expanding Jewish settlements in the West Bank and East Jerusalem. Rather, they favor a fair two-state peace agreement with the Palestinians and generally share the international consensus of what such an agreement should comprise: the end of the Israeli occupation and the withdrawal of most of the Jewish settlements over the 1967 lines; the creation of a Palestinian state in some 95–98 percent of the West Bank, Gaza, and East Jerusalem, which will become the capital of the state; Palestinian or Muslim sovereignty over the Haram al-Sharif (Temple Mount) mosque and other important Islamic sites; and limitations on the size and armaments of a Palestinian army, but with international peacekeeping forces stationed along the state’s boundaries to help guarantee the security of both Israel and Palestine against military attacks, from whatever quarter.

Fourth, liberal Zionists certainly oppose the demand that the Palestinians must formally recognize Israel as a Jewish state as a precondition for negotiations, and most of them would probably not even insist that a final settlement must include such Palestinian recognition. Even so, there is a certain tension, or perhaps a potential internal contradiction, in the liberal Zionist position. On the one hand, in principle, liberal Zionists wish Israel to become a truly democratic state of all its citizens. On the other, for political, cultural, and in some cases security reasons, liberal Zionists continue to wish to live in a state that remains heavily Jewish, and support the continuation of an Israel that can serve as a potential refuge against a revival of severe anti-Semitism elsewhere in the world—which means privileging Jewish immigration into Israel and

⁵ Well-known examples of liberal Zionists would include Uri Avnery, David Grossman, A. B. Yehoshua, Amos Oz, Zeev Sternhell, Chaim Gans, and the editors and most writers for Israel’s elite newspaper, *Haaretz*. Prominent American Jewish liberal Zionists include Michael Walzer, Peter Beinart, and the J Street organization.

perhaps other measures that are designed to have or would have the consequence of maintaining a large Jewish majority in Israel. Thus, the implicit—and sometimes explicit—premise of liberal Zionism is that Israel will and should remain a state in which the Jews are a large majority; that is one of the most important distinctions between liberal and either anti- or post-Zionism.

The fullest and most-sophisticated statement of the liberal Zionist position is that of Chaim Gans, who argues that while many components of traditional Zionism are unpersuasive, and that the Zionists undoubtedly committed crimes against the Palestinians, especially in the killing of thousands and the expulsion of hundreds of thousands in 1947–48, the Holocaust proved (made “indisputable,” in his words) the need for a Jewish state. Moreover, Gans contends, the ongoing Israeli–Palestinian conflict, leading to an Israeli sense of insecurity, continues to justify the retention of a Jewish majority in Israel and Jewish control over the army and other security institutions, although only temporarily and “circumstantially...until a relationship of trust develops between the two parties” and the conflict is settled.⁶

The unavoidable implication of the liberal Zionist position—but not that of the anti-Zionist or post-Zionist arguments—is that its commitment to genuine democracy and to viewing Israel as a state of all its citizens would be put to a severe test if the Jews were, for whatever reason, to lose their large majority in Israel.

Traditional Zionism

Most traditional Zionists, by far the overwhelming majority of Israelis, adhere to all the Zionist arguments justifying the creation of Israel in Palestine, as well as the standard mythology about Israeli innocence in the ongoing conflict with the Arab world in general and the Palestinians in particular. However, there are differences over what to do about the Israeli occupation, the expanding Jewish settlements, and the ongoing conflict with the Palestinians. Centrist-traditional Zionists tend to be somewhat uneasy about the continued occupation, and support a two-state settlement with the Palestinians—in theory. However, when it comes down to the necessary specifics, in practice even the centrists typically oppose the Israeli concessions that are the sine qua non of a two-state settlement, especially over sharing sovereignty in any part of Jerusalem

⁶ Chaim Gans, *A Just Zionism: On the Morality of the Jewish State* (Oxford: Oxford University Press, 2008), 115. See also 79–80, 91, 100, 105, 115, 138–139, 145.

with the Palestinians and even a minimal return to Israel of Palestinian refugees from the 1948 and 1967 wars.⁷

Right-wing traditional Zionists, especially but by no means exclusively the settlers, are opposed to ending the Israeli occupation of the West Bank; on the contrary, they want to take over more and more of “Judea and Samaria,” including formerly Arab East Jerusalem. Therefore they oppose a two-state settlement and any compromise with the Palestinians, for their true goal is a one-state solution—not a binational one, however, but a Greater Israel expanding over as much of biblical Palestine as feasible and with as few Arabs as possible, using force or other means to make life miserable for the Arabs in order to induce them to move elsewhere.

THE JUSTICE OF ZIONISM: A REASSESSMENT

The first step in assessing the justice of Zionism is to separate the original argument for the necessity of a Jewish state—somewhere—from the argument that such a state had to be in Palestine, and nowhere else. A second crucial distinction is between the argument for the creation of a Jewish state in Israel after the Holocaust and the argument over whether the continuation of the Jewish state of Israel—as opposed to a state of all its citizens, whatever its majority—is necessary, justifiable, or wise today.

The Zionist political movement—Jewish nationalism—emerged in Europe in the late nineteenth century, a reaction to the centuries-long history of anti-Semitism in Europe and elsewhere, and especially to the revival of severe anti-Semitism in France and, even more so, to the murderous pogroms in Russia and eastern Europe in the same period. And, of course, in the Zionist view, the Holocaust clinched the case for the creation of a Jewish state. Indeed, by no means merely in the Zionist view, by the end of WWII, most Western states and their peoples agreed that the Jewish people had both the right and the need for a state of their own.

That said, where a Jewish state should be located was a very different matter. The terrible paradox of Zionism is that by the mid-twentieth century, the arguments for the creation of a Jewish state—somewhere—were

⁷The major sources for public opinion data for both Israelis and Palestinians are the regular surveys conducted jointly by the Hebrew University of Jerusalem and the Palestinian Center for Policy and Survey Research. In their most-recent survey (December 2011), they found that while 58 percent of Israelis supported the concept of a two-state settlement, only 38 percent were willing to grant the Palestinian government sovereignty over the Arab areas of Jerusalem, and only 42 percent supported the international consensus settlement of the refugee issue, the main components of which are economic compensation, most refugees to be returned to Palestine rather than Israel, and only a small number allowed to “return” to Israel, at Israel’s sole discretion. Indeed, since the poll of Israelis included Israeli Arabs, Khalil Shikaki, the head of the Palestinian Center, estimates that the figures would be 5–10 percent lower for Jewish Israelis.

very strong (and in my view, *prima facie*), but most of the arguments for the right to create that state *in Palestine* were very weak.

The founder of the Zionist political movement, Theodore Herzl, initially considered the question of where the Jewish state should be located as an open one, a practical rather than an ideological or religious issue; consequently, for some years, the Zionists canvassed a number of locations. However, the search for alternatives to Palestine was quickly abandoned. The turning point—and the origin of the Palestinian-Israeli and the larger Arab-Israeli conflict—came at the Zionist Congress of 1905, which decisively rejected any effort to create the Jewish state in any place but biblical Palestine.

To be sure, even if Herzl's strictly secular attitude had prevailed, it was by no means certain that a Jewish state could have been created elsewhere; most of the supposed alternatives were frivolous and held very little promise. Perhaps the most-serious one was suggested in 1903 when, following the Russian pogroms, British Colonial Secretary Joseph Chamberlain offered 5,000 square miles of what was then British East Africa to Herzl, to serve as a refuge for the Jewish people.

The Zionists were not interested. In any case, the British offer obviously would not have solved the problem of a Jewish state being created by colonial imposition, and ultimately, it would have simply transferred the problem of the conflict between Zionism and the indigenous inhabitants of Palestine to those between Zionism and the indigenous inhabitants of Uganda and Kenya, thereby probably creating an African-Israeli conflict instead of an Arab-Israeli conflict.

Even so, it is a reasonable argument that the search for a better solution than Palestine was abandoned prematurely and, more importantly, for the wrong reasons. That is, even if alternatives to Palestine ultimately had proven to be unfeasible, the very willingness to search for them would have required a dissociation of Zionism from biblical theology, and that would have made the need for a just compromise with the Palestinians evident from the start.

Biblical History

From the nineteenth century to the present, Zionists have made a number of arguments for exclusive Jewish political rights in Palestine, beginning with a religious one based on biblical history. However, modern biblical scholarship and archaeological evidence has established that most biblical arguments, including the stories of Abraham, Moses, and God's covenant with the Jews, are mere mythology. In any case, the religious Zionist claim that God promised Palestine to the Jews, his Chosen People, for all eternity

is one that can persuade only those people who can be persuaded by such an “argument.” Moreover, Christians and Muslims also have strong historical connections, claims, and ties to Palestine of religion and sentiment. That being the case, there is no persuasive basis for privileging the Jewish religious claim.

Most traditional Zionists, however, do not base their claims to Palestine on religion, but on a secular argument based on territorial rights. According to biblical history, the Jews were driven out of Egypt into Palestine—the Exodus—some time during the period 1500–1000 BC; they then conquered Palestine and established political sovereignty over it, but were later driven out of Palestine by the Roman Empire after it suppressed a Jewish rebellion in 66–70 AD.

There are two problems with the Zionist argument based on biblical history. The first is that today, almost no serious ancient historians or archaeologists believe that the evidence supports the central stories. The second and more-important problem is that even if the ancient stories were true, they would be irrelevant to establishing the justice of the modern Zionist claim to permanent Jewish or Israeli sovereignty over Palestine.

To begin, in brief summary, there is very little historical or archaeological evidence to support the story of the Exodus from Egypt into Palestine, or that the Romans later drove most of the Jews out of Palestine. Second, the evidence suggests that the Jews never established political sovereignty or control over all or even most of ancient Palestine, or that the central homeland of the Jews was in Palestine: there were large Jewish communities in Egypt and elsewhere throughout the Mediterranean basin, and Palestine was inhabited by a number of peoples, no one of which was dominant.⁸

Even after the suppression of the Jewish uprising, most of the Jews remained in Palestine throughout the period of the Roman Empire, but over time, the majority became Christians, and later Muslims, leaving only a small group that preserved its Jewish identity. Thus, while there continued to be a tiny Jewish presence in Palestine for some 30 centuries, the much more important fact is that only a tiny minority of the Jewish people who have lived throughout the world in the last 2,000 years think of themselves as a “Diaspora,” longing to “return” to Palestine.

In any case, even if the traditional Zionist stories were all true, it would still remain a fallacy that they established a persuasive modern

⁸ A summary of the scholarship and its refutation of most of the biblical mythology was published in “The Search for History in the Bible,” *Biblical Archeology Review* 26 (March/April 2000). Since then, the evidence against standard biblical history—much of it compiled by Israeli historians and archaeologists—has continued to mount.

Jewish claim to the land of Palestine. The argument that an ancient claim to a land has precedence over very long periods of a different reality—in Palestine, eight centuries of Christianity followed by thirteen centuries of an overwhelming Islamic majority—is accepted in no other place in the world, whether in law, moral reasoning, or plain common sense.

Palestine has been conquered repeatedly by outside invaders since ancient history: by Assyria, Babylon, Alexander the Great, the Roman Empire, the Crusaders, the Ottoman Empire—indeed, if the Old Testament is to be the historical source, by the Jews themselves! On each occasion, the previous inhabitants of the land were killed, driven into exile, or subjugated by the new rulers, who then held sway for centuries. Who, then, are the “rightful” claimants? In the absence of a persuasive religious claim accepted by everyone (“the Promised Land”), including those of different nationalities and religions, the stopping of the clock as it marches backward in time to 20 centuries ago—but neither earlier nor later—must be completely arbitrary and self-serving.

Put differently, by what objective criteria are the claims of one set of victims—the Jews, even if it had been true that they were driven out of their homeland by the Romans 2,000 years ago—privileged over all other such claims? If ancient victimization is the criterion, then it is not the Israelis who would have the best claim of territorial rights to Palestine, but rather the descendents of the Canaanites (in some accounts, today’s Syrians!), who the Bible tells us were driven out of Palestine by the Jews. On the other hand, if recent victimization is the criterion, then all victims of conquest after the Roman “expulsion”—certainly including today’s Palestinians—must have priority over the Jews.

The Balfour Declaration

Not all the Zionist arguments for the right of the Jews to sovereignty over all or most of Palestine are based on biblical or ancient history. Traditional Zionism holds that the Jews gained a modern right to establish a state in Palestine by virtue of the Balfour Declaration in 1917 and its subsequent incorporation into the League of Nations Mandate to Britain; both are cited in the 1948 Israeli Declaration of Independence, as modern bases for the creation of a Jewish state in Palestine.

The fallacies of that argument are evident. The Balfour Declaration did not call for a Jewish state, but only for a Jewish “national home” in Palestine. Nor did the incorporation of the Balfour Declaration into the League of Nations do much to increase its legitimacy, for the League was basically a club of the leading colonial powers of the day who had

no moral right to dispose of Palestine against the wishes of the indigenous majority, then about 650,000 Arabs and only 30,000 Jews.

The Holocaust

Unlike the other Zionist arguments, the fact of the Holocaust cannot be dismissed as irrelevant in legitimizing the creation of Israel. To be sure, the matter is complex: the conflict between the Jews and Palestinians long preceded Nazi Germany, and in any case, the Palestinians were in no way responsible for the Holocaust or, for that matter, for the earlier history of murderous European anti-Semitism that produced Zionism. As the Palestinians ask: Why should we be made to pay for evils we did not commit?

On the other hand, the Holocaust convinced most Western governments and their peoples that there was now an overwhelming and urgent case for the creation of a Jewish state and a haven for the victims of anti-Semitism. And by the end of WWII, the die was cast: despite earlier half-hearted efforts to find a homeland and a state elsewhere, by 1947 there was essentially no practical alternative but to create that state in a partitioned Palestine, especially as hundreds of thousands of surviving Jewish refugees from Europe began arriving in Palestine and the British were preparing to end their control (the League of Nations Mandate) over the area.

Perhaps it need not have been that way. In early 1945, Franklin Roosevelt met with King Ibn Saud of Saudi Arabia to discuss the Palestine issue. According to one account, Roosevelt was considering the establishment of “an exclusively Jewish Palestine, with the Arabs bribed to leave.” However, Saud was vehemently opposed, and “recommended instead that the Jewish refugees of Nazi oppression be granted the choicest homes and land of the defeated Germans.”⁹

Of course, nothing came of such proposals, as neither the allies nor the Zionist leadership, irrevocably set on Palestine, had any interest in considering them. The result was a historical tragedy: ex-Nazi Germany was probably the only country in the world in which the right of people not to be expelled to make way for a Jewish state could have been readily denied, both in a moral sense (in light of the Holocaust) and in practice, given the total defeat and occupation of Germany.

Be that as it may, and whatever one believes about the justification for the creation of a Jewish state in Palestine, since 1948 the only argument necessary to the Zionist case is that Israel exists, new moral as well

⁹ Steven L. Spiegel, *The Other Arab-Israeli Conflict* (Chicago, IL: University of Chicago Press, 1985), 13.

as factual realities have been created, and the Israelis, over 70 percent of them native-born, have the right to live in their homeland. Indeed, this “existential” argument is so obvious that the prospects for an end to the Israeli-Palestinian conflict would be greatly enhanced if Israelis could be brought to jettison their historical “narrative,” for other than the Holocaust, it is largely mythological, would be irrelevant even if it were historically accurate, and is an enormous psychological obstacle, for both Israelis and Palestinians, to a peace settlement with the Palestinians and the rest of the Arab world.

SHOULD ISRAEL CONTINUE TO BE A JEWISH STATE?

The Jewish-state question requires consideration of two separable issues: should Israel continue as a Jewish state, as opposed to a fully democratic binational state of all its citizens, and should the Palestinians accept and formally recognize it as such, which in turn would require them to abandon their hopes for a large-scale return to Israel of Palestinian refugees who were either driven out or fled from their homes and villages during and after the 1948 and 1967 wars?

I shall argue, first, that Israel should continue as a Jewish rather than a binational state, but *only* on two conditions: it must agree to allow the Palestinians to have their own state, and it must finally treat its non-Jewish citizens as full equals with the same civil rights (or almost the same, as I shall later argue) as its Jewish citizens—and not merely in principle and rhetoric, which it already does, but in reality, which it has never done.

Secondly, I will argue that the Palestinians should accept and formally recognize Israel as a Jewish state, but not as a precondition to negotiations, especially with Netanyahu or similar Israeli political leaders, who are only too likely to pocket such a Palestinian concession and find other pretexts in order to continue the occupation and torpedo a fair two-state settlement. Rather, the moderate Palestinian leadership could publicly announce what they have already privately conceded, that they will recognize Israel as a Jewish state as the *final* component of a two-state settlement that meets all their legitimate demands and prerequisites—principally, to have a genuinely independent and viable Palestinian state.

To be sure, the argument for the continuing need and right of the Israelis to consider their state as Jewish requires meeting the five major arguments against it.

A Jewish State Is No Longer Necessary

To begin, it is often argued that anti-Semitism has been so discredited and is now so weak that it is no longer necessary for the Jews to have a state

of their own. This is a remarkably ahistorical argument, however, for it ignores the fact that there have been many other periods in Jewish history—most of them far longer than the 65 years since the Holocaust led to a Western revulsion against anti-Semitism—in which the Jews seemed to flourish but which culminated in revived anti-Semitic persecution, forced conversion, expulsion, or mass murder. The ancient examples include—but are not limited to—the Roman Empire, much of Europe during the eleventh-century Crusades, England in the thirteenth century, Spain and Portugal in the late fifteenth–early sixteenth centuries, and elsewhere.

To be sure, it may be argued that those ancient periods of anti-Semitism are no longer relevant to today's world. But what is surely relevant is the revived anti-Semitism in the modern era, even before Nazi Germany: in France, Russia, and eastern Europe at the end of the nineteenth and early twentieth centuries. In any case, the Holocaust alone was sufficient to convince most Westerners of the right and need of the Jews to have a state of their own. Indeed, even *after* the defeat of Nazi Germany, for a number of years, significant anti-Semitism continued in Poland and elsewhere in eastern Europe. Then, during the 1980s and 1990s, anti-Semitism in Russia, while not becoming murderous, was serious enough to convince hundreds of thousands of Jews that it would be wise to emigrate to Israel.

It should also be considered relevant that during the 1980s and 1990s, some 80,000 Ethiopian Jews were rescued from civil war and famine, many in covert Israeli military operations that brought them to the Jewish state. To be sure, for the most part, they were not fleeing from anti-Semitism, but their need for escape and refuge—and their right to migrate to Israel under the Law of Return—was no less urgent.

Nonetheless, it is the problem of anti-Semitism that continues to be the primary justification for the potential need to retain Israel as a Jewish state that allows unlimited Jewish immigration. American anti- or non-Zionists typically dismiss this argument, citing the unparalleled strength of the American Jewish community. True enough—however, the potential vulnerability of small Jewish minorities elsewhere cannot be so readily ignored. Indeed, there are disquieting indications that significant anti-Semitism is reappearing in Germany and elsewhere in Europe. For example, a recent study by an independent committee of experts appointed by the German parliament to study the problem of revived anti-Semitism found that “hatred of Jews is common throughout large swathes of German society: Far from being the exclusive province of the far right or radical Islamists, it is deeply rooted in the German mainstream.” One of the report's authors wrote: “Anti-Semitism in our society

is based on widespread prejudices, clichés with deep roots and pure ignorance about everything to do with Jews and Judaism.” Moreover, the report asserted that anti-Semitism is much worse in many other European countries, including Poland, Hungary, and Portugal.¹⁰

While these developments do not portend a new Holocaust, in light of the history of European anti-Semitism they cannot be ignored, especially in light of today’s grave economic and potentially political crises in Europe, conditions that historically have often resulted in a hunt for scapegoats, particularly Jews. At the least, they lend credibility to the argument that it can never be assumed that murderous anti-Semitism is a thing of the past, or that a Jewish state is an anachronism.

“Zionism Is Racism”

A second argument sometimes made by those calling for an end to Zionism is that the concept of a Jewish state assumes some kind of inherent superiority of the Jews—as in the notorious UN resolution of 1975, which stated that “Zionism is a form of racism.” At the time, that resolution was widely, and rightly, considered to be false, if not outrageous. However, in light of the recent rise in Israel of unmistakable anti-Arab and anti-black (principally Ethiopian) racism, this charge can no longer be so easily dismissed.¹¹

Nonetheless, in a deeper sense, it is not accurate, for racism is not inherent in or an unavoidable component of Zionism and the belief that Israel should continue as a Jewish state, for at its most fundamental level, Zionism is not based on the belief that the Jews are superior to others—rather, that they are just more vulnerable, or potentially so. That said, however, if current trends continue, that argument may become increasingly difficult to sustain; while it would remain the case that Zionism, per se, is not racist, to an alarming degree, an increasing number of Israelis are.¹²

Israel Is Not a Refuge

A third argument against a Jewish state is that insofar as its purpose is to provide a refuge from anti-Semitism, Israel has failed to do so; the

¹⁰ Odet Aderet, “Anti-Semitism Is Still Flourishing Throughout Germany, Study Shows,” *Haaretz*, 24 January 2012.

¹¹ *Haaretz* and other Israeli publications have featured a number of news stories and commentaries on the increasing racism in Israel; for example, see Neri Livneh, “Believe It Or Not,” *Haaretz*, 27 January 2012: “in present-day Israel, the racism has for some time been as overt as it is ugly.” Note also the remarkable public statement by Yuval Diskin, a recent head of the Shin Bet: “Over the past 10–15 years, Israel has become more and more racist. All of the studies point to this.” Barak Ravid, “Israel’s Former Shin Bet Chief,” *Haaretz*, 28 April 2012.

¹² For a similar argument, see Henry Siegman, “Zionism Is Not Racism, But Zionists Can Be Racists,” *foreignpolicy.com*, 1 May 2012.

least-safe place for Jews today, it is commonly said, is the Jewish state. That may be true, but the primary explanation (notwithstanding Israeli propaganda or genuine but mistaken beliefs) is not that Israel is a Jewish state, and therefore unavoidably a target for hatred, but that it has persisted on a course that results in it being hated in the Arab/Muslim world—a course that cannot be justified, either morally or in terms of true Israeli security. Put differently, while genuine anti-Semitism persists in Europe and obviously in the Arab and Muslim world, there is a strong argument that Israel's predicament today is largely a function not of its Jewishness but of its behavior; consequently, there is good reason to believe that it could safely remain a Jewish state and a potential refuge for endangered Jews elsewhere, if it ended its occupation and repression of the Palestinians and agreed to the international consensus two-state settlement that most Palestinian leaders and the Arab world as a whole have agreed to accept.

Most Jews Do Not Want to Live in Israel

A fourth argument against the need for a Jewish state is that there has never been a time in which most of the world's Jews have wanted to live in Israel. Some argue that this was the case even immediately following the Holocaust, claiming that a majority of the European Jewish survivors would have preferred to go to the United States rather than to Palestine. Even if that had been true, though, it was irrelevant, since the United States was not willing to take most of them. And while there is no doubt that most of the world's Jewry today has no desire to move to Israel, that is also irrelevant. The Jewish-state idea does not assume or require that at any given time most Jews want to live there; rather, it assumes that the history of the Jews being what it is, in some future circumstances a significant number of them may want to move to Israel, whether out of free choice or desperate necessity.

A Jewish State Is Inconsistent with Democracy

Finally, and perhaps most importantly, it is argued that the continuation of Israel as a Jewish state is inconsistent with the requirements of democracy, for it prejudices the rights of the Israeli Arab minority. There is no escaping the fact that there is indeed an unavoidable tension between two legitimate goals: Jewish, yet democratic. Even so, as long as the Arab minority is not large enough to make Jewish sovereignty impossible, there is no *necessary* or inherent obstacle that prevents equal—or almost equal—civil, political, and economic rights for Israeli Arabs. In fact, the Israeli Declaration of Independence—explicitly creating a Jewish

state—promised to “ensure complete equality of social and political rights to all its inhabitants irrespective of religion [or] race...[and] guarantee freedom of religion, conscience, language, education and culture.”

Of course, that promise has been broken. In a variety of ways, Israeli Arabs have always been treated as second-class citizens. Even the Israelis have acknowledged this, and over the years, their leaders have repeatedly committed themselves to end this injustice, only to renege. Even so, the commitment is significant, for in effect, it reiterates the premise of the Declaration of Independence—that there is no necessary contradiction between a Jewish state and full rights for non-Jews.

What follows is that Israel has the right to remain a Jewish state if—but *only* if—it finally lives up to its commitment to treat its minorities with full equality. Or, at least, almost so. There are two justifiable exceptions.¹³

Since the core purpose of a Jewish state is to provide a refuge to Jews everywhere, there must continue to be an unlimited right of Jewish immigration into Israel. Moreover, Gans makes a strong case that Jewish predominance in the armed forces and other security institutions is an unfortunate necessity in current circumstances, but one which “do[es] not justify inequality or discrimination in all areas that are not directly connected to security,” including political, economic, educational, land allocation, and housing equality.¹⁴

Surely it is true that any kind of discrimination, even if limited to immigration and security policies, creates some inequality for Israeli Arabs. Even so, pending a settlement of the Jewish-Palestinian conflict, it is not an unbearable inequality or injustice—especially if it is balanced by the creation of a Palestinian state with its own “right of return” granted to Palestinians anywhere. Even genuine democracies often discriminate in some ways in favor of some of their own people over others; for example, many democracies have selective immigration policies, and some go further, as in the case of France, which privileges its language, culture, and Western education over that of its growing Islamic and Arab minority. Since many genuine democracies fall short in one way or another of perfect equality and democracy, then, the extent to which there are departures from the ideal of equal rights for everyone matters a great deal.

¹³ The argument that follows differs from that of Peter Beinart, who favors equal citizenship for all Israeli citizens but does not address the issue of how that might become inconsistent with the continuation of Israel as a Jewish state, which he also favors. Peter Beinart, *The Crisis of Zionism* (New York: Henry Holt and Company, 2012).

¹⁴ Gans, *Just Zionism*, 138–139.

Nonetheless, it must be admitted that the argument that a Jewish state can be genuinely democratic, even if less than completely so, rests on the assumption that its Arab minority does not become a great deal larger than its current 20 percent. However, that is not likely to occur, especially in the absence of a large-scale “return” of millions of Palestinians to Israel, which, as I shall shortly argue, is an unconvincing idea that, in any case, has no chance of being accepted by the Israelis. And if many years from now the Arab minority in Israel somehow became much larger, it is possible that an overall Arab–Israeli peace settlement—already well within reach, if only Israel would accept it—would make the “problem” much less important for Jewish Israelis. In any case, some potential or theoretical problems cannot be resolved now but must be left to the future, especially since they are highly unlikely to materialize.

BINATIONALISM AND THE ONE-STATE SOLUTION

The main alternative to Israel as a Jewish state is the creation of a Jewish–Arab binational state. In the pre-state era, some leading Jewish intellectuals, including Martin Buber, Judah Magnes, and Hannah Arendt, argued that the state of Israel should be a democratic binational one, with full equality between the Jews and the Palestinian Arabs, who would be nearly equal in numbers within the projected boundaries of the new state. However, this view commanded the support of very few of the pre-state Jewish population, and had even less influence after the creation of the state of Israel in 1948.

In recent years, there has been a considerable revival of the binational or confederal ideas (largely separate communities with an umbrella state holding limited power over them), especially among anti- and post-Zionists, who argue that the two-state solution to the Israeli–Palestinian conflict has less and less chance of ever being attained, and in any case would be morally inferior to a single democratic state, in which two peoples, genuinely equal in every respect, live side by side in peace.

Well, yes—but only on the assumption that a one-state solution of the Israeli–Palestinian conflict would have such a utopian outcome. In practice, a binational state would not resolve the Israeli–Palestinian conflict, would not result in democratic equality for the Palestinians, and, in any case, is entirely unfeasible.

Why a Binational State Is Unfeasible

The *Journal of Palestinian Studies*, the leading scholarly journal on the Israeli–Palestinian conflict, has published a number of articles on the binational state question. It is instructive to compare the views of two

of them in particular, that of Uri Avnery, a leading Israeli liberal Zionist who opposes a binational state, and that of Ghada Karmi, a Palestinian academician who—in principle—favors it.

For over 60 years, Uri Avnery has been a particularly outspoken, articulate, and indefatigable opponent of the Israeli occupation and repression of the Palestinians. Because of his intellectual and moral stature, Avnery's views on the binational state issue are particularly worthy of note. In his 1999 article, "A Binational State? God Forbid!" Avnery argues that neither the Israelis nor the Palestinians would accept a binational state, and even if they did, the state would not be able to function and would not put an end to the Israeli-Palestinian conflict.¹⁵

There is no chance that the Israelis will accept a binational state, Avnery argues, because "it negates the very essence of the Zionist idea, the *raison d'être* of Israel as perceived by its Jewish citizens," and, clearly, by Avnery himself. Moreover, that *raison d'être* encompasses more than the continuing belief that a Jewish state is still necessary to serve as a refuge against severe anti-Semitism; it is also the case, Avnery argues, that most Israeli Jews still want to live in a Jewish state for historical, cultural, or religious reasons, and they have a right to do so.

In 2007, Ghada Karmi wrote a book arguing for a one-state binational solution to the Israeli-Palestinian conflict.¹⁶ However, in 2011, she conceded that there were grave doubts about its feasibility and perhaps even its desirability—and not only because of Zionist beliefs but also because of Palestinian beliefs. To begin with, she acknowledged that "many one-state supporters are motivated not by the principle of an inclusive society and equal rights, but rather by more pragmatic considerations...[including] *awareness of the Palestinians' ultimate advantage in a one-state arrangement*."¹⁷ Of course, the Israelis also have noticed those consequences of binationalism: Karmi cites a 2009 poll in which only 9 percent of Jewish Israelis favored a binational state.

In any case, the problem is not only that of Israeli attitudes, for there is little likelihood that a binational state would be acceptable to most Palestinians, even most moderates, let alone to Hamas and its supporters, for whom it would be out of the question. Karmi notes that the 2009 poll cited above also found that only 20 percent of the Palestinian

¹⁵ Uri Avnery, "A Binational State? God Forbid!" *Journal of Palestine Studies* XXV111 (Summer 1999): 55–60.

¹⁶ Ghada Karmi, *Married to Another Man; Israel's Dilemma in Palestine* (London: Pluto Press, 2007).

¹⁷ Ghada Karmi, "The One-State Solution," *Journal of Palestine Studies* XL (Winter 2011): 62–76, at 70 (emphasis added).

people favored a one-state solution: “For many, abandoning their struggle for an independent state with strong international backing for the chimera of a one-state option would be pure folly.”¹⁸

Why a Binational State Is Undesirable

The problem of feasibility aside, it is far from obvious that a binational state would be desirable. Switzerland and Canada are often cited as potential models, but (even leaving aside the fact that Quebec secessionist sentiment and political movements still exist) there are very few examples of cases in which two peoples who have been at war with each other for decades or longer have suddenly found it possible to live in peace and harmony within the confines of the same small state. Perhaps Northern Ireland today—although not until after some 75 years of violent communal conflict. On the other hand, counter-examples abound: the ongoing Hindu–Muslim conflicts in India; the Greek–Turkish conflict within Cyprus in the 1970s; the many periods of communal Muslim–Christian conflict or outright warfare within Lebanon; the breakup of Yugoslavia and the ensuing nationalist or religious wars of the 1990s; the still-uncertain question of whether Belgium can hold together, in light of renewed Flemish separatist sentiment; and the unending tribal or religious intrastate conflicts in Africa since the end of the colonial era.

These conflicts would seem to be much more relevant examples than Switzerland of what might happen in a binational Israeli–Palestinian state. Given the generally unpromising history of binationalism elsewhere in the world, a century of bitter and often violent Jewish–Palestinian conflict, and the huge disparities in military and economic power between the Jews and the Palestinians, it is far more likely that a binational state, rather than ending the conflict, might even exacerbate it: even if large-scale communal violence or outright civil war were averted, it would become a recipe for inequality, instability, and a bitter struggle for dominance. In such a struggle, the Jews would continue to hold far greater economic and military power than the Palestinians, and the end of a large Jewish demographic majority would make it more likely that they would fiercely resist the loss of their domination and power than that they would willingly give it up.

At best, the creation of a binational state may be an idea worth preserving, but it is not an idea whose time has come: its realization could occur only after many decades of real peace, mutual Israeli–Palestinian

¹⁸ Ibid., 72–73.

cooperation and goodwill, and compelling evidence that a Jewish state is no longer needed.

SHOULD THE PALESTINIANS RECOGNIZE ISRAEL AS A JEWISH STATE?

So far, I have examined the question of whether Israel should remain a Jewish state. A separable issue is whether the Palestinians should formally recognize it as such in the context of an overall two-state peace settlement. At one level, the question has already been settled: the UN partition resolution explicitly divided Palestine into “Arab and Jewish states,” and from the time of its creation, Israel has been recognized by most of the world—implicitly or explicitly—as a Jewish state.

Nonetheless, by demanding formal Palestinian recognition of Israel as a Jewish state as a precondition for negotiations, Netanyahu upped the ante, even though it is obvious that his government has neither the intention nor the capability of reaching a two-state settlement under any conditions. Whatever Netanyahu’s cynicism, however, Israeli opinion surveys now show that the Jewish-state demand has taken on a life of its own among most Jewish Israelis, reflecting their genuine and deep-seated fears of the ultimate intentions of the Arabs as a whole and the Palestinians in particular.¹⁹ These fears may be misplaced, exaggerated, or even an unavoidable consequence of Israel’s occupation and repression of the Palestinians; even so, they have become a reality that must be reckoned with.

For that reason, there is a strong case that the Palestinians should agree to the Jewish-state demand *as the final component of a two-state settlement* that met all the legitimate Palestinian demands, as they have been embodied in the international consensus proposals and plans. Indeed, despite their public statements that continue to reject any official Palestinian recognition of Israel as a Jewish state, there have been a number of indications that the private position of many top leaders is different.

Indeed, even Yasser Arafat—or, perhaps, *especially* Arafat—signaled flexibility on this issue. For example, in a very important conciliatory *New York Times* op-ed in 2002, Arafat strongly implied that there could be Palestinian recognition of a Jewish state in the context of a two-state agreement.²⁰ In 2004, Arafat went further, and this time speaking directly

¹⁹ The widespread popular Israeli insistence that the Palestinians must recognize Israel as a Jewish state is described by Yossi Alpher, a leading centrist Israeli analyst, in “A Popular But Problematic Position,” *bitterlemons*, 25 October 2010; and by Shlomo Avineri, a prominent Israeli political scientist, in “The Two-State Solution Will Not Disappear,” *bitterlemons*, 23 January 2012.

²⁰ “The Palestinian Vision of Peace,” *The New York Times*, 3 February 2002.

to the Israelis. In a long interview with David Landau, the editor of *Haaretz*, and Akiva Eldar, its chief diplomatic correspondent, Arafat was asked his position on the issue. In their article on the interview, significantly entitled “A Jewish State? ‘Definitely,’” Landau and Eldar wrote the following: “You understand that Israel has to keep being a Jewish state? ‘Definitely,’ says Yasser Arafat, waving his arm for emphasis. He definitely understands and accepts that Israel must be, and must stay a Jewish state. The Palestinians ‘accepted that openly and officially in 1988 at our Palestine National Council,’ [Arafat said] and they remain completely committed to it.”²¹

To be sure, the position of Mahmoud Abbas (the president of the Palestinian Authority since 2005) on the Jewish-state issue seemingly has been less flexible than Arafat’s, for he continues to publicly reject the Jewish-state demand, despite his unmistakable commitment to a two-state settlement. Even so, he has clearly left himself an out: “The ‘Jewish state.’ What is a ‘Jewish state?’ We call it, the ‘State of Israel.’ You can call yourselves whatever you want.... It’s not my job to define it, to provide a definition for the state and what it contains. You can call yourselves the Zionist Republic, the Hebrew, the National, the Socialist [Republic] call it whatever you like.”²²

Other high Palestinian officials have gone further than Abbas; for example, in 2010, Yasser Abed Rabbo, the Secretary General of the Palestine Liberation Organization (PLO), bluntly stated that in the context of a two-state settlement, Palestine would offer “recognition of Israel under any formula.”²³ Thus, there are good reasons to believe that the moderate Palestinian leadership would recognize Israel as a Jewish state as a final component in an overall Israeli–Palestinian two-state settlement.

Even so, it is necessary to address the three major arguments against official Palestinian acceptance of the Israeli demand.²⁴

The Palestinian Narrative

The first is that since Netanyahu is not interested in a fair peace agreement under any circumstances, the Palestinians are being asked to jettison

²¹ “A Jewish State? Definitely,” *Haaretz*, 18 June 2004.

²² Abbas speech of 27 April 2009; accessed from the Website of discoverthenetworks.org, at <http://www.discoverthenetworks.org/individualProfile.asp?indid=801>, 31 January 2012.

²³ Avi Beker, “US Jews and Israel versus Barak Obama,” *Haaretz*, 17 October 2010.

²⁴ For authoritative discussions of the official Palestinian position, see Ahmad Samih Khalidi, “Why Can’t the Palestinians Recognize the Jewish State?” *Journal of Palestine Studies* XL (Summer 2011): 78–81; and Ghassan Khatib, “A Palestinian View: A Consensus of Opposition,” *bitterlemons*, 25 October 2010. Khalidi is a former Palestinian negotiator, and Khatib a former minister in the PA.

their historical “narrative” with no compensating concessions from Israel. That is true, and indeed the Palestinian narrative—that the creation of the Jewish state was accompanied by the forcible dispossession of a people who had been a large majority in their own country—is clearly correct. Even so, that history cannot be reversed, and (as I shall shortly argue) the Palestinians would significantly improve the chances for an eventual two-state settlement by coming to terms with the realities; to be sure, undoubtedly they would be more likely to do so if Israel apologized for, or at a minimum acknowledged, the proven history.

The Right of Return

The second is that recognition of Israel as a Jewish state would effectively negate the Palestinian “right of return”—that all dispossessed Palestinians must be granted the right to return to their previous homes and villages that are now part of Israel. In reality, however, there is no possibility of a two-state settlement—even under an Israeli government that genuinely wanted one and was prepared to make the necessary concessions—that met this Palestinian demand.

Aside from the difficulty of imagining circumstances in which the Israelis would agree to it, even on the merits the argument for a sweeping “right” of return is not convincing. In light of the long history of bitter and often violent Israeli-Palestinian conflict, the influx of hundreds of thousands, if not millions of Palestinians—estimates of the number of Palestinian refugees and their descendants range from three to five million or even more—would be likely (as I argued above) to result not in the creation of a stable binational democratic state but in a struggle for power and an intensified intercommunal conflict or even civil war.

For these reasons, most Palestinian leaders have long understood that the right-of-return demand is unrealistic. In a highly important and authoritative statement in 1990, Abu Iyad, the highest PLO official after Yasser Arafat, stated the following: “We accept that a total return is not possible.... we recognize that Israel would not want to accept large numbers of Palestinian returnees who would tip the demographic balance against the Jewish population.... Nonetheless, we believe it is essential that Israel accept the *principle* of the right of return *or* compensation with the details of such a return to be left open for negotiation.... We shall for our part remain flexible regarding its implementation” [emphases added].²⁵

²⁵ Abu Iyad, “Lowering the Sword,” *Foreign Policy* 78 (Spring 1990): 92–112, at 103.

Shortly afterward, Arafat himself privately signaled the real Palestinian position. In June 2000, he told President Bill Clinton that “we have to find a happy medium between the Israelis’ demographic worries and our own concerns.”²⁶ Similarly, in December 2000, Arafat wrote to Clinton that the Palestinians were “prepared to think flexibly and creatively about the mechanism for implanting the right of return.”²⁷ Then, in his widely noted 2002 *New York Times* op-ed, Arafat *publicly* repeated that there would have to be “creative solutions” to the issue: “we understand Israel’s demographic concerns and understand that the right of return...must be implemented in a way that takes into account such concerns.”²⁸ Two years later, in his *Haaretz* interview, Arafat reiterated that it was “clear and obvious” that the refugee problem would have to be solved in a manner that “would not change the Jewish character of the state.”²⁹

Other Palestinian leaders have made it clear that they are prepared to compromise over the right of return, as part of a two-state settlement. For example, in the Geneva Accords of 2003, negotiated by unofficial but high-level Israeli and Palestinian delegations (the latter tacitly backed by Arafat), the basic principles for a two-state settlement were reached. The agreement was made possible by a central trade-off: the Israelis conceded Palestinian sovereignty over the Islamic religious sites on the Temple Mount/Harem el-Sharif in return for the Palestinian agreement that Israel would have the sovereign right to reject any return of Palestinian refugees to Israel.³⁰

Most importantly, in his 2008 negotiations with Israeli Prime Minister Ehud Olmert, Mahmoud Abbas left no doubt that he was prepared to effectively drop the right of return of large numbers of Palestinian refugees. The full record of those secret negotiations has not been released, but there have been a number of analyses, based on detailed interviews with Abbas and Olmert, that have concluded that “both leaders agreed on the principle that a certain number of Palestinians should return, but that the governing question should be how to limit that number in

²⁶ Charles Enderlin, *Shattered Dreams: The Failure of the Peace Process in the Middle East 1995–2002* (New York: Other Press, 2002), 164.

²⁷ Jane Perlez, “Expectations Low as Clinton Pushes Plan With Arafat,” *The New York Times*, 3 January 2001.

²⁸ Arafat, “The Palestinian Vision.”

²⁹ Landau and Eldar, “Jewish State?” The first quote is Arafat’s explicit words, the second is how Landau and Eldar paraphrased his words.

³⁰ The most-authoritative discussion of the Geneva Accord is provided by its chief Israeli negotiator, Yossi Beilin, in his memoir, *The Path To Geneva* (New York: RDV Books, 2004). Many other knowledgeable Israeli officials have confirmed his account.

a way that preserves Israel's distinction as a state with a Jewish majority but that does not prejudice the rights of the Arab minority.”³¹

Even the numbers issue was essentially resolved in subsequent secret Israeli–Palestinian negotiations. In January 2011, the British newspaper *The Guardian* published the “Palestinian Papers,” based on the Wikileaks documents, which revealed that during the negotiations with Olmert in 2009, the Palestinian leaders “gave up the fight over refugees...Palestinian negotiators privately agreed that only 10,000 refugees and their families...could return to Israel as part of a peace settlement.... PLO leaders also accepted Israel's demand to define itself as an explicitly Jewish state, in sharp contrast to their public position.”³²

Thus, it has become increasingly clear that the true demand of most Palestinian leaders is a symbolic one—that the Israelis acknowledge their responsibilities for the expulsion or flight of the Palestinians during and following the 1948 and 1967 wars—but in practice, they accept that the rights of the Palestinian refugees can only be realized by some combination of a small-scale family reunification in Israel, a right of return *to the Palestinian state* of most of the refugees and their descendants, or voluntary resettlement elsewhere, accompanied by major international economic compensation and assistance.

Aside from the Palestinians, the Arab world as a whole has made it clear that the right-of-return issue will not be allowed to block an overall Arab–Israeli settlement: in 2007, the 22 states of the Arab League *unanimously* approved a peace plan that does not mention a Palestinian right of return but rather states that “a just resolution of the refugee problem” should be “agreed upon.” This carefully chosen language, like the Geneva Accord and the Abbas–Olmert negotiations, effectively grants Israel a veto on the issue.

The Rights of Israeli Arabs

The third reason given by Palestinian leaders for refusing to formally recognize Israel as a Jewish state is that it would prejudice the rights of Israel's Arab citizens, whose present *de facto* second-class status would be effectively legitimized and made permanent. However, the Palestinians could address this genuine moral issue directly, by making their concession on the Jewish-state issue conditional upon the Israelis living up to

³¹ The quote is from Bernard Avishai, “A Plan for Peace That Still Could Be,” *The New York Times Magazine*, 7 February 2011.

³² *Guardian*, “Palestine Papers: Palestinians agreed only 10,000 refugees could return to Israel,” 24 January 2011.

their own principles, laws, and rhetoric and truly giving the Israeli Arabs full civil, political, economic, and educational rights.

In the context of the end of the Israeli–Palestinian conflict, it should not be difficult for Israel to agree to this condition, for (as I have pointed out) in theory, it has already done so—in its Declaration of Independence, in many of its laws, and in the repeated promises of its leaders. Of course, Israel has violated these commitments throughout its history, so what would prevent it from continuing to do so? In practice, perhaps not much, given the disparity in power between the Jews and the Arabs, as well as the Israeli willingness to disregard international opinion. But that is not the point. Since Israel cannot be forced to live up to its principles and, for that matter, to its own laws and international commitments, surely the best chance that it will do so in the future would be in the context of peace with the Palestinians as well as the Arab world as a whole.

THE PROBLEM OF HAMAS

There is increasingly strong evidence that Hamas is gradually moving toward a pragmatic if reluctant acceptance of the realities of power, and therefore has become increasingly amenable to a *de facto* if not *de jure* two-state political settlement with Israel. If the current trend continues, the evolution of Hamas will parallel that of Arafat's PLO, as well as many other radical movements that became much more moderate when they had countries to run. To be sure, this movement has been in fits and starts, and it is not without ambiguity. Nonetheless, the direction of the movement is clear.

It is now known that soon after the Gazan parliamentary elections of 2006, won by Hamas, Ismail Haniyeh, the new Gazan prime minister, sent a secret written message to George W. Bush, offering a truce for many years in exchange for a compromise political settlement; neither Bush nor the Israeli government responded to this and additional overtures.³³

Soon after that, Hamas began to go public with its new position. For example, in May 2006, Haniyeh told *Haaretz* that the Hamas government would agree to a long-term truce with Israel if it withdrew to the 1967 lines. In the same year, Khaled Meshal, widely considered the most-powerful and previously one of the most-militant of the Hamas leaders, said that Hamas could not oppose the unified Arab stance expressed in an Arab League summit conference, which offered Israel full recognition and normalized

³³ Barak Ravid, "In 2006 Letter to Bush, Haniyeh Offered Compromise With Israel," *Haaretz*, 10 November 2008.

relations in exchange for a full Israeli withdrawal from the occupied territories and a solution to the refugee problem.³⁴

Of particular importance was a May 2006 joint statement of senior Hamas and Fatah members who were imprisoned in Israel, for the prestigious “Prisoner’s Declaration” went much further than the earlier Hamas overtures: abandoning the previous ambiguities, it called for the establishment of a Palestinian state “in all the lands occupied *in 1967*,” and reserved the use of armed resistance *only in those territories*.³⁵

Once in power over Gaza, Hamas’s political position continued to evolve—and important Israelis began to take notice and to call for a change in Israel’s policy of refusing to deal with Hamas. For example, in late 2006, Yossi Alpher, a former deputy head of the Mossad and a pillar of the centrist Israeli establishment, wrote: “Hamas’ conditions for a long-term hudna or ceasefire...are almost too good to be true. Refugees and right of return and Jerusalem can wait for some other process; Hamas will suffice with the 1967 borders, more or less, and in return will guarantee peace and quiet for ten, 25 or 30 years of good neighborly relations and confidence-building.”³⁶

Shortly before the Israeli attack on Gaza in December 2008, Ephraim Halevy, a former head of Mossad and the national security adviser in Ariel Sharon’s 2002–03 government, argued that Hamas had “recognized... [that their] ideological goal [was] not attainable,” and consequently that “they [were] ready and willing to see the establishment of a Palestinian state in the temporary borders of 1967.” To be sure, Halevy acknowledged, Hamas leaders were still talking in terms of a “truce” rather than a permanent settlement; however, he continued, “they know that the moment a Palestinian state is established with their cooperation, they will be obligated to change the rules of the game: they will have to adopt a path that could lead them far from their original ideological goals.”³⁷

Since the end of the Israeli attack on Gaza in January 2009, Hamas’s position has continued to evolve. In March 2010, Halevy again argued that Israel must reconsider its policies toward Hamas: “Hamas has demonstrated a serious capacity to exercise responsibility and restraint when that role suits its purpose. Why not hammer out a temporary

³⁴ Danny Rubinstein, “Don’t Boycott the Palestinians,” *Haaretz*, 13 February 2006.

³⁵ Arnon Regular, “Hamas, Fatah Prisoners Agree to Two-State Solution in Joint Draft,” *Haaretz*, 11 May 2006 (emphases added).

³⁶ Alpher was the co-editor of the Israeli online publication, *bitterlemons*; the quote is from his article, “Problematic Options,” 20 November 2006.

³⁷ For a discussion of Halevy’s comments, see Henry Siegman, “Israel’s Lies,” *London Review of Books* 31 (January 2009): 3–5.

arrangement...that would, say, extend for 25 years with a clause for renewal.... Current policy, after all, sends Hamas the signal that it is doomed to exclusion.... But the more that Hamas is permitted inside the tent, the better the prospects of a modest (yet historic) success.”³⁸

In September 2010, Hamas revealed that for some time, it had been telling the United States that it would end its resistance activities once Israel ended its occupation and accepted a Palestinian state within the pre-June 1967 borders.³⁹ Finally, in December 2011, Khalid Meshal stated that Hamas was switching from armed struggle to mass popular protest and unarmed civil disobedience; a few days later, *Haaretz* reported that Hamas was joining with the Palestinian Authority to seek negotiations with Israel for a two-state settlement based on the 1967 borders and that Meshal had issued orders to Hamas’s military wing to end all armed attacks on Israel. In fact, terrorist attacks on civilians had already been suspended by Hamas for several years (although some Islamic Jihad attacks had continued), but Hamas’s new policy also prohibited attacks against Israeli military forces in the occupied territories.⁴⁰

A number of factors have accounted for the ongoing evolution of Hamas thinking, including the realities of governing, especially when most Gazans continue to favor an end to the conflict and a two-state solution; the fact that most Arab governments—particularly the most-important ones, Egypt (there are many indications that post-Mubarak Egypt will continue to observe its cold peace with Israel⁴¹), Saudi Arabia, Jordan, and probably Syria (regardless of the outcome of the revolution against the Assad government)—support a compromise settlement solution and fear Islamic fundamentalism; the economic sanctions imposed by Israel, the United States, and a number of European states after the 2007 Hamas takeover of Gaza; and, undoubtedly, the ongoing Israeli economic pressures, assassinations, and military attacks.

³⁸ Ephraim Halevy, “Why Not Hamas?” *New Republic*, 26 March 2010.

³⁹ “Hamas: We Told U.S. in the Past That We Would Accept a Palestinian State Along 1967 Borders,” *Haaretz*, 20 September 2010; Zvi Bar’el, a leading *Haaretz* political analyst, noted the significance of the Hamas evolution: “Not a return of refugees, not the destruction of the State of Israel, no preconditions.” (Zvi Bar’el, “Is Hamas Really Willing to Change?” *Haaretz*, 7 December 2010.

⁴⁰ The previous paragraph is based largely on Avi Issacharoff and Amos Harel, “Hamas Forces Ordered to Cease Attacks on Israeli Targets, Palestinian Sources Say,” *Haaretz*, 29 December 2011; see also the *Haaretz* op-eds by Zvi Bar’el, “Israel Shouldn’t Ignore Palestinian Reconciliation Deal,” 28 December 2011, and Merav Michaeli, “Israel Is Missing Another Opportunity For Peace,” 2 January 2012; Fares Akram, “Hamas Says That Its Political Leader Does Not Plan to Seek Re-election,” *The New York Times*, 21 January 2012.

⁴¹ The Muslim Brotherhood in Egypt has been pressing Hamas to end armed struggle against Israel and to join with Fatah in seeking a two-state settlement. Cf. David D. Kirkpatrick, “Islamic Victors in Egypt Seeking Shift by Hamas,” *The New York Times*, 24 March 2012.

So far, the Israeli government has ignored all the Hamas overtures. To be sure, Meshal has said he still reserves the right of Hamas to resume armed struggle in the future, has not renounced the Palestinian right of return, and has not offered to officially recognize Israel, as a Jewish state or not. Nonetheless, if a two-state settlement were to be reached, it would result in an end to the Israeli occupation and repression of the Palestinians; it would probably (under most proposed settlements) be enforced by international peacekeeping troops, almost certainly including either U.S. or NATO forces; it would be endorsed by nearly the entire world, including almost every Arab state; and it would almost surely be accompanied by massive international economic assistance to the new Palestinian state. Under such circumstances, even if Hamas (or more radical groups) wanted to resume attacks, it is hard to imagine that it could gain the support of the Palestinian population, let alone of the Arab world, for a pointless, bloody, and dangerous war, a war that would have no chance of defeating Israel, could destabilize the entire region, and would surely result in an even more-draconian Israeli reoccupation of a defunct Palestinian state.

The Mouse that Roared: If the Mouse proclaims that one day it will defeat the Lion and replace it as King of the Jungle, does the Lion worry?

CONCLUSION

In light of Israel's ongoing expansion into the occupied Palestinian territories, the prospects for a two-state settlement are steadily being undermined. Nonetheless, since a one-state binational solution is not in the cards—every obstacle to the attainment of a two-state settlement makes a one-state settlement inconceivable—a two-state solution remains the only hope for the future, however bleak the prospects currently appear to be. History is full of surprises, and—*faut d'mieux*—that hope must remain the only alternative to simply surrendering the battle for peace and justice.

The overwhelming majority of Jewish Israelis insist that their state must remain a Jewish one, not only because of the possible need for Israel as refuge, but also for historical, religious, and cultural reasons. For these reasons, there does not appear to be any compelling reason to deny them this demand—but only so long as they grant near-full equality to Israeli Arabs and do not prevent the Palestinians from having comparable rights in their own genuinely independent and viable state.

Since most Palestinian leaders have privately accepted these realities, publicly stating that in the context of a two-state settlement they would accept the Israeli position on the Jewish-state issue would accomplish a

number of things. At a minimum, it would expose the fact that the present Israeli government has no intention—under any circumstances—of ending the occupation and allowing the creation of a viable Palestinian state. Consequently, it would increase international pressures on Israel and, in particular, might finally lead to a reassessment of the near-unconditional U.S. support of Israeli policies toward the Palestinians. And perhaps most importantly, it would reassure those Israelis who genuinely fear for the future of Israel as a Jewish state, thus paving the way to a possible future settlement under a different Israeli government.

To be sure, because the realities of the Jewish-state/right-of-return issues have never been explained to the Palestinian people, it would be an act of considerable courage for their leaders to publicly reveal their true bottom line. On the other hand, if in the future an Israeli government offered a genuine two-state compromise plan based on international consensus, Palestinian leaders could call for a referendum, strongly recommend approval, and make an essentially irrefutable case that the Palestinians would be far better off if they gave up the right of return and recognized Israel as a Jewish state, in return for which the Israeli occupation would end, and Palestine would become an independent state with East Jerusalem as its capital, would have Islamic or international control over all Islamic religious sites, would have control over the water resources of the West Bank, and would receive massive international economic assistance.

Moreover, in recommending approval, the leaders could forcefully point out the likely consequences if the Palestinian public rejected a two-state solution constructed along such lines: international pressures on Israel would almost surely end, the deal might never be offered again, and the Palestinians would be condemned to an indefinite continuation of the occupation and Israeli expansion into its territory, along with repeated military attacks and economic punishments. In this context, there would be good reasons to believe that the Palestinians would not reject a compromise peace settlement, even though it would fall well short of their hopes and dreams, including their legitimate ones.

Epilogue

As was surely inevitable, the poison of some 45 years of the Israeli occupation, violence, and repression of the Palestinians has steadily seeped into the Jewish state itself, making the standard cliché—“Israel is the only democracy in the Middle East”—steadily more dubious. Israel today is becoming increasingly authoritarian, theocratic, racist, and intolerant of dissent, including Jewish dissent, which has become increasingly subject to political and even police repression. If these trends continue—in fact

they are accelerating—Israeli “democracy” will be best described as a democracy for Jewish Israelis who support the government’s policies on the Palestinian issue.

For these reasons, it must be acknowledged that it has become increasingly difficult to separate the issue of whether Israel should continue as a Jewish state from the kind of Jewish state it has become. Even so, the premise of this article has been that it may still be possible to separate these issues, that the current trends in Israel may yet be checked, and that there is still a chance that Israel can return to its senses, both in terms of its treatment of the Palestinians and in its domestic government and society. If not, however, liberal Zionists, like this writer, may be forced to conclude that while in principle the Jewish people have a right of a state of their own, the case for even liberal Zionism is collapsing and Israel is becoming a failed state, certainly in a moral sense and probably, in the long run, as a truly safe haven.