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What Do the Palestinians Want?

Sam Bahour*

Palestinians' Strategic Choice

Palestinians today, as represented by their political agency ever since the 16th session of the Palestinian National Congress in Algiers in November 1988 and their subsequent issuance of the Palestinian Declaration of Independence, have two very straight forward demands:

1. Full rights between the Mediterranean Sea and Jordan River, including the right for Palestinian refugees to return to their homes;
2. Statehood in the West Bank, including East Jerusalem, and Gaza Strip; post-November 29, 2012, one could claim Palestine has already been codified in the international system of governance and now only requires the extraction of the Israeli military occupation from its lands.

If one defines the second point as the Palestinian right to self-determination, then it may be lumped into the first point and, all together, the issue of rights, full rights, is the Palestinian single demand.

To some unfamiliar with Palestinian history, this may seem like a lot, however, it is merely a portion of what was taken from them by force over the last seven decades. It is noteworthy to mention that the majority of the world's peoples and the majority of the world's countries stand with the Palestinians here; it is the global superpower, the United States, which stands in the way of the achievement of these goals.

In the meantime, while the Palestinian struggle remains, Palestinians want to be treated as equal human beings wherever they reside, from the refugee camps in South Lebanon to the refugee camps in South Gaza, and everywhere in between, near and far.

Collectively, these demands are the Palestinians' strategic choice. It is a politically inspired choice, one that was developed on the heels of decades

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of emotional reactions to the events imposed upon them. This strategic choice is not etched in stone, it is a product of a distinct Palestinian political system. No one can guarantee that this choice will not be modified or changed if deemed unachievable for any reason.

A rights-based approach is the most conducive one to the current Palestinian national agenda *and* a political end-game cannot be open-ended. Moreover, the struggle for national self-determination cannot come at the expense of the struggle for rights—and vice versa. These two processes are simultaneous dynamics: one process focuses on the *rights of the individual* (political, human, and civil), while the second focuses on the *rights of the nation* (national rights, specifically self-determination). The mutuality of these processes—rights and politics—are two asynchronous and inseparable tracks.

One's personal conviction of what political path the Palestinian leadership should have taken throughout its history is immaterial for this analysis. Until and unless today's Palestinian political system can reconstitute itself and declare an alternative strategy, it is imperative upon anyone engaged in the imperfect world of realpolitik to accept the current Palestinian political agency's strategic choice and act accordingly. This current strategic choice of establishing a Palestinian state on 22 percent of British-mandated historic Palestine has international legitimacy and has witnessed the majority of the world's nations recognizing this "New" State of Palestine based on that international legitimacy. It is therefore not an academic choice, but rather the result of already spent Palestinian political capital that has resulted in a matter of law.

Thus, the current polarized discourse about the choice between a one-state solution or a two-state solution is a red herring that has, not innocently, been adopted by the highest level of the powers-to-be at a time when Palestine is systematically being codified and recognized in the international sphere.

Simultaneously, the rights of Palestinians cannot remain at the mercy of the need to arrive at a two-state solution, as a type of prerequisite to the individual realizing his or her rights. This attempt to link the realization of Palestinian rights as a function of the realization of Palestinian statehood is grounded in a faulty political mindset that places the key issue of rights—political, economic, and social—at the end of a political spectrum that presumes the need to arrive at a macro-political framework *before* individual rights can be realized. This is fundamentally erroneous. The political end-game is a single dimension to the conflict; however,

immediate needs are rights, and these are just as important to individual Palestinians—those living under occupation and elsewhere—as self-determination, if not more so.

In essence, there are two processes at play within the Palestinian national struggle that should be seen as distinctive, yet complementary: rights (or individual liberty) and a defined political end-game (self-determination).

The Road to Palestinian Emancipation¹

Palestinians want their rights. In 1949, their national struggle commenced with the rights of individuals: Palestinian refugees who were displaced in 1948—over half the population of Palestine (what became Israel) at the time—and wanted to return home. Today, the right of return for refugees remains unfulfilled and is still a key component of the national agenda. However, in addition to it is the struggle for realizing the human rights of Palestinians living under occupation, in Israel, and as refugees and internally displaced persons.

The academic debate over end-game visions of how to realize Palestinian rights should not take priority over spent political capital, namely, the acceptance of the two-state solution by the Palestinian political agency, no matter how weak, and its endorsement by the international community. Political actions that acquiesce to endless academic debate incrementally detract from the capacities needed to achieve statehood and realize Palestinian rights now. These must be viewed together.

A key theme to keep in mind is that Palestinians are not engaged in a debate of morality, nor do international venues reward those who can claim the moral high ground. The conflict is a political one par excellence and requires political tools, first and foremost.

The occupying power should no longer be able to have it both ways. The entire world, excluding Israel and the current U.S. administration, acknowledges that Palestinians are under occupation, and therefore the Fourth Geneva Convention and other relevant provisions of international law apply to them. Palestinians have also long accepted this definition of

¹The core of this argument was developed in conjunction with Dr. Tony Klug and first published in *Le Monde diplomatique* in English on April 8, 2014, “If Kerry fails, what then?” and in Hebrew at Local Call. This essay was later published in the book *Rethinking the Politics of Israel/Palestine: Partition and its Alternatives* (Bruno Kreisky Forum for International Dialogue and S&D Group of the Progressive Alliance of Socialists and Democrats in the European Parliament, Vienna, Austria, 2014) and in *Tikkun* on October 26, 2015 with the title, “Israel Can’t Have It Both Ways: Recognize Palestine or Grant Equal Rights.” The author alone takes responsibility for his framing of this joint work in this paper.

the Palestinian state of affairs. Israel contests this on technical grounds, arguing that the Convention relates only to the sovereign territory of a High Contracting Party, and that Jordan and Egypt did not have legal sovereignty over the West Bank and Gaza Strip, respectively, when they previously governed these territories from 1948 to 1967.

On the basis of this reasoning, Israel has maintained that it is not legally forbidden from annexing, expropriating, and permanently settling parts of this territory that it captured during the 1967 war. But, at other times, Israel relies on the Geneva Convention to validate its policies, particularly in regard to treating Palestinians under Israel's jurisdiction but outside its sovereign territory differently from Israeli citizens, citing the provisions that prohibit altering the legal status of an occupied territory's inhabitants. Successive Israeli governments have gotten away with this colossal bluff for nearly half a century.

This ambiguity has served the occupying power well, enabling it to pick and choose the application of articles from the Geneva Convention and have the best of both worlds, while the occupied people have the worst of them. The ambiguity of occupation must end!

It is time to call that bluff and compel a decision. The laws of occupation either apply or do not apply. *If it is an occupation*, it is beyond time for Israel's custodianship—supposedly provisional—to be brought to an end, allowing *Palestinian rights to be achieved through withdrawal in favor of a Palestinian state*. *If it is not an occupation*, there is no justification for denying equal rights to everyone who is subject to Israeli rule, whether Israeli or Palestinian, irrespective of where they live under Israeli jurisdiction, from the Mediterranean Sea to the Jordan River. Therefore, *Palestinian rights become an extension of those rights and privileges that are enjoyed by Israeli nationals living within internationally-recognized Israel, minus an eastern border*.

Certain rights should be inalienable—yet Israel refuses to grant them to Palestinians, and the world continues to treat Israel as a rights-based democracy. The Palestinians in the West Bank and Gaza comprise an indigenous population, yet they are the subjects of a military regime within an apartheid state structure. The debate over whether we are currently living in a single state is irrelevant—the answer is a resounding yes.

The heart of the matter, rights, was, and still is, being ignored. A *rights-based approach* is the most conducive to the Palestinian national agenda in this day and age. The BDS (Boycott-Divestment-Sanctions) Movement, launched in 2005, has led this rights-based focus ever since and has gained global traction. The BDS Movement explains its efforts as 'Palestinian civil

society issued a call for a campaign of boycotts, divestment, and sanctions (BDS) against Israel until it complies with international law and Palestinian rights.² However, the BDS Campaign does not explicitly call for a specific political end-game, and herein, is its Achilles' heel.

Irrespective of whether one or two states emerge as a final solution to the conflict, rights need to be achieved and realized. The one-state or two-state argument is in fact secondary to the fundamental argument that *rights* need to be attained—and if this comes within the framework of one-state, two-states, or otherwise, then it makes little difference. It is all about *rights*.

Historical Background

The continuation of international efforts to realize a two-state solution neither helps nor hurts—the fact is, Palestinians are living in one apartheid state, and if the international community succeeds in realizing a just two-state solution, then all the better. However, the crucial point is that this process should be seen as a parallel, maybe even secondary, course of action that should not come at the expense of the struggle to realize Palestinian rights.

The two-state solution started to be entertained by senior Palestine Liberation Organization (PLO) officials long before the Oslo Peace Process, possibly as far back as the mid-1970s, with 1988 being the formalization of this approach. A cornerstone essay was published in 1978 by the renowned Palestinian historian Walid Khalidi, titled, “*Thinking the Unthinkable: A Sovereign Palestinian State*.”³ Khalidi states that the cornerstone of “the juridical status of...Palestine...[is] the concept of Palestinian sovereignty. Not half-sovereignty, or quasi-sovereignty or ersatz sovereignty. But a sovereign, independent Palestinian state.” He argues that

“Only such a state would win the endorsement of the PLO. Only such a state is likely to effect a psychological breakthrough with the Palestinians under occupation and in the Diaspora. It would lead them out of the political limbo in which they have lingered since 1948. It would end their anonymous ghost-like existence as a non-people. It would terminate their dependence on the mercy, charity, or tolerance of other parties, whether Arab, Israeli, or international. It would be a point of reference, a national anchorage, a center of hope and achievement.”

Ten years later, the Palestinian Declaration of Independence, proclaimed on November 15, 1988, was overwhelmingly adopted by the Palestinian

²<http://bdsmovement.net/>

³Walid Khalidi, “Thinking the Unthinkable: A Sovereign Palestinian State,” Council on Foreign Relations, July 1978: <https://www.foreignaffairs.com/articles/palestinian-authority/1978-07-01/thinking-unthinkable-sovereign-palestinian-state>

National Council. It became the self-chosen political mandate of the Palestinian people and paved the way for the historic 1993 Oslo Accords, which legitimized the two-state solution in the international arena when the PLO formally recognized the State of Israel. In the political realm, it would be very difficult to undo this. International legitimacy has put its weight behind the two-state solution through a multitude of United Nations resolutions and international agreements, making the mantra of two states irreproachable, until an internationally-recognized Palestinian political agency is capable of challenging it.

The Merits of this Palestinian Choice

The merits of the Palestinian strategic political choice are two-fold.

First, Palestinian rights should not remain hostage to the two-state diplomatic non-process, but that does not mean that Palestinians should shut the door on the two-state solution. To do so would be exceedingly difficult given the amount of international political capital that has been invested in realizing this ideal and, more importantly, it would direct Palestinian political energy away from the primary objective: securing Palestinian rights, and toward a potentially destructive political process that has no guarantee of success. If Palestinians no longer want the two-state solution, then what solution do they want? In answering this question, securing the political capital to unite behind the new Palestinian solution, and lobbying the international community to drop the two-state solution and replace it with the new, preferred choice will take decades, during which Palestinians continue to live under occupation, in refugee status, and in destitution.

To go to the international community now and tell them to scrap the two-state solution is counterproductive, especially at a time when they themselves are coming to the conclusion that Israel has no intention, and may never have had any, to entertain a Palestinian state. Palestinians must not misread international players, such as the U.S. more recently, when they float public statements declaring the inevitable loss of two-states and a future of one-state. These are short-term tactical statements, not policy change. *The Palestinian message to the international community should be: We want our rights. If a two-state solution, which is now codified in international law and is your preferred sole solution, is still achievable, then help bring it to reality, but in the meantime, we demand focus on the issue of rights?*

Second, asking the international community to scrap the two-state solution requires Palestinian political agency to provide an alternative. How many have come to adopt the new mantra of the one-state solution, in a political sense,

not a populist or polling sense? The one-state solution is not championed by any major political organ in the Palestinian community, Israel, or the U.S. It has not been adopted by any Palestinian political party. It is without political framing, clout, or endorsement; rather, it is based on morality, a morality that would exclude the U.S., Canada, Australia, and many other states of their political legitimacy as well.

Again, *Palestinian rights should not remain hostage to the adoption of a political end-game, but that does not mean that Palestinians should not explore venues and possibilities for building traction toward other ultimate political solutions.* The Palestinian political agency working toward this goal should beware of the pitfalls that the older mantra—the two-state solution—faced, mainly the presumed achievement of rights with the realization of a political solution.

The fact of the matter is Palestinians want their rights to define the political end-game, not the other way round. *The fulfillment of rights should lead to conflict resolution.* Rights lead to peace. Rights lead to conflict resolution. Adopting a new political end-game (one-state) will replace the existing internationally-approved end-game (two-states) as the ideal worth pursuing, and Palestinian rights will continue to be denied, waiting for the political end-game to become reality before Palestinians can enjoy them.

Are these two messages contradictory? They are, if we insist on the never ending debate of the end-game—today’s end-game, that is, since there is no end (final status) to any global ‘game’ (anyone who does not agree should reflect on how the U.S. evolved from a state of thirteen colonies to one of fifty states within a federal, constitutional republic). If Palestinians separate the demand for rights from the end-game and focus on the issue of rights almost exclusively, then the two messages are effectively saying the same thing: one state or two states both have their merits, but can Palestinians put these issues to one side, given Israel is not entertaining either, and focus on the issue of demanding their rights? This would not be without precedent and does not need to pre-judge the final outcome. For example, Scotland and Catalan are among examples where, pending possible self-determination/independence in the future, all inhabitants of the existing political entity have full and equal rights. Why not in Israel and Palestine too?

Palestinian rights should no longer remain hostage to political end-games. Under international law, Israel—as the occupying power—and the PLO, and Palestinian Authority for that matter, are responsible for ensuring that Palestinians have these rights. Therefore, rights and politics are two asynchronous and inseparable tracks.

The Palestinian Dimension: Role Players, Self-Renewal, and Obstacles⁴

Today, the Palestinian political strategy is being driven in the total absence of a functioning political system. Israel's forced fragmentation of Palestinian geographic reality mixed with internal political party divisions, disgust, despair, and incompetence, the status quo tears apart Palestine's societal fabric. If it remains on its current course, the train of national liberation is bound to derail, resulting in serious, if not permanent, damage to Palestinian bid for freedom and independence.

Repairing the Palestinian political system cannot wait any longer. This was the motivation for the *Open Letter to Chairman of the PLO and President of the State of Palestine, Mahmoud Abbas*.⁵

The following are a few strategic priorities to repair the Palestinian political system, as well as the Palestinian national liberation movement:

- *Applying accountability* – It is no longer acceptable that those responsible, politically or otherwise, for the current Palestinian state of affairs should still be put forward as the saviors of Palestinians. Until the public sees more than a public relations effort to expose failed or criminal elements in Palestinian society, then whatever political strategy is chosen will have little legitimacy.
- *Addressing governance* – This is the issue everyone speaks about but no one addresses. How can Palestinians seriously move forward with no political system in place? The politically-orientated gatherings organized every week by well-meaning community catalysts cannot serve as a substitute for a functioning political system. The successful round of municipal elections that were held in the West Bank are baby steps forward, and they must continue, where possible, until all municipal governments are not only elected, but also respect their term in office.

However, municipal-level government is not the arena where national political strategy emerges. The leadership and organs of the PLO and

⁴The core of this argument was developed in a policy paper written for openDemocracy and the Palestine Chronicle. Sam Bahour, *Resetting Palestine's Political System*, openDemocracy, February 2015: <https://www.opendemocracy.net/arab-awakening/sam-bahour/resetting-palestine-s-political-system>. An Arabic version of this paper was published by *Al Quds* newspaper on February 27, 2015: <http://www.epalestine.com/resetting-pdf-ar.pdf>

⁵Sam Bahour, "Open Letter to Chairman of the PLO and President of the State of Palestine, Mahmoud Abbas," July 6, 2019, English at <http://bit.ly/open-letter-abbas> and other languages at <https://epalestine.blogspot.com/2019/07/Open-Letter-to-Mahmoud-Abbas.html>

every Palestinian Authority governing unit must regain their credibility before the Palestinian people—inside Palestine and abroad. Elections may serve a purpose, but they are not a silver bullet. There are many ways to reach collective leadership at every level of governance; so what are Palestinians waiting for?

- *Building capacity for the UN battle* – Joining the International Criminal Court (ICC) was a bold and long overdue step, but taking advantage of what this membership, among others, has to offer is bound to be a long and hard process. New tools are available to Palestinians in order to challenge occupation at an operational level, in strategically chosen international venues. For that to happen, Palestinians need dedicated, trained, and committed human resources. The quality of the current Palestinian diplomatic corps leaves much to be desired. The public threat to enter 500+ international treaties and organizations rings hollow to those who know the current state of Palestinian human resources, and doubt that Palestinian leadership has the expertise or political will to truly take full advantage of international law for the benefit of the Palestinian cause. This is a dangerous perception. If Palestinians are to take statehood seriously, and if they want the world to take them seriously, then they must mobilize human resources that are capable of rising to the occasion.

Only when Palestinians work on the three imperatives outlined above will they be in a position to genuinely commence planning their path to freedom and independence.

In the meantime, why do Palestinians waste time in dwelling on the need to choose forms of resistance? At least, can they not agree that all internationally and morally acceptable forms of resistance should be supported? These include diplomatic efforts; economic resistance; civil disobedience; the ICC; Boycott, Divestment, and Sanctions (BDS); and so forth. These are all tactics, but they are not a political strategy. Once the political strategic direction is defined, then the intensity of any or all of these tactics can be revisited. But until a political strategy is defined, who is to say which tactic of resistance is valid or invalid?

Back to Basics: Questions Palestinian Political Stakeholders Must Answer

Palestinians must go back to basics, and ask the political parties—as well as the PLO leadership—a few fundamental questions that can be used as

starting points for a new political program. For example, today, do Palestinians:

1. Accept international law and UN resolutions as the political terms of reference?
2. Recognize the State of Israel? Not the indefinable 'Jewish' state, but rather the state that is a UN member?
3. Recognize only the State of Palestine of 1948, the state in our hearts and poetry? Or, recognize the *New* State of Palestine (it is unfortunate that Palestinians did not call it "*New*" in the UN bid for statehood, in order to clearly emphasize the distinction between the new and historic states) that has sat in the UN as a non-member observer since November 29, 2012?

Seeing the answer to these and other questions, in writing, from the PLO and major political parties would speak volumes. It would, at the very least, let the Palestinian people know where they stand.

Concurrently, it should be noted that various civil society efforts⁶ are charting the options that are available to the national liberation movement. One such effort is spearheaded by the Palestine Strategy Group (PSG)⁷. PSG have produced several publications in this regard, the first being a scenario planning exercise in 2008 that involved all walks of Palestinian political life, titled "*Regaining The Initiative: Palestinian Strategic Options To End Israeli Occupation.*"⁸ More recently, PSG addressed the need for "*A diplomatic strategy for national liberation.*"⁹ Although these efforts cannot replace politically-adopted Palestinian positions, they are useful inputs to help put the Palestinian political house in order.

Current Opportunities

The one-state option may reflect absolute justice, but, at best, this is an academic notion given today's system of global governance and the all too real trail of impairment that history leaves in its path. In a world of

⁶Organizations such as Al-Shabaka, The Palestinian Policy Network, The Palestinian Center for Policy Research & Strategic Studies – Masarat, Palestine Strategy Group (PSG), and the Palestinian Center for Policy and Survey Research (PSR).

⁷<http://www.palestinestrategygroup.ps/en/>

⁸Palestine Strategy Study Group, "Regaining the Initiative: Palestinian Strategic Options to End the Occupation," August 2008. (<http://www.palestinestrategygroup.ps/wp-content/uploads/2015/09/Report-2008.pdf>)

⁹The Palestine Strategy Group, "A diplomatic strategy for national liberation," June 2015. (<http://www.palestinestrategygroup.ps/wp-content/uploads/2015/09/A-diplomatic-Strategy-for-National-Liberation-Report.pdf>)

realpolitik, livable one-state is an illusion, one that makes us feel great, but has little political potential to change reality, at least in today's state of affairs. Noam Chomsky explains:

'It [one-state] has little international support, and crucially there is no reason why Israel and its U.S. sponsor would accept it. The two-state solution is impossible to achieve: Israel and the U.S. have a far preferable option, the one they are now implementing; with impunity, thanks to U.S. power.... Negotiations must be mediated by the U.S., which is not a neutral party but rather a participant in the conflict.'¹⁰

The status quo continues indefinitely, allowing Greater Israel to consolidate its position through continued land confiscation, settlement building and ethnic cleansing, with the tacit blessing of large sections of American public life.

So, what is to be done? This question is more important now than it has ever been, given Israel is clearly showing its true colors to the world with its current government. As Israel spews blatant racism, institutionalized discrimination, and a clear intention to never allow a Palestinian state to emerge or to grant full citizenship to Palestinians living under its military occupation, it is clear to all that an extremely dangerous point has been reached. The clarity of the Israeli government's political position poses a unique opportunity that should not be missed.

Palestinians cannot, alone, end—or even significantly relieve—the state of misery caused by Israeli dispossession, discrimination, and occupation. Thus, they must find a way to cast a much wider net, and bring into the realm of action those who may not be able to walk the entire trail of their struggle, but can assist them in bringing it to fruition.

If Palestinians are truly convinced that they are in a political struggle, which they are, then *they must play politics*, a game where persons who have common cause, not necessarily a total overlap of ideologies or values, find a way to work together. Those who want to work to a political end-game of one or two states should be encouraged to do so, but not at the cost of realizing Palestinian rights. Embedded within these efforts should be the issue of *immediate recognition of Palestinian rights and the call for accountability of those entities and persons that are hindering their realization, be they Israeli or otherwise*.

When Israel refuses, it should be held accountable in the most serious ways. The Israeli government should be put on notice that, by a specific and publicly announced date, it must make up its mind definitively, one

¹⁰Noam Chomsky, "What Comes Next: The one state/two state debate is irrelevant as Israel and the US consolidate Greater Israel," Mondoweiss, October 24, 2013: <http://mondoweiss.net/2013/10/statetwo-irrelevant-consolidate>

way or the other. Half a century is surely enough time to decide. This would give Israel a concrete deadline to make its choice between relinquishing the occupied territories—either directly to the Palestinians or possibly to an international trusteeship—or alternatively granting full and equal citizenship rights to everyone living under its jurisdiction.

Should Israel not choose the first option by the target date, the international community may then conclude that Israel's government had opted by default for the second option, that of civic equality. Other governments, individually or collectively, and international civil society, may then feel at liberty to hold the Israeli government accountable to that benchmark. Palestinians need to break free of the divisive and increasingly stifling one-state versus two-states straight-jacket that tends to polarize debate and, in practice, ends up perpetuating the status quo—which is a form of one state, albeit an inequitable one.

To be clear, this is not a call for a one state, not yet at least. How Israelis and Palestinians wish to live alongside each other is for them to decide and the indications are that both peoples still prefer to exercise their self-determination in their own independent states. A rights-first approach would not foreclose this option. It would remain open for Palestinians to continue to agitate for sovereignty over the West Bank, including East Jerusalem, and Gaza, for a future Israeli government to relinquish these territories and, in extremis, for the UN Security Council to enforce the creation of two states through the UN Charter's Chapter VII mechanism. However, until this is finally determined, equal treatment should replace ethnic discrimination as the legitimate default position recognized by the international community.

A similar, individual, rights-based principle should extend throughout the region. The stateless Palestinians—not just the four million living under Israeli military occupation, but also the five million who have been living as refugees in the surrounding states for the past 71 years—suffer discrimination all over the Middle East. In almost every Arab state, their rights are severely curtailed and they are mostly denied citizenship, even where they, their parents, or their grandparents were born in the country. Whatever may have been the original explanation, their continuing limbo status is shameful, so many years on. Palestinians living outside of Historic Palestine do not forfeit any of their national rights by demanding and gaining individual rights in their current place of residence.

The bottom line is that until the Palestinians, like the Israelis, achieve their primary choice of self-determination in their own state (if they ever

do), they should no longer, in the modern era, be denied equal rights in whatever lands they inhabit. In the case of Israel and its indefinite occupation, this means putting an end to ambiguities that have lasted far too long.

The Non-Palestinian Dimension: Israel, the U.S., and the International Community

Israel

The current Netanyahu government is profusely clear in its intention to never allow the emergence of Palestinian self-determination. Likewise, it is uninterested in voluntarily removing its restrictions on Palestinian rights. Thus, official Israeli policy is a known commodity and has been so for a long time—there is little hope that Israel will change from within.

However, Arab political agency in Israel can be engaged to build traction for a rights-based approach. As the third-largest party (Joint List) in Israel's Parliament, Palestinian citizens in Israel have a notable amount of political capital at their disposal, albeit they operate in a structurally discriminatory environment. The first time Palestinian citizens in Israel displayed this mode of proactive political agency was in 2006-7, when they produced 'future vision' documents, such as *The Haifa Declaration* published by Mada al-Carmel (Arab Center for Applied Social Research in Haifa), and *The Democratic Constitution* published by Adalah (the Legal Center for Arab Minority Rights in Israel). These ground-breaking documents describe how Israel can—and must—evolve into a country for all its citizens, regardless of religion.

The collective challenge these documents posed to the particularistic Jewish foundation of Israel was so shocking that mainstream Israeli society, after an initial frenzy of outrage, opted mostly to ignore them altogether. All of this happened inside the Israel Jewish society, not in that of the Palestinian communities living in the Israeli-occupied territories of the West Bank and East Jerusalem, or in the Gaza Strip.

While the international community remains in a state of political paralysis, the two-state solution steadily recedes to a far-off goal. In the meantime, Palestinians have been left with a defunct national liberation movement (the PLO), an ageing leadership fraught with disunity, and two long-term strategies that have failed utterly: armed struggle and bilateral negotiations. Instead of frantically trying to revive the PLO as the representative agency of all Palestinians—those under occupation, Palestinian citizens in Israel, refugees, and those in the Diaspora—Palestinians can

simply look to the Palestinian political parties inside Israel and already represented in the Knesset, the political body that maintains Palestinian disenfranchisement.

In a way, this would not be a wholly exceptional act, since Israel, as the sole sovereign power between the Mediterranean Sea and the Jordan River, governs all three constituencies: Israelis and Palestinians in Israel, as well as Palestinians under military occupation in the Occupied Territories.

United States

The United States should recognize the State of Palestine in the same way it has recognized the State of Israel, without one of its borders fully defined. The U.S. President should grant U.S. recognition of Palestine as an independent state, albeit a militarily occupied one. Such an elementary step is long overdue and may be the sole act that saves the two-state solution.

Recognizing Palestine would not be such a groundbreaking move. In 2013, 138 countries acknowledged Palestine as a non-member observer State in the United Nations. Only the U.S. and eight others opposed this recognition (i.e., Canada, Czech Republic, Israel, Marshall Islands, Micronesia, Nauru, Palau, and Panama). Furthermore, since the 1988 Palestinian Declaration of Independence, over 130 states have already unilaterally recognized Palestine, including the Holy See.

Other International Actors

The international community holds the most options to positively affect the dual process of realizing Palestinian rights and reaching an equitable end-game. These options are outlined below:

- It is high time for the international community to hold Israel accountable to being a military occupier, and demand that it ends its occupation; or revisit their policies toward Israel (should it refuse to accept its status as a military occupier); by holding it accountable to its discriminatory policies toward Palestinians under its jurisdiction on both sides of the Green Line.
- Third States must implement their own domestic laws as they relate to Israel. The EU has already begun taking baby steps toward forcing Israel to distinguish between its 'legitimate' activities and those in the Occupied Territories. This practice should increase—and become more penalizing—toward illegal Israeli activities, such as settlement building and trading in settlement products.

- Apply economic sanctions on Israel until it complies with international law. Of primary importance is to stop trade with Israeli settlements; and to stop trading with Israel as it relates to arms, security-related products, and precious metals (e.g., diamonds).
- Apply political sanctions on Israel until it complies with international law.

Conclusion

The 'black and white' view of one or two states is self-defeating; the fact is, restricting the dialogue to such territorial issues that focus on the form of statehood crowds out the Palestinian primary need: *rights*. Palestinians should not drop their call and progress made toward statehood, as if such issues are push-button driven, and call for one state, which in today's mindset in Israel is a full-scale, permanent Apartheid state. Until national sovereignty is a realistic agenda for Palestine, Palestinians demand to be dealt with as equal subjects under Israeli rule, the only sovereign entity that exists between the sea and the river.

Palestinians must get political. Civil society must build the necessary alliances to bring Palestinian rights to the forefront of the international agenda on Israeli-Palestinian conflict resolution. Today, they have no choice but to accept the apartheid one-state reality that they are living in now, and keep the two-state door open, while simultaneously bringing the issue of rights to the forefront of their demands.

The strongest ally is international civil society, but Palestinians cannot stop at civil society; it would be stopping short of affecting change. Instead they must leverage the widespread support of civil society in all corners of the world to urge states to act, politically and otherwise, to support their just and internationally aligned struggle for freedom and independence.

If Palestinian rights continue to be denied and Palestinian statehood continues to be ignored by the powers that be, the risk is that Palestinians will redefine their self-determination away from statehood altogether and convert the struggle to a purely civil rights one; at that point, the game is over—even if the struggle for full civil rights lasts another one hundred years.