

Confederation can't answer the most important issue in Israel-Palestine

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Any framework that comes to replace the two-state solution must aspire toward decolonization, and accept that Zionism and full civic equality are irreconcilable.

Changes on the ground over the past decade have allowed Israel to consolidate its rule between the river and the sea. While the final nail in the two-state coffin was hammered long ago, many international stakeholders are only now beginning to sing its requiem. In this seemingly new vacuum, without a clear path forward, some are reaching for alternative frameworks that could possibly establish — dare I say it — peace.

In a [recent episode](#) of The +972 Podcast, Dr. Dahlia Scheindlin presented an Israeli-Palestinian confederation as one such alternative. While confederation answers several of the most contentious issues that stood in the way of a two-state solution over the years, it falls short in addressing the inherent injustice of Zionism as well as the ongoing harm of Israel's settler project, while offering only symbolic gestures to Palestinian refugees.

The advantages of confederation, Scheindlin argues, are its ability to balance open borders without compromising the national identities and national aspirations of both Israelis and Palestinians. Palestinians have sought self-determination since 1917, when the Balfour Declaration granted legitimacy to Zionist aspirations in Israel-Palestine, and in more recent years Palestinian leaders have articulated this desire in the form of an independent state.

Statehood has always promised to free Palestinians from Israel's oppressive rule in the occupied territories. What more, it offers a place in the state-centric international order, and provides access to unique legal and diplomatic tools. Particularly since the rise of the PLO, many Palestinians firmly believed that, if only we were granted the right to govern ourselves, the scars of forced exile, dispossession and the denial of our belonging to this land, precipitated [by the Nakba](#), just might heal.

What's missing from the confederation framework, however, is a genuine reckoning of the conditions that inhibit peace and justice between the river and the sea. Since its creation in 1948, Israel has established itself as a regional superpower. After more than 70 years of oppressive Israeli military rule over millions of Palestinians (inside its own borders until 1966 and in the West Bank and Gaza since 1967), it is both inaccurate and insufficient to describe the relationship between Israel and the Palestinians simply as a conflict to be resolved.

Perpetuating the language of "both sides would have to make concessions" implies equal responsibility for finding a solution. A more just strategy would be one that recognizes the stark asymmetry in power and exerts pressure on Israel to relinquish its claw of occupation.

More fundamentally, the confederation model does not address the exclusionary ideology and racist policies inherent in Zionism. According to the principles of the [Land for All initiative](#), one of the

prominent confederation movements, Palestinian citizens of Israel will be granted “national minority rights, civil equality and appropriate representation in government institutions, and a fair distribution of national resources.”

While on the surface, this sounds like the type of recognition that Palestinians — especially those inside Israel — have been working toward, it ignores the [Jewish national supremacy](#) espoused by Zionism, awarding privileges to Jews anywhere in the world, merely for being Jewish, over people who are of this land. The “demographic threat” that Zionism identifies in Palestinian existence and Arab influence remains unaddressed. In fact, by leaving it up to the respective Jewish and Palestinian states to “determine the nature of immigration into them,” this model can never achieve true civil equality.

The prospect of open borders — especially those that center on freedom of movement, as Scheindlin describes — is extremely tempting, particularly when contrasted against a reality of arbitrary checkpoints, separation walls, and [segregation](#). But the model shields Israel from legal accountability by normalizing Israel’s settlement project in the occupied West Bank and East Jerusalem. By allowing citizens of both countries to live anywhere across the land, specifically by allowing settlers to stay in place, a two-state confederation rewards Israel’s flagrant violations of international law and annexationist policies.

“The countries will determine an agreed number of citizens to live in their territory and receive permanent residency,” the Land for All initiative envisions. By doing so, however, it equates a settler community that has stolen Palestinian-owned lands with the native populations that were conquered and subjected to Zionist rule.

What’s more, the confederation model addresses the Palestinian right of return by limiting those refugees who are allowed to return to being citizens of a future Palestinian state. Compounded with its endorsement of settlements, by denying refugee, diaspora, and internally displaced Palestinians the right to return to their original homes, confederation emboldens Zionism’s exclusive claim to this land over the [Palestinians’ attachment to it](#).

Whatever political framework ends up rising from the ashes of the two-state model, it cannot be the same idea with a minor facelift. A just resolution must recognize the asymmetry of power and apply pressure on Israel and Israelis to relinquish their privileges and comply with international law. It is imperative that we shift from a peace-making system obsessed with resuming a distorted negotiation process, to a rights-based approach that aspires toward decolonization, and accepts that Zionism and full civic equality are irreconcilable.

Editor’s note: A previous version of this article stated that Palestinian refugees would only be allowed to resettle in a future Palestinian state. It was changed to say that they could only become citizens of a Palestinian state.

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