

## A Modest Proposal: Is It?

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In his recent book *What Is a Palestinian State Worth?* Sari Nusseibeh urges both Israeli Jews and Palestinian Arabs seriously to entertain the following proposal.<sup>1</sup> In the absence of a viable two-state solution (ranked as the best option), and given the improbability of a secular or binational one-state solution for the short and medium term, the two parties to this perennial conflict, with the blessing and endorsement of the international community, should agree to the following exchange or trade-off as an interim step or as a transitional stage of indeterminate duration: Israeli annexation of the Occupied Palestinian Territories (OPT) since 1967 and Israeli sovereignty over the whole area of “Historic Palestine” in exchange for equal civil, cultural, and human rights for the Palestinians, whether in the OPT or in the Palestinian diaspora (those refugees who wish to return to the homeland). According to this proposal, Israeli Jews would be the owners of the state while Palestinians (even as second- or third-class citizens by their consent) would continue “to feel they owned the *country*” (p. 144), or Israeli Jews (the sovereigns, the citizens) could run the country while the Palestinian Arabs at least could enjoy living in it, though as residents or subjects (p. 146). This proposal is ranked by Nusseibeh as the “second-best option.” The transitional stage is meant, according to Nusseibeh, significantly to reduce or mitigate the evils of occupation, on the one hand, and to avoid a descent into *apartheid*, on the other (the worst options, I assume). In this way, Israel would remain a Jewish state, while the Palestinians would enjoy all of the internationally sanctioned rights, except the political ones (foremost, of course, the right to national self-determination).

The above proposal is defended by Nusseibeh as follows. Against the background of an occupying power “impervious to any such solution [i.e., the one-state or the two-state solution], perhaps we need to think of proposals that may work as shock therapy to awaken Israelis to the inhumanity of continued occupation, or that may provide halfway measures to reduce, as much as possible, the occupation’s deleterious effects on our daily lives” (p. 11). In other words, Israeli Jews, and for that matter the concerned international community, are being challenged either seriously to embrace and implement the best option (two-state solution) or to support this proposal for a

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<sup>1</sup> Sari Nusseibeh, *What Is a Palestinian State Worth?* (Cambridge, MA: Harvard University Press, 2011). Page references are in parentheses in the text.

transitional stage, leading eventually to the one-state democratic solution (p. 13; see also p. 143). As for the benefits Palestinians can reap from adopting such a proposal, they can be summed up as follows: Palestinian refugees can return to their homeland and/or get compensated, Palestinians in the West Bank and Gaza would enjoy equal and full civil and human rights in their homeland, and Palestinians in Israel (as well as in Jordan and other countries) would feel more at ease with their citizenship identity. More or less, Palestinians in the West Bank and Gaza, and diaspora Palestinians who decide to exercise their right of return (labeled as a civil right), can enjoy living in conditions similar or comparable to those currently being enjoyed by the Palestinian residents of East Jerusalem. The benefits to Israeli Jews are more than obvious: maintaining Israel as a Jewish state, in addition to maintaining its rule over the whole area of Mandatory Palestine. According to this modest proposal (is it?), Israeli Jews are the owners of the state, and Palestinian Arabs and Israeli Jews share and enjoy the whole country.

For most of his adult life, Nusseibeh has argued and struggled for what he calls the “best option,” the two-state solution. The benefits and costs of such a solution are clear enough. Nusseibeh does not hide the fact that such a solution entails sacrifices by the Palestinians, mainly as far as the right of return is concerned. In this kind of solution the “good” of the collective, the Palestinian People, outweighs the “rights” of the individuals (mainly the right of return). And this is morally and politically justified, in his opinion. But having been a witness to the dwindling prospects of the best solution (p. 137), and given that the one-state solution “does not seem to be right around the next corner either” (p. 143) and we might “find ourselves facing the prospect of another forty years of in-between existence” (pp. 142-43), he justifies his proposal for the short and medium term. Hence also his responses to Uri Avneri (a staunch advocate of the best option) and Ilan Pappé (an equally staunch advocate of the one-state solution). (See Nusseibeh’s discussion in chapter 5.)

But there is more to *What Is a Palestinian State Worth?* than the eye descries. There is more to it, in other words, than identifying the different scenarios or options and assessing the prospects of the realization of each of them. This “more” will become clearer when we try to answer the following two interrelated questions: Who is Sari Nusseibeh? What does he *really* want, that is, what in fact is his preferred option? It is my strong impression that there are two voices, two persona, two impulses in the book. On the one hand, we have Nusseibeh, the nationalist and the national political leader and activist. On the other, we have Nusseibeh the liberal intellectual and thinker. The heart and mind of the former upholds the two-state solution, while the heart and mind of the latter upholds the one-state solution (unitary, federated, or binational). Nusseibeh, the national(ist) leader and activist, has for more than thirty years been one of the staunchest advocates of the two-state solution. His writings as well as his political initiatives—of which the well known Ayalon-Nusseibeh Initiative is the most recent—are the best evidence of that. And he is still a staunch supporter of the two-state solution, which he

regards as the best option. But he is well aware that the prospects for this solution are dwindling, mainly because of the facts on the ground created by successive Israeli governments. This twilight or demise of the two-state solution, added to his withdrawal from intense political activity or activism, reawakens in Nusseibeh the liberal thinker the latent impulse for the one-state solution from its decades-long slumber. On the other hand, though, he is well aware that the one-state solution is not right around the corner. His modest proposal for the transitional stage is, and should be viewed as, expressive of the special appeal of the one-state solution to his liberal mind. As we shall see in what follows, the special appeal of the one-state solution hovers over the Introduction and the different chapters of the book, over the hard questions the author is trying to tackle. What I wish to claim is this: Sari Nusseibeh is both a liberal and a nationalist, but he is much more liberal than nationalist. It is his commitment to liberal values that best accounts for his answers to the hard questions, posed as titles to the different chapters of the book. Of special relevance in this respect are his answers to the two title questions of chapters 3 and 4 (“What Are States For?” and “Can Values Bring Us Together?”). These answers set the stage, and provide the setting, for the “appearance” of the modest proposal in chapter 5.

In chapter 3, Nusseibeh reminds us that states are not ends in themselves. They exist *for* us as tools in our hands, the individual human beings who created them. If that is the case, then individual human beings have primacy over states (p. 84). But under certain circumstances, in some contexts, “the state is so glorified, viewed as so much grander than individuals, that it is no longer conceived as a structure whose purpose is to serve those individuals. Quite the contrary, the relation becomes reversed” (p. 84). The state becomes the subject, instead of being a mere object. In extreme cases, the state becomes some sort of a “leviathan,” a “meta-biological” entity or being, which “overshadows” or even “smothers” the real human beings who created it. Instead of being a servant, the state becomes a relentlessly commanding master. Historically, this is the case of the Stalinist or the fascist state. According to Nusseibeh, these meta-biological entities or beings can also take the form of ideologies, belief structures, religions, tribes, nations, and political movements and parties (p. 98). Whatever form they take, they dominate the real individual human beings who created them in the first place. In the case of identity, one layer, one property, might get blown out of all proportion, and gets transformed into an entity or being which in turn controls the lives of flesh-and-blood individuals. Nusseibeh alerts us to the far-reaching negative consequences when these “grand players” dominate the political stage. In the Palestinian context, these meta-biological entities can take the form of Fatah, Hamas, Islam, a Palestinian state, Palestinian or Arab nationalism, refugee, etc., while in the Israeli context, they take the form of a Jewish state, Zionism, settlers, Hasidic Jew, the Land of Israel, ideological political movements, etc. In the Lebanese context, they mainly take the form of ethnically based political movements or parties. In all of these cases and others, Nusseibeh warns, individual human beings get controlled, dominated,

defined, smothered, transformed into objects and tools, devoid of any moral responsibility for the acts they perform in the name of these meta-biological entities or under their spell or command.

But the author of *What Is A Palestinian State Worth?* doesn't just explain and warn. He also instructs and tries hard to show the way out of this spell and the grip of meta-biological entities that are destined to clash. And the way out, like the search for peace, requires "retrieving" the individual human being, the human face, and putting him at the very center, as a human subject, as a political actor, and as a moral agent. In Nusseibeh's words:

If we take the individual rather than the state or some other meta-biological being as our starting point, and if we peel off enough of the layers we have inherited or constructed over our inner identities, we will indeed find that we share, impelled by our common sentiment for compassion, the will to do what we believe is right. Cumulatively, over time, those things which each of us considers "the right thing to do" converge as common values, coming to command universal consensus and to be considered almost self-evident moral truths. (pp. 119-20)

The above passage raises a host of difficult questions about identity, politics, and morality. To the first question of whether it is possible for individuals to "peel off" layers of their identity, his answer is a clear "yes." Like Amin Maalouf, a French writer of Lebanese descent, Nusseibeh believes that it is a matter of choice, that "the humane spirit within individuals can always control the surrounding layers of identity" (pp. 93-94; footnote omitted).<sup>2</sup> But there is no argument to show how it is possible to shed layers of identity, which layers are easier to shed than others, and what are the costs to the individual of shedding which layers to the extent that doing so is possible. It is unfortunate that Nusseibeh does not more seriously take into account the communitarian critique of liberalism.

To the second question of whether there are universal moral principles from which we can derive shared core moral values, his answer is, again, a clear "yes." These moral principles, and the shared core values derived from them, are neither God-given nor exist in a Platonic "supra-human order" nor are expressions of the "might is right" dictum. Rather, they are "expressions of the compassionate rather than the hegemonic sense of human nature" (p. 117). In other words, since human values are "rooted in the compassionate impulse" (p. 118), they are independent of context, and, hence, are universally shared. But it is doubtful whether the compassionate impulse or sense, or the sense of benevolent sympathy for that matter, can justify the derivation of the two ultimate principles Nusseibeh has in mind. We should not forget that utilitarianism is justified, partly at least, by appeal to this sense

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<sup>2</sup> Amin Maalouf, *In the Name of Identity: Violence and the Need to Belong*, trans. Barbara Bray (New York: Penguin, 2000).

of sympathy which transports us from psychological egoism to embracing the principle of utility as the universal and ultimate moral principle. To say the least, Nusseibeh's account about the universality of moral values is controversial, if not problematic.

To the third question regarding the identification of the ultimate moral principles that guide and justify core moral values, specific moral rules, and particular actions, Nusseibeh's answer is: lexically ordered equality and (positive and negative) freedom (p. 121). He arrives at this by a thought-experiment, reminiscent of John Rawls's deliberating parties behind a "veil of ignorance" in an "original position."<sup>3</sup> But Nusseibeh does not explain why mankind, in his case, would opt or vote for these two principles (equality in the first round of voting, freedom in the second one). We have the conviction, but not the argument. To say the least, Nusseibeh's constructivist account for the derivation or justification of the ultimate moral principle is neither fully developed nor sufficiently or convincingly argued for.

But perhaps we need to remember that *What Is a Palestinian State Worth?* is not a philosophical treatise, nor is it a book about ethical or moral theories and their justification. It is a book about the Palestine-Israel conflict, its history, intractability, the harsh reality of occupation, the dispersion and discrimination Palestinians have had to endure, and the possible ways out of this almost century-old conflict. Nusseibeh's reflections on identity, universally shared core moral values, and whether individual human beings have intrinsic or extrinsic value, are all intended to prepare the reader, and to pave the way, for the political proposal referred to above. Nusseibeh has a set of settled convictions and core universal values that he holds and defends. He also believes that the adoption of such convictions and values is more likely to lead Palestinians and Israeli Jews out of the wilderness, and out of the dreariness of the conflict. It is high time to sum up these convictions and values, to show what the author is really committed to, and whether they can be of real help in the search for genuine peace.

Nusseibeh is a liberal democrat who is also committed to the following propositions:

- Since human life has intrinsic value, the taking of human life for political or ideological causes should be rejected. In the context of the Palestine-Israel conflict, "respect for and the preservation of human life, rather than violation of life in the name of any cause, should be what guides both Israelis and Palestinians in their pursuit of a just peace" (p. 60).
- States are tools, mere means, and therefore should not be treated or regarded as ends-in-themselves. The same applies to political institutions, movements, and parties.

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<sup>3</sup> John Rawls, *A Theory of Justice*, rev. ed. (Cambridge, MA: Harvard University Press, 1999), pp. 102-68.

- Individual human beings can, have the choice to, and should peel off those layers of their identity that transform them from being masters of their destiny and autonomous responsible moral agents, into tools in the service of states, ethnic groups, ideologies, and ideological movements and causes.
- Human beings, regardless of context, share core universal values. These core moral values, rooted in the compassionate impulse, derive from two fundamental or ultimate moral principles. These universally applicable moral principles are equality and freedom (*freedom from* as well as *freedom to*). These two moral principles are lexically ordered, that is to say, equality takes priority over freedom (positive and/or negative).

In the light of these convictions and commitments, one can fully appreciate Nusseibeh's concluding sentence to chapter 4: "If we wish to achieve peace and stability without oppression, it is vital that we focus on the human face—both our own and those of the 'others'—and on the values shared by all" (p. 123). Otherwise, we—Israelis and Palestinians—will remain "operatives of some larger entity, cogs in some meta-biological machine" (p. 123). In addition, these commitments should guide the search for peace, and characterize the desirable solution—whether it is the one-state solution (*à la* Ilan Pappé) or the two-state solution (*à la* Uri Avneri) is not the essential issue. Since successive Israeli governments have been undermining the two-state solution, and since the one-state solution is not right around the corner, what remains is the modest proposal for the transition period or stage. But if the transition period or stage is to be guided by the above commitments, it can lead ultimately only to one destination: the one-state solution. Seen in this light, Nusseibeh's proposal for the transitional period is far from being modest. This transitional period or stage can function as a "purgatory," a catharsis, and eventually both Israeli Jews and Palestinians will (should) be able to focus on the "human face" and on the universal core values they share. They will (should) both become free, able to free themselves, from the spell and the grip of meta-biological entities. The big question, of course, is whether both Israeli Jews and Palestinians can (be empowered to) rise up to this big and worthy challenge.

In closing, all that Nusseibeh wants is to be free and equal in his own country, as a human being, as a citizen, and as a Palestinian. He grants that all Palestinians (including the refugees) and all Israeli Jews are entitled to that. Whether this can be realized in one state, or two separate states, or no state, is not the main issue. Anyway, states are tools, mere means, and should not be regarded as ends-in-themselves, as having intrinsic value. As a liberal democrat, animated by the compassionate impulse, and by the universal core moral values it justifies, Nusseibeh (like Gandhi) wants ethics to guide and inform politics and to determine the course of political events. To skeptics,

who argue that his account is too idealistic, and that the course of history is determined more by egoism and the will to power, he responds that *faith* can “move the mountains.”<sup>4</sup> Faith (secular faith, in this case) and its associates—vision and will—are his answer to the critics and skeptics, the fearful and the lethargic, who are unwilling and ill-equipped to take on the risk of peace. The following quotation says it all: “[T]he leaders need to have a vision, to have faith in that vision, and to be able to rally the people to share that faith. . . . whatever form it [peace] takes, it has to be a moral political order, and its foundation must be the two elements of freedom and equality” (p. 193). But as to the big question of what to do in the absence of such prophet-like leaders, Nusseibeh regrettably has no answer. Is it possible that a transitional period of the sort Nusseibeh proposes, guided by a Palestinian Gandhi-like approach, aiming to win the other side rather than to win over the other side (p. 202), will ultimately lead to the truly “promised land” of peace and reconciliation? I suspect this is what he has in mind.

In the end, one can challenge Nusseibeh’s account of human nature and human motivation, his constructivism in ethics, his political morality, his view of reason as merely instrumental, his over-emphasis on faith in determining the course of political events, as well as his under-estimation of what is valuable in nationalism and nation-states. But one cannot resist the appeal of his commitment to liberalism, non-violence, and the universally shared core values that ought to be at the foundation of peace between Palestinians and Israeli Jews. Among other things, it is the power of these commitments, coupled with faith in the ability of humans to overcome even themselves, that makes *What Is a Palestinian State Worth?* a source of inspiration for the seekers of peace in Israel-Palestine and beyond.

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<sup>4</sup> Matt., 17:19-21.

