

United States of Israel and Palestine: Conditions for International Recognition of a Federal State – The Case of Israeli-Palestinian Conflict

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1. History of War and Peace

The January 20, 1942 Wannsee Nazi Conference accepted with acclamation the *Final solution to the Jewish Question*, resulting in the Holocaust during which six million of Jews were murdered by the German National Socialist regime. Just before the Wannsee Conference Foreign Affairs published an article by the Zionist leader Chaim Weizmann calling for the establishment of a Jewish state in Palestine. And only one year and a half after the genocidal Holocaust, Jews were offered their safe heaven in former British Palestine. In November 1947, the UN General Assembly recommended the »partition of Palestine, this time in a division that would give each side broadly equitable areas of land, with the Old City of Jerusalem under international control« (Tom Segev, *Israel's Forever War*, Foreign Affairs, May/June 2024). Minority of the UN Committee members (at that time including Yugoslavia and Arab states) proposed *Palestine as a united federal state* with Jerusalem as its capital, a three member state federation.

In May 1948 Israel's independence was declared. Immediately thereafter the newly founded state was attacked by its Arab neighboring countries. Israel survived in the existential *War for Independence*, which resulted in the *Nakba* (catastrophy) for the Arabs. In May 1967 Egypt again openly threatened to annihilate Israel. The ensuing *Six-Day War*

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ended in victory for the *Israel Defence Forces* (IDF). The *Yom Kippur War* started in October 1973. Initiated by Egypt and Syria the war lasted three weeks and left Israel undefeated. To Israelis, October 7, 2023, is the worst day in their country's 75-year history. They were attacked by a terrorist organization across their Gaza border. Tom Segev concludes in his analysis of Israel's Forever War (*idem*) that primary reason the conflict endures is »commitment of both peoples to undivided land« and by »existential conflicts shaped around competing visions of nationhood«. Thus – *one state solution* for each national cause.

After the end of World War II, when the *Palestinian question* became by the end of the British Mandate in Palestine a pressing issue in the international community, particularly within the United Nations, the idea of establishing *two states in Palestine* began to take shape—enshrined in *UN General Assembly Resolution 181 (III)*. This pragmatic and, to some extent, peacefully achievable concept has endured for eight decades, surviving multiple wars, and remains relevant till today as a feasible and peaceful solution.

In the years following the Yom Kippur in 1973, the Middle East was burdened by the civil war in Lebanon, which nearly destroyed this once organized and prosperous country, the eight-year war between Iraq and Iran, the first and second Gulf wars, the civil war in Iraq, the so-called Arab Spring, the war in Syria, and the emergence and crimes of ISIS. All of this pushed the Palestinian issue aside, and the so-called *Oslo process* stalled, as searched for a peaceful solution to the Palestinian conflict with two states in Palestine, which had been the UN's proposal in 1947. However, despite the two *intifadas* in the West Bank and Gaza, despite *Hamas taking control of Gaza*, which sooner or later rejected the existence of Israel, despite the continued establishment of *Jewish settlements in the West Bank* (defying the Advisory Opinion of the *International Court of Justice*), a minimum of peaceful

coexistence between Arab Palestinians and Jews in Palestine, including in Israel, was slowly and gradually emerging. There were efforts for normal relations between Israel and several Arab states, including Saudi Arabia.

In the years following both Gulf Wars in 1991 and in 2003, the balance of power in the Middle East changed significantly. The weakening of Egypt and its role in addressing the Palestinian issue was parallel with the diminished role of Iraq and Syria, entangled in a civil war. At the same time, Iran entered the scene with the clear ambition of playing a dominant role in this part of the Islamic world. Iran and the Russian Federation benefited from destabilization of this region, which lies on Europe's doorstep. Through their proxies, such as Hamas, Hezbollah, Islamic Jihad, the Houthis in Yemen, pro-Iranian factions, and armed groups in Syria and Iraq, Iran has long supported destabilization, and it is also behind the Hamas attack on Israel. It was clear in advance that Israel would respond with force.

Questions of *land for peace* were at the heart of the 1993 Oslo process and remained unresolved given the two existential visions - of a *Greater Israel* and of an *Arab Palestine from the river to the sea*—in other words, a single state in Palestine. Such visions are unattainable without a major war in the Middle East, likely with broader regional implications. The Israelis will defend their state, which they obtained, fought for, and secured just over a year after the Holocaust—at all costs, even with nuclear weapons, which they possess. Meanwhile, for Arabs in Gaza, the West Bank, and for the vast Arab world, a Jewish state encompassing all of Palestine is unacceptable.

Following the ongoing war between Israel and Hamas, as well as Hezbollah, and the geopolitical shifts in the Middle East, the question of how to resolve the Palestinian issue through peaceful means has once again come to the forefront. Over the past decades, the idea of independent,

though collaborating states has become increasingly acceptable not only among several Arab states but also more broadly within the international community, and even by the *Palestine Liberation Organization* (PLO). In addition to the suffering and destruction they have caused, the *Israeli-Palestinian wars* have also severely eroded mutual *trust*. A major contributing factor remains the long-term direction of the Palestinian leadership toward *b*.

2. One State, two States, Confederation

As early as in May 2015 edition of New York Times, *Yossi Beilin*, former Israeli justice minister and professor of political science at the University of Tel Aviv, called for the establishment of a joint *Israeli-Palestinian confederation*, without any artificial partition. Israel and Palestine would be two independent states as part of this confederation, each with its own parliament and government, but will also have joint institutions that will deal with common issues such as water, infrastructure, environment, government and emergency services. Such plan for an Israeli-Palestinian confederation was also headed to the UN and USA.

The proposal builds on the 1993 Oslo Accords and the 2003 Geneva Initiative. Entitled the Holy Land Confederation, it is not a substitute to the two-state solution but rather a way to facilitate it. Rather than aiming for hermetic separation between two independent states, Israel and Palestine, the proposal envisages a confederative framework of cooperation and cohabitation including joint authorities and a range of joint mechanisms. Under the proposal, the parties would begin negotiating for one year, both hammering out the parameters of a sovereign Palestinian state and determining the structure of a cooperative, European-style confederation that would be formed between the two independent states of Israel and Palestine. The proposal allows for greater cooperation between the two states, facili-

tates movement between them, and makes Jerusalem - the capital of both states - a partially open city. It also foresees allowing Jewish settlers living in the West Bank to choose between relocating or becoming permanent residents of the State of Palestine. An equal number of Palestinian citizens would then be allowed to reside inside Israel as permanent residents.

Omar M. Dajani and *Limor Yehuda* recently (*A Two-State Solution That Can Work*, Foreign Affairs, September 2024) joined *Yossi Beilin's* and *Hiba Hussein's* confederal idea, arguing that »if neither the familiar two-state solution nor one-state solution will work...there is an alternative: an Israeli-Palestinian confederation«.

United Nations Secretary-General Antonio Guterres began his *Message* for the launch of the *Berlin Initiative of the Institute for Cultural Diplomacy (For a Diplomatic Solution for the Israeli-Palestinian Conflict*, Potsdam, March 4-6th, 2025) with the list of a number of *necessary steps*:

- an immediate cease-fire to hold and be implemented in full,
- all Hamas-held hostages to be released immediately and unconditionally,
- humanitarian aid to the Gaza population to be maintained, funded, and protected,
- and an end to the conflicts and suffering on the West Bank.

Secretary-General suggested some other *conditions for a diplomatic solution* such as:

- Gaza and the West Bank, including East Jerusalem unified under a Palestinian authority,
 - such authority to be accepted and supported by the Palestinian people,
 - an end of Israeli occupation,
 - and an end of Jewish settlement expansion, including threats of annexation,
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- thus ending the terrible war since the horrific terror attacks by Hamas in October 2023,
- a clear political framework for Gaza recovery and reconstruction,
- a future where Israel and Palestine live in peace and security, in line with international law,
- thus ensuring security for Israel and self-determination for the Palestinian people.

Having said that, Guterres' message was followed by the requirement of a political framework of a two-state solution. The Berlin Initiative also rests upon the diplomatic solution for the Israeli – Palestinian conflict. However, it is difficult to see a clear causal connection between the fulfilment of the above-stated necessary steps on the one side, and the *non-sequitur* of the follow-up political and diplomatic solution of the two-state solution on the other. Other options may also appear consistent with principles justifying specific *problem-solving measures* related to issues such as cease fire, release of hostages, humanitarian aid, legitimate authorities in Gaza and on West Bank, Israeli occupation, Jewish settlements, Hamas' terror, Gaza reconstruction and status of Jerusalem.

A number of political and diplomatic solutions for the roots of Israeli-Palestinian conflict were and still are debated. The ever-present idea of one state encompassing the territory of Palestine, in fact the land between the Jordan River and the Mediterranean Sea, considered the *Holy Land* for both the Arabs and the Jews, is at the roots of the historic conflict. *The UN Special Committee on Palestine* – UNSCOP was in 1947 unable to draw a common proposal for the future of Palestine. Majority of Committee member states stood for the division of Palestine into two independent states with Jerusalem under international protection. *Minority of committee members* (at that time including Yugoslavia and Arab states) proposed *Palestine as a united federal state with Jerusalem as its capital*, thus a three member units federation. To

overcome the origins of the controversy and the two political and diplomatic options, the UN Resolution of 1947 envisioned two separate sovereign states. From there, the idea of two independent states evolved toward the 2015 proposal of the two-States collaborative Confederation, which was made public, but never till present agreed upon by various actors of the enduring conflict.

3. United States of Israel and Palestine (USIP)

The 2025 idea of a Federation, presented in the keynote speech at the Potsdam 2025 Berlin Initiative (and in written draft form) by the present author, was left without explicit reference to the 1947 UN minority proposal. Here the circle of solutions from 1947 till 2025 obviously closes: an *exclusive one-state solution* remains through time the orthodox and militant idea on both sides. The *UN accepted solution of two independent states* (1947-) evolved towards the *two-states Confederation* (2015-), while the former in 2025 progressed to the *five-member states Federation of the United States of Israel and Palestine*.

Between the 1947 minority UN proposed two states Federation – the Jewish and the Arab, with Jerusalem as its capital city, and the 2025 proposed five-member states Federation of Israel and Paletine (USIP) stand the *75+ years of turbulent history* of war and peace, occupation and re-settlement between Jews and Arabs in the Near East. Territorial, administrative and settlement conditions in the Holy Land regions changed in population size and in territorial division. Political, diplomatic and academic solutions, debated and published, try to follow facts on the ground.

The 2025 proposed USIP-Federation concurs with the Beilin, Hussein, Dajani and Yehuda's already (see *infra*) presented arguments for the vision of a two-States Confederation:

Erecting a physical *state border* dividing East Jerusalem from the rest of the historic city as implied by the two-States solution seems dysfunctional in terms of common history, culture and religious identities.

- The *right to a nation's self-determination* in some cases convincingly leads to an oppressed nation's state building. In case of dispersed ethnic populations of Palestinians and Jews across all the land between Jordan and the Mediterranean Sea, territory of an ethnic homeland fitting homogeneous ethnic communities of the two-States, remains ill defined. In such case self-determination is left without its territorial framework over which a single legitimate authority exerts its powers. Thus, a two-State solution implies »thorny questions arising from incongruence between citizenship, nationhood, and statehood as well between demography, nationality, and Sovereignty«. Such questions enjoy different treatment in a (con)federal statehood where identities co-exist in an inclusive institutional environment.

- A two-state solution rests upon the paradigm of *separation*, thus making integration of Jewish settlement blocks' in West Bank difficult and their annexation or evacuation close to impossible. Settler population in the West Bank and East Jerusalem exceeds 700.000.

- A two-States solution offers a limited institutional framework for inter-dependencies of ethnic communities scattered across the small territory from Jordan to the Sea, divided between two state structures in spheres such as social welfare, education, taxation, security measures, agriculture, banking, development planning, tourism, infrastructure, civil aviation, public health and transportation. The (con)federal structure of a number of member states will be closer to *dispersed ethnic sub-communities*, allowing for multiplicity of defended communities, having in mind the Chicago sociology research on such communities in the city of Chicago, New York and elsewhere.

- The idea of *separation* is denied and belied even by security concerns due to inter-ethnic tensions: »Inside Israel, where Jews live alongside some two million Palestinian citizens of Israel, inter-ethnic violence has been rare«.

Advocates of the confederal solution themselves admit that a *confederation comes close to a federation*. Therefore, the very same reasons also justify a federal nation-building option. Adding that federal arrangement further allows for flexibility in terms of number of state parties and thus plurality of constitutional power and service structures. Of the competing visions entertained by academics, politicians and popular leaders – one national state, two independent states, two confederal states – the *inclusive and flexible solution of one federal state*, surpassing the exclusive two ethnic communities composition of the 1947 envisioned federation, appears a better solution for the present day facts and controversies. A federated state, structured along various territorial and ethnic terms, seems least threatening to major identities and most viable in terms of variety of conflict resolution options. We may, to begin with, think of *five member-states federation – United States of Israel and Palestine (USIP) composed of the five federal states of Palestine (the West Bank), East Jerusalem, Israel, Jerusalem, and Gaza*.

In each of the five may co-exist a number of ethnic and local sub-communities, organised informally or legally. *Federal authorities* – police, judiciary, government administration, foreign affairs and the Army – may exert their constitutional powers in a restricted way, leaving as much and as close to local institutions, agencies and private providers. Each member state would enjoy autonomy in relation to other member states and the Federation. Federative constitution for USIP would be best advised to follow the pattern of the division of powers among the European Union and its member states, where *categories of exclusive and shared competencies* are

carefully enacted (see the consolidated versions of the *Treaty on European Union* and the *Treaty on the Functioning of the European Union*). Member States' constitutions shall thereafter consistently enumerate and regulate their sovereign powers.

The key factor for survival of the Federation should be considered *constitutional democracy*, with widely accepted fundamental principles and provisions on the rule of law and basic human rights and freedoms. Such rights and freedoms should also be designed to protect ethnic minorities and majorities against discrimination due to majority rules on the federal, state and local levels. The USIP constitution could avoid the European' deficiency due to the absence of a monocratic supreme office entitled to govern and represent the Federation as an independent and sovereign State. USIP should, on the contrary, enter the international order, to begin with, with the capacity of a visible and effective actor. Here a directly elected *President and Vice-President* with executive powers could be a major integrating force of the otherwise complicated network of domestic authorities. It seems obvious that an elected President from one of the constituent ethnic communities (i.e, the Jewish and the Arab) would have to be joined by the Vice-President from the other ethnic community. Or, why not consider the tradition of *two Consuls*, the highest elected public officials of the *Roman Republic during c. 509 BC to 27 BC*: Each year, the *Centuriate Assembly of Rome* elected two consuls to serve jointly for a one-year term, thus creating a check on the power of any one individual; the consuls alternated in leading the two-man office, while each one could veto the actions of the other consul.

The *term of the Federation* may be left open for semantic debate. In any way the initial wording of »United States of...« seems better fit than the »Federation of...«, given that the first one clearly identifies the *state quality of federal units* and

their *unity as a federal state*, while the latin origins of *federation* leave the manner of integration somewhat obscure. Another semantic and symbolic issue presents the very *name of the federated state*: United States of...Holy Land, Israel, Palestine, Zion, or: Israel and Palestine. *The Holy Land* seems to correspond best to the land between the eastern bank of the River Jordan and the Mediterranean Sea, and bears religious significance for Jews, Christians, Muslims and Baha'is as *holy*. Thus it covers historic and present day regions of Israel and Palestine. On the other hand, the profound religious meaning of the word *holy* appears ill-suited for the constitutional requirements of the *secular state*, where state and church remain autonomous as the most encompassing and consensual remains the longer title of the *United States of Israel and Palestine*.

After conditions are met such as required by UN Secretary-General, the best kind of diplomatic solution seems further development along the confederal line already set by Beilin et al. in the form of a multi-member Israeli-Palestinian federated state: *United States of Israel and Palestine composed of Gaza, Israel, West Bank, East Jerusalem and Jerusalem as member states* of Federation. In sum, the solution of a Federation allows for a number of advantages:

Consideration of the *diversity of self-determination* situations for ethnic and national communities living on the territories between the River Jordan and the Mediterranean Sea.

- Allowing for broad *rights of self-government* for such communities, apart and except for the sovereign nation's authority with firm international borders.

- *Dual citizenship* status for residents of the Federation – uniform passport rights for international travel for all citizens of the Federation, and parallel citizenship of a member state. Both citizenship rights allowing for voting and political participatory rights in view of the respective government institutions – on the federal and on the member state level.

- *Free movement* across member states' borders within the Federation, and borders are open only to passport and visa carrying non-citizens of the Federation.
- A Federal Constitution supplemented by the autonomy of constitution-making and enactment for the federal member states.
- Supremacy of Federal constitutional rights for freedom of employment, common and competitive federal market, free movement of capital and services across states' borders.
- Federal and international judicial protection of human rights and fundamental freedoms.
- Electoral rights as part of the constitution-making, preferably the combined voting system, drawing on principles of majoritarian and proportional representation electoral systems.
- International – UN, EU, USA, and Arab supervision of collective institutional rights of Jewish and Arab communities in view of Federal and State constitutions of the United States of Israel and Palestine.

4. Conflict Resolution

4.1. Building of a federal State of Palestine in the West bank

Here, a particular problem for self-determination in the region are the Jewish settlements in the West Bank. It is hard to imagine Israel abandoning them. It is also unlikely that Jewish settlements would remain intact within Arab Palestine, especially after the tragedy in Gaza. Anyway, the settler population in the West Bank and East Jerusalem exceeds 700.000 (*Omer M. Dajani and Limor Yehuda, ibid.*), while five million Palestinians are carrying Palestinian Authority's (PA) identity cards and passports (cf., *Raja Khalidi, The Case for Palestine*, Foreign Affairs, 19 March 2024). Such are the numbers for the popular vote in the West Bank and East Je-

rusalem constituency in case of the self-determination process leading to the State of Palestine without Gaza as the candidate for a member state of the Israeli–Palestinian Federative state. *Gaza must be set aside* and left out due to its present unpredictable status, uncertain reconstruction and population allocation, its territorial distinct position, and the recent insurmountable *political and security controversies* between the Palestine Liberation Organisation (PLO) and the Palestinian Authority (PA) in the West Bank, and those of Hamas in Gaza. Here it must be noted that PLO declared the state of Palestine as its goal in 1988 (see *Declaration of Independence, 1998*) and secured its UN membership as an observer in 2012 (see *Raja Khalidi, ibid.*), while Hamas' resort to terror led to an on-going war with IDF.

4.2. Humanitarian aid, reconstruction and administration of Gaza

The next priority is humanitarian aid to Gaza. The next step must be the reconstruction of the destroyed Gaza, with broad international cooperation, possibly through a donor conference, especially with the fraternal assistance of wealthy Arab states. Here, international observers and analysts are only able to debate informed guesses about contesting international deals - the Saudi deal, the Trump reviera deal, the Egyptian deal, the Arab states deal, and the like.

In this context, agreement on temporary administration in Gaza is also needed, until a sovereign authority is established in the region, which would be the candidate for a distinct member state of the USIP federation. This could be an autonomous administration, similar to that in the West Bank. Perhaps an *Islamic administration* from Egypt, Jordan, or Saudi Arabia; or maybe a temporary joint Arab-Israeli administration. The path to an agreement on the temporary administration of Gaza will likely involve a broader international participation, perhaps through a special international

conference. The circle of participating countries in the conference or negotiations should include the neighbouring states of Palestine and Israel, the permanent members of the UN Security Council, and possibly other states or international organizations, such as the Arab League and the EU. Representatives of the reconstructed Gaza future population – Arabs and possibly other ethnic groups will sooner or later represent the constituency for the respective right to self-determination of Gaza as a federal member state of encompassing United States of Israel and Palestine (USIP).

4.3. Borders between Arabs and Jews in Palestine

One of the important questions will be the future borders between member states of the Federation, and the outer borders of the Federation itself. Borders, as defined by UN General Assembly Resolution 181 III from 1947, are rarely mentioned today. Typically, the *1967 borders*, prior to the so-called Seven-Day War in which the Arab states suffered a complete defeat, are referred to as the starting point for delimiting the boundaries between Israel and Arab Palestine. The 1967 borders will only serve as a starting point for negotiations, and consideration will also be given to what occurred both then and thereafter. In 1967, Israel occupied the Sinai, the West Bank, Gaza, part of the Golan Heights, and part of southern Lebanon. It exercised its power as an *occupying force* over these territories, with the rights and duties of an occupying force as precisely defined by international law governing the status of military occupation. It is already clear that the pre-1967 borders will, under no circumstances, be acceptable to Israel, mainly for security reasons. However, a peaceful solution will not be complex only for the Palestinians; Israel will also have to agree to compromises regarding borders that will, in any case, allow for the relatively normal functioning and survival of the member state of Arab Palestine. Without delving into conspiracy theories, it must

be acknowledged that there are valid concerns arguing that the Hamas attack was not senseless but rather aimed at preventing any possibility of peaceful coexistence in Palestine for a long time. It was already clear in advance that Israel would respond to such a brutal terrorist attack with force, as indeed happened. In any case, the path to normal coexistence between member states of Palestine, Israel, Gaza, East Jerusalem and Jerusalem will require compromises on the borders between them, a series of additional arrangements regarding transportation, water supply, corridors, and perhaps also on the special status of Israeli settlements in the West Bank.

4.4. The status of Jerusalem

The *status of Jerusalem* is among the issues for which a compromise solution is a *conditio sine qua non* for peace in Palestine. Jerusalem is the religious center of the three great monotheistic religions of the modern world: Christianity, Islam, and Judaism, with all their internal divisions and orientations (Catholics, Protestants, Orthodox, Copts, Shia, Sunni, etc.). According to the logic of power and victorious arms, Jerusalem is today the capital of the state of Israel. It is not difficult to imagine this historically unique city being the capital of the United States of Israel and Palestine.

The city could be divided, within an independent and sovereign federal state into two urban parts, each with the status of a member state of the federation. The Federal Republic of Germany similarly consists of 16 member states, two of which are city-states (Berlin and Hamburg). Thus, *East Jerusalem* might serve as the capital for the West Bank Palestinian member state, while the rest of the city could belong to the Israeli member state, serving as its capital. The *Old city*, the 0.9 square-kilometre walled area in East Jerusalem, could, due to its historical and religious significance and uniqueness, become a separate non-member-state territory,

as part, but not a member of the Federation, with specific constitutional status. Such a status should enjoy the protection of the international community, the latter to be represented by its Christian, Muslim and Jewish supervisors. It should also serve as capital of the federated United States of Israel and Palestine.

4.5. Palestinian refugees

The former Biblical Palestine, the homeland of the Jews two thousand years ago, and later after the 7th century the homeland of Palestinian Arabs, has faced, after the *Nakba* - the lost wars of the Arabs - the tragic issue of *Palestinian refugees*. Still, particularly in southern Lebanon and other Near East countries, tens of thousands of Palestinians live as refugees, displaced from their homes by force or fear. The issue of their property and the loss of their homeland remains unresolved. It is unclear how to guarantee them the possibility of returning either to their ancestral homes or, at the very least, compensating them for lost property, if not for their suffering. Gaza itself is a tragic, though not the only, example that confirms that war does not resolve but instead creates refugees. Palestinians who still live as refugees in refugee camps and settlements should be offered a chance to integrate into the environments where they have lived as refugees for decades, or perhaps into new environments, with substantial international assistance.

4.6. The rights of Gaza Palestinians to remain and to depart

After the bold statements by the President of the United States regarding the future of suffering Gaza and its inhabitants, the refugee issue has also come to the forefront in the search for compromises that should enable peace in Gaza and, consequently, in the Middle East. If it comes to the point where the people of Gaza, individuals or groups, want to seek

their future elsewhere after all their suffering and hardship, then it would be worth supporting such options. There are other voices, stating in the name of human rights, that the suffering, abandoned, and abused Palestinians must *remain in Gaza*. However, if they have the opportunity to leave for a better and safer world, they have the right to do so - if this is their free will. *Forced relocation*, especially if discriminatory, is within the realm of a crime under international law, while the *right to relocate* to another country, especially if it accepts them, is within the scope of internationally protected human rights. One may only speculate as to the new population composition of the reconstructed Gaza after the present war will be over, after its follow-up demilitarisation, and after the withdrawal of Israeli occupation forces. In this context, one can hope that efforts to rebuild Gaza both materially and spiritually would help the returning refugees and the staying Palestinian and Israeli ethnic communities to grow into a free society of the United States of Israel and Palestine. Thereafter, self-determination for Gaza's constitutional democracy within the United States of Israel and Palestine may take off.

5. Self-Determination for a Federation

Jews have three good reasons for the legitimacy of their *recent arrival* in Palestine: It is their Biblical homeland during the first millennium and before the Arab influx during the second millennium. It is their safe haven, provided in 1947 by the UN as expected and necessary after the Holocaust. And it is the region of their slow and steady influx to the Zion homeland over a hundred years from other world regions. All of this in itself does not justify the expulsion of indigenous Palestinians from the same land. However, it may happen in a legally justified way and as their human right, in case of their voluntary decision to emigrate somewhere else where they would be offered another and more decent home than in the present day Gaza.

5.1. Forget the terror

The murders of Israeli civilians, including athletes, the hijacking and downing of civilian aircrafts, the planting of explosive devices, attacks on civilians during the First and Second Intifadas, indiscriminate rocket fire from Gaza and southern Lebanon into Israel, and other *acts of terrorism* have done little to advance the cause of a Palestinian Arab state or to foster trust between the people who are ultimately expected to live peacefully in Palestine and in Israel. Similarly, *Israeli actions in violation of international law*—particularly in the occupied West Bank, Gaza, and the Golan Heights—along with breaches of international humanitarian and wartime law, have also undermined prospects for peace. Of particular concern is the construction of Jewish settlements, which continues in explicit defiance of the ruling of the *International Court of Justice in The Hague*.

Precondition for survival of constitutional democracy in the envisioned United States of Israel and Palestine is *absence of terror*. On this point *Benjamin Netanyahu's* identification of *terrorism as a form of totalitarianism* is of reference: »The more far removed the target of the attack from any connection to the grievance enunciated by the terrorists, the greater the terror ... Yet for terrorism to have any impact, it is precisely the lack of connection, the lack of any possible involvement or ‚complicity‘ of the chosen victims in the cause the terrorists seek to attack, that produces the desired fear. For terrorism's underlying message is that every member of society is ‚guilty‘, that anyone can be a victim, and that therefore no one is safe... In fact, the methods reveal the totalitarian strain that runs through all terrorist groups... Far from being fighters for freedom, terrorists are the fore-runners of tyranny. Terrorists use the techniques of violent coercion in order to achieve a regime of violent coercion.« (*Fighting Terrorism: How Democracies Can Defeat Domestic and International Terrorism*. Farrar, Straus and Giroux.1995,

p.33; underlined by the present author.) There are critical voices blaming Prime Minister Netanyahu for stalling peace agreements. However, Netanyahu is leader of a coalition whose members are orthodox parties. Given the 3.25% of the entrance rule of the Israeli electoral law, a minority party is empowered to withdraw from the ruling coalition and create the situation of government change. It may not be Netanyahu, but electoral law, contributing to stalling peace negotiations.

5.2. Erosion and encouragement of trust

A step away from the minimum trust required for the gradual realization of the *diplomatic solution* in Palestine was dealt by Hamas' attack on Israel, on Jewish civilians. Thus, there is now a situation where the peace process is stalled, Gaza is destroyed and Arab Palestinians in Gaza are victims of the horrific events. Palestinian struggle for self-determination seems set back for a longer period, while trust between Jews and Arabs is at an all-time low.

After the Israeli-Palestinian War of 1973, which posed a serious risk of a *nuclear conflict* between the superpowers, as well as due to the recognition of the *senselessness of continuing a nearly constant state of war*, the only viable path is continuity of the present *cease fires* and an organised *co-existence* of the Jewish and Arab communities in Palestine. The first step towards encouragement of trust would be a unilateral *release of all hostages* by Hamas, to be responded immediately by Israeli *respective amnesty*.

Next, drafting a *constitutional text* for an envisioned federation with the provisional title of United States of Israel and Palestine, prepared immediately by an independent group of domestic and foreign experts, would make sense in a number of ways, even in a situation when most of UN Secretary-General's necessary steps and conditions for a political and diplomatic solution are not yet made.

5.3. The present decisive moment

We may live in an exceptional time of contemporary history: *Peggy Noonan* described in the *Wall Street Journal* column the time we live after 5 November 2024 as »There's a sense we're living through times we'll understand only in retrospect« (Noonan, 2025). There is a sense of great change, yet its exact nature remains unknown. *Henry Cartier-Bresson* introduced in photography the idea of a decisive moment, *l'instant decisif* (Cartier-Bresson, 1952). Photographers know exactly that they have to catch their objects on the street in the right moment. Philosopher *Henri Bergson* distinguished between physical time and *la duree*, when time is dense, when time is not lost but is progressing in full stampede speed (Bergson, 1910). The Old Greeks knew the difference between *Cronos*, the continuous time when nothing happens and *Kairos* - the propitious moment for decision and action.

It is not only *Donald Trump* and *Elon Musk* who appear quick minded and fast moving. It is also the time when the long enduring *end of the Cold war* started in 1989 came to its end of end (sic!) in 2025. At the same time started an end of woke indicated end of *liberal democratism*. Its recent downfalling in 2025 follows the Second World War defeated *national socialism* and *fashism* (1945) and the Cold War defeated *socialism* and *communism* (1989). Thus the four totalitarian ideologies offering universal solutions for the mankind failed, including the related form of *ideology of post-communist transition* in the former communist states.

On international scale, world order seems to change fast. Commitments of global actors are at the crissroads. It was assumed after the Hamas October 2023 attack on Israel that it may have been instigated to divert world attention from the Russian aggression against Ukraine. Coordinated ceasefires in Ukraine and in the Near East may present a moment when long-term planning for peace accords in both world regions

must be followed by grabbing the instantaneous situation and *seizing the decisive moment* when the chance for radical change is taking place, which we will understand only in retrospect, as Noonan already assumed. The current cease-fires may last, and other necessary steps to solve the conflict may take place one by one. The moment may come when a ready made political and diplomatic solution, even in the form of a draft treaty for the United States of Israel and Palestine, may be convenient in pushing for progress.

The state of Israel is already associated by the respective Agreement to the European Union. It is also a member of the *Venice Commission*, and regrettably not a state party to the European Convention of Human Rights and its Court of Law in Strasbourg. Israel as a member state of United States of Israel and Palestine should join EU as soon as possible, as an associate member, alongside with Switzerland, UK, Norway, and Turkey. The present *EU-Israel Association Agreement* offers a solid start for the Israeli-Palestinian Federation.

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