

Israel-Palestine Impasse: the Unidentified Panaceas

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Abstract: This paper attempts a scholarly contribution to international debate on the diplomatic impasse over Jerusalem in the Israeli-Palestinian conflict. The Israel-Palestinian conflict has been one of the most intractable conflicts in the last two centuries that had defied all diplomatic entreaties. This paper chronicles in perspectives, the historical, anthropological, ethno-religious and diplomatic roots of the conflict; highlights the past and present proposed frameworks recommended for resolving the conflict, as well as the current two-state solution advanced and sanctioned by the United Nations. The paper submits that the internationally proposed “two-state solution” (first proposed under S/RES/1397 of 7 October 2000) which envisaged the creation of an Arab and a Jewish states side by side remains a *diplomatic utopia* and in alternative, recommends a symmetrical federal union, the potential *Federal Union of Israel and Palestine* with Jerusalem as its neutral Federal Capital Territory (FCT) remains the most viable solution to the conflict. A federal union that will grant through a national legislation,

rights of equal access to all religious faith, ethno-nationalist entities and the people that make up the citizenry of the new state. As a post-conflict measure and peace consolidation initiative, the United Nations should champion a holistic-regional campaign in the Middle East against religious exclusivism through inter-faith dialogues. To this end, all faith-based organizations, humanitarian organization, the media, NGOs, INGO, regional organizations and stake holders should be co-opted into the campaign to “*save next generation from the carnage of religious exclusivism*”. The paper submits that on Israel-Palestine, there is no religious solution, for religion remains one of the central dilemmas in the conflict, rather, there is a viable political solution (*a federal solution*) which will reconcile the political, ethno-religious and territorial roots of the conflict.

Key Words

Exclusivism, diplomatic impasse, diplomatic utopia, ethno-nationalist, anthropological, two-state-solution, federal solution, inter-faith dialogue, the Union of Israel and Palestine (UIP)

Introduction

Historical accounts of plural societies held that they are conflict-prone due to the inherent cleavages that characterized their composition as found in their linguistic, cultural, socio-economic and territorial diversities. To address the problems associated with pluralism it has been suggested that multiculturalism be encouraged among societies. The challenges of how to organize a political society

from among societies with ethno-religious pluralism had left political thinkers with an enduring agitation on how best to organized ethnically diverse societies. Mandatory Palestine is no exception, following the collapse of the Ottoman Empire, Britain assumed administrative control of the region. Prior to the end of WWI Britain had conducted a contradictory war time diplomacy aimed at hoodwinking the Arabs and the Jews on the Allied side in the conflict against the Ottomans as evident in the 1915 McMahon-Hussein Correspondence and the Balfour Declaration of 1917. Following the failure to stand by their pledge to the two sides and subsequent transfer of the Palestinian Question to the UN, tension heightened and escalated further when Britain withdrew their forces on the midnight of 14May, 1948, the Zionist Organization unilaterally declared the independent State of Israel and ever since, the search for peace in that region had remained diplomatically elusive. Seventy one years after the search continues. The United Nations' insistence on a two-state framework and Israel's unilateral stance on one-state with the entire Jerusalem as its capital had remained one of the thorny issues in international diplomacy since the end of the Second World War. This paper chronicles the historical, anthropological, religious and diplomatic antecedents of the conflict. The paper attempts a review of the peace efforts by the diplomatic community in the past and present with special observation on why they failed and are still infeasible the paper objectively recommends viable diplomatic remedies. The seeks to explore new solutions not in religious windows reinforced the impasse in the past and present (a bane in the peace effort) but a political solution that will holistically address the social, ethno-religious and territorial aspects of the conflict. The United Nations has shown greater diplomatic efforts on Israel-Palestine and deserves that *pacific stride*; however, these efforts have not change the situation since 1947 beginning with a Partition Plan. Where the solution does lie? Two-state or one? These inform this write up, to proffer viable political solutions to resolving the century old diplomatic deadlock.

Historical Background

The greater geopolitical swath of the Mediterranean and the Jordan anthropologically adjudged as the cradle of human civilization had come under the influence of different civilizations and power in the course of history: the Canaanites, the Israelis, the Babylonians, Byzantines, the Umayyads, the Abassides, Turks, Crusaders, Mamlukes, the Ottomans and the British as the last foreign administrative power under the League of Nations Mandate until 1948.

Antecedents of armed conflicts in post-Ottoman Palestine abound. In 1920, disagreement over Jewish immigration sparked the Palestinian riots; in 1929 the Hebron massacre took place. These crises were caused by the fear by the Arabs that Jewish immigration and land purchase and the tendency of the Arabs falling under Jewish political predominance. There was the Hebron massacre of 1929 which led to the killings of 67 Jews and the 1929 Safed massacre; the Shaw reports when violence broke out (1936-1939 Arab revolt). The Peel's Commission of 1936-37 envisaged for the first time, a partition as the panacea and recommended the Peel Partition Plan. "Partition" a concept was rejected out rightly in Arab diplomacy and the plan was dropped consequently.

Professor Paul De Waart (1992) noted that the Court put the legality of the 1922 League of Nations Palestine Mandate and the 1947 UN Partition plan beyond doubt once and for all (<https://doi.org/10.1017/s0922156500001965>. Accessed 25 April, 2019)

Mohammed Abbas (2011) retrospectively remarked that the 1947 UN Partition plan for Palestine was wrongly rejected by the Arab World but interrogated: "do they, the Israel punish us for this mistake for 64 years?" (<https://www.google.com/amp/s/www.Haaretz.com/amp/1.5204593>) Accessed 25 April, 2019

Arab states warned the Western Powers that endorsement of the partition plan might be met either or both by oil embargo or realignment with the Soviet bloc. In spite of the intrigues, the plan got a nod in the UNGA on 29 November 1947. The plan was abortive as war broke out.

The penultimate power to have controlled the Persian Gulf and the Middle East were the Ottomans who held the political, social and economic control of the region from 1516 till they met their Waterloo in the defeat alongside the Central Powers of the First World War (1914-1918). In accordance with Article 22 of the Covenant of the League of Nations Palestine, Transjordan, Syria and Lebanon and Mesopotamia (later replaced by a treaty with Iraq) which were territories under the Ottomans for about four centuries came under Class A Mandates. Palestine came under British mandate between 1920 and 1948 when the state of Israel was proclaimed by the Zionist Organization. The prior Sykes-Picot Agreement (1916) between the United Kingdom and France defined mutual spheres of influence which took manifestation in 1918 when the Ottoman Empire was partitioned bringing the vast region under French and British mandates.

The old empires that collapsed in the aftermath of the First World War were partitioned into separate independent states in the Westphalia mold: the Austria-Hungarian empire, the Ottoman Empire, Germany and Russian Empire from whence modern states of Iraq, Iran, Transjordan, Lebanon, Syria, Kuwait, and Palestine emerged from the ashes of the Ottoman Empire, while Czechoslovakia, Slovenia, Croatia, Bosnia and Herzegovina emerged from the Austro-Hungarian empire a dual Monarchy that existed from 1867 to 1918.

While World War I rages, the political and economic interests of Britain in the Middle East made Britain seek to influence the local people by creating an indignation against the over four century Ottoman rule. This attempt to hoodwink diplomatically the Arabs and Jewish people into the British camp against the Ottoman was at the heart of the McMahon–Hussein Correspondence in which British High Commissioner in Egypt offered Sherriff Hussein of Mecca an Independent Sovereign Arab State in exchange for their pledge to fight the First World War on the British side against the Ottomans in October 24 1915. Yet again, in another act to co-opt the Arab into the Camp of the Brits in WWI, Britain issued the Balfour Declaration in November 1917 which affirmed British support for the creation of a “*national home*” for the British people in the then Ottoman Palestine with a sprinkle of Jewish minority:

“His majesty’s government view with favor the establishment in Palestine of a national home for the Jewish people and will use their best endeavor to facilitate the achievement of this object, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country”-(Balfour Declaration November 2 1917).

This double standard diplomatic antecedent offers the historical ecology of modern Middle East states and remained at the root of Israel-Palestine impasse. It also evoked nostalgically the lost opportunity at resolving the Post-Ottoman crises in the Persian Gulf and the Middle East due to the weak organizational capability of the League of Nations and the frailty Britain as the mandatory power of Post-Ottoman Palestine. The diplomatic pledges contained in the McMahon-Correspondence and the Balfour Declaration evinced a two state solution in practice but poorly presented as separate pledge or stance to both the Arabs and the Jewish people raising nationalistic aspirations that were heightened by spasm of racial animosity (Acheoah, O.A.2019). Had Britain promised the Arabs and Jews of a broader bi-national and bi-racial Federation in Palestine founded upon certain principles of universal morality: freedom, equality, justice, it would have paid off for the Ottoman’s defeat were sure following the entering of the United States into the War in 1917. The McMahon-Hussein Correspondence and the Balfour Declaration after it never foresaw this and evinced share acts of diplomatic desperations to secure the end of the Ottoman rule in the Middle East (an end that was inevitable when the United

States joined the War the sinking of RMS Lusitania in 1915 and the Zimmerman telegraph of 1917 sparked uproar against American Isolationist stance in a major European conflict WWI) by bringing the two races against their then colonial power (the Ottoman Turks).

The 1916 Sykes-Picot Agreement splintered the Ottoman Colonies in the Middle-East, partitioned between France and Britain. Article 22 of the League of Nations had envisaged a post-Ottoman policy which recognizes the right to self-government for the colonies of the defunct Ottoman Middle East after a transitional period overseen by mandatory powers. In the ensuing diplomatic imbroglio, at the behest of United Kingdom, the United Nations created a special committee on Palestine on 15 May 1947 on the future of Mandatory Palestine.

The San Remo Conference of 1920 granted Britain mandatory rights over Palestine. Britain in 1922 separated Transjordan from Palestine and prohibited Jewish settlement in Transjordan.

The ad hoc Committee on the Palestine Question was instituted by the General Assembly and upon the UNSCOP report the UN General Assembly passed Resolution 181 establishing the United Nations Partition Plan.

Yet again, the diplomatic community missed one of the most auspicious and resolute template to ending the Israel-Palestine impasse: “the 1947 partition plan”. The plan, a United Nations proposal under Resolution 181(II) envisaged the creation of the independent states of Israel and Palestine side by side with a special International regime for the most contested geopolitical sphere in the struggle: “Jerusalem; the termination of British mandate; and the gradual winding down of British armed forces and territorial delineation between the potential two states. The British forces were to withdraw according to the plan not later than August 1st 1948 two months, after which the new states would come into existence and not later than 1 October, 1948. The laudable but botched plan also envisaged the de-territorialization of the conflict by taking the City of Jerusalem off the table.

As those pledges heightened the nationalist hopes so it heightened the frustration. By 1948 it became clear that Britain has lost the mandatory compass it got under Article 22 to oversee post-Ottoman Palestine. The Harry S Truman’s Trusteeship proposal for Palestine was the last viable attempt to the Israel-Palestine impasse prior to the outbreak of the Arab Israeli war of 1948. As British withdrew her forces on the eve of 14 May 1948, the Zionist Organization led by David Ben Gurion declared unilaterally the state of Israel. Responding, the Arabs states of Egypt, Jordan, Iraq, Syria and Lebanon mobilized their troops against Israel in what came to be the First Arab-Israeli War. The war ended in victory for Israel which captured 60 % of Arab’s pre-1948 territory under the 1947 Partition Plan to her existing territory under the pre-war Partition Plan. On 5 June 1967, Israel staged a surprised attack on the Egyptian airfields in a massive offensive that confirmed Israel’s air preponderance in relations her Arab neighbors. This was the beginning of the Six Day War, an armed conflict which altered the 1949 armistice Line aggressively bringing some of the most contested territories under Israeli de-facto control: the Gaza Strip, the Sinai Peninsula from Egypt; the West Bank (East Jerusalem) from Transjordan; and the Golan Heights from Syria. These occupied territories have been described as contested territories by Israeli government citing the absence of sovereign government in the regions prior to the 1967 invasion and annexation. Till date, the call for the return to the Pre-1967 territorial arrangements only met brick wall as Israel continued constructions of settlements and enacted laws by its national parliament: “*the Knesset*” legalizing these acts in apparent violations of international laws: (S/RES/237/ of June 14 1967); (S/RES/2334) ;(S/RES /252/) of 21 May 1968; (S/RES/267) of 3 July 1969; (S/RES/446) of March 22 1979; (S/RES/465) of March 1, 1980; (S/RES/2334) of 23 December, 2016.

After the October 1973 Yom-Kippur war at the Israeli occupied region of Golan and Sinai, which ended in military victory for Israel and a political gain for Egypt (the Eastern Coast of Suez canal). Israel re-occupied the Golan 55km of the Syrian Bashan expanding 30 km stretch into

Damascus. S/RES/338 of October 22, 1973 called for a ceasefire which provided the legal terms for ending the war, in spite of the ceasefire Golda Meir's troops fought on in a last push to expel Egyptian forces and cross the Suez.

Other diplomatic efforts in the Arab-Israeli conflicts followed: the Camp David accord between Menachem Begin and Anwar Sadat brokered by Jimmy Carter on 17 September, 1978 under which Cairo became the first in the Arab bloc to make peace with Israel, a pacifist gesture that was followed by harsh diplomatic backlashes from the group; the March 1979 Egypt-Israel Peace Treaty signed in Washington at the instance of Anwar Sadat, Menachem Begin and Jimmy Carter; the Madrid Conference of 30 October, 1991 which led to the signing of the Oslo Accord in 1993. Dozens of peace proposals ended in deadlocks as the conflict remained one of two intractable conflicts in post WWII diplomacy, the other being Indo-Pakistani conflict over Kashmir (Since October 1947) with the 2019 Indian-Pakistan Border skirmishes in February confirms the active status of the conflict.

Efriam Karsh an Israeli academic (Fall 2016) described the Oslo Peace process as "the starkest strategic blunder in Israel's history" creating the bloodiest and most destructive confrontation between Israelis and the Palestinians since 1948 and radicalizing a new generation of Palestinians living under the rule of the Palestinian National Authority and Hamas with "Vile anti-Jewish and anti-Israel incitement unparalleled in scope and intensity since the Nazi Holocaust.

The most sensitive aspect of the Israel- Palestine conflict is the territoriality (status) of Jerusalem; its historical, religious and cultural significance placed it at the central dilemma of the Israel-Palestine Impasse. As the diplomatic community seeks a middle ground into the conflict, the decision of President Donald Trump to enforce the domestically de-jure but internationally de-facto Jerusalem Act 1995 by not only recognizing Jerusalem as the Capital of Israel but the formal transfer of the headquarter of United States embassy from Tel Aviv to Jerusalem in May 2018 cast a dark shadow yet again in the effort at resolving the crisis as Israel marks her 70th Anniversary.

The proposed "Two-State solution" envisaged an independent state of Israel side by side with a state of Palestine West of the Jordan River with a disputed potential boundary separating the "potential two" as the Palestine insists on the pre-1967 borders, an idea rejected by the Israelis. This template first envisioned by the 1991 Madrid Conference that saw the revocation of Resolution 3379 as a precondition for the peace process leading to the Oslo Accords that was geared towards resolving the conflict on the predicate of the UN Security Council Resolutions 242 and 338.

The call for a One State alternative Solution has also been diplomatically infeasible and utopist, a call rejected by the Arabs and Palestinians while the Israeli pushed for a bi-national State (not a union) an asymmetrical state with Jewish majority. This template envisioned a one Israel state that geopolitically covers the West Bank and Gaza as component territories with full citizenship rights for all the inhabitants without prejudices to religion, ethnicity or racial origins. The Governments of the two sides accepted the Two State template at the 2007 Annapolis Conference, a stance lend foreign policy underpinnings to the US government's stance on the Israel-Palestinian impasse until the return of the Republicans in January 2017 marked the beginning of a twist in the US Foreign Policy stance on Jerusalem under President Donald Trump.

At the heart of the territoriality of the Arab-Israeli conflict is the city of Jerusalem, a key religious city to the three Abrahamic religions: Judaism, Christianity and Islam. One of the oldest cities from antiquity, Jerusalem had been besieged 23 times, attacked 52 times and captured about 44 times when it came under different powers. Settled since 4th Millennium BCE, Jerusalem came under the Persian rule during the reign of Suleiman the magnificent. Meanwhile, modern Jerusalem had expanded beyond the old city boundaries since 1860 which had also become World heritage site since 1981. The political status of Jerusalem remains one of the most disputed issue in 21st century diplomacy heightened by the enforcement of the United States Jerusalem Act (1995) which offered recognition of

Jerusalem as the capital city of Israel compelling president Donald Trump to re-locate the US Embassy to Jerusalem in May 2018, a unilateral action which violates extant UN Security Council's resolution

Jerusalem until 1948 was the administrative capital of Mandatory Palestine (present day Israel and Jordan (and from 1949 till 1967 West Jerusalem served as a de-facto Israel capital). United Nations Resolution 194 (A/RES/194 of December 11, 1948 envisaged an international regime for the old city as a step towards DE-territorializing the conflict. That proposal was botched in 1967 when the Israeli forces struck the Arab 1949 territories in the Six Day War (July 5-11, 1967) and bring key territories under her control in apparent violations of international law. The six Day War ended in geopolitical victory for the Israelis.

City is one of the most sacred in the world both in biblical lore and Islamic tradition with many evidential sites which had made efforts at resolving the Jerusalem Question an intractable dilemma. The Temple Mount and al-Aqsa Mosque is two key religious monuments to which in Islamic Lore prophet Muhammad in 610 CE was said to havemade his night journey to heaven where he speaks to God. Biblical figures were also interned in the city: King David, according to 1Kings 2:10; Adam, Abraham, Sarah, Isaac, Rebecca, Jacob, Esau and Leah and the first family: Adam and Eve were all interned in the West Bank, Rachel and others at the Tomb of the Matriarchs: Bilha, Zilpah and Abigail.

The Palestinians have since the end of the 1948 war demanded their rights of return provided for under UN Resolution 194. The Right of Return policy holds that Palestinian refugees (near 50000 in 2012) and their descendants of 5 million people in 2012 have the right to return to the property they themselves or their forbears left behind or were forced to leave in what has become occupied territories. This claim was regarded by the government of Israel as a political claim to resolve part of a final peace settlement. In an August 2, 1949 letter to the UN, the Israeli government stated that: the problem of displaced Palestinians should be sought not through the return of refugees to Israel but through the resettlement of the Palestinian Arab refugee's population in other states. UN General Assembly Resolution 194 (a/RES/194 of 11 December 1948) which provided under Article (II) that: *"the refugees wishing to return to their homes and live at peace with their neighbors should be permitted to do so at the earliest practicable date and that compensation be paid for the properties of those choosing not to return and for loss of or damage of their properties which under principles of international laws should be made by the Government authorities responsible"*. The UNGA Resolution 3236 of 22 November 1974 declared the Palestinian rights of return as inalienable rights.

Historical accounts of the Arab-Israeli conflict may not have been given justice if one omits the memories of two *fallen* diplomatic martyrs who paid the ultimate sacrifice in their search for peace in the troubled region: Folke Bernadotte (1895-1948) and Yitzhak Rabin (1922-1995). Folke Bernadotte, a Swedish diplomat assassinated on 17 September 1948 while in an official peace mediating assignment under the UN Security Council appointment in the Israel Palestine conflict. The ill-fated diplomat met his death in Jerusalem by a group of Israeli paramilitary Lehi. That the United Nations is yet to include Folke Bernadotte in its medal series for Peacekeeping reminds one of some of the unsung heroes of post war diplomacy and peacekeeping under the UN. This paper calls for the inclusion of Folke Bernadotte in the series of UN Peacekeeping Medals to which *Dag Hammarskjold* and *Captain DiagneMbaye* had posthumously and deservedly made the list.

Yitzhak Rabin's assassinations by Yigal Amir who was opposed to Oslo Accord on 4 November 1995 reminds peace and conflict analysts, policy makers and the diplomatic community and the Arabs Palestinians in particular that *"in spite of the militaristic posturing of Israeli political elites there are many "diplomatic doves" among them...there are people who are ready to listen, search and work for peace. "Yitzhak Rabin, a pacifist par excellence, pushed and paid the price, like Gandhi before him killed by one of his own who was yet to be disabused that his Arab neighbors can become partners in mutual regional development and not necessarily threats as myriads of narratives have attempted to*

portray. When, the light appears at the end of the tunnel, Rabin like Bernadotte will be immortalized among many other fallen martyrs of the struggle to bring peace to the region”.

Statement of the Problem

Since the promises to carve separate states for the Arab and the Jewish people as contained under the McMahon-Husseini correspondence and the Balfour Declaration, there had been a heightened tension among the two people following the optimism that accompanied the separate pledges to grant them separate sovereign states which were shattered by British inability to actualize these promises. By 1947, the United Kingdom referred the Palestinian Question to the United Nations. As Britain withdrew her troops on the 14 of May 1948, the Zionist organization unilaterally declared the Independent state of Israel. In a swift reaction a group of Arab states: Egypt, Jordan, Iraq, Syria and Lebanon mobilized their forces against Israel in the First Arab Israeli War. A ceasefire Truce was declared by the UN Security Council Resolution 49(S/RES/49) of 22 May, 1948. After the Six Day war (5 June to 11 June 1967) the Israelis reoccupied the territories allotted to the Arabs and remained the occupying power till date. Till date, in spite of dozens of resolutions from the UN Security Council condemning these acts of aggression, the Israeli authority holdout to those territories militarily, diplomatically and administratively by maintaining an occupation force (the IDF) in the region, enacting legislation that legitimized the settlement activities in the region and continued their settlement activities on the territories it described as *disputed territories* citing the absence of legitimate government in charge of the areas before the Six Day War. After the Yom Kippur War (1973) series of diplomatic efforts at resolving the conflict only proved momentary impact. From the Camp David Accord to the Oslo and none has been able to provide a lasting peace. The United Nations has never relented on Israel and Palestine with no sign yet of permanent peace in the region. The UN Security Council had passed 131 (one hundred and thirty one) resolutions on Israel-Palestine and her two-state proposal (since 2000) for a Jewish State is envisioned to be created side by side with an Arab State with Jerusalem placed under international regime is yet again infeasible. Israel's insistence on One-state fell apart with the United Nations position. The resultant diplomatic deadlock has left a constant tension in the region of the earliest human civilization. This paper problematized the Israel-Palestine conflict as a failure of British and UN's diplomacy in the last century beginning from the McMahon-Husseini Correspondence and the Balfour Declaration of 1915 and 1917 respectively. A further diplomatic mirage is the two-state utopia first advanced by the UN under S/RES/1397 of 12 March 2002, which when enforced will leave bitter scars than one ever experienced about the region. If for nothing else, none of the two disputants will readily allow Jerusalem to be taken off the table and be brought under international regime. Where does the solution lie on Israel-Palestine Question?; how can a lasting peace be restored to the region?; between the One-State and the Two-State's solutions is there a workable mid-way alternative?. This informed this Article, to assess holistically the century long crisis and make viable and diplomatically feasible recommendations towards resolving the impasse.

Objectives of the Paper

The objective of this paper is to interrogate the underlying factors behind the Israeli-Palestine Conflict. The paper attempts a discursive perspective on the efforts by the diplomatic community at resolving the conflict since the last century; why the conflict remained unresolved; the factors behind the diplomatic impasse as well as spotlighting the recommended frameworks in the past and present from the Peel Commission of 1936 to the *Two-State Utopia* (first supported by S/RES/ 1397 of 12 March, 2000). The paper specifically reviews all past efforts and the present push for two states through the UN Security Council's resolutions. This paper is informed by the need to make a contribution to the

intellectual debate on Israel Palestine impasse with a view to finding the viable framework for the political-re-organization of Israel and Palestine.

Research Questions

This paper is poised to interrogate some of the salient religious, anthropological, historical and political factors, antecedents and contemporary issues surrounding the Israeli-Palestinian impasse. Specifically, the paper poses the following questions:

- .What are the roots causes of the Arabs- Israeli conflict?
- .Why the Arabs and Jewish people did remain irresolute on every template for peace provided by the international communities?
- .What religious, anthropological, historical and political factors behind the world's most intractable conflict?
- . What role has the diplomatic community played in the effort to bring peace to the region?
- .What factors impede the peace initiatives in the conflict?
- .What past efforts failed and why?
- .How can the Israel-Palestine impasse be resolved?

Theoretical Underpinnings

With the topic of this paper being a conflict phenomenon, the paper therefore hinges on Federalism as not just a principle of organizing a political society but as a principle of reconciling conflicts resulting from socio-political, ethno-religious and territorial cleavages found in plural societies by pairing these diversities with unity in the form of a political union. Theoretically, the paper anchors on Theories of federalism as espoused by Professor K.C. Wheare, Pierre Joseph Proudhon, Vildavsky Aaron and William, H. Livingston.

In his classical work on federalism: "*The Federal Government*", (1963:10), Wheare offers a legalistic conception of federalism: "by federal government I mean the method of dividing power so that general and regional governments are each in its sphere co-ordinate and independent. Classical federations are founded upon the principle of dual-sovereignty between the central and federating units. In Wheare's conception of federalism the emphasis is more on the institutions, the founding documents that cement the federal bargains. This definition was described as "*authoritative*" for having downplayed the role of socio-cultural and anthropological dynamics that pull societies with federal qualities together or apart (social-ethnic cleavages). This deficiency was accounted for in the definition offered by earlier federalist thinker, Pierre-Joseph Proudhon who brought sociological insights into federalist thought by stressing the socio-economic diversities as being the federating dynamics in the push towards a federal arrangement rather than institutional fundamentals stressed by K.C Wheare.

Proponents of sociological factors added that socio-economic diversities along regional lines as also central in the push to federal bargain. One of the leading lights in sociological perspective on federalism was William Livingston. Livingston (1956) stressed pungently that the central focus in federalist research should be anchored around the societal factors where the centripetal and centrifugal forces that pull pre-federalized society together or apart. Livingston opined that the *raison d'être* for federalism was what he described as: "*federal society*". According to him institutional structures are only the concretization of deeper federal quality of the society it is intended for. In his words: "*The essence of federalism lies not in the institutional structures but in the society itself*"

Wildavsky Aaron talked about a "*Social Federalism*" in which socio-economic and religious diversities corresponds to political boundaries. Where these social dynamics are undermined in the drawing up of the federal boundaries, the resultant state will be a *Structural Federalism* independent of the social structure or social make up (<https://www.amazon.com>> Federalism-political-culture-Aaron-

Wildavsky/dp/1560003162). Federalism had been variedly adopted by different societies depending on the character of diversities which also offers clue of how complex federations are and how reforms are initiated in the course of time to meet changing socio-cultural and economic demands occasioned by the inherent dynamics of these social forces. Federations that have proved workable and effective: the United States (1789); Switzerland (1848); Canada (1867) and Australia (1901) to mention a few have all rose to the societal demands throw up at one time or the other. E.g. the first ten amendments to the United States Constitution (December 15 1791) did not originally contained in the 1789 version and the 13th Amendment (31 January, 1865) abolished slavery. The term limit 22nd Amendment of March 24, 1947 came to address the concerns raised after F.D Roosevelt extended terms as he scaled through three terms (1932; 1936; 1940 and 1944) becoming the first and only to have been elected four times to the United States' Presidency. Though the United States constitution did not provide for term limits until the 22nd Amendment, it however became a political tradition for one hundred and fifty years since Washington's *Farewell Address*. A federalization of the Palestine and Israel into a potential union under a rubric: "**The Union of Israel and Palestine**" (UIP) with Jerusalem as a specially carved Federal Capital Territory (FCT) requires the Arabs and Jews see reasons to lives together socio-culturally as currently being seen by the French and the Germans within the *EU Associative Federation* with no spasm of *Alsace Lorraine*. The emerging *Union of Israel and Palestine* will not be structured as a scheme to smother the pre-union diversities between the Jewish and the Arabs people but to help them understand their difference (not to renounce their diversity) but "*pair them with unity*". When this happens, the people of the bi-national federation will reap the intended benefits found in federal states: larger market; greater defense, socio-cultural and economic integration and a single international personality under the UN and elsewhere where the UIP will participate in trans- governmental diplomacy. The *Union of Israel and Palestine* founded on the basis of mutual rights for all her citizens constitutionally codified and judiciously uphold by the Courts can serve as a bulwark against abuse of the framework to pursuing assimilative tendencies that led to the collapse of communist federations in Eastern Europe in the last decade of the 20th Century.

In former Czechoslovakia, the bi-national federal project saw a trajectory of the assimilation of the Slovak people through a policy of Czechoslovakism. The push for the re-Slovakisation of the Slovak people culminated in a *velvet divorce* of January 1 1993 (Acheoah, O.A.2019). The federal experiment under Soviet federation saw a highly centralized federal structure that put Moscow at the helm in a hegemonic and assimilative system targeted at Russification of the non-Russians. Smith (1999) described the Soviet federal experiment as one of *Federal colonialism*.

The Jerusalem Act 1995: where National Law conflicts with International Law

The Jerusalem Act 1995 represents a classic case of conflicting statuses between international law and national law and it further brings to bear the uniqueness of the European Union as a supranational entity whose laws permeate the shield of national legislation of her member states. The Act which came into force without presidential consent on 8 November 1995 recognized Jerusalem as the indivisible capital city of the state of Israel with a view to relocating the United States Embassy from Tel Aviv to ancient city by May 31 1999. Successive governments (Clinton, Bush and Obama) failed to implement the Act until president Donald Trump on December 6, 2017 took the first step by recognizing Jerusalem as the capital of Israel and on 14 May 2018 United States relocated her embassy from Tel Aviv to Jerusalem in a move that sparked international outrage.

UN Security Council's resolution 2334 of December 23, 2016 condemned Israel's annexation of Jerusalem and the settlement activities constitutes a flagrant violation of international law and called on Israel to fulfill their obligations under the Fourth Geneva Convention. Both Human Right Watch and Amnesty International praised the resolution as a step in the right direction

A glance at Related Literature on Israel-Palestine

Edward Said, a Palestinian activist wrote: “after 50 years of Israel history, classic Zionism has provided no solution to the Palestinian presence...I therefore see no other way than to begin now to speak about sharing the land that has thrust us together, sharing it in a truly democratic way with equal rights for all citizens”.

Jony Judith (2003) of the University of New York in an Article: “Israel: the Alternative” in the New York Review of Books, argued that Israel is an “anachronism” in sustaining an ethnic identity for the state and the Two-State solution is foundationally doomed and unworkable.

Virginia Tilley (2005) in “the One State Solution”, in the London Review of Books argued that the West Bank settlement had made a two-state solution a “de-facto reality”.

Professor John Mearsheimer, the Co-director of the program on international Security policy at the University of Chicago noted that “Bi-national solution” has become inevitable. He argued further that by allowing Israel’s settlement to prevent the formation of a Palestinian state, the U.S has helped Israel commit “national suicide since Palestinians will be the majority group in the bi-national state.

Prime Minister Moshe Dayan (April, 2010) opined: “just as Arabs lives in Israel so too, should Jews be able to live in Palestine “if we are talking about coexistence and peace, why the (Palestine) insistence that the territory they received be ethnically cleansed of Jews?”

Historian, Youssef Choueiri (2000) remarked that the first public glimmerings of a Pan-Arab approach occurred in 1931 during the Convention of Pan-Islamic Conference in Jerusalem which highlighted Muslim fears of the increasing growth of Zionism in Palestine for the first time, delegates from NorthAfrica Egypt and the Arabian Peninsula convened to discuss Arab matters. The Pan-Arab covenant was proclaimed centering on the tripartite articles:

- i. The Arab countries form an integral and indivisible whole;
- ii. In all efforts in every Arab countries are to be directed towards the achievement of total independence within one single unity;
- iii. Since colonialism is incompatible with the dignity and paramount aims of the Arab nation, the Arab nations reject it with all means at their disposal;

A July 2009 ICJ’ advisory opinion held that Israel’s construction of barrier in the West Bank and East Jerusalem and its associated gates as well as permit regime are gross violations of international law (a reference to the UNSC Resolutions that prohibited these acts S/RES/ 2334 of December 23, 2016 and the December 21, 2017 UN General Assembly’s A/ES-10L.22 that condemned the United states’ Unilateral policy on Jerusalem as the most recent).

In that submission the principal judicial organ of the United Nations called on Israel to among other things:

- i. Cease construction of the barrier including in and around East Jerusalem;
- ii. Dismantle the sections already completed;
- iii. Repeal or render ineffective, forthwith all legislative and regulatory Acts relating thereto.

Though an advisory non-binding legal opinion, an overwhelming majority of the UN member states voted in favor of the opinion through a UNGA Resolution ES/10/15 calling on Israel to abide by the ICJ’s opinion. The ICJ’ added that Israeli authority are bound by a reparatory obligation for damages caused to all persons...that Israel is obligated to return the land, orchards, olive groves and other immovable properties seized for purposes of construction of the Barrier. Like many other calls that come with Resolutions from the UN, Israel is yet to comply with this ICJ’s opinion.

According to OCHA, (2006) noted that Israel in 1967 redrew the Jerusalem municipal boundary and extended its civil control 70 km square of newly occupied territories and additional 64 Km square of land most of which had belonged to 23 villages in the West Bank.

One of the leading lights of Jewish nationalism and a proponent of bi-nationalism Judah Leon Magnes (1877-1948) argued that the Jewish people did not need a Jewish state to maintain its very existence.

Other Israeli intellectuals who were the earliest advocate of the two-state framework include Martin Buber (1878-1965) who remarked: "We need someone who would do for Judaism what Pope John XXIII has done for Catholic Church. He advocated a society of social cultural inclusion devoid of Jewish domination of the Arabs. A contemporary of Herzl, Chaim Weizmann, he also made an earlier call for Israel's joining of Federation of "Near East" states that cut territorially across Palestine.

John Kerry (December 28, 2016) reacting to the Israeli's disappointment over the United States' role in Resolution 2334 S/RES/2334 by abstaining thereby given the Resolution the force of law, remarked: "...the vote in the UN Security Council is about preservation of the two-state solution, that's what we are standing up for Israel's future is a Jewish and democratic state living side by side in peace and security with its neighbors that is what we are trying to preserve for our sake and for theirs. On the lingering impasse, Kerry recommended the following principles resolving the Israel-Palestinian conflict:

- i. Principle 1, provide for a second and internationally recognized borders between Israel and a viable and contiguous Palestine in negotiated based on the 1967 Green Line with mutually agreed equivalent swaps. The Resolution 242 which has been enshrined in the international law for 50 years provided for the withdrawal of Israel from territory it occupied in 1967 in return for peace with its neighbors and a secured and recognized border;
- ii. Principle 2, fulfill the vision of the UN General Assembly Resolution 181 of two-state for two people; one Jewish and one Arab with mutual recognition and full equal rights for all their respective citizens that has been the fundamental principle of the two-state solution from the Palestinian people where each can achieve their national aspirations and the Resolution 181 incorporated into the founding document of both Israel and Palestine;
- iii. Principle 3, provide for a just, agreed faire and realistic solutions to the Palestinian refugee issue with international issue with international assistance that includes compensations options and assistance in funding permanent homes;
- iv. Principle 4, Provide agreed resolution for Jerusalem as the internationally recognized capital of the two-state and protect and ensure freedom of access to the Holy Sites consistent with established status. Now Jerusalem is the most sensitive issues on the sides and the solution will have to meet the needs not only of the parties but of all three monotheistic Faiths (Judaism, Christianity and Islam);
- v. Principle 5, satisfy Israel's need and bring a full end, ultimately to the occupation while ensuring that Israel could defend itself effectively and that Palestine can provide security for its people in a sovereign and non-militarized state.;
- vi. Principle 6, end the conflict and all outstanding claims enabling normalized relations and enhanced regional security for all as envisaged by the Arabs Peace Initiative (<https://www.google.com/amp/s/www.haaretz.com/amp/israel-news/kerry-s-peace-principles-jerusalem-would-be-capital-of-two-states-1.5479186>. Accessed 25 April 2019)

In a diplomatic riposte, Prime Minister Benjamin Netanyahu took a swipe at the outgoing Secretary of State John Kerry for his post-Resolution 2334 address, describing Kerry's speech as obsessed with settlement issues and vowed to work with the incoming republican government. It paid off, in a rapid twist, the foreign policy conservative republican administration under Trump had to the chagrin of the diplomatic community took unilateral steps...turned the table against her UNSC permanent members on IRAN, Jerusalem save for North Korea because her interest in the Korea Peninsula goes in congruence with the UN. While on Pyongyang, Washington is on the same page with the UN but on Iran and Jerusalem it goes unilateral contrary to the position of the UN in a move that violates no extant domestic law in the United states with the Jerusalem Act 1995 in view but infringed on

international Treaty Laws on Jerusalem. A major concern the actions of the United States on Jerusalem throws up remains the observance of the rule of Law in the conduct of international diplomacy and the challenges of a parallel state entity that competes with the UN in terms of diplomatic clout.

The Temple Mount as a contested religious site

Biblical Account held that the Jewish Temple stood on the Temple Mount and in the Jewish tradition the first Temple was built by King Solomon the son of King David in 957 BCE before it was destroyed by the Babylonians in 586 BCE, (2 Samuel 24:25) as

The Second Temple Mount was said to have been constructed under Zerubabel in 516 BCE and later destroyed by the Roman Empire in 70 CE. This Temple Mount according to Jewish tradition is the professed site for the construction of the Third and Final Temple. Co-habitation and mutual existence; founded on equal inter-religious/inter-faith municipality status laws.

While the Temple Mount is the holiest in Judaist tradition, a place they turn towards while praying, it is also the third holiest site in Sunni Islam revered as the noble sanctuary after Mecca and Medina where Prophet Muhammad journeyed to Jerusalem from whence he ascended to heaven (al-Quran Surah:17-1)

Historical accounts had it that the Umayyad caliphs commissioned the construction of the al-Aqsa Mosque and Dome of the Rock on the Site (Temple Mount) which was completed in 692 CE making it one of the oldest extant Islamic structures in the world. The Temple mount is also venerated as the oldest site in Judaism. A status quo was established for the administration of the Jerusalem's holy places. Disputes over shared religious sites are not peculiar to Temple Mount. It has sparked conflict in Ayodhya, India over Babri Masjid, a mosque built in 1528 on orders of the emperor of Mughal contrary to Hindu tradition. It sparked communal riots in Bombay, New Delhi and other parts of the country.

Following the 1939 holocaust following the White Paper issued, Britain reduced the number of immigration allowed into Palestine. When Aliyah Bet sponsored by Mossad Le Alyah Bet that saw into Palestine tens of thousands of European Jewish immigrants.

Remarkably, 20th Century racial anti-Semitism was not the first instance of inhuman treatments meted out to the world Jewry. Antecedent of Christian anti-Semitism abounds in which the Jews were victimized for being guilty of the death of Christ, an antipathy that spanned several centuries.

What was the cause by a religious account that placed guilt on the Jews, theological divergences? If not for the Italian nationalism that led to the push towards Italian unification that saw the end of Papal States in 1870, one wonders what would have happened to humanity under religion dogmas. Have the Jewish people learned from their past what religious/scriptural accounts had caused them from the *Rhineland Massacre* to *Black Death Jewish persecution* or the Pope Paul IV's papal *bull cum nimisabsurdum* of 1090, 1348, and 1555? Five centuries after these scar to humanity, Arab Muslims and Jewish Judaist are still holding on the religious Loes to bring humanity to ruin, contesting claims that cannot be compensated for due to *faith* to the detriments of mankind. If catholic terrorism of the medieval age was not brought to an end, the world would have been five century backward. If Galileo Galilee was to rise up to the Papacy only to meet an apologetic remark after his undeserved 1633 condemnation by the Catholic authority how would the Church sees itself. 350 years have passed, before Catholic Church vindicated Galileo as Pope John Paul took a relook into the inquisition that condemned the astronomer and physicist who was kept in house arrest for 28 years before his death. The Edgardo Mortara's abduction nostalgically evoked memories of religious atrocities and the need for caution on religious matters else the entire mankind will be ruined.

This is not an atheistic appeal or irreligious campaign but a case for religion inclusivism as against religion exclusivism. Religion has been historically a bane, engendering wars and horrors from heretic-related persecution to apostasy.

Timeline of the United Nations Resolutions on Israel-Palestine: a Synoptic Overview

The United Nations Security Council and General Assembly had passed dozens of resolutions to resolving the Arab-Israeli/Israel-Palestine conflict. Many of these resolutions have not been complied with particularly by Israel (a member state since 1949) particularly those that condemned and call for a return to pre-1967 boundaries; that calls for the right of returns to the 1948 Palestinian refugees (or their survivors). It is instructive to note that The UN Security Council has passed 131 Resolutions on Israel and Palestine. Below is a cursory overview of some of the key resolutions:

A/RES/181 of recommends the partitioning of mandatory Palestine into Arab and Jewish States with Jerusalem under an international regime;

Resolution 194 (A/RES/194) of 11 December 1948 established the Conciliation Commission, granted the rights to free access to Jerusalem and its holy places and resolves the refugee question by granting the right of return to the evicted Palestinians as well the due compensations that they are entitled to;

Resolution 303 (A/RES/303) of 9 December 1949 envisaged an international regime for Jerusalem with neutral rights to access for all;

Resolution 2443 established the Special Committee to investigate Israeli practices that violates human rights of Palestinians;

Resolution 3375 (A/RES/3375) of 10 November 1975 called in the Palestinian Liberation Organization (PLO) to participate in the Middle East Peace efforts;

Resolution (A/RES/43/177 of 15 December 1988 acknowledges the proclamation of the state of Palestine on 15 December 1988;

Resolution 273 of May 11 1949 50 of 1949 admitted Israel into the UN as its 59th member state

Resolution 67/19 of 29 November 2012 granted Palestine a non-member state observer status;

Among the 131 UN Security Council's Resolution on Israel the following are instructive to note:

Resolution 46 of April 17, 1948 which granted the United Kingdom the administrative right as the Mandatory power of Palestine; Resolution 49 of 22 May, 1948 issues a cease-fire order to come into effect at noon May 24, 1948 New York Local Time;

Resolution 127 of January 22, 1958 recommends Israel suspends its no-man's Zone in Jerusalem;

Resolution 237 on the Six Day War urges Israel to allow the returning of the 1967 Palestinian refugees;

Resolution 251 of May 2 1967 condemned Israel's military parade in Jerusalem in defiance of Resolution 250;

Resolution 256 of May 21 1967 declares invalid attempt by Israel to unify Jerusalem as Jewish capital;

Resolution 338 of 22 October 1973 called for a cease-fire in the wake of the Yom Kippur War and the implementation of the Security Council's Resolution 242 of 1976 in all its ramifications;

Resolution 350 of 31 May 1974 established the United Nations Disengagement Force to monitor the Cease-fire between Israel and Syria in the wake of the Yom Kippur War;

Resolution 1322 of 7 October 2000 deplored Ariel Sharon's visitation to the Temple Mount and the ensuing violence that followed;

Resolution 1397 of 12 March 2002 became the first UNSC resolution to appeal for a two-state solution;

Resolution 2334 of 23 December, 2016 condemned settlement activities at the occupied territories.

(Source: <http://www.un.int/wcm/content/site/Palestine/pid/11865>. Accessed 28 April, 2019)

Israel like North Korea on Nuclear non-proliferation has not shown appreciable level of compliance with her treaty obligations under the United Nations. While on Israel, the United states has shown mixed stance and compounded the dilemma on Jerusalem (with no violations to Washington's national Law by dint of Jerusalem Act 1995), on North Korea, the United States stood by the UN commendable unilateral efforts to sway North Korea to the UN's side on total denuclearization of the Korean Peninsula.

On Jerusalem and Israel, Washington vindicated the Realist paradigm of International Relations that states will always pursue their national interests first in their diplomatic conduct and that when they work with international organizations , they do so for national interests and when they conform to global standing they do so when it conforms with domestic objectives.

Summary

The viability of federalism as an organizing principle for a political society is not in doubt. Just as liberal democracy was analogized by Francis Fukuyama in his “*End of History and the Last Man*” as the last surviving ideology, outlasting its ideological rivals: Nazism and Fascism as well as communism. Wherever and whenever a federation collapsed and the society de-federalized, it is not resultant of the ideological weakness of federalism but its weak and inappropriate institutionalization and praxis. Whenever a federal project is established with assimilative undertone from one of the federating units, such a federal project is bound to collapse as lessons from former Czechoslovakia to Soviet Federation where the Czechization of the Slovaks and the Russification of the non-Russian republics left sense of detachments in the minds of the marginalized sections.

Seventy years after the non-Russian soviet republics came to realize that they have been Russified in the scheme by Moscow. Even her re-federalization on December 25, 1991, post-soviet Russian federation is yet to shed the authoritarian character that of her erstwhile entity that failed to devolve power, thereby making the Chechnya question a difficult nationality question in post-Soviet Russian federation.

On Israel Palestine impasse and the status of Jerusalem at the core of the conflict, this paper submits that there is no religious solution to the crisis.

The only solution is a political one offered by the organizing and conflict resolving principles of Federalism, to give Jerusalem a separate administration under international regime will aggravate the tension in the region. Jerusalem should be under the administration of a federal union dully entered into by the Arabs and Jews.

In view of the past failed efforts and the current infeasible diplomatic effort woven around the two-state frame work, this paper submits the two-state as a conflict breeding utopia which set the stage for another conflict if enforced. Due to the historical, ethno-religious significance of Jerusalem, creating a State of Palestine with West Bank or East Jerusalem as its capital is like sowing a seed re-occurring discord in that region. For the Jewish people to claim Jerusalem as biblically underpinned is to cast humanity to hell. We are all descendant of Adam and Eve, one world, one race (the human race) and one world, the diversities currently defining the Palestinian and Israeli societies are *vital federal qualities*. One thing which the most critical anti-Americanist cannot take away from the United States’ as a political society in the 21st century is that *diversity could be a source of strength rather than a recipe for intractable conflicts*, what has defined the American state is not their diversities as found in the colors of their skin nor the tenets of their faith but the founding creed laid by their *founding fathers* inspired by the liberal an Ideology professed by a British foremost liberal philosopher John Locke specifically his emphasis on the *unalienable rights to life, liberty and the pursuit of happiness* side by side with the postulations that the legitimacy of every state and government rest on *the Consent of the governed* (Acheoah, O.A.2019)

A potential union, *the Union of Israel and Palestine* with Jerusalem as the Federal Capital City with rights to equal access to all citizens where all the people will run free with no prejudice of any kind will serve as one of the inspiring examples that diversity is a problem but its politicization for undue, unfair advantage that is the problem, diversity has proved to be a source of strength and federalism holds the organizing principles to reconciling the conflict peculiar to pluralistic societies if federal principles are properly incorporated into statecraft and judiciously operationalized in its ideal

sense then the intended benefits sought in federalism will unfold. The time is auspicious for the UN and the diplomatic community to push for a bi-national negotiation towards a federal union between Israel and Palestine. A symmetrical *coming together federation* that takes the resolution and consent of the people intended federal societies so that they first of all see reasons to live together as they both share the believe of both One God and one source of live: *monotheism and homogenesis* as accounted for scriptural in Genesis 1:26-27 and Genesis 2:7, 21-23; al-Quran Surah: 23: (ayat) 12-14 and Torah, Bereshit 1:26.

“If we all are created by one God which these three religions monotheistic ally believed, then our God must be one of diversity for he left us with many tongues after the Tower of Babel’s contempt befell mankind” (Acheoah O.A. 2019)

Conclusion

This paper concludes that time is auspicious for the international community under the UN to change their approach to the diplomatic deadlock over Jerusalem. A bi-national/bi-racial federation that would bring the two people into a political union is the sure panacea to the century old impasse. The Potential *“Federal Union of Israel and Palestine”* will not smother the pre-state anthropological, social, ethno-religious diversities that had shaped these societies but preserve them pair them with unity. The lessons from the United States as a classical Federation are a case in point that diversity in ethnic, religious and race are no threats to nation building and societal development. A major factor that has plagued the Middle East has remained religion. There should be intensification of the global campaign against religious exclusivism through inter faith dialogues particularly in the Middle East as a core aspect of the United Nations multilateral diplomacy. Form that region merged the three dominant monotheistic faiths: Judaism, Christianity and Islam so there should be the heart of a renewed the global campaign spearheaded by the UN and other INGOs, religious leaders and all stakeholders. This renewed international sensitization and appeal will be critical to finding a lasting peace in the region of the first human civilization (Acheoah O.A 2019).

Barrack Hussein Obama in his second inaugural address remarked:

“...we recall that what bind this nation together are not the colors of our skin or the tenets of our faith or the origins of our names. What makes us exceptional, what makes us American is our allegiance to an idea, articulated in a declaration made more than two centuries ago: “we hold these truths to be self-evident that all men are created equal, that they are by their creator with certain unalienable rights that among these are Life, Liberty and the pursuit of Happiness”.

The critical submission of Dr. King brought to bear how post independent America deviates from the founding creeds of the founding fathers and how constitutional amendments woven around Liberal philosophy of John Locke have come to define the state ideology of the first modern Federation since 1776. A creed often referenced whenever the ship and the captains of the United States veered off the ideals set out in the Creed. Martin Luther King did so in his 1963 Address at Lincoln Memorial:

“...When the architects of our republic wrote the magnificent words of the Constitution and the declaration of independence, they were signing a promissory note to which every Americans were to fall heir. This note was a promise that all men, yes black men and white men would be guaranteed the unalienable rights of Life, Liberty and the Pursuit of happiness”.

Noting a drift from the ideals envisaged by these declarations, as evident in the segregation and supremacist policies of 20th century America, the Libertarian theologian remarked:

“It is obvious today that America has defaulted on his promissory note insofar as her citizens of color are concerned. Instead of honoring this sacred obligation America has given the Negro a bad check, a check which returned back marked “insufficient funds”. But we refuse to believe that the bank of justice is bankrupt. We refused to believe that there are insufficient funds in the great vaults of

opportunity this nation. So we have come to cash this check, a check which would give us upon demand the riches of freedom and the security of justice...Now is the time to make justice a reality for all of Gods children”.

On the status of Jerusalem, the ancient city should be given a neutral status as a federal capital city of federal Israel, separately administered under federal municipality laws that respects and protects the rights of all the citizens of the new state. Only a federal solution can resolve the diplomatic logjam created by failed diplomacy of post- war international relations. Let the leaders of the Arabs world and the Jewish people begin to consider going into a federal union (Acheoah, O.A. April, 2019)

This will allay fears over political assimilations or predominance in the character of Arabization of the Jewish people or Judaization of the Arab people, a federation that erects the principles that preserves the anthropological, socio-cultural differences and seeks to pair them with unity. When this happens, the Israeli parliament will take more all-inclusive character, making laws that will promote peaceful coexistence among the people. It is the diversity found among the Arabs and the Jews that makes a federal solution the most viable panacea to the intractable Israel-Palestinian impasse (Acheoah, O.A. April, 2019)

Recommendations

This paper recommends a symmetrical bi-national federal union as the most viable framework for resolving the century long territorial, religious and racial conflicts between the Arabs and the Jewish people nationals. As against the two-state utopia which is both infeasible and conflict breeding, a bi-national federation will structurally resolve the divisive forces that had made the conflict intractable one. The potential federal *Union of Israel and Palestine (UIP)*, with Jerusalem as its Federal Capital Territory (FCT) established with *rights of equal access* to all citizens, faiths and political divides under separate municipal administration will resolve every diplomatic logjam experienced in the previous efforts at resolving the conflict.

The political negotiation towards the federalization of Israel and Palestine should take the following into consideration:

Jerusalem as the capital of the emergent federal union is protected under national legislation (laws) framed around the principles of religious inclusion; with mutual rights to all faiths to peaceful cohabitation.

The constituent ethno-nationalist groups should be protected equally under the national legislation;

There should be clauses for fiscal-monetary decentralization;

Ethno-religious rights should be adequately protected under the national legislation;

The new federal laws must preserve the primordial differences while pairing them with unity, the idea of the Union of Israel and Palestine should not be to smother the pre-state diversity but to preserve and unite them else federalism becomes a scheme instrument for political and cultural assimilation and domination ;

With view of the historical, religious and diplomatic antecedent of the conflict, the constitution of a federal ***Union of Israel and Palestine*** must imbued with inherent adjustable mechanism to meet the socio- cultural and religious dynamics that will arise in the course of their existence as country. The United Nations and the diplomatic community must support and sustain a renewed campaign in the Middle East against religious exclusivism through inter-faith dialogue. The Middle East being the birthplace of the three dominant monotheistic faiths: Judaism, Christianity and Islam should remain the core area of focus in the campaign to ***“save next generations from the carnage fuelled and sustained by religious exclusivism.*** The broad-based regional campaign must attract all stakeholders, faith based organizations, humanitarian organization and INGOs.

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