

PALESTINE, THE UN AND THE ONE-STATE SOLUTION

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In fall 2011, observers of Arab-Israeli affairs warned that the Palestinian bid for UN recognition threatened both the United States and the Jewish state. The Palestinians' diplomatic offensive would isolate Israel and its allies, the critics said, while further consolidating an international pro-Palestinian bloc. It could also force the United States to use its Security Council veto, further discrediting the Obama administration with Middle Eastern and global publics. Most commentators, however, missed a key point: by demanding official UN recognition, Palestinian leaders dealt a debilitating blow to all those who had begun to think seriously about a one-state or confederal solution to the Israeli-Palestinian conflict. And, while the Palestinian bid for UN recognition did not end that discussion entirely, it did pose a new and serious obstacle. For the foreseeable future, all eyes will be intently focused on Jewish-Palestinian partition, rather than on the possibility of some kind of shared Palestinian-Jewish political entity.

This reversal is a shame, given that serious debate over a one-state or confederal

solution had only just begun. And while no reasonable person would pretend that a democratic and unitary Palestinian-Jewish state is likely to emerge any time soon, the concept's long-term prospects are more intriguing. Given that a successful two-state solution remains disappointingly elusive,¹ why not start thinking creatively about new options? The one-state/confederal idea can help advance the debate over Palestinian-Israeli relations by generating fresh thinking and new strategies on all sides.

THE ONE-STATE/CONFEDERAL IDEA

Pundits who know little about actual conditions suggest that Palestinian/Israeli partition is simply a matter of political will. If Israeli, American and Palestinian elites were only to muster the courage to face down their domestic opponents, everything else would fall into place. In reality, however, the situation is far more complex. To those who see the existing Palestine-Israel population matrix as it really is — rather than, as they might want it to be — it should be much clearer that the

process of separation would be staggeringly complex. Morality, international law and social justice aside, the division of Jewish and Palestinian populations into distinct and feasible states would be a gargantuan task, largely as a result of a concerted Jewish West Bank settlement effort dating back to the late 1960s.²

Until the turn of the millennium, the one-state/confederal vision was nowhere on the intellectual horizon. Although a few thinkers had mused about one-statism prior to 1948, mainstream Jewish and Palestinian opinion was largely uninterested. The notion was pushed even further to the margins after the 1948 war; at best, a handful of leftist Jews discussed the idea prior to the second Intifada, along with a smattering of Palestinian radicals. During the 1970s and 1980s, Israeli and American policymaking focused on political autonomy for West Bank and Gaza Palestinians, while in the Palestinian political world, the debates mostly focused on the modalities of “armed struggle” with Israel, relations with Arab states and on the remote possibility of participating in some kind of diplomatic negotiation with Israel or the United States.

In the late 1980s, Jewish or Israeli support for some form of two-state solution seemed like a radical move. Palestinian statehood was rarely discussed among Jewish Israelis in those years, and its supporters felt very much as if they were walking out on a precarious political limb. The first Intifada was underway, and a handful of Jewish intellectuals and political figures were just beginning to make contact with representatives of the PLO. A few years later, the Oslo Accords arrived, and suddenly Palestinian statehood in the West Bank and Gaza — the two-state solution — was all the rage.

And yet, the Jewish settler movement was light years ahead of that game. Since the late 1960s, and then with much greater energy in the late 1970s, the settler movement had been busily creating facts on the West Bank ground. Realizing that someone would eventually try to persuade Israel to relinquish the West Bank, Gush Emunim — the Jewish national-religious social movement with substantial grassroots support — was hastily building new settlements in what they felt was the Israeli heartland, Judea and Samaria. In doing so, these national-religious settler activists were taking a page from Labor Zionism’s book. What Ben-Gurion and the other Labor greats had done to Mandatory Palestine under the British, the national religious community was now doing to the West Bank under — and often with the help of — Israeli governments. As sociologist Gershon Shafir argued, settling the Judea and Samaria “frontier” was a way for these contemporary national-religious figures to earn the status, power and self-respect that early secular Zionists had garnered for themselves during the first half of the twentieth century.³

None of this passed without notice. Palestinians were furious about settlements, and international observers repeatedly warned Israel that occupying powers were prohibited from transferring their civilian population into territories taken during military hostilities. Israel responded that the territories’ legal status was unclear and that, until a final peace deal, the Palestinian lands were “administered,” not occupied.

Within Israel, former Jerusalem deputy mayor Meron Benvenisti was one of the first card-carrying members of the Jewish elite to sound the alarm. In a series of reports, articles and monographs published in the early 1980s, Benvenisti and his co-authors

warned that the settlers and their government allies were rewriting the rules of the game. Their reworking of the West Bank's topography and demography was proceeding at breakneck speed, Benvenisti said, and the point of no return was fast approaching.⁴ In a few years, he cautioned, Israeli withdrawal from the West Bank and Gaza would be out of the question. There would

simply be too much Jewish concrete and asphalt in the West Bank, along with too many Jewish residents, to reverse course.

In 1993, one of the keenest scholars of contemporary Israel, political scientist Ian Lustick, wrote a clever book on the politics of West Bank annexation or withdrawal, arguing that Benvenisti's bricks-mortar-and-people argument was dead wrong.⁵ Instead, Lustick argued, the West Bank's internalization into the Israeli body politic was a state of mind, not a material reality. Roads, settlements and electrical lines were nothing without popular support and their cultural "naturalization" in the Israeli mind as integral parts of the Jewish state. If pro-withdrawal Israeli Jews were able to wage the appropriate political, cultural and symbolic battles, Lustick suggested, Israel's West Bank presence would crumble, much as France's Algerian occupation had evaporated overnight. Today, the separation of France from Algeria seems as natural as that between Texas and Mexico. And yet, until the 1950s, Lustick noted, this division seemed impossible. If Algeria's integration into France could be culturally dislocated, Lustick suggested, the same could be done for the West Bank and Gaza.

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Lustick's optimism was dominant throughout the 1990s, even as the Israeli government supported, facilitated and tolerated more West Bank construction. After the Oslo Accords, international players such as the Canadian government funded a variety of research projects on Israeli withdrawal scenarios. In one such exercise I witnessed in Ottawa, analysts went so far as

to debate how Palestinian urban planners might use the Jewish settler-cities once they were evacuated.⁶

International and local optimism about the potential for a two-state solution persisted, even as Jewish settlers pounded more and more nails into its coffin.

Soon after the Second Intifada started, however, more observers began to wonder if Benvenisti was right. Separation was becoming harder, not easier, and the Jewish presence in Jerusalem and the West Bank was growing at an even greater pace. And while the two Palestinian Intifadas had resurrected the Green Line in Israeli psychology, culture and collective consciousness, the occupation's denaturalization was not leading to greater withdrawal possibilities. Something in Lustick's argument, in other words, was badly amiss. The cultural hegemony of the national-religious movement was cracking, but the settlements were still expanding. Increasingly, it began to seem as if Benvenisti, rather than Lustick, had gotten it right. Perhaps bricks, mortar and people really did matter more than the national-religious community's fading cultural hegemony.

As the Benvenisti vision gained credence, commentators, intellectuals and

disenchanted politicians began tossing the one-state/confederal idea around, often in fits of anger or despair. Settlements, the failure of President Bill Clinton's peace-making efforts and the re-emergence of violence all seemed to suggest that the two-state solution was no longer viable. In frustration, more and more peace-process participants and observers began to cite a one-state/confederal solution as "punishment" for Israel's intransigence. Israel had been offered the possibility of a Jewish-majority and democratic state, these observers said, but its dysfunctional political system had blown the opportunity. Now, the one-staters said, Israel would have to start contending with the specter of a non-violent, democracy-demanding Palestinian movement that would insist on equality within a shared Palestinian/Israeli entity. The Jewish homeland would become a binational state, and Zionism's quest for ethnoreligious exclusivity would be over.

In the United States, it was Tony Judt, the recently deceased historian and man of letters, who fired the first shot in the one-state intellectual battle. His 2003 *New York Review of Books* article, "The Alternative," triggered a firestorm of comment and protest, vaulting one-statism onto the Western intellectual agenda.⁷ Political-scientist-cum-activist Virginia Tilley published her own pro-one-state piece shortly thereafter in the *London Review of Books*, and then followed up two years later with a book-length argument.⁸ Israeli historian Benny Morris countered with his own articles and monograph a few years later, arguing that one-statism was either wishful thinking or ill-intentioned anti-Israel propaganda.⁹ Other one-state op-eds and commentary began popping up across North America, from mainstream sources such as *The Washington Post* and *The New York Times*,

to more offbeat publications such as *The Nation* or *Huffington Post*.¹⁰ Even oddball dictator Muammar Qadhafi got in on the action, publishing a pro-one-state *New York Times* op-ed in 2009.¹¹

PALESTINIAN PREFERENCES

In autumn 2011, however, Palestinian leaders did not take their case for a one-state or confederal solution to the United Nations. Instead, they demanded the international seal of approval for the same two-state solution that seemed to be disappearing before their very eyes. Why?

Contemporary Palestinian leaders surely recognize the logic of Benvenisti's arguments. After all, they don't live in Tunis anymore; instead, they travel around Jewish settlements and roads each time they leave home. Ramallah may seem like all-Palestinian space to those who never leave town, but the land surrounding the West Bank capital is abuzz with the sound and sights of settlement construction. Indeed, frustrated Palestinian leaders have often warned that they might press for a single state one day if the settlements continue.¹² Oddly enough, however, these warnings have always sounded more like temper tantrums than serious political reflection.

There is no doubt that Palestinians would initially be at a great disadvantage in any shared political entity. Over time, however, they would likely improve their lot through elections, social-movement-style activism and civil-rights legislation. Over 20 percent of Israeli citizens are already Palestinians, and that community is developing a stronger political voice and agitating for greater democracy, ethnic tolerance and cosmopolitanism.¹³ Why wouldn't Palestinians in the West Bank and Gaza join forces with their co-na-

tionalists and Jewish sympathizers within Israel? Why not go to the United Nations and demand that the world body start talking about a shared Israeli-Palestinian entity, rather than two separate states?

THE KOSOVO PARALLEL

During my research into Serbian nationalism in the 1990s, questions of this sort repeatedly came to mind.¹⁴ Why did Kosovar Albanians, for example, refuse to participate in Serbian elections during the 1990s, rather than boycotting Serbian institutions? Why didn't they wage a democratic fight within Serbia and Yugoslavia, rather than focusing their energies on obtaining international support for independence?¹⁵ Kosovar Albanians, after all, could have packed a powerful electoral punch within Serbia, much like Palestinians in a bi-national state. If they had joined forces with other non-Serbs — such as Muslims in the Sandzak or Hungarians in Vojvodina — they could have transformed Serbia into a more democratic and multiethnic space with even greater speed. The Kosovo story, like that of the Palestinians, seemed to be one of missed opportunity for improvement through democracy.

The price that Kosovars and others paid for this choice became clear in 1999, when Serbian forces expelled much of Kosovo's ethnic Albanian population into Albania and Macedonia during the NATO air offensive. By refusing to pursue legal struggles within Serbia, Kosovar leaders had exposed their people to intense risk and suffering. Although Serbian leaders and security forces were directly responsible for all the murders and displacement, the Kosovar elite's stance seemed like the "suicidal rebellions" that political scientist Alan Kuperman has so eloquently critiqued.¹⁶ Kuperman argues that some of the

world's recent wars, ethnic cleansings and genocides were sparked by reckless elites who preferred armed confrontation over unarmed, social-movement-style protest.

Happily and surprisingly, NATO forces persevered in their war with Serbia, and most Kosovar refugees eventually returned home. Still, ethnic Serbs in Kosovo then experienced their own bout of ethnically-based repression and discrimination. Taken together, the quotient of Kosovo-related suffering was remarkably high, and it is hard not to wonder whether much of this could have been avoided had Kosovar Albanians resolved to focus on using their political and demographic clout *within* Serbia, rather than on pursuing independence through partition. Why not fight for one's democratic rights within the system, rather than opt for partition, armed combat and wide-spread devastation?

ATTEMPTING AN EXPLANATION

A comprehensive account of Palestinian decision making requires access to key decision makers. Still, it is possible to make informed speculations based on available data, logic and social-science fundamentals.

For starters, Palestinian leaders must know that public opinion on all sides still supports the two-state option. As Middle East expert Shibley Telhami recently argued, Israeli/Palestinian partition remains the path of least resistance for political elites concerned with maintaining public support.¹⁷ This remains true even though majorities on all sides believe that a successful two-state resolution is unlikely, and growing numbers of people have begun to voice their support, in principle, for a one-state or confederal arrangement. In 2010, for example, the Israeli daily, *The Jerusalem Post*, cited a poll estimating 24

and 29 percent support among Israelis and Palestinians, respectively, for some form of binationalism, along with another 30 and 26 percent in support of a Palestinian-Israeli confederation.¹⁸

Polling results mean less than meets the eye, however, as Palestinian political elites are surely aware. When asking questions of this sort, so much depends on immediate political context and the way in which the questions are posed. Polling results are always open to debate, and the devil is inevitably in the details. What kind of “binational” state, precisely, does each

polled individual really support? If 18 years of post-Oslo negotiations over the two-state op-

tion have been tortuous, the mind boggles at the complexity of potential negotiations over a one-state or confederal option. Every facet of relations among Jews, Palestinians and other minorities would have to be negotiated in intricate and agonizing detail. Palestinian leaders must realize that the effort required of elites on all sides to build support for a shared binational vision would be at least as arduous, if not more, than the effort required in mobilizing support for the two-state solution.

Telhami’s notion of the “path of least resistance” points to another possible reason for the Palestinian elite’s reluctance. For Palestinians, partition and independent statehood are path-dependent. As one leading theorist puts it, path dependency is a condition in which the costs of exiting from one strategy and switching to another are constantly rising.¹⁹ With each day, month and year that passes in pursuit of Strategy A, the costs of switching to

strategies B, C or D becomes even higher. Strategic change requires massive infusions of new energy, ideas and resources, even when the new strategy makes more sense. To translate this into Israeli-Palestinian realities, consider this: if the path-dependency argument is true, it may even be *more* difficult to dismantle Palestinian state-seeking efforts than it would be to roll back Israel’s West Bank infrastructure.

A Palestinian academic once put a version of the path-dependency argument to me thus: “The problem with all those advocating one-state solutions [among the

Palestinians] is that they have no plan for dealing with the institutions we have already

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created.” What he meant, I believe, is this: the Palestinian Authority’s civilian and military agencies are numerous and well-populated, and its staff has strong ideological and personal incentives to continue working for an independent state. How could these institutions be dismantled and transformed into components of a shared Jewish-Palestinian entity?

In theory, neither the public-opinion nor the path-dependent obstacles are insurmountable. One can imagine, for example, a sizable segment of the Palestinian public being persuaded to support one-statism or confederalism, should their leaders be seriously interested. Moreover, if the leadership were to articulate a reasonable method of achieving the goal — perhaps through nonviolent civic struggle, as many have urged — an even larger number might be persuaded to try. Path-dependent processes, similarly, could also be overcome, at least in theory. The Palestinian

Authority could somehow be integrated into a shared political entity, just as opposing forces have been integrated into shared institutions in other postwar situations. After all, there is by now an entire industry of academics, policy experts, international bureaucrats and nongovernmental organizations trained to deal precisely with this kind of reform. With a major injection of overseas resources, Palestinian and Israeli institutions might somehow be merged.

There are, however, at least two more reasons for the Palestinian reluctance to seriously advocate for a one-state solution today. The first involves money and power. Membership in the international community confers substantial benefits on all those individuals sufficiently well-placed to take advantage. Trade agreements, the power to make investment decisions, financial regulatory powers, contracting, international financial aid, participation in international organizations, diplomatic ties — all these perks of statehood offer tremendous opportunities for the well connected. Palestinian elites already have some of these benefits, and they are poised to gain many more if statehood ever arrives. If Palestine were integrated into a shared state, however, they'd have to fight every step of the way with their more powerful and experienced Jewish counterparts for the benefits of international statehood.

Finally, emotional factors must also be at play.²⁰ Although the impact of emotions on politics is often neglected, most of us know intuitively that they must somehow matter. For Palestinians, the possibility of living in their own internationally recognized state, after all these years of statelessness and suffering, must be overwhelmingly appealing. As humiliated groups from Quebec to Sri Lanka have long discovered, full-fledged membership

in the international community offers all manner of emotional rewards. To those previously deprived, independent statehood offers the potential for self- and international respect, physical security and the avoidance of humiliation at border crossings worldwide. And as any experienced political leader knows, borders, flags, national anthems and other state paraphernalia can have enormously powerful effects.²¹ If Palestinians were to advocate for a single state, however, they would have to give up hope of achieving any of these benefits any time soon. Israeli Jews are, on average, richer, better organized and better armed. Participating with them in a shared political entity would leave many Palestinians in inferior social and economic positions, at least for the medium term. They would be economically and politically outgunned, forced to play second fiddle to their more advantaged Jewish partners. And while they might eventually have numbers on their side, it would take years of struggle to achieve real equality.

There are many good reasons, in other words, for the Palestinian decision to press for UN recognition of partition, rather than unity. Yet the Palestinian people's long-term interests may still require resurrection of the one-state/confederal idea. As a result of the very specific way in which settlers and Israeli officials have spread their presence throughout the West Bank, there is very little contiguous Palestinian space left. Barring a major regional war in which Israel is the clear loser, there is little chance that the Jewish state's network of settlements, roads and infrastructure will ever be dismantled.

THE NEED FOR BETTER ANALYSIS

Over the past 10 years, the one-state discussion has been intriguing but lack-

ing in analytical depth. Tilley's intriguing book, for example, contained no clear discussion of the groups, sectors and institutions that might eventually come to favor the one-state option. Historically, political scientists have explained state emergence through coalitions of self-interested soldiers, politicians, workers or merchants. To intellectually establish the viability of a shared Jewish-Palestinian state, we need to learn much more about its potential supporters. Which groups on either side might potentially be in favor, and why? Which elements of the Israeli and Palestinian security establishments might find their interests served by unity? What about the trade unions? Business communities? Government agencies? Religious organizations? To get serious, the analysis of one-statism needs more political science and less ethical or moral theory. State-building of any kind is serious business, and it should be analyzed seriously by academics with the right expertise.

Indeed, there is a bigger logical issue at stake. Critics of the two-state option often do a superb job of showing why Israeli domestic politics make it hard to withdraw Jewish settlements, and then skip directly to the one-state idea. Yet if the national-religious lobby is sufficiently strong to prevent Jewish withdrawal, why would it not also be sufficiently powerful to block bi-nationalism? The politics of a one-state or confederal solution, in other words, requires much deeper thought.

There is one other obvious gap in the one-state literature. When, and under what conditions, have other political movements and institutions come together in shared political arrangements? What are the scope conditions for success, and will any of

these ever obtain in the Israeli-Palestinian case?²² Since the end of the Cold War, there have been a number of internationally supported attempts to stitch broken states back together; Bosnia is perhaps the most high-profile example, but there are others, such as Rwanda. In Bosnia, multiethnic unity was the mantra of the militarily weaker but more populous Bosnian Muslim side, and international forces have tried since the mid-1990s to reconstruct the Bosnian state. Informed observers, however, remain highly pessimistic about the shared Bosnian entity's prospects. What does this case, among others, tell us about the prospects for Israeli and Palestinian unity? Much will depend on context, scope conditions and regional politics. Although we don't yet know the lessons of Bosnia, Rwanda and other cases for potential Israel-Palestinian unity, the time has come to start asking serious comparative questions.

CONCLUSION

Hopefully, the Palestinian bid for UN recognition will not put an end to serious discussion of the one-state idea. The case for this alternative is only just now being made, and there is much more intellectual work to be done. Interested parties should stop using the one-state slogan as an expression of moral rectitude or frustration, and instead begin using the full range of intellectual tools at their disposal. They must be cross-national, historical and comparative, drawing far and wide on the panoply of relevant international experiences to start thinking seriously — really seriously — about whether and how a one-state or confederal arrangement might ever come about in Palestine-Israel.

- ¹ For a recent and comprehensive review of the challenges facing the two-state solution, see Michael A. Cohen, "Think Again: The Two-State Solution," *ForeignPolicy.com*, September 14, 2011.
- ² There are dozens of excellent accounts of Israel's settlement policy, some of which I summarize in James Ron, *Frontiers and Ghettos: State Violence in Serbia and Israel* (University of California Press, 2003). One of my more recent favorites is Eyal Weizman, *Hollow Land* (Verso, 2007).
- ³ Gershon Shafir, "Changing Nationalism and Israel's 'Open Frontier' on the West Bank" *Theory and Society* 13, no. 6 (1984): 803-827.
- ⁴ Benvenisti's warnings in the 1980s appeared in a series of publications called the West Bank Data Project, which carefully counted the number of settlements, roads, and other infrastructure introduced by Israel into the region.
- ⁵ Ian Lustick, *Unsettled States, Disputed Lands: Britain and Ireland, France and Algeria, Israel and the West Bank-Gaza* (Cornell University Press, 1993).
- ⁶ The researchers concluded that there was little to be gained. Jewish settlements had not been constructed with Palestinian needs in mind, and thus could not be integrated into Palestinian urban planning.
- ⁷ Tony Judt, "Israel: The Alternative," *New York Review of Books* (October 2003).
- ⁸ Virginia Tilley, "The One-State Solution," *London Review of Books*, 25, no. 21 (2003): 13-16; Virginia Tilley, *The One-State Solution: A Breakthrough for Peace in the Israeli-Palestinian Deadlock* (University of Michigan Press, 2005).
- ⁹ Benny Morris, *One-State, Two-States: Resolving the Israel/Palestine Conflict*. (Yale University Press, 2009). An excerpt from his book appeared in *New York Times*, May 24, 2004: Benny Morris, "'One-State, Two-States.'" The Emergence of One-Statism (First Chapter)."
- ¹⁰ George Bisharat, "Israel and Palestine: A True One-State Solution," *Washington Post*, September 3, 2010; Robert Wright, "A One-to-Two-State Solution," *New York Times*, sec. The Opinionator, September 28, 2010; Daniel Lazare, "The One State Solution," *The Nation*, October 16, 2003; Mya Guarnieri, "Is the Two-State Solution Dead?" *Huffington Post*, March 23, 2010; and Dmitry Reider, "Who's Afraid of a One-State Solution?" *Foreign Policy*, March 31, 2010.
- ¹¹ Muammar Qadhafi, "The One-State Solution," *New York Times*, January 22, 2009.
- ¹² Haaretz Service, "Abbas: Israel Setting Tone for One-State Solution," *Haaretz*, January 31, 2010; "Palestinians in Statehood Warning," *BBC News*, November 4, 2009; Amos Harel and Nadav Shragai, "PA Warns U.S. It May 'Re-Evaluate' Two-State Solution," *Haaretz*, October 10, 2002.
- ¹³ Dan Rabinowitz and Khawla Abu-Baker, *Coffins on Our Shoulders: The Experience of the Palestinian Citizens of Israel* (University of California Press, 2005).
- ¹⁴ Ron, *Frontiers and Ghettos*.
- ¹⁵ I reviewed some excellent books on the Kosovo struggle in James Ron, "Kosovo in Retrospect," *International Studies Review* 3, no. 3 (Fall 2001): 103-115.
- ¹⁶ Kuperman has pursued the theme of self-induced genocides and ethnic cleansing for over a decade; the notion of "suicidal rebellion" is central to his thinking. For a recent version of his theory, see Alan J. Kuperman, "The Moral Hazard of Humanitarian Intervention: Lessons from the Balkans," *International Studies Quarterly* 51, no. 1 (2008): 49-80.
- ¹⁷ Shibley Telhami, "Path of Least Instability," *New York Times*, September 15, 2011.
- ¹⁸ Benjamin Joffe-Walt, "Palestinians Increasingly Back One-State: Survey Finds Palestinian Support for Bi-National State Gaining Ground," *Jerusalem Post*, March 22, 2010.
- ¹⁹ Paul Pierson, "Increasing Returns, Path Dependence, and the Study of Politics," *American Political Science Review*, 94, no. 2 (2000): 251-67.
- ²⁰ Roland Bleiker and Emma Hutchinson, "Fear No More: Emotions and World Politics," *Review of International Studies* 34, no. 1 (2008): 115-13; and Jeff Goodwin, James M. Jasper and Francesca Polletta, "Return of the Repressed: The Fall and Rise of Emotions in Social Movement Theory," *Mobilization* 5 (2000): 65-82.
- ²¹ Michael Billig, *Banal Nationalism* (Sage, 1995).
- ²² I thank political scientist Ron Krebs for this suggestion.