Beyond Oslo: Challenges and Prospects

A Report on a Student Study Group Analysis of the Israel-Palestine Conflict

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About the Middle East Initiative and the Study Group

MEI Senior Fellow Ambassador (Ret.) Edward Djerejian hosted the five-session Study Group on the Israeli-Palestinian conflict with 25 Harvard students from across the University. Presentations and reading assignments were drawn from diverse contemporary and historical sources, including six in-depth interviews with Israeli and Palestinian regional experts across the academic, professional, and national security spectra. These contributions allowed the authors and students to analyze historical precedents, examine lessons learned from past policy and negotiating successes and failures, and understand how acute and problematic the status quo has become and what possible ways forward could be defined.

Established in 1998, the Middle East Initiative (MEI) is Harvard University’s principal forum for policy-relevant research and teaching on the contemporary Middle East and North Africa. MEI convenes policymakers, scholars, and intellectuals from the region and beyond to expand our understanding of this complex part of the world and to contribute to the search for solutions to its most pressing policy challenges. Through the integration of scholarly research, policy analysis, executive and graduate education, and community engagement, MEI aims to advance public policy and build capacity in the Middle East to enhance the lives of all the region’s peoples.
Preface

The following policy paper was authored before the break out of the latest war between Israel and Hamas in Gaza on October 7, 2023. It, thus, does not incorporate the impact of these tragic and drastic developments on the Israel-Palestine conflict.

Nevertheless, this paper provides an analytical perspective of the root causes and evolution of the conflict, offering possible ways forward for resolution whenever the political landscape becomes conducive for the parties to enter into peace negotiations.

Acknowledgments

We would especially like to thank our guest speakers—Israeli and Arab policy experts and practitioners—who kindly agreed to share their valuable experiences and insights on the region.

We also appreciate the Middle East Initiative’s support of this Study Group and of the resultant report.
Acronym Glossary

- Middle East Initiative (MEI)
- Palestine Liberation Organization (PLO)
- Two State Solution (TSS)
- The occupied Palestinian territories (oPt), typically referring to the West Bank
- Palestinian (National) Authority (PA)
- Coordinator of Government Activities in the Territories (COGAT)
- Israeli Defense Forces (IDF)
- Palestinian Islamic Jihad (PIJ)
- Palestinian Center for Policy and Survey Research (PCPSR)
- Nita M. Lowey Middle Partnership for Peace Act (MEPPA)
- Jewish Electorate Institute (JEI)
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In this Sept. 13, 1993 file photo President Clinton presides over White House ceremonies marking the signing of the peace accord between Israel and the Palestinians with Israeli Prime Minister Yitzhak Rabin, left, and Palestinian leader Yasser Arafat, right, in Washington. (AP Photo/Ron Edmonds, File)
Introduction

On the occasion of the 30th anniversary of the Oslo Accords, we present this paper as the culmination of a spring 2023 Study Group on the Israel-Palestine Conflict at Harvard Kennedy School Belfer Center’s Middle East Initiative (MEI) under the direction of Senior Fellow Ambassador (Ret.) Edward Djerejian. The Study Group consisted of 25 Harvard students from across the University and was conducted over five sessions. Presentations and reading assignments were drawn from diverse contemporary and historical sources, including six in-depth interviews with Israeli and Palestinian regional experts across the academic, professional, and national security spectra. These contributions allowed us to analyze historical precedents, examine lessons learned from past policy and negotiating successes and failures, and understand how acute and problematic the status quo has become and what possible ways forward could be defined. Head Research Assistant to Ambassador Djerejian, Nicolas Pantelick ’24, aided in drafting this executive paper, which summarizes the study group’s deliberations and suggestions for the way forward in the complex Israel-Palestine political landscape.
Summary

The Palestinian issue remains central despite efforts to minimize its regional importance. The Two State Solution (TSS) has grown increasingly remote as the Israeli settler enterprise in the occupied Palestinian territories (oPt) of the West Bank and East Jerusalem has expanded to over 700,000 people. As such, a final conflict settlement of supporting Israel as a democratic Jewish state alongside an independent Palestinian state appears less and less viable. Due to settlement expansion and 56 years of occupation, the TSS now seems an externally imposed concept, primarily championed by the international community with limited and diminishing local support.

Though societal divisions in Israel between the secularists and the religious are more pronounced now than ever, the question remains whether the widespread opposition to Netanyahu’s rightwing/religious coalition government and policies, particularly on the political Left, will expand to the issue of the oPt. At present, only a fringe minority of the protestors have been carrying the slogan “No democracy with the occupation,” sometimes ostracized by Israeli organizers who fear that mentioning the occupation would somehow undercut the protest movement.

Endemic internal legitimacy issues beset the Palestinian Authority (PA) and the PLO, long considered the de facto “sole legitimate representative of the Palestinian people.” The now more than seventeen-year schism between Hamas in Gaza and the Palestinian Authority/Fatah in the West Bank since the last Palestinian elections in 2005 and 2006 has fostered widespread corruption and discontinuity between the people and their ineffectual governance. Israel has capitalized on this rift to further its policies of separation and fragmentation and dilute growing international pressure for an end to their over half-century occupation. To address continuing drivers of instability, Palestinian institutions must be strengthened from within. Elections may be the structural remedy for reforms unless these processes would bring to power extremist Palestinian parties. Israel has a productive role to play in this process. Instead of exercising a strategy of institutional and legislative
containment, it should be in Israel's perceived long-term interest to support the Palestinian state-building project.

Considering longstanding legitimacy issues, many Palestinians, especially youth, support or expect a return to armed militia confrontation and intifada. An armed struggle may well portend if a peaceful solution to the Israel-Palestine conflict cannot be reached. As Palestinian youth grow further disillusioned with the patrimonialism of the PA and President Abbas, militancy may become the preferred avenue for resistance to increase the cost of Israel’s occupation.

A critical binary exists between the main-stay peace framework approaches—i.e., “land for peace” and “rights for peace.” Several potential alternatives to the TSS were examined and considered by the MEI Study Group, including federal and confederal models. Foremost among these was a one-state framework with equal rights for Israeli and Palestinian citizens or one state with unequal rights akin to apartheid. A shift in focus for negotiations, wherein a doctrine of universal human rights is established and safeguarded before any territorial issues are reconciled, may better guarantee a more amenable conflict compromise. Moreover, the rights-based approach, it is argued, appears to be the only sustainable outcome as territorial solutions become progressively less feasible. A rights-based process could also take on a more integrative slant as communities are not forcibly separated, and all residents west of the Jordan River are guaranteed equal rights. Nevertheless, such a stratagem remains equivocal to Israeli interests, given the inherent demographic imperative for preserving the Jewish majority in Israel.

The occupation status quo and virtual one-state reality present an existential crisis for Israel, inherently undermining its credentials as a democratic and Jewish state. Prioritizing the transactional economic and diplomatic relationships with neighboring Arab states, notably the normalization measures envisioned under the 2020 Abraham Accords, will not, ipso facto, create lasting peace with Palestinians unless the Arab states and Israel make that a priority. As Saudi Crown Prince Mohammed Bin Salman stated in September 2023, “For us, the Palestinian issue...
is very important. We need to solve that part,” adding that he wants to see Israel as a “player in the Middle East.” If Israel truly values its national identity as a Jewish democratic state, it would be better advised to initiate peace talks with the Palestinians as circumstances permit.

Looking ahead, the Study Group considered several factors that could emerge for achieving and sustaining peace between Israel and Palestine. From the top down, capable, representative leadership on both sides must be willing to establish a mutually acceptable political horizon or **endgame** for the conflict. This basic tenet is patently lacking as the PLO’s legitimacy flounders, and Israel is engulfed in political acrimony. Though unlikely, finding common ground for a solution can only begin when the two sides move from conflict management to conflict resolution, building on past negotiation achievements to envision a path forward.

Another factor is the role of a valid interlocutor or mediator. The United States has played that role successfully and unsuccessfully, but circumstances can also produce direct talks, such as between the Israelis and Jordanians leading to the Israeli-Jordanian peace treaty in 1994. In any case, the mediator must be credible and effective to obtain positive results. In future negotiations, it is essential to couple bilateral or multilateral negotiations with a coherent public diplomacy effort. Namely, to assure that public opinion is informed— with due respect to the confidentiality of negotiations—regarding the evolution of talks so that public support is enhanced when final decisions are made.

Unsuccessful negotiations have too often been too focused on process and not sustainable outcomes. Fundamentally, any approach must depart from the zero-sum negotiation paradigm, which contends that “nothing is agreed upon until everything is agreed upon.” Adherence to this principle has perpetuated stasis and, ultimately, driven the two sides progressively farther apart.

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The broader geopolitical landscape must be conducive to successful outcomes, and specific political horizons must be outlined under which parties deliberate. In times of crisis, there is also opportunity. Despite the current bleak political landscape, a new situation could emerge in Israel and Palestine or the region conducive to successful peacebuilding. Policymakers should be prepared to seize that moment to engage in negotiations and a peaceful settlement of the Israeli-Palestinian conflict.

Despite the current bleak political landscape, a new situation could emerge in Israel and Palestine or the region that would be conducive to successful peacebuilding. Policymakers should be prepared to seize that moment, if it occurs, to engage in negotiations and a peaceful settlement of the Israeli-Palestinian conflict.
Key Policy Considerations

Policy considerations are broken down into the following categories and discussed in different parts of the brief.

The Settlement Project

- Is the Two State Solution (TSS) still a viable option?
- Has the Israeli settlement project succeeded in preventing a contiguous Palestinian state?

Israeli Democracy and the Occupied Palestinian Territories (oPt)

- What is the nexus between the current internal Israeli political crisis and the over-half-a-century occupation of the Palestinian territories? Can there be Israeli democracy with occupation?
- Given the hundreds of thousands of anti-government protesters in Israel since January 2023, can Israel emerge after this political crisis and coalesce around a new pro-peace consensus coalition government wherein extremist parties are marginalized?
- Has the Israeli body politic moved so far rightward or become so profoundly divided that the “land for peace” territorial paradigm is no longer viable?
- What factors would compel Israel to seek a final peace settlement? For example, will the “cost” of the Israeli occupation be raised by the growing militancy of Palestinian groups, particularly youth, and the threat of another Intifada?

The Issue of Palestinian Governance

- Can the Palestinian National Authority resolve its internal political fractures, reform its autocratic rentier governance model through democratic elections, and evolve to successfully co-lead peace negotiations? Or will the Palestinians opt for armed struggle?
Examining the Prospects for Peace, Potential Outcomes, and Alternatives to the Two-State Solution

- How can negotiators balance the land-for-peace principle with a human and political rights-based approach to achieve a sustainable resolution in Israel-Palestine?
- What are the possibilities of a confederal or federal solution?
- Has Israel-Palestine become a de facto “One State Reality” with unequal rights?
- Are the Abraham Accords a positive or negative influence on an Israeli-Palestinian peace settlement?

Lessons Learned from Past Negotiations

- What lessons can be learned from past negotiations?
- What should the role of the international community, especially the United States, be in Israeli-Palestinian conflict resolution?
- Is there a political horizon that both sides could ultimately adhere to in framing peace negotiations?

These policy considerations addressed by the Study Group endeavor to bridge idealism and sustainable outcomes. If the aim of a final conflict settlement involves supporting Israel as a democratic Jewish state alongside an independent, pluralistic, and unified Palestinian nation, the Two State Solution (TSS) is the logical and politically prudent endpoint. However, this outcome grows increasingly far-fetched as the Israeli settler enterprise in the oPt of the West Bank and East Jerusalem has expanded to over 700,000 people.

Indeed, this evolving situation points to framing Israel-Palestine as a “one-state reality.” As a one-state “solution” becomes more applicable, it will consist of an equal or unequal rights doctrine for the Israeli and Palestinian populations. Yet, despite the likelihood of such a dénouement, a one-state conception—democratic or not—will undercut Israel’s very character as either democratic or Jewish.

By tackling these interrelated queries, the MEI Study Group drew on the expertise of scholars and practitioners from a variety of backgrounds to analyze historical precedents, lessons learned from past policy and negotiating successes and failures, and a basic understanding of how acute and problematic the status quo has become and what possible ways forward could be defined.
**Historical Background**

In the Israel-Palestine conflict, history—near or far—plays a significant role in determining perceptions of the current conflict. Approximately seven million Jewish Israelis and seven million Palestinian Arabs inhabit the land between the Jordan River and the Mediterranean Sea. Both have historical claims to the land stretching back to ancient times, from the destruction of the First Temple in Jerusalem by the Babylonians in 586 BCE, spurring the first exile of Jews from the Kingdom of Judea, to its later reconstruction and second demolition (save the Western Wall), by the Romans in 70 CE. In the seventh century CE, the Islamic conquest of the Levant occurred, followed by several Muslim ruling dynasties succeeding each other as they wrestled control of Palestine. From 1516 CE to the early 20th century, the Ottoman Empire conquered the region, ruling it as Ottoman Syria/Palestine under the millet system, which gave minority religious communities within their Empire limited power to regulate their own affairs under the overall supremacy of the Ottoman administration.\(^2\) In 1917, the British government issued the Balfour Declaration, favoring the establishment of a national home for the Jewish people in Palestine. Following WWI, the League of Nations granted Britain mandatory power over Palestine in 1922, which the United Kingdom terminated a quarter century later in 1948.

In 1947, the United Nations General Assembly recommended partitioning Palestine into two states: one Arab and one Jewish. However, the situation in Palestine deteriorated into a civil war between Arabs and Jews, with the former rejecting the Partition Plan while the latter accepted it, declaring the State of Israel’s independence in May 1948. During the war, 700,000, or roughly 80% of all Palestinian residents, fled or were driven out of the territory that Israel conquered without the right to return—an event known as the Nakba or “Catastrophe” to the Palestinians. Starting in the late 1940s and continuing in the ensuing decades, about 850,000 Jews from the Arab world immigrated, or made “Aliyah,” to Israel. After 1948, only two parts of Palestine remained in Arab control: the West Bank and East-Jerusalem, annexed by Jordan, and the Gaza Strip, occupied by Egypt, both of which Israel conquered during the “Six-Day War” or “June War” in 1967.

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Disregarding international law (The Fourth Geneva Conventions of 1949), Israel began establishing settlements in these occupied territories.

The Palestine Liberation Organization (PLO) was founded in 1964. Yasser Arafat was Chairman of the Palestine Liberation Organization from 1969 to 2004 and President of the Palestinian National Authority from 1994 to 2004. He led the Palestinian movement’s liberation struggle and peace talks. In the wake of the 1991 Madrid Peace Conference, the two-pronged Oslo Accords in 1993 and 1995 inaugurated the Palestinian National Authority (PA) as a temporary administrative body for parts of Gaza and the West Bank—excluding East Jerusalem—pending a permanent peace settlement. For the past eighteen years, the PLO has suffered from a still unresolved legitimacy crisis—leadership between the West Bank, ruled by Fatah, and Gaza, governed by Hamas. It has remained fractured since Fatah’s candidate, Mahmoud Abbas (Abu Mazen), became PNA President in 2005 and Hamas’ legislative victory in 2006.
Assessing the Current Situation

The Settlement Project

The Israel-Palestine issue has become an unstable “frozen conflict,” with a potential negotiated solution increasingly remote. Prime Minister Benjamin Netanyahu’s electoral victory in 2022 under an extreme right-wing coalition further diminished the possibility of a settlement between the two sides. Extremist leaders that now populate the incumbent Israeli cabinet include Minister of Finance Bezalel Smotrich, Minister of Justice Yariv Levin, and Minister of National Security Itamar Ben Gvir. In July 2023, the Israeli Knesset passed a law limiting the Supreme Court’s ability to overturn national government decisions using the legal standard of “reasonableness,” a principle employed by judges to review ministerial appointments and contest decisions, such as those related to settlements, among other measures. Predating the current coalition, it should also be noted that, according to Section 7 of Israel’s Basic Law as the Nation-State of the Jewish People, passed in 2018, “The State views the development of Jewish settlement as a national value, and shall act to encourage and promote its establishment and consolidation.” While this Basic Law was controversial, internationally and within Israel, in July 2021, the Supreme Court ruled that the law was constitutional and did not negate the state’s democratic character.

The close engagement between the Coordinator of Government Activities in the Territories (COGAT) and the PA represents the main channel of governance of the oPt. Although the IDF sub-division has traditionally fallen under the purview of the Israeli Defense Forces (IDF) since Netanyahu’s coalition was elected in late 2022, “civil responsibility” in the West Bank has been transferred from Defense Minister Yoav Gallant and COGAT head Maj. Gen. Ghassan Alian to Minister of Finance Smotrich. A former Israeli military official with extensive experience in the occupied territories told the MEI Study Group that putting COGAT responsibilities under the Ministry of Finance puts Israel on a collision course with the ICJ in the Hague. In June 2023, Smotrich began imposing his ultra-nationalist vision over planning approval for

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construction in West Bank settlements. The resolution amended a 1996 decision that had formerly imposed numerous stages of authorization from the defense minister for land usage. Tantamount to de jure annexation, Smotrich now controls planning laws, building permits, natural resources, and the movement of goods and people between the West Bank, Gaza, and Israel. Tellingly, settler leaders celebrated this move, for example, with the Head of the Samaria Regional Council, Yossi Dagan, ironically stating, “We must stop treating residents of Judea and Samaria as second-class citizens.” Opponents of the Israeli settler program saw the politicized decision to streamline future settlement construction as designed to eliminate the possibility of a two-state solution and beckon a complete annexation of the West Bank, regardless of security or diplomatic considerations. Smotrich’s 2017 “Decisive Plan” spells out his basic policy, which he is determined to carry out as part of Prime Minister Netanyahu’s government:

“Ending the conflict means creating and cementing the awareness—practically and politically—that there is room for only one expression of national self-determination west of the Jordan River: that of the Jewish nation. Subsequently, an Arab State actualizing Arab national aspirations cannot emerge within the same territory. Victory involves shelving this dream. And as motivation for its fulfillment dwindles, so will the terror campaign against Israel.

This goal will be achieved even with declarations—with an unequivocal Israeli statement to the Arabs and the entire world that a Palestinian State will not emerge—but primarily with deeds. It requires the application of full Israeli sovereignty to the heartland regions of Judea and Samaria, and end of conflict by settlement in the form of establishing new cities and settlements deep inside the territory and bringing hundreds of thousands of additional settlers to live therein. This process will make it clear to all that the reality in Judea and Samaria is irreversible, that the State of Israel is here to stay, and that the Arab dream of a state in Judea and Samaria is no longer viable. Victory by settlement will imprint the understanding upon the consciousness of the Arabs and the world that an Arab state will never arise in this land.”

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This policy will undoubtedly have reverberating effects on the status quo. According to an IDF spokesperson, the current trends speak for themselves: 95% of Palestinian construction requests in the oPt are rejected, while 60-70% of Jewish settler requests are authorized.\textsuperscript{8} Netanyahu has underscored the stance of his finance minister, stating in July 2023 that remote settlements and illegal outposts in the West Bank will “remain as enclaves surrounded by a future sub-sovereign Palestinian entity if a peace agreement is reached.”\textsuperscript{9} Progressively, Netanyahu has rejected the idea that Israel would accept a neighboring demilitarized Palestinian state, an outcome he had advocated in the past.

In a presentation to the Study Group, Diana Buttu—lawyer, former spokesperson for the PLO, and past HKS and HLS fellow—asserted that the settler movement is thoroughly integrated into all Israeli government sectors, from Labor to Likud. The wholesale normalization of settlements among those in the highest government echelons has allowed the enterprise to thrive, particularly as the Israeli body politic has steadily increased in religiosity and shifted rightward over the last two decades. The Netanyahu bloc prevailed in 2022 despite narrowly losing the popular vote, 2.3 million to 2.33 million. So, what drove the victory? First, voter turnout was unexpectedly high at 71.3%, especially among the right-wing base. Secondly, the votes for Balad—a Palestinian party that opposes the idea of Israel as a Jewish state and seeks to turn it into a binational state within the pre-1967 borders—and the left-leaning Meretz party were not reflected in parliamentary seats because they failed to reach the threshold required to win a seat. Finally, turnout among Palestinian citizens of Israel (54%) remained far lower than among Israeli Jews, though it was up almost 10% from 2021.\textsuperscript{10}

In Buttu’s view, rather than embodying a break from the past, the 2022 election results were a culmination of prior trends, principally driven by Israel’s longstanding ethno-nationalist, expansionist project, which the Zionist center and left have been complicit in or failed to challenge. This project has appealed to young Israelis from low socio-economic and religious backgrounds, many of whom strongly identify with Jewish pride after years of indoctrination by religious

\textsuperscript{8} Breaking the Silence, “IDF Spokesperson on Palestinian vs. Israeli Settler Construction Requests in the West Bank,” Twitter, July 19, 2023, https://twitter.com/btsisrael/status/168164626574912002?s=58\&t=C-vQY7aJk60rA42-V2Q.


parties that controlled the education ministry. As such, the Jewish Power Party and its leader, Itamar Ben Gvir, also typify the biggest winners from the 2022 election. Much like Smotrich’s “Decisive Plan,” Ben Gvir’s party has developed a strategy that would “ensure a Jewish majority and a loyal civilian population,” including through “emigration, transfer of the enemy, an exchange of populations and any other way that will help the enemy leave our country.” The Minister of National Security is a proud acolyte of the late extremist Meir Kahane, whose Kach party was disqualified from the Knesset in 1988 for inciting racism and outlawed as a terror group in 1994. Ben Gvir threatened the late Prime Minister Yitzhak Rabin’s life just weeks before his assassination in 1995. He hung a photograph in his home of Baruch Goldstein, who massacred 29 Palestinian worshippers in Hebron at the al-Ibrahimi Mosque in 1994. Accordingly, Butt subjected her austere assessment of the Israeli settler movement’s deep integration into national political affairs by referencing that even Prime Minister Yitzhak Rabin felt politically inhibited in taking action against Hebron settlements after the 1994 tragedy despite his left-wing credentials and active commitment to the peace negotiations with the Palestinians and Israel’s Arab neighbors.

Following attacks against Israeli targets by the Palestinian Islamic Jihad (PIJ) armed group, the Israeli military incursions into the Palestinian city of Jenin in June and July 2023 were the most pervasive West Bank offensives in nearly two decades, signifying, for some, “the complete disintegration of the post-Second Intifada status quo.” These escalations fall under the IDF’s doctrine of “mowing the lawn,” the strategic approach of using disproportionate military force to periodically weaken local Palestinian resistance—or “root out terror,” in official terms—and manage a recalcitrant population resistant to Israeli control. Perfected in Gaza, this method battered the Jenin refugee camp from the air and ground, destroying critical infrastructure for water and electricity: a kind of “collective punishment.” Now, just as in Gaza, most urban centers in the West Bank can overnight be isolated and dominated, as with Jenin.

At the same time, other experts viewed the Jenin invasion as a direct prelude to a future broad offensive in the northern West Bank, including Nablus, to facilitate illegal (re)settlement. Growingly, the military and political establishments are functioning in lockstep to buoy West Bank settlements. For example, in March 2023, the Israeli Knesset annulled the 2005 Disengagement Law, initially passed by Prime Minister Ariel Sharon. This ordinance had mandated Israel’s evacuation of all army personnel and 8,000 Jewish Israeli settlers from 21 settlements in the Gaza Strip and the dismantling of a further four settlements in the northern West Bank. As a result of the Disengagement Law’s abrogation, the re-establishment and re-population of the Homesh, Sa-nur, Gadim, and Kadim settlements in the northern West Bank have begun in short order. To achieve this objective and further proliferate the settler enterprise requires eliminating local Palestinian pushback and marginalizing the Palestinian Authority’s role. Israeli settlers will only relocate to live in this area if the state provides them with security, which can only be achieved at the cost of local Palestinians.

### Israeli Democracy and The Occupied Palestinian Territories

Though societal divisions in Israel between the secularists and the religious are more pronounced now than ever, the question remains whether the widespread opposition to Prime Minister Netanyahu’s coalition government and policies, particularly on the political Left, will expand to the issue of the oPt. For their part, nearly 76% of Palestinian citizens of Israel approve of the grassroots protest against the government’s judicial reform, and a large proportion even contends that Palestinian citizens of Israel should play a more active role in democracy demonstrations. However, opinions vary over the status of the Israeli judicial system and if it is directly relevant to Palestinian citizens of Israel—47.9% feel it is, while 43.9% feel it is not. If the scope of the demonstrations were expanded beyond internal Israeli democracy to incorporate anti-occupation sentiment and an end to settlements, the approval figures of demonstrations by Palestinian citizens of Israel would likely decline.

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18 Makhoul, “Why Israel’s Offensive on Jenin Was a Failure.”
21 Rudnitzky, “Survey among the Arab Public in Israel.”
citizens of Israel would likely rise. At present, only a minority of the protestors have been carrying the slogan “No democracy with the occupation,” with the situation in Huwara the most relevant cross-cutting solidarity example.22

An August 2023 Associated Press report focuses on this issue: “The pro-democracy movement lacks any clear message of opposition to Israel’s open-ended military rule over millions of Palestinians. This contradiction reflects a widely held belief among Jewish Israelis that the conflict with the Palestinians is both intractable and somehow separate from Israel’s internal strife. Critics of the protest movement, including Palestinians, say this is a significant blind spot and that such selective advocacy of democratic ideals shows how disconnected Israelis are from the harsh reality of those living under Israel’s occupation… ‘It’s so ironic that they’re talking and protesting for democracy while at the same time, it’s been a dictatorship for Palestinians for 75 years,’ said Diana Buttu, ‘They’re afraid that their own privileges and rights are going to somehow be affected, but they won’t make the connection’ with the occupation…But largely missing from the raucous protests is any meaningful reference to Israel’s 56-year occupation of lands the Palestinians seek for their future state. A small contingent of activists waving Palestinian flags have taken part but remain mostly on the fringe. In some cases, they have even been ostracized by organizers who feared that mentioning the occupation would somehow undercut the protest movement. Israel’s Palestinian citizens, who make up a fifth of the population, have sat out the protests in part because the demonstrations are ignoring the occupation. ‘The protest is against the reduction of the democratic space for Jews. Most Jews in Israel don’t have a problem with Israel enforcing an apartheid regime in the West Bank,’ said Dror Etkes, a veteran anti-occupation activist.”23


The Issue of Palestinian Governance

A salient facet of the current situation revolves around the endemic internal legitimacy issues besetting the PA and the PLO as the de facto “sole legitimate representative of the Palestinian people” since Arafat informally accepted a reduced Palestine in 1974. Indeed, the now more than seventeen-year schism between Hamas in Gaza and the Palestinian Authority/Fatah in the West Bank since the last Palestinian elections in 2005 and 2006 have fostered deep-seated divisions between the people and their ineffectual governance and widespread corruption. Israel has capitalized on this rift to further its policies of separation and fragmentation and dilute growing international pressure for an end to their half-century occupation. Significantly, while the PA’s security forces—in its unpopular close coordination with Israel—have maintained a semblance of regional stability, this has actively suppressed Palestinian political resistance.24

Since taking office in 2005, Abbas has continued Arafat’s neo-patrimonialism, with his Fatah party remaining the primary redistributor of resources, whether economic rents and monopolies or prestige-based advantages such as VIP vehicles and freedom of movement. Underscoring the PA and PLO’s authoritarianism, in the last PNC meeting in 2018, members “elected” Abbas by clapping instead of voting, revealing a widespread unwillingness to grant space for a new generation of leaders. Further, in 2021, after the cancellation of legislative and presidential elections and growing popular protests against Israel, the PA launched a crackdown on Palestinian political and civil society activists. The PA also has the most elderly governmental cabinet in the region, with an average member age of nearly 68 years, according to 2020 figures, more than double the average Palestinian voter age of 33 years.25 Summarizing the popular discontent, a March 2023 report from the Palestinian Center for Policy and Survey Research (PCPSR) revealed that a majority of Palestinians support the dissolution of the PA and view its collapse as in the interest of the Palestinian people, considering its continued existence as serving Israeli interests.26

26 Shikaki, “Public Opinion Poll No (87)."
In light of these legitimacy issues, many Palestinians, especially youth, support or expect a return to armed confrontation and intifada (70% of West Bankers, according to the March 2023 PCPSR poll).\textsuperscript{27} Additionally, over two-thirds of Palestinians (68%) support forming armed groups, such as the Jenin Battalion or the Lions’ Den, and almost all (87%) oppose the PA security services arresting and disarming members of these militias. 70% of Palestinians believe that Israeli punitive measures under the guise of occupation and security will increase the incidence of armed attacks. Driving these results, the number of armed clashes with the Israeli army increased at least three times in 2022 compared to 2021; Palestinian deaths in the oPt in 2023 have surpassed 200 already, after reaching the highest point since 2005.\textsuperscript{28} The 31 Israeli deaths in 2022 were the highest since 2008, and settlers’ violent incidents against Palestinians stood at 755 compared to 496 in 2021 and 358 in 2020.\textsuperscript{29}

Interpreting these developments, at the same time, PCPSR Director Dr. Khalil Shikaki noted in a presentation to the MEI Study Group that Palestinian youth are beginning to favor a one-state solution with equal rights rather than opting for an independent but autocratic Palestinian state. Though such an outcome is unlikely under current circumstances, this attitude indicates the level of discontent among young Palestinians.

\textsuperscript{27} Shikaki, “Public Opinion Poll No (87).”


\textsuperscript{29} Shikaki, “Critical Policy Brief, Number 2/2023.”
Examine the Prospects for Peace and Potential Outcomes

Since the Oslo Accords, the TSS has emerged as the leading solution for the Israeli-Palestinian conflict, envisaging a sovereign Palestinian state living in peace and security next to the State of Israel. One senior former Israeli national security official stated to the MEI Study Group that he would prefer Israel dealing with the security challenges that an independent Palestinian state or entity would present, as Israel does with other Arab neighbors, rather than continue to deal with the recurring security challenges posed by the oPt. Although the international community first adopted the two-state framework in 1947 with the United Nations General Assembly’s Partition Plan for Palestine, the TSS has increasingly divorced from the on-the-ground reality in the region.\textsuperscript{30} PCPSR’s March 2023 report found that 74% of Palestinians believe “the two-state solution is no longer practical or feasible due to the expansion of Israeli settlements.”\textsuperscript{31} TSS support in the oPt has fallen from 43% in September 2020 to 33% in a joint survey in December 2022 from PCPSR and New Wave Research in Hebrew and Arabic.\textsuperscript{32} Interestingly, 29% of young Palestinians (18-23 years) believe the solution operable, slightly more than the oldest PCPSR survey respondents (55+ years) at 26%, a consistent finding since 2016. Searching for a compelling explanation, PCPSR argues that this relative, though limited, optimism “probably reflects the refusal of the youth to acknowledge the role of settlement expansion in determining the fate of the two-state solution.”\textsuperscript{33}


\textsuperscript{31} Shikaki, “Public Opinion Poll No (87).”


\textsuperscript{33} Shikaki, “The Palestine/Israel Pulse, a Joint Poll Summary Report.”
On the Israeli side, support for the two-state solution has dramatically fallen in the three decades since the Oslo Accords among Israeli Jews, at only 34%, compared to 39% for the entire national populace. This result also parallels the precipitous decrease in support for the TSS among Palestinians, with 44% of Israeli Jews previously co-signing the two-state framework in September 2020. Moreover, generational divides appear even more pronounced for Jewish respondents compared to Palestinians, with just 20 percent of Jews aged 18-34 believing in the TSS compared to 38% of Jews aged 55+. One immense hurdle precluding the realization of a two-state solution for Israeli Jews involves the logistical, economic, and moral quandary of unilaterally withdrawing from the West Bank and relocating or removing current settlements. The backlash related to the 2005 Israeli disengagement under Prime Minister Ariel Sharon underscores this widespread consternation. One former Israeli official reiterated to the Study Group that if no peace agreement is forthcoming, an Israeli unilateral withdrawal from the West Bank to define secure borders with a security corridor on the Jordanian border should not be discounted.

The TSS now appears even less expedient at the current juncture than perhaps at any point since the mid-1990s. Nevertheless, and despite the obstacles impeding its institution, a majority of study group participants signaled support for the two-state solution. Indeed, the 1991 Madrid Peace Conference and its aftermath—including the Oslo Accords in 1993 and 1995, subsequently popularizing

the two-state paradigm—has largely defined the international community’s political and developmental approach, even as the on-the-ground landscape has significantly deteriorated. While the Israeli settler project has progressively expanded, the TSS has increasingly appeared as an externally imposed concept, primarily championed by the international community with limited and diminishing local support, as the PCPSR survey results attest. The TSS remains the preferred outcome for many, including the Harvard student participants in the study group, perhaps due to its pro-peace roots.

Yet, notwithstanding some recent aberrations from the two-state policy, most notably under the Trump administration, the US posture has clung to the TSS. The Biden administration has doubled down through bi-partisan legislation from Congress like the 2022 Nita M. Lowey Middle Partnership for Peace Act (MEPPA), which aims “to foster better cooperation between Israelis and Palestinians and build the foundation for peaceful co-existence and a sustainable two-state solution,” providing $250 million in funding over five years for various regional peace-building initiatives and organizations.35

**Alternatives to the Two-State Solution**

Several potential alternatives to the TSS were examined and considered by the MEI Study Group. Chief among these was a one-state framework with equal rights for Israeli and Palestinian citizens or one state with unequal rights. Generally, polling from PCPSR and its Israeli counterparts show tepid support for either of these paradigms as a final solution. In a video presentation with Ambassador Djerejian, former Foreign Minister of Jordan Marwan Muasher, echoed the “One-State Reality” conception, warning that the further institutionalization of such a scenario belies democracy.

Israeli Jews also more strongly support a single non-democratic state without equality over a democratic state that would include Palestinians with equal rights.36 An important consideration is the higher demographic growth rate of the Palestinians over the Israeli Jews. However, when comparing possible conflict outcomes, Israeli Jews still prefer the TSS over the contrasting one-state


formulations. Ultimately, as some study group participants held, one-state formulations are unlikely to reconcile the trauma and deep-seated political tensions from decades of conflict.

Some study group members expressed support for a confederation or federation derived from the auspices of King Hussein’s 1972 federation plan, with the potential to evolve as a “Swiss state,” developing regulated cantons and semi-autonomous regions. While this solution paradigm and its corollary aspects—such as freedom of movement, citizenship and residency for refugees and settlers, and joint authority over Jerusalem and civic affairs—largely lacked support from Palestinians and Israeli Jews in recent surveys, a majority of Palestinian citizens of Israel were receptive to the full confederation package. In sum, these findings from PCPSR and its partners were consistent with Israeli Arabs’ disposition for supporting solution frameworks that beckoned a swift democratic resolution to the conflict. Thus, the Israeli Arab bloc seems to encapsulate an often overlooked and marginalized political, social, and economic force, domestically and regionally.

Marwan Muasher described a critical binary between the main-stay peace process approaches—i.e., “land for peace”—and what he considered a more cogent, actionable rights-based framework—or “rights for peace”—tied to a foundational legal doctrine asserting national equality among citizens. Writ large, Muasher found that the TSS has equated to a figment to which the international community has paid lip service without translating their support into a realistic implementation plan. Indeed, this political paralysis has led to the one-state reality in Israel-Palestine that Muasher perceives, along with other regional policymakers and academics, bolstered by expanding Israeli settlements in the West Bank and East Jerusalem. Under the status quo, Muasher thus advocates a shift in focus for negotiations, wherein a doctrine of universal human rights is established and safeguarded before any territorial issues are reconciled. Drawing on the Israel-Palestine conflict’s endemic volatility, for Muasher, the rights-based approach appears to be the only sustainable outcome as territorial solutions become progressively less feasible. Alternatively, a rights-based process could also take on a more integrative slant as communities are not forcibly separated, and all residents west of the Jordan River are guaranteed equal rights. Nevertheless, the ultimate

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formation of such a stratagem remains equivocal for Israeli interests, given the inherent demographic imperative for preserving the Jewish majority in Israel.

**The One State Reality?**

It is becoming increasingly evident that the Israel-Palestine conflict should be characterized as a one-state reality wherein both territories fall under the same ultimate authority structures. The recent scholarship of Michael Barnett, Nathan Brown, Marc Lynch, and Shibley Telhami outlines the contemporary one-state paradigm and argues the need to “give up on the two-state solution.” These authors contend that Israel-Palestine is akin to one non-democratic state without equal rights, given the permanence and ubiquity of Israel’s occupation of the West Bank.

In an April 2023 conversation hosted by MEI at the Belfer Center moderated by Ambassador Djerejian with Nathan Brown and Shibley Telhami, the authors expounded on their one-state reality thesis, describing it as “morally abhorrent and strategically unstable.” The consequences of the one-state reality are far-reaching, bleeding over the green line into Israel proper, where democracy protestors now endure some of the same callous population control strategies Palestinians have been subject to for decades. Moreover, for Brown and Telhami, Israel’s centrality in the American Jewish community has come under threat. This trend, though, is indicative of a longer-term shift in favor that predates the ongoing domestic crisis, with surveys over the last few years suggesting most American Jews do not support unconditional aid to Israel, particularly in relation to Israel’s military occupation of the West Bank. For example, a 2021 poll of Jewish voters by the Jewish Electorate Institute (JEI) found that a quarter of respondents agreed that Israel is “an apartheid state.” Similarly, in 2020, Pew Research Center observed that about one in five American Jews say the US is too supportive of Israel. In March 2023, 145 American Jewish leaders publicly distanced themselves from Smotrich, citing his “long-expressed views that are abhorrent to the vast majority of American Jews, from anti-Arab racism to virulent homophobia, to a full-throated embrace of

41 Morganti, “Recent Polls of US Jews Reflect Polarized Community.”
Jewish supremacy." The mounting challenges in the Israeli-Palestinian status quo have also impacted general US public sentiment, with an April 2023 poll revealing that the highest percentage, 31%, was shared between those describing Israel as “a flawed democracy” and as “a state with segregation similar to apartheid,” though partisan differences emerged. In the absence of a two-state solution, 80% of Democrats and 64% of Republicans would opt for a democratic Israel that is no longer Jewish over a Jewish Israel without equality or full citizenship rights for non-Jewish residents living under its authority.

**Lessons Learned from Past Negotiations**

Considering these pessimistic perceptions of a conflict solution in the short or long term, where can we turn? Building on past negotiation successes and failures offers one avenue to help break the deadlock of the current problematic status quo.

**Key negotiations and milestones that the Study Group considered:**

- Bilateral Track I Negotiations (e.g., post-1967 borders “green line” and UNSC Resolution 242 in 1967)
- UNSC Resolution 338 (1973, Yom Kippur War)
- Camp David Accords by Israel and Egypt (1978)
- Clinton Parameters (Oslo Accords I, 1993)
- Israeli-Jordanian Peace Treaty (1994)
- Oslo Accords II (1995)
- Road Map to Peace (Annapolis 2007)

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• Olmert-Abbas Negotiations (2008)
• Obama Administration Talks (2012, 2014)
• Abraham Accords (2020)

One takeaway from past Israel-Palestine negotiations and initiatives is that the broader geopolitical landscape must be conducive to successful outcomes. The Camp David Accords of 1978 and the Israeli-Egyptian peace treaty of 1979 followed the Yom Kippur War in 1973, which altered regional alignments during the Cold War. The broad-based coalition crafted by President GHW Bush and Secretary of State James Baker to reverse Saddam Hussein’s invasion of Kuwait was transformed into a new bloc for Arab-Israeli peace that led to the Madrid Peace Conference and, for the first time, direct, face-to-face negotiations between Israel and all its immediate Arab neighbors under the aegis of UNSC Resolution 242 and the land for peace principle. These developments led to the Oslo Accords and the 1994 peace treaty between Israel and Jordan, which was negotiated directly between Israeli Prime Minister Yitzhak Rabin and Jordan’s King Hussein.

Subsequently, another factor in determining negotiation success was that specific political horizons were outlined under which the parties deliberated. The Arab Peace Initiative of 2002 by then Saudi Crown Prince Abdullah was another breakthrough offering normalization of relations with Israel by Arab countries in return for a full withdrawal by Israel from the oPt, a just settlement of the Palestinian refugee problem, and the establishment of a Palestinian state with East Jerusalem as its capital. Subsequent initiatives did not result in successful outcomes, and there have been no substantive Israeli-Palestinian negotiations since Obama Administration’s efforts in 2014.
Establishing a Political Horizon and Looking Ahead When Conditions for Renewed Peace Negotiations May Emerge

In former Israeli President Shimon Peres’ view,

“Only peace with the Palestinians will secure the country’s future: Israel will not have lasting security without peace. Israel will not have a stable economy without peace. Israel will not have a healthy society without peace. Israel will not preserve her Jewish and democratic character without peace. As long as there is no horizon for a diplomatic solution, we will continue to live from war to war. Ruling over another people is against our values as Jews.”

Looking ahead, the Study Group considered several avenues that could emerge for achieving and sustaining peace between Israel and Palestine. From the top down, there must be capable, representative leadership on both sides willing to establish a mutually acceptable political horizon or endgame for the conflict. This basic tenet is patently lacking as the PLO’s legitimacy flounders, and Israel is engulfed in political acrimony. Though unlikely, finding common ground for a solution can only begin when the two sides move from conflict management to conflict resolution, building on past negotiation achievements to envision a path forward. Another factor is the role of a valid interlocutor or mediator. As noted above, the United States has played that role, but circumstances can also produce direct talks, such as between the Israelis and Jordanians. In any case, the mediator must be credible, bilateral, and effective to obtain positive results.

The phrase “peace process” needs to be reassessed. Process for the sake of process in the Israeli-Palestinian context has not led to positive results. It amounts to “kicking the can down the road.” Unsuccessful negotiations have too often been too focused on process and not sustainable outcomes. Fundamentally, any approach must depart from the zero-sum negotiation paradigm, which contends that “nothing is agreed upon until everything is agreed upon.” Adherence to this principle has perpetuated stasis and, ultimately, driven the two sides progressively farther apart. Each year territorial issues are unresolved, the possibility of a viable Palestinian state grows
more remote and elusive, principally due to settlement expansion in the oPt. Thus, if the land-for-peace approach and, broadly, the TSS are to remain viable, then the occupation and settlement program must be addressed decisively.

An essential factor in any future negotiations is to couple bilateral or multilateral negotiations with a coherent public diplomacy effort. Namely, to assure that citizens’ opinion of the parties is informed—with due respect to the confidentiality of negotiations—regarding the evolution of talks so that when final decisions are made, the support of public opinion is enhanced.

In the current Israeli-Palestinian context, balancing the land-for-peace principle with a human and political rights-based approach to achieve a sustainable resolution is a significant challenge. If the TSS is already a chimera, the dimensions of the political horizon change significantly, with the rights-based approach becoming the most actionable. The occupation status quo and virtual one-state reality present an existential crisis for Israel, inherently undermining its credentials as a democratic and Jewish state. Downplaying the Palestinian issue as a secondary concern to regional threats, such as Iran and Hezbollah, is often used as a political expedient to distract attention from the settlement project and internal Israeli political considerations. Indeed, the unresolved Palestinian issue gives Iran, Hezbollah, Hamas, and other extremist parties a raison d’être to propagandize against and oppose Israel and inhibits Israel’s quest to normalize relations with the other Arab states. Prioritizing the transactional economic and diplomatic relationships with neighboring Arab states, notably the normalization measures envisioned under the 2020 Abraham Accords, will not ipso facto create lasting peace with Palestinians unless the Arab States and Israel make it a priority. An Israeli participant reminded the Study Group that one of the critical conditions for the Arab states joining the Abraham Accords was no Israeli annexation of the oPt. As Saudi Crown Prince Mohammed Bin Salman stated in September 2023, “For us, the Palestinian issue is very important. We need to solve that part,” adding that he wants to see Israel as a “player in the Middle East.” Considering the centrality of this issue, if Israel truly values its national identity as a Jewish democratic state, it would be better advised to initiate peace talks with the Palestinians.

Normalization measures envisioned under the 2020 Abraham Accords, will not ipso facto create lasting peace with Palestinians unless the Arab States and Israel make it a priority.

46 Ebrahim, “Saudi Crown Prince Says Normalization Deal with Israel Gets ‘closer’ Every Day.”
On the Palestinian side, to address continuing drivers of instability, institutions must be strengthened from within. Elections may be the structural remedy for reforms unless these processes would bring to power extremist Palestinian parties in the West Bank. Israel, too, has a productive role to play in this process. Instead of exercising a strategy of institutional and legislative containment by forbidding the PA from running a proper foreign ministry, regularly arresting Palestinian legislators, limiting freedom of movement for goods and people between the West Bank and Gaza, and preventing the PLC from reaching a legal quorum, it should be Israel's long-term interest to support the Palestinian state-building project. Improving access, movement, and trade will create space for the Palestinian economy to grow and self-correct. The pressures on the PA and Palestinian economy from Israeli restrictions need to be relieved in conjunction with genuine efforts to address imbalances in their economic and administrative relationship to promote economic self-sufficiency, bolster good governance, and improve the fiscal health of the PA. A third Intifada and armed struggle may well portend if a peaceful solution to the Israel-Palestine conflict cannot be reached. As Palestinian youth grow further disillusioned with the patrimonialism of the PA and President Abbas, militancy may become the preferred avenue for resistance to increase the cost of Israel's occupation.

To date, the protest movement has remained primarily focused on internal Israeli rule of law issues. However, as reiterated in this report, *could the Israeli body politic emerge after this democratic crisis and coalesce around a new pro-peace consensus coalition government, marginalizing the incumbent extremist factions?* Perhaps, but success could hinge on the left-wing Zionist movement’s willingness to welcome pluralism in the form of Israel’s Arab demographic. According to a June 2023 poll, a majority (63.6%) would like to see an Arab party in the government coalition after the next elections. Drawing on this cross-societal support base could help resolve Israel’s democratic legitimacy crisis.47

In times of crisis, there is also opportunity. Despite the current bleak political landscape, a new situation could emerge in Israel and Palestine or the region that would be conducive to successful peacebuilding. Policymakers should be prepared to seize that moment, if it occurs, to engage in negotiations and a peaceful settlement of the Israeli-Palestinian conflict.

47 Rudnitzky, “Survey among the Arab Public in Israel.”