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Crafting an Effective United States Policy for the Middle East Post-Gaza War

Edward P. Djerejian

It should be evident that a major reassessment of United States policy is required in the wake of Hamas’ brutal attacks on Israelis on October 7, 2023, followed by Israel’s massive retaliation causing a major humanitarian disaster in Gaza and risking expansion of the conflict with regional consequences. There can be no going back to the status quo ante. The time has come for sober and objective reflection in Washington of what went wrong, lessons learned and how to proceed to craft a strategic approach toward the Middle East that reflects the realities on the ground while shedding past mindsets and policies that have simply failed.

What Went Wrong

Under both the Trump and Biden Administrations the Palestinian issue was perceived to be less central than in the past. The principled position of peacemaking of the Arab-Israeli conflict - “Land for Peace” - under the aegis of two key UNSC Resolutions 242 (1967) & 338 (1973) was sidelined for “Peace for Peace” or “Economic Peace” as exemplified by the Abraham Accords. This policy shift has thus avoided addressing the core issues of any final settlement of the Israeli Palestinian conflict. While normalization of relations between Arab states and Israel is a desirable end, this particular approach proved to be shortsighted. In the aftermath of October 7 Arab Gulf states, and especially Saudi Arabia, have stated that any future progress on normalization has to be linked to ending the war in Gaza and moving

ahead on Palestinian rights and self-determination leading to an independent Palestinian state.

At the same time, the Israeli body politic has shifted to the right and the current coalition government led by Benjamin Netanyahu is the most extreme right-wing government in the history of Israel with ministers who are wedded to the expansion of Israeli settlements in the Occupied Territories (OpT) and annexationist policies. They simply are opposed to the establishment of an independent and sovereign Palestinian State and consider the OpT as the Biblical Land of Israel. This government has caused major divisions in Israeli society over, inter alia, the legal structure of the state. Netanyahu's dependence on this right-wing coalition to enact laws that will mitigate the impact of the legal issues he faces is apparent. He is a weak reed to lean on for positive change. In fact he has reiterated his opposition to the establishment of a Palestinian state.

The chimera of Israel's policy of deterrence against Hamas, a hallmark of Netanyahu's policy, collapsed on October 7. Netanyahu has been playing off Hamas against the Fatah leadership in the West Bank in order to weaken Palestinian leadership and decision making and, thereby, diminish the prospects for any serious negotiations for peace. It was a classic colonial policy of divide and rule. In sum, Netanyahu's and Israel's strategy failed.

Netanyahu's policy of prioritizing the Iranian threat to Israel and the region and actively working against United States policy on the nuclear issue and the JCPOA initiated in the Obama Administration has also fallen short. Iran now is closer to being able to produce a nuclear weapon than before and it is actively influencing regional affairs through its proxies such as Hezbollah and the Houthis in the so-called "Axis of Resistance." Indeed, resolving the Palestine issue will do more than many politico military options to marginalize Iran's and its proxies' threats to the region by removing a major justification of their policies and actions.

The Palestinian leadership in the West Bank under Fatah and President Mahmud Abbas is weak and systemically corrupt. The continuing occupation has taken its toll. The last legislative elections in the Palestinian territories were in 2006 when Hamas gained ground. There have not been presidential elections since 2005. The leadership is perceived to be aiding and abetting the occupation by its security coordination with Israel.

Lessons Learned Or To Be Learned

The Palestinian issue cannot be marginalized and must be addressed in the context of a diplomatic approach based on the principle of land for peace. As Prime Minister Yitzhak Rabin told me in 1994 when I was the United States ambassador to Israel, there is no military solution to the Israeli-Palestinian conflict, only a political one.

The security and stability of the Middle East region as well as the efforts of certain countries to modernize their societies and economies is at stake in the absence of a resolution of the Israeli-Palestinian conflict.

There can be no meaningful and sustainable normalization of relations between Arab countries and Israel without real progress on the resolution of the Israeli-Palestinian conflict as evidenced by the limited impact and reach of the Abraham Accords.

There is no possibility of addressing the Palestinian issue constructively while there is a government in Israel that is not seriously committed to negotiations with the Palestinians to end the occupation and to address the core issues of borders, security arrangements, refugees, and Jerusalem. The Israeli body politic has also to decide whether Israel's democracy can survive with the prospect of a long continuing occupation.

The Palestinian Authority and leadership must be renewed to represent all the Palestinian factions and engage in comprehensive negotiations with the Israelis. To achieve these objectives there will have to be new elections in both Israel and Palestine which, hopefully, will bring to power political forces that declare their respective visions for peace

going forward and are committed to pursue negotiations on the end of the conflict.

The Israeli occupation of the Palestinian Territories is entering its 57th year. Indeed, the prospect for a Two State Solution (TSS) whereby there would be an independent and sovereign Palestinian state living in peace and security next to the state of Israel has eroded each year with the expansion of Israeli settlements in the occupied territories. These settlements are illegal under international law and the Geneva Conventions of 1949. Today, a case can be made that the reality on the ground resembles a “One State Solution” with unequal rights between the Israelis and Palestinians, which is a form of apartheid.

As I stated in an earlier article last November, “The Palestinian issue is an existential challenge to the state of Israel. If Israel wants to preserve its identity as a “Democratic Jewish State,” it must end the occupation through a negotiated TSS. There are approximately 7 million Israeli Jews and 7 million Palestinian Arabs between the Jordan River and the Eastern Mediterranean Sea. Neither one nor the other is going anywhere else. Under a One State Solution Israel will lose either its Jewish identity because of the stronger demographic growth factors on the Palestinian side, or its democratic nature because of unequal rights between Arabs and Jews. Israel must decide whether it is to be the democratic State of Israel or the apartheid State of Judea and Samaria. What the October 7th attack brought to the fore is that the Palestinian issue will not go away without continued bloodshed, wars, and regional instability giving rise to wider conflicts and enhancing the prospects of extremist groups resorting to terrorism.”

A new regional security architecture needs to be crafted based on a realistic assessment of the forces at play and the geopolitical shifts leading to a multipolar world. In this context priority should be focused on diplomacy and statecraft bolstered by military capabilities, but not dominated by resort to force options.

A Way Forward for United States Policy

The time has come for a reassessment of United States policy toward the Middle East region and particularly the Israeli-Palestinian conflict. Concerning the latter, United States policy should move from conflict management (which has failed) to conflict resolution. October 7th is reshaping the political landscape in the region akin to the effects of the Yom Kippur war in 1973 which also was a surprise attack on Israel and despite the immediate trauma created conditions that led years later to the Camp David Accords in 1978 and the Israeli-Egyptian peace treaty in 1979 brokered by an American president, Jimmy Carter. While the historic context is different today, one may conclude that the Gaza war and its increasing toll in lives lost and maimed, population displacement, and infrastructure destruction has increased the risk of regional destabilization with the possible enlargement of the conflict. This underscores the fact that the status quo ante has proven to be untenable and poses a threat to the stability of the whole region and to United States interests. This should compel new thinking on the road ahead.

In the first instance, every effort must be made to achieve and declare a sustainable cease fire, obtain the release of the hostages, end the war and the humanitarian crisis. This will also require enhanced security arrangements on Israel’s southern border with Gaza and its northern border with Lebanon.

On the assumption that none of the regional state players in this conflict see it in their interest to enlarge the war, including Iran, the United States should continue to make clear that it will oppose efforts to cause a larger war and efforts to drag it into such a war which may serve the interests of another party but not that of the United States. In this context a determined effort should be made to secure the Lebanese-Israeli border in the spirit of

UNSC Resolution 1701 which calls for the full cessation of hostilities between Israel and Hezbollah, the full withdrawal of Israeli forces from all Lebanese territory, the disarmament of armed groups including Hezbollah and the deployment of Lebanese and UNIFIL forces to southern Lebanon.

A massive humanitarian assistance program in Gaza led by an international consortium of nations, in which the United States can play an important role, can only be executed in the aftermath of a sustainable ceasefire and a realistic path forward to resolve the Israeli Palestinian conflict. In this respect, a comprehensive rehabilitation program to rebuild Gaza and resettle its displaced inhabitants in their former homes is required. In no instance should the forced exile or emigration of Gazans be countenanced.

The United States should put forward its vision and concept for Israeli-Palestinian peace in a comprehensive statement of policy that goes beyond rhetoric for a TSS and contains an outline for the path forward. Such frameworks have been presented in the past and can be built upon to reflect current realities. The United States would enhance the success of peacemaking with Terms of Reference for an acceptable end of conflict for both parties. The point here is to provide a vision that the parties could adhere to and would provide some hope for realizing the end of the Israeli-Palestinian conflict with future implications for the unfinished business of peace on the Lebanese and Syrian fronts.

The United States vision should be crafted after in-depth consultations with the relevant parties inside and outside the region and should be premised on building a wide international coalition that supports it. Among the precedents in the history of Arab-Israeli negotiations that can be built on include: UN Security Council Resolutions 242 & 338 and the principle of land for peace; the Egyptian-Israeli peace treaty; the Madrid Peace conference which for the first time brought Israel and all its Arab neighbors to the negotiating table in face to face negotiations within a supporting multilateral context; following the Oslo Accords the Israeli Jordanian peace treaty; the Clinton parameters which dealt with territorial compromises and the Saudi initiated Arab Peace Initiative which was endorsed by the Arab League and offered normalization of relations with Israel by the Arab world in return, inter alia, for a full withdrawal by Israel from the occupied territories. These initiatives are based on the principled position of land for peace which provides a firm basis for addressing the core issues between the parties.

In sum, a major policy reassessment is called for that creates a political landscape that makes it difficult for the parties to say no to negotiations and a peaceful settlement of the conflict. It is not pressuring the parties to come to the table; rather, it is creating a political horizon and framework within which the parties can promote their interests, negotiate the necessary compromises and try to find common ground to come to an agreement. While the Madrid Conference fell short of its promise because of subsequent events, it did provide the framework for moving forward through painstaking diplomacy and an approach that was both principled and pragmatic.

The aftermath of the current crisis may present an opportunity for creating the conditions for renewed peace negotiations between the parties with regional and international support based on the principle of land for peace and a two state solution. This will require courageous leadership and statecraft on all sides. What is at stake is Middle East peace, security and prosperity with global implications.

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