



## Recalculating Route: America and Israel on Divergent Paths

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In May 2016, I wrote that the Obama Administration should carefully weigh options for how to address the Israeli/Palestinian issue during its last months in office. Discussing various possibilities, including a UN resolution on parameters of how to move the peace process forward, a UN resolution on settlements, and a major speech, I argued that the latter two options made the most sense while the first did little good. In the final weeks of 2016 the White House took these very steps, making a lasting impact on the future of Israel and Palestine. Below I discuss the resolution and the speech, how they were received, and the domestic political ramifications of these steps for the different players involved.

### **The Resolution**

UN Security Council (UNSC) resolution 2334 was adopted on December 23, 2016 by a vote of 14 for, none against, and one very notable abstention cast by the United States. Initially tabled for a scheduled vote by Egypt on December 22, the resolution was almost stopped dead after Israel reacted furiously to the possibility that it might pass, having received no assurance of a veto from the Obama Administration. Egypt, under pressure from both Israel and President-elect Donald Trump, withdrew its proposal. This led to four other UNSC members—New Zealand, Senegal, Malaysia, and Venezuela—to give Egypt an ultimatum: it had until midnight to put the resolution forward for a vote or else those four players would do so themselves. The following day, after Egypt refused to put forward the resolution, Malaysia introduced it before the UNSC for a vote. Traditionally, Palestine-related resolutions at the UNSC are put forward by Arab member states on the council, but Egypt turned down the opportunity to continue this tradition. Malaysia, a country with which Palestine has strong relations, filled in to put the historic vote forward in the last few days of its two-year term on the council. That the Palestinians could count on a country like New Zealand more than they could count on Egypt is indicative of the extent to which Palestine has fallen off the international agendas of regimes in the Arab world.

The language of the resolution itself regarding settlements included nothing new. In fact, describing settlement building as having “no legal validity” and characterizing settlements as “flagrant violations” of the Fourth Geneva Convention were lifted directly from previous UNSC resolutions for which the United States voted and not merely abstained. The illegality of Israeli settlements has been long established and agreed upon and ranks as one of the least controversial matters in international affairs.

If the language regarding the legality of settlements was boilerplate, what did stand out as new are references to the two-state solution. It is important to note that the notion of a two-state solution only made it into a UNSC resolution for the first time in 2002, during the presidency of George W. Bush. Now, in the waning days of his successor's administration, the language around the two-state solution in the resolution was a desperate plea to keep it alive. Settlements were "dangerously imperiling the viability" of two states. "Significant steps," the text stated, were "urgently needed . . . . to reverse negative trends on the ground, which are steadily eroding the two-state solution." The solution needed "salvaging." When, where, and exactly how the two-state solution died or will die is a matter for academic debate, but there is no debate over the fact that this resolution enshrined into the international consensus that its days are numbered, short, and dwindling, and that the cause of its eventual demise is Israeli settlement expansion.

### **Kerry's Speech**

Days after the resolution passed, Secretary of State John Kerry delivered a 72-minute speech from the Dean Acheson Auditorium at the State Department which focused on Middle East peace. I had initially thought that it would make sense for President Obama to deliver such a speech since this was the last attempt of his administration at a major legacy issue and because oration was one of his most powerful and unique gifts. In retrospect, Kerry as the messenger probably made more sense since Israelis, a key audience for this speech, never fully trusted President Obama, whose middle name, Hussein, is often emphasized in the charged corners of Israeli discourse on relations with the White House.

I noted in May that while "the speech would surely include all the usual platitudes about US support for Israel's security, it could also signal a shift in the US-Israel relationship by stressing that the values of military occupation are no longer values the US wants to uphold," and that the speech should "send Israel the message that if we are going to talk about a relationship based on 'shared values,' those values cannot include denying self-determination and other fundamental rights to millions of people, and failing to act decisively to change course will have increasing implications for the ties between both countries."

That is precisely what Secretary Kerry did in perhaps the single most important part of his speech:

There are currently about 2.75 million Palestinians living under military occupation in the West Bank, most of them in Areas A and B – 40 percent of the West Bank – where they have limited autonomy. They are restricted in their daily movements by a web of checkpoints and unable to travel into or out of the West Bank without a permit from the Israelis.

So if there is only one state, you would have millions of Palestinians permanently living in segregated enclaves in the middle of the West Bank, with no real political rights, separate legal, education, and transportation systems, vast income disparities, under a permanent military occupation that deprives them of the most basic freedoms. Separate and unequal is what you would have. And nobody can explain how that works. Would an Israeli accept living that way? Would an American accept living that way? Will the world accept it?

The message of this speech is clear: the differences between the policies Israel continues to advance and the values Americans uphold are crystallizing.

### **The Reactions and Fallout**

Upon the abstention of the United States in the Security Council vote, the chamber erupted in applause, as if to congratulate the Americans for doing something the entire world had known they were capable of but had longed to see. Mahmoud Abbas and the PLO welcomed the passage of the resolution and announced after Kerry's speech that the PLO was prepared to move forward with negotiations if Israel stopped settlement building. Most of the world received the resolution and speech well, with the expected exception of Israel, which reacted with outrage.

Benjamin Netanyahu, the Israeli prime minister, said that “friends don't take friends to the Security Council.” As he had done often during the past several years, Netanyahu injected himself into American domestic politics. For example, in 2012 he allied with Mitt Romney during the presidential campaign, and in 2015 he worked with GOP House Speaker John Boehner to circumvent the White House to lobby Congress against the Iran deal. Now he was openly embracing the president-elect in opposition to the president of the United States. Netanyahu's message was that this was about Obama—someone he thought never really understood Israel and was an outlier in American politics.

In his speech, Kerry shot back with a message clearly addressed to Netanyahu—that “friendship requires mutual respect” and the United States was not getting it from Israel's prime minister. The president-elect took a different position, saying on multiple occasions since the UNSC vote that Israel was being “treated very badly” and that he would change that.

These events and statements will have a long-lasting impact on domestic politics in Israel and the United States. In Israel, Netanyahu sells himself to voters as the only Israeli who really knows how to protect Israel and how to handle America and the world. His campaign ran ads showing him castigating his political opponents for never achieving anything, alongside images of the US Congress giving him standing ovations. He spoke at the UN General Assembly just three months

before the UNSC vote saying, “I believe the day is not far off when Israel will be able to rely on many, many countries to stand with us at the UN. Slowly but surely, the days when UN ambassadors reflexively condemn Israel, those days are coming to an end.” He also argued, to showcase his efforts in building ties with African states, that African countries would help protect Israel at the United Nations. This was, of course, a few months before Senegal cooperated with Malaysia, Venezuela, and New Zealand to bring UNSC resolution 2334 to the floor after Egypt stepped back.

Netanyahu’s political opponents also saw the opportunity to pounce. Moshe Yaalon, who served as defense minister until recently as part of the Netanyahu coalition government, stated that better leadership would have avoided the fiasco for Israel. Yaalon’s political ambitions are clear. At the same time, the hard right, on which Netanyahu is dependent to maintain his coalition, has used the opportunity to demand even more settlement building and to call for annexation. This will push Netanyahu further right, and a new election—in which the right is further split through the return of Yaalon—could mark the end of Netanyahu’s rule. For this to happen, however, it would require the fall of the current governing coalition which, thanks to Netanyahu’s consistent tacking to the right, is a narrow but ideologically solid majority. It is hard to see it coming apart before the next election unless some major scandals arise to bring Netanyahu down. Currently there is a criminal investigation in Israel into bribery allegations against Netanyahu and how this plays out will be very important. While the evidence might exist to unseat Netanyahu, he has survived several allegations of impropriety in the past. Time will tell.

In the United States, while Donald Trump was making his feelings clear about the Obama Administration’s positions, so too were many elected officials on both sides of the aisle. Some even called for defunding the United Nations or entirely withdrawing from it. But public opinion in the United States tells a different story. Most Democrats not only oppose Israel’s settlement building but they support efforts to do something to stop it, including UN action. Republicans take the opposite view, setting up a partisan battle over a foreign policy issue—the US-Israel relationship—that had previously garnered unique bipartisan support. These trends will only be exacerbated by the events of the past two weeks.

### **Timing and International Context**

The United States and the world are in a moment of transition. Understanding the impact of these events requires awareness of the bigger trends evolving across the globe. Kerry ended his lengthy speech by outlining parameters for a two-state deal, which were the product of the framework agreement effort that fell apart in the spring of 2014. He never revealed them then, though there were reports based on leaks at that time which gave us an idea of the outline. At the end of this speech, however, these ideas seemed less like serious proposals and more like an attempt to fill out a footnote in the historical record in some official way. With a Trump

Administration coming in seemingly prepared to take a very different position on Israel, the speech's general message regarding the clash of Israel's policies with American values is more important than any of the policy prescriptions and the only thing that will have lasting impact.

Netanyahu's aligning with Trump is also reinforcing this message, not just to Israelis and Palestinians but to Americans as well. Netanyahu and Trump may be prepared to walk down the apartheid road together, but what happens to the US-Israel relationship the day after Trump makes this clear? Trump and Netanyahu are not the only partners in this alliance. Interestingly, both are increasingly warm to Vladimir Putin's Russia; indeed, it is easy to see how they are coalescing around shared authoritarian visions that oppose multiculturalism and principles of equality.

The events of the past weeks are the culmination of several trends that have driven Israel and American liberals apart. This will have a lasting impact on the US-Israel relationship, even if it may not translate into policy during the Trump era.