Receiving Netanyahu, Trump Must Emphasize America's Interests

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February 14, 2017

Prime Minister Benjamin Netanyahu comes to Washington this week to officially reset US-Israeli relations after the chill of the last few years of the Obama Administration. His visit is expected, first, to exploit all ill-advised pronouncements by President Donald Trump before and after his ascension to the White House and, second, to reinforce the traditional firewall that has protected Israel and its policies. Netanyahu will no doubt find receptive audiences and willing associates from the White House to the halls of Congress to the myriad institutions of foreign policy advocacy and decision-making on the Middle East.

During his presidential campaign and after winning the presidency, President Trump issued some declarations that promised to bring radical changes to US policy toward Israel, the Palestinians, and the American approach to Israeli-Palestinian peace. He <u>promised</u> to move the US embassy to Jerusalem as soon as he entered the White House and to recognize the city as Israel's eternal capital. As president-elect, he <u>intervened</u> with Egypt to postpone the introduction of a resolution at the United Nations Security Council condemning Israeli settlement activity on the West Bank. He received accolades from Israeli right-wing leaders who considered him the antithesis of his predecessor.

However, and possibly reflecting some newly acquired knowledge and understanding of American interests in the Middle East and the nuances governing relations with its states, President Trump appears to be counting to ten before rushing headfirst to implement his campaign promises. Over the last couple of weeks, the president has refrained from issuing an executive order to move the embassy, cautioned the Israelis about settlement expansion, and returned to talking about a peace process that many consider to be dead. Indeed, his behavior regarding the Israeli-Palestinian conflict indicates that he may be listening to experienced and cooler heads who are trying to accommodate long-polarized—and polarizing—positions that may thwart his announced desire to broker the "ultimate deal."

The Trump Administration's Easy Does It?

Like its predecessors, the Trump Administration has quickly discovered that promises made in the heat of a campaign about changes in American foreign policy in the Middle East cannot be realized easily. President Trump's pledge to move the American embassy to Jerusalem, like others made by Presidents Bill Clinton and George W. Bush, has succumbed to the realities of US relations with the Arab world. Presidents Clinton, Bush, and Barack Obama even availed themselves every six months since 1999 of a presidential provision in the <u>Jerusalem Embassy Act of 1995</u> to

postpone implementation of the move on grounds of national security. In an <u>interview</u> with the Israeli rightwing newspaper *Israel Hayom*, President Trump ignored his

original promise and declared that the embassy move is not an easy decision, obviously allowing himself some wiggle room ahead of Netanyahu's visit and in deference to demands by Arab allies not to move fast on the issue without first addressing Palestinian concerns.

On settlements, the administration finds itself beholden to the traditional US position on Jerusalem and the West Bank, one based on international law and prohibiting the colonization of militarily occupied territories. Over the last two weeks, the administration's position on settlements has changed, but not completely transformed, from considering them not an impediment to peace to objecting to their expansion because that would hurt the prospects of achieving such a peace. It goes without saying that the existing settlement blocs are increasingly making the prospects of a Palestinian state in whichever form and size—and subsequently the two-state solution—remote and impracticable, thus aborting what for decades has been the basis of American involvement in the comatose peace process.

But what the administration wants, and what can be achieved on this issue, appear to be more subject to Israeli domestic politics than a function of President Trump's ability to convince Netanyahu of the virtues of reversing his colonization policies. Although it has many legal challenges, the latest Israeli Knesset Law (also known as the Regularization Bill) that retroactively authorizes Israeli settlements on private Palestinian land is a clear sign of where and how far settlement advocates in Israel are willing to go. Moreover, while the president meets with Netanyahu, construction on more than 5,500 additional housing units in the West Bank proceeds apace as completely new settlements have been approved by the Israeli government. Jerusalem Mayor Nir Barkat announced plans a few days after Trump's inauguration for building 600 housing units in the occupied eastern part of the city, expressing relief that the constraints of the Obama Administration had finally been lifted.

Jockeying for political position and ascendancy in Israel is also adding to the complexity of the issue. Ever the consummate political survivor—he is the longest serving Israeli prime minister—Netanyahu finds himself fending opportunists on his right from maneuvering against him and forcing him to commit to positions he would rather not fully endorse before meeting the American president. Education Minister and leader of the Jewish Home bloc in the Knesset, Naftali Bennett, cautioned members of President Trump's transition team against committing to a two-state solution and proposed annexing large areas of the West Bank. It is important to remember that before the American election, Bennett announced the death of any potential Palestinian state. While Defense Minister and leader of the Israel Our Home bloc Avigdor Lieberman still supports the two-state solution, he also advocates annexing large settlements; he also wants to expel Israeli-Palestinians from Israel to the newly created Palestinian state so that Israel could become a purely Jewish state.

At the same time as the president announces his misgivings about the settlements, he has chosen a settlement advocate and funder, David Friedman, to represent him and the United States as ambassador to Israel. The US Congress has also signaled where it stands on settlements: the House of Representatives and the Senate overwhelmingly voted last January to condemn the Obama Administration's abstention on UN Security Council Resolution 2334 condemning Israeli settlement activities. Furthermore, Trump's pronouncements during the election campaign garnered him firm support from Israel's uncritical traditional backers among a wide swathe of American conservatives who see the country as America's most important ally in the Middle East.

These and other developments and realities are what has so far made the administration's stand on the embassy move and the settlements appear both half-hearted and doubtful. But the president is in an untenable situation that in large part arises from his own pronouncements. Presently, if he persists in his campaign mode on the Israeli-Palestinian conflict, he would be setting the United States on a slippery slope to approving all Israeli policies and actions—an outcome that would severely damage Washington's international standing. If he decides to rein in Israeli ambitions, he would face a storm of disapproval that may hinder his domestic agenda. Thus, in both cases, he must rely on the institutional professionals at the Department of State and the Department of Defense who are most concerned about the impact of the president's moves on American national security.

International and Regional Pressures and Constraints

In addition to difficulties in implementing campaign promises and to Israeli and American domestic considerations, President Trump cannot easily escape the obligations borne by the United States as an international leader defending international law and norms. Indeed, no American administration has been fully immune from the pressures brought to bear by important actors in the international community; and the Trump Administration is no exception, despite the president's "America First" slogan.

The Israeli Knesset's settlements law has generated much international consternation and condemnation; the Trump Administration would not be able to escape criticism if it remained silent on it. To wit, the Secretary General of the United Nations, António Guterres, condemned the law and considered it in contravention of international law; Federica Mogherini, the European Union's foreign policy coordinator, cautioned that it "crosses a new and dangerous threshold"; and French President François Hollande said that it could be a prelude to full annexation of the occupied territories. British Prime Minister Theresa May expressed her opposition to the law when meeting with Netanyahu in London, while the Palestinian Authority, Turkey, Jordan, and other countries "spoke out against the legislation." Germany has cancelled an annual meeting in May between the German and Israeli governments because of differences over settlement activities. While the Trump Administration has expressed disdain for international institutions and has threatened to cut off funding for the United Nations for not supporting US policies, it nonetheless cannot totally ignore cautionary notes from international actors on Israel-related issues.

In addition to the required respect for international law that prohibits the acquisition of territory by force and its colonization for the benefit of the occupying power, the Trump Administration must heed some important Middle East strategic considerations and contingencies. First, and like the potential fallout of the administration's now-halted travel ban on citizens from seven Muslim-majority countries, moving the American embassy to Jerusalem would be perceived—not only by Palestinians and other Arabs, but the world at large—as recognition of the city as the capital of Israel. Such an outcome would cost the United States dearly in its relations with the Arab world and would very likely lead to violence. The same can be deduced from a recognition of Israeli sovereignty over swathes of the West Bank where settlement blocs have mushroomed and expanded.

Second, and relatedly, if the Trump Administration were to move the embassy to Jerusalem or approve of settlement activities, it would undermine friends in the Arab world it needs in resolving the Palestinian-Israeli conflict as well as in fighting the Islamic State in Iraq and the Levant (ISIL). Further, for all intents and purposes, the move would subvert what Arab officialdom considers to be the best alternative for securing Palestinian-Israeli and Arab-Israeli peace, namely, the Arab Peace Initiative of 2002 that has been reaffirmed in every Arab summit meeting since. Among other things, that initiative proposed recognition and security for Israel in its pre-1967 borders, the establishment of an independent Palestinian state with East Jerusalem as its capital, and the end of the state of hostility between Israel and the Arab world. Indeed, if Trump's campaign rhetoric were to come true, Arab leaders would in effect be asked to abandon their comprehensive compromise and endorse a plan that deprives the Palestinians of their rights—a prospect that no Arab leader, in his right mind, would support.

Third, going through with implementing his campaign promises on Jerusalem and the settlements, President Trump would be handing Iran another ready-made weapon to use against American policy in the Middle East. Tehran has long competed with Arab leaders over championing the Palestinian cause and could exploit Trump's moves against both moderate Palestinian leaders and pivotal leaders in the Arab world. In fact, sensing a change in Palestinian fortunes with the Trump Administration, Iran already is trying to reconstitute its relationship with Hamas—the Palestinian governing body in Gaza—obviously as an alternative to what it considers a pliant Palestinian Authority under the leadership of President Mahmoud Abbas. The Iranian angle to this issue would not end there since Netanyahu would try hard to resurrect the debate about the nuclear agreement with Tehran and to ensure the administration's support if Israel faces Iran's proxies, such as Hezbollah.

The Traditional Way ... Plus

Although nuance has not been among the tools in President Trump's repertoire since he launched his presidential bid in 2015, it remains the single most important need going forward in relations with Israel and the Palestinians. If the president wants to achieve what he called the "ultimate deal" in the Middle East, he must wait before he makes tangible commitments to the Israeli prime

minister, be it on moving the embassy, dealing with the settlements, or devising the contours of Palestinian-Israeli peace.

First, the president must adhere to the old American formula of rejecting conquest by force or watch as American leadership around the world is subjected to criticism and ridicule. Moving the embassy or recognizing the legality of the settlements would be tantamount to accepting illegal actions committed by other states, such as the Russian annexation of Crimea.

Second, while the Middle East peace process is all but dead, the president may have an opportunity to help revive it, or even launch a new one, based on the Arab Peace Initiative of 2002, with land swaps that Palestinian and Arab leaders have accepted.

Third, President Trump must realize that American national interests cannot be sacrificed on the altar of opportunistic Israeli politicians cynically leading their country, and the Palestinians, to an unwarranted future—one that includes images of apartheid, population transfers, and widespread violence.